

2009 DRAFTING REQUEST

Bill

Received: **02/13/2009**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Jim Sullivan (608) 266-2512**

By/Representing: **Nicole Hudzinski**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Sen.Sullivan@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Special plates related to Harley-Davidson with revenues to go to motorcycle safety programs

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			State
/P1	agary 05/01/2009	jdye 05/04/2009	jfrantze 05/04/2009	_____	lparisi 05/04/2009		State
/P2	agary 05/20/2009	jdye 05/21/2009	phenry 05/21/2009	_____	sbasford 05/21/2009		State
/1	agary 06/30/2009	jdye 07/01/2009	mduchek 07/01/2009	_____	cduerst 07/01/2009		State

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/2	agary 07/28/2009	jdye 07/28/2009	jfrantze 07/28/2009	_____	lparisi 07/28/2009	cduerst 01/08/2010	

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*at
intro*

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pk
[Signature]
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1/?	agary	PI 5/4 jld	Jb 5/4	Jb/mel 5/4			

FE Sent For:

<END>

Gary, Aaron

From: Hudzinski, Nicole
Sent: Saturday, February 14, 2009 3:03 PM
To: Gary, Aaron
Cc: Kulig, Steven
Subject: RE: Harley-Davidson License Plate

Thanks Aaron. Steven in our office is going to be in contact with both Harley and DOT and then he'll loop back with you.

Nicole

From: Gary, Aaron
Sent: Friday, February 13, 2009 1:58 PM
To: Hudzinski, Nicole
Subject: RE: Harley-Davidson License Plate

Hi Nicole,

Yes, I would be the drafter. I'll get the request entered. DOT always does the plate design. It would be extraordinary to allow a private company to do that. Alternatives include specifying some limited design feature by statute, requiring DOT to consult with a third-party in creating the design, or (rarely) giving some third-party the right to approve (ie also disapprove) DOT's design.

Regarding use of proceeds from the plate, I would recommend that DOT be consulted on how the funding mechanism will work. The funding of this bill could get complicated, depending on who is actually providing the training and how that funding stream works.

Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Hudzinski, Nicole
Sent: Friday, February 13, 2009 1:41 PM
To: Gary, Aaron
Cc: Kulig, Steven
Subject: FW: Harley-Davidson License Plate

Aaron, are you the correct drafter for a new Harley license plate, similar to the Packer license?

Nicole Hudzinski
Senator Sullivan's Office

02/18/2009

From: Richards, Michael [mailto:Michael.Richards@harley-davidson.com]
Sent: Thursday, February 12, 2009 1:22 PM
To: Hudzinski, Nicole
Subject: Harley-Davidson License Plate

Nicole:

I hope all is well with you and the office.

Per your request, here are some drafting instructions for the Harley-Davidson automobile license plate

Draft: Could you have them make it a P Draft, so it doesn't have a lot of slash/ versions and we can work on it that way;

Intent: Create a license plate, similar to the model used by the Green Bay Packers, whereby Harley-Davidson will enter into an agreement with the state for usage of our officially licensed trademark for usage on automobile license plates. The plate sales, which would be more expensive (use Packer model) would go to fund state motorcycle safety programs.

Plate: The plate would be a Wisconsin license plate, with the Harley-Davidson bar and shield to the left of the plate and on the bottom the slogan would read "Motorcycle Safety" We will not be doing outrageous colors like the Packers did.

As with current law, we would have to pay the state (I believe) to create the license plate. If that is the case, we would ask that we would be accrued back (just like the Packers and NFL were) for the usage of the trademark.

Funds obtained above and beyond the accrual and moving forward once the payment is completed would be limited to:

- Instructor training
- Funding for ranges and range maintenance
- Range aids (cones, etc.)
- Materials used for instruction

Let me know if you need more.

Thanks,

Mike Richards

This communication (including any attachments) is for the use of the intended recipient(s) only and may contain information that is confidential, privileged or otherwise legally protected. Any unauthorized use or dissemination of this communication is prohibited. If you have received this communication in error, please immediately notify the sender by return e-mail message and delete all copies of the original communication. Thank you for your cooperation

02/18/2009

Gary, Aaron

From: Kulig, Steven
Sent: Tuesday, April 28, 2009 6:17 PM
To: Gary, Aaron
Subject: FW: Harley Davidson License Plate Update
Attachments: Motorcycle License Plate Memorandum to Sullivan's office 4-27-09.doc

Hi Aaron,

I talked with Nicole in our office and I believe that you are working on the Harley Davidson license plate legislation for Senator Sullivan. DOT recently sent me a couple concerns they had with the bill, which I have listed below. I forwarded these concerns to Michael Richards, Manager of Government Affairs at Harley Davidson. Attached is his response to the DOT concerns. If you have any questions regarding the language please feel free to contact me.

Steven Kulig
Office of State Senator Jim Sullivan
State Capitol Room 15 South
PO Box 7882
Madison, WI 53707-7882
608-266-2512

DOT Concerns:

If the intent is to credit the HD license plate proceeds to DOT to "fund motorcycle safety programs", then:

- 1) Bill needs specific statutory language to ensure the new PR funds would flow to the Dept in a manner that allows BOTS (or whoever) to spend it for the intended purpose (otherwise the \$\$ simply go to SEG)
- 2) If the bill author intends to fund a very specific element of our MC rider education program or some other MC safety activity unrelated to rider ed, then that needs to be made clear to us

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04/29/2009



Harley-Davidson Motor Company, 3700 West Juneau Avenue, P.O. Box 653, Milwaukee, WI 53201 414/342-4680

To: Steven Kulig, Office of Senator Jim Sullivan
From: Michael Richards, Manager of Government Affairs
Date: Monday, April 27, 2009
Re: Harley-Davidson "Motorcycle Safety" Automobile License Plate

Per your request, here is a memorandum that will answer the questions and concerns raised in the April 23rd email you had sent to me relative to the Harley-Davidson automobile license plate for "Motorcycle Safety." Please do not hesitate to contact me should you have any questions, comments, or concerns.

The first issue, which was raised by the Department of Transportation related to the need for specific statutory language to ensure the new Program Revenue funds derived from the sale of the license plates would be spent for their stated purpose. The second issue raised by the Department related to identifying the certain elements within the Motorcycle Rider Education Program that would be granted funds under this bill. I believe the proposed language below should suffice in addressing both of the issues stated above:

Monies derived from the sale of the plates under this subdivision shall be used to supplement existing funds used in the operation of the motorcycle safety program prescribed under Wis. Stats. 85.30 for Type 1 motorcycles. Specifically, funds derived from the sale of the plates shall only be used for one or more of the following:

- (a) Departmental Course Evaluations, as described under TRANS 129.11;***
- (b) Motorcycle Riding Course Grants, as specified under TRANS 129.15;***
- (c) Public Awareness Programs, as specified under TRANS 129.16;***
- (d) Safety Education as described under TRANS 129.17.***

Furthermore, we would like to ensure that the design for the new plate would state "Motorcycle Safety" at the bottom of the plate. The following language should assist the drafter in this section.

The words "Motorcycle Safety" shall be displayed across the lower portion of the plate. {Note, examples of this type of language can be seen in Wis. Stats. 341.13 (6), (2m) and (6m).}

Finally, we want to ensure that the funds we pay in for the design of the plates is amortized over a period of years, similar to what was done with the Green Bay Packers plates.

Please let me know if you need more.



in
5/1

JLd

D-note

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

X
1
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Gen

AN ACT ...; relating to: special distinguishing registration plates supporting motorcycle safety and making appropriations.

Analysis by the Legislative Reference Bureau

Under current law, any group or organization may apply to the Department of Transportation (DOT) for designation as an authorized special group. If the application is approved, members of the authorized special group may obtain special distinguishing registration plates for certain vehicles, including automobiles and motor homes, that are owned or leased by special group members. A fee, in addition to the regular registration fee for the particular kind of vehicle, is charged for the issuance or reissuance of most special plates.

Before October 2, 1998, authorized special groups whose members may obtain special plates were specifically enumerated in state law. With certain exceptions, current law provides that specific enumeration in state law of authorized special groups is limited to those special groups enumerated before October 2, 1998.

This bill establishes an authorized special group specifically enumerated in state law for persons interested in supporting motorcycle safety. In addition to the regular vehicle registration fee, special group members are required to pay a \$15 fee for issuance or reissuance of the special plates and an additional \$25 annual fee that, after paying applicable licensing fees, provides funds for the following activities under the Type 1 motorcycle, moped, and motor bicycle safety program administered by DOT: evaluation of basic rider education courses; aiding other organizations in the promotion of Type 1 motorcycle safety; conducting public workshops, rallies, and programs related to Type 1 motorcycle safety; and making grants for providing

*
*
*

motorcycle riding courses. The bill requires these plates to display the words "motorcycle safety" and a logo associated with Harley-Davidson, Inc. The plates may not be issued until after DOT has obtained licensing rights for this logo.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.395 (5) (cL) (title) of the statutes is amended to read:

2 20.395 (5) (cL) (title) *Licensing Football plate licensing fees, state funds.*

3 **SECTION 2.** 20.395 (5) (cs) of the statutes is created to read:

4 20.395 (5) (cs) *Motorcycle safety program supplement, state funds.* All moneys
5 received under s. 341.14 (6r) (b) 12. b., for activities under the Type 1 motorcycle,
6 moped, and motor bicycle safety program under s. 85.30 limited to evaluation of basic
7 rider education courses, aiding other organizations in the promotion of Type 1
8 motorcycle safety, conducting public workshops, rallies, and programs related to
9 Type 1 motorcycle safety, and making grants for providing motorcycle riding courses.

10 **SECTION 3.** 20.395 (5) (ct) of the statutes is created to read:

11 20.395 (5) (ct) *Motorcycle safety plate licensing fees, state funds.* All moneys
12 received under s. 341.14 (6r) (b) 12. a. for the purpose of making payments of
13 licensing fees under s. 341.14 (6r) (i).

14 **SECTION 4.** 341.14 (6r) (b) 1. of the statutes is amended to read:

15 341.14 (6r) (b) 1. Upon application to register an automobile or motor home,
16 or a motor truck, dual purpose motor home or dual purpose farm truck which has a
17 gross weight of not more than 8,000 pounds, or a farm truck which has a gross weight
18 of not more than 12,000 pounds, by any person who is a resident of this state and a
19 member of an authorized special group, the department shall issue to the person

1 special plates whose colors and design shall indicate that the vehicle is owned by a
2 person who is a member of the applicable special group. The department may not
3 issue any special group plates under par. (f) 55. or 59 until 6 months after the
4 department has received information sufficient for the department to determine that
5 any approvals required for use of any logo, trademark, trade name or other
6 commercial symbol designating the professional football team under par. (f) 55., or
7 associated with Harley-Davidson, Inc., have been obtained.

8 **SECTION 5.** 341.14 (6r) (b) 12. of the statutes is created to read:

9 341.14 (6r) (b) 12. An additional fee of \$25 that is in addition to the fee under
10 subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual
11 basis for the special group specified under par. (f) 59. An additional fee of \$50 that
12 is in addition to the fee under subd. 2. shall be charged for the issuance or renewal
13 of a plate issued on the biennial basis for the special group specified under par. (f) 59.
14 if the plate is issued or renewed during the first year of the biennial registration
15 period or \$25 for the issuance or renewal if the plate is issued or renewed during the
16 2nd year of the biennial registration period. All moneys received under this
17 subdivision, in excess of \$43,200 for the initial costs of production of the special group
18 plate under par. (f) 59., shall be credited as follows:

19 a. An amount equal to the costs of licensing fees under par. (i) shall be credited
20 to the appropriation account under s. 20.395 (5) (ct).

21 b. The remainder after crediting the appropriation account as provided in subd.
22 12. a. shall be credited to the appropriation account under s. 20.395 (5) (cs).

23 **SECTION 6.** 341.14 (6r) (c) of the statutes is amended to read:

24 341.14 (6r) (c) Special group plates shall display the word "Wisconsin", the
25 name of the applicable authorized special group, a symbol representing the special

1 group, not exceeding one position, and identifying letters or numbers or both, not
2 exceeding 6 positions and not less than one position. The department shall specify
3 the design for special group plates, but the department shall consult the president
4 of the University of Wisconsin System before specifying the word or symbol used to
5 identify the special groups under par. (f) 35. to 47., the secretary of natural resources
6 before specifying the word or symbol used to identify the special group under par. (f)
7 50., the chief executive officer of the professional football team and an authorized
8 representative of the league of professional football teams described in s. 229.823 to
9 which that team belongs before specifying the design for the applicable special group
10 plate under par. (f) 55., the chief executive officer of Harley-Davidson, Inc. before
11 specifying the design for the applicable special group plate under par. (f) 59., the
12 department of veterans affairs before specifying the design for the special group
13 plates under par. (f) 49d., 49h., and 49s., and the department of tourism and chief
14 executive officer of the organization specified in par. (f) 55m. before specifying the
15 design and word or symbol used to identify the special group name for special group
16 plates under par. (f) 55m. Special group plates under par. (f) 50. shall be as similar
17 as possible to regular registration plates in color and design. Special group plates
18 under par. (f) 59. shall display a bar and shield logo associated with
19 Harley-Davidson, Inc. on the left portion of the plates and the words "motorcycle
20 safety" on the bottom portion of the plates.

21 **SECTION 7.** 341.14 (6r) (f) 59. of the statutes is created to read:

22 341.14 (6r) (f) 59. Persons interested in supporting motorcycle safety.

23 **SECTION 8.** 341.14 (6r) (fm) 7. of the statutes is amended to read:

24 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups
25 may only be special groups designated by the department under this paragraph. The

1 authorized special groups enumerated in par. (f) shall be limited solely to those
2 special groups specified under par. (f) on October 1, 1998. This subdivision does not
3 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,
4 19m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., and 58., and 59.✓

5 **SECTION 9.** 341.14 (6r) (i) of the statutes is created to read:

6 341.14 (6r) (i) From the appropriation under s. 20.395 (5) (ct), the department
7 shall pay reasonable licensing fees relating to the word or words or the symbol on,
8 or otherwise required for, special group plates under par. (f) 59.✓

9 **SECTION 10. Nonstatutory provisions.**

10 (1) Notwithstanding section 341.135 (1) of the statutes, the design established
11 for registration plates issued under section 341.14 (6r) (f) 59. of the statutes, as
12 created by this act, shall be the same for the 10-year design interval that began on
13 July 1, 2000, and for the 10-year design interval beginning on July 1, 2010.✓

14 (2) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes
15 effect in fiscal year 2010-11, in submitting information under section 16.42 of the
16 statutes for purposes of the 2011-13 biennial budget bill, the department of
17 transportation shall submit information concerning the appropriation under section
18 20.395 (5) (cq) of the statutes as though the total amount appropriated under section
19 20.395 (5) (cq) of the statutes for the 2010-11 fiscal year was \$43,200 less than the
20 total amount that was actually appropriated under section 20.395 (5) (cq) for the
21 2010-11 fiscal year. ✓ of the statutes

22 **SECTION 11. Fiscal changes.**

23 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
24 to the department of transportation under section 20.395 (5) (cq) of the statutes, as
25 affected by the acts of 2009, the dollar amount is increased by \$43,200 for the fiscal

1 year in which this subsection takes effect to increase funding for special registration
2 plates supporting motorcycle safety.✓

3 **SECTION 12. Effective date.**

4 (1) This act takes effect on the first day of the 7th[✓] month beginning after
5 publication.

6 (END)

D-Note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2138/P1dn

ARG:.....

date

JLD

ATTN: Steven Kulig and Nicole Hudzinski

Please review the attached draft carefully to ensure that it is consistent with your intent. ✓

As requested, ✓ the attached draft specifies certain elements of the plate design. Typically DOT ✓ objects to plate design elements being specified by statute.

I have assumed that ✓ Harley-Davidson, Inc., holds the trademark rights to the pertinent logo. If this assumption is incorrect, please let me know. ✗

The instructions ✓ specified the purposes for which plate proceeds may be used. I cannot cross-reference ✓ DOT rules in statutory language because DOT can change the rule number at any time. ✓ Instead, I have attempted to describe the purpose as provided in the applicable rule. I also note that Wis.Adm.Code Trans 129 was promulgated under authority of various statutes, not just s. 85.30. ✓ You may wish to double check with DOT that the specific purposes identified in the drafting instructions and included in this draft are actually components of the safety program under s. 85.30. ✓

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "1" draft. ✓

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2138/P1dn
ARG:jld:jf

May 4, 2009

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Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

TO: AARON GARY

FR: MICHAEL RUTANOS - HARVEY - DAVIDSON

DATE: TUESDAY, MAY 19, 2009

RE: LRB 2130/PI

AARON: SENATOR SULLIVAN'S OFFICE
INFORMED ME THEY GAVE YOU APPROVAL TO
SPEAK WITH ME REGARDING LRB 2130/PI.

ON LINES 12-13 ON PAGE 4 - WE WOULD
WANT TO CHANGE CHIEF EXECUTIVE OFFICER TO CHIEF
TRANSMITTAL OFFICER OF HARVEY - DAVIDSON MICHAEL.

ON LINES 21-22 OF PAGE 4 - CAN YOU
CHANGE "MOTORCYCLE SAFETY" TO "SHARE THE ROAD."

FINALLY WE WOULD LIKE TO HAVE THE FLEXIBILITY
TO WORK WITH THE DEPARTMENT TO CRAFT A
LICENSE PLATE SUCH AS THE PARKER PLATE. WE
MAY WANT A THREE COLOR PLATE, SILVER, ORANGE
AND BLACK.

Thank you for your assistance. Please
Call me if you have questions.

Best,

Michael Rutanos



State of Wisconsin
2009 - 2010 LEGISLATURE

soon

in 5/20

LRB-2138

ARG:jld:jf

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

X

Regen

1 AN ACT *to amend* 20.395 (5) (cL) (title), 341.14 (6r) (b) 1., 341.14 (6r) (c) and
2 341.14 (6r) (fm) 7.; and *to create* 20.395 (5) (cs), 20.395 (5) (ct), 341.14 (6r) (b)
3 12., 341.14 (6r) (f) 59. and 341.14 (6r) (i) of the statutes; **relating to:** special
4 distinguishing registration plates supporting motorcycle safety and making
5 appropriations.

Analysis by the Legislative Reference Bureau

Under current law, any group or organization may apply to the Department of Transportation (DOT) for designation as an authorized special group. If the application is approved, members of the authorized special group may obtain special distinguishing registration plates for certain vehicles, including automobiles and motor homes, that are owned or leased by special group members. A fee, in addition to the regular registration fee for the particular kind of vehicle, is charged for the issuance or reissuance of most special plates.

Before October 2, 1998, authorized special groups whose members may obtain special plates were specifically enumerated in state law. With certain exceptions, current law provides that specific enumeration in state law of authorized special groups is limited to those special groups enumerated before October 2, 1998.

This bill establishes an authorized special group specifically enumerated in state law for persons interested in supporting motorcycle safety. In addition to the regular vehicle registration fee, special group members are required to pay a \$15 fee for issuance or reissuance of the special plates and an additional \$25 annual fee that,

after paying applicable licensing fees, provides funds for the following activities under the Type 1 motorcycle, moped, and motor bicycle safety program administered by DOT: evaluation of basic rider education courses; aiding other organizations in the promotion of Type 1 motorcycle safety; conducting public workshops, rallies, and programs related to Type 1 motorcycle safety; and making grants for providing motorcycle riding courses. The bill requires these plates to display the words "motorcycle safety" and a logo associated with Harley-Davidson, Inc. The plates may not be issued until after DOT has obtained licensing rights for this logo.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.395 (5) (cL) (title) of the statutes is amended to read:

2 20.395 (5) (cL) (title) *Licensing Football plate licensing fees, state funds.*

3 **SECTION 2.** 20.395 (5) (cs) of the statutes is created to read:

4 20.395 (5) (cs) *Motorcycle safety program supplement, state funds.* All moneys
5 received under s. 341.14 (6r) (b) 12. b., for activities under the Type 1 motorcycle,
6 moped, and motor bicycle safety program under s. 85.30 limited to evaluation of basic
7 rider education courses, aiding other organizations in the promotion of Type 1
8 motorcycle safety, conducting public workshops, rallies, and programs related to
9 Type 1 motorcycle safety, and making grants for providing motorcycle riding courses.

10 **SECTION 3.** 20.395 (5) (ct) of the statutes is created to read:

11 20.395 (5) (ct) *Motorcycle safety plate licensing fees, state funds.* All moneys
12 received under s. 341.14 (6r) (b) 12. a. for the purpose of making payments of
13 licensing fees under s. 341.14 (6r) (i).

14 **SECTION 4.** 341.14 (6r) (b) 1. of the statutes is amended to read:

15 341.14 (6r) (b) 1. Upon application to register an automobile or motor home,
16 or a motor truck, dual purpose motor home or dual purpose farm truck which has a
17 gross weight of not more than 8,000 pounds, or a farm truck which has a gross weight

1 of not more than 12,000 pounds, by any person who is a resident of this state and a
2 member of an authorized special group, the department shall issue to the person
3 special plates whose colors and design shall indicate that the vehicle is owned by a
4 person who is a member of the applicable special group. The department may not
5 issue any special group plates under par. (f) 55. or 59. until 6 months after the
6 department has received information sufficient for the department to determine that
7 any approvals required for use of any logo, trademark, trade name or other
8 commercial symbol designating the professional football team under par. (f) 55., or
9 associated with Harley-Davidson, Inc., have been obtained.

10 **SECTION 5.** 341.14 (6r) (b) 12. of the statutes is created to read:

11 341.14 **(6r)** (b) 12. An additional fee of \$25 that is in addition to the fee under
12 subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual
13 basis for the special group specified under par. (f) 59. An additional fee of \$50 that
14 is in addition to the fee under subd. 2. shall be charged for the issuance or renewal
15 of a plate issued on the biennial basis for the special group specified under par. (f) 59.
16 if the plate is issued or renewed during the first year of the biennial registration
17 period or \$25 for the issuance or renewal if the plate is issued or renewed during the
18 2nd year of the biennial registration period. All moneys received under this
19 subdivision, in excess of \$43,200 for the initial costs of production of the special group
20 plate under par. (f) 59., shall be credited as follows:

21 a. An amount equal to the costs of licensing fees under par. (i) shall be credited
22 to the appropriation account under s. 20.395 (5) (ct).

23 b. The remainder after crediting the appropriation account as provided in subd.
24 12. a. shall be credited to the appropriation account under s. 20.395 (5) (cs).

25 **SECTION 6.** 341.14 (6r) (c) of the statutes is amended to read:

1 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups
 2 may only be special groups designated by the department under this paragraph. The
 3 authorized special groups enumerated in par. (f) shall be limited solely to those
 4 special groups specified under par. (f) on October 1, 1998. This subdivision does not
 5 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,
 6 19m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., ~~and 58.~~ and 59.

7 **SECTION 9.** 341.14 (6r) (i) of the statutes is created to read:

8 341.14 (6r) (i) From the appropriation under s. 20.395 (5) (ct), the department
 9 shall pay reasonable licensing fees relating to the word or words or the symbol on,
 10 or otherwise required for, special group plates under par. (f) 59.

11 **SECTION 10. Nonstatutory provisions.**

12 (1) Notwithstanding section 341.135 (1) of the statutes, the design established
 13 for registration plates issued under section 341.14 (6r) (f) 59. of the statutes, as
 14 created by this act, shall be the same for the 10-year design interval that began on
 15 July 1, 2000, and for the 10-year design interval beginning on July 1, 2010.

16 (2) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes
 17 effect in fiscal year 2010-11, in submitting information under section 16.42 of the
 18 statutes for purposes of the 2011-13 biennial budget bill, the department of
 19 transportation shall submit information concerning the appropriation under section
 20 20.395 (5) (cq) of the statutes as though the total amount appropriated under section
 21 20.395 (5) (cq) of the statutes for the 2010-11 fiscal year was \$43,200 less than the
 22 total amount that was actually appropriated under section 20.395 (5) (cq) of the
 23 statutes for the 2010-11 fiscal year.

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 insert
 5-23 →
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24 **SECTION 11. Fiscal changes.**

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2138/P2ins
ARG:.....

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INSERT 5-23:

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(b) No later than the first day of the 3rd month beginning after the effective date of this subsection, the department of transportation shall consult with the chief trademark officer of Harley-Davidson Michigan regarding all of the following:

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(a) The design for the special group plates under section 341.14 (6r) (f) 59. of the statutes, as created by this act.

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(b) The department of transportation's obtaining of the approval described in section 341.14 (6r) (b) 1. of the statutes, as affected by this act.

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State of Wisconsin
2009 - 2010 LEGISLATURE

soon

LRB-2138/ep |

ARG:jld:ph

6/30 t/c w/steve - looks good - wants / 1
~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

RMN

D Note

x Regen

1 AN ACT *to amend* 20.395 (5) (cL) (title), 341.14 (6r) (b) 1., 341.14 (6r) (c) and
2 341.14 (6r) (fm) 7.; and *to create* 20.395 (5) (cs), 20.395 (5) (ct), 341.14 (6r) (b)
3 12., 341.14 (6r) (f) 59. and 341.14 (6r) (i) of the statutes; **relating to:** special
4 distinguishing registration plates supporting motorcycle safety and making
5 appropriations.

Analysis by the Legislative Reference Bureau

Under current law, any group or organization may apply to the Department of Transportation (DOT) for designation as an authorized special group. If the application is approved, members of the authorized special group may obtain special distinguishing registration plates for certain vehicles, including automobiles and motor homes, that are owned or leased by special group members. A fee, in addition to the regular registration fee for the particular kind of vehicle, is charged for the issuance or reissuance of most special plates.

Before October 2, 1998, authorized special groups whose members may obtain special plates were specifically enumerated in state law. With certain exceptions, current law provides that specific enumeration in state law of authorized special groups is limited to those special groups enumerated before October 2, 1998.

This bill establishes an authorized special group specifically enumerated in state law for persons interested in supporting motorcycle safety. In addition to the regular vehicle registration fee, special group members are required to pay a \$15 fee for issuance or reissuance of the special plates and an additional \$25 annual fee that,

after paying applicable licensing fees, provides funds for the following activities under the Type 1 motorcycle, moped, and motor bicycle safety program administered by DOT: evaluation of basic rider education courses; aiding other organizations in the promotion of Type 1 motorcycle safety; conducting public workshops, rallies, and programs related to Type 1 motorcycle safety; and making grants for providing motorcycle riding courses. The bill requires these plates to display the words "motorcycle safety" and a logo associated with Harley-Davidson, Inc. The plates may not be issued until after DOT has obtained licensing rights for this logo.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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~~SECTION 1. 20.395 (5) (cL) (title) of the statutes is amended to read:
 20.395 (5) (cL) (title) *Licensing Football plate licensing fees, state funds.*~~

SECTION 2. 20.395 (5) (cs) of the statutes is created to read:
 20.395 (5) (cs) *Motorcycle safety program supplement, state funds.* All moneys received under s. 341.14 (6r) (b) ^{14.} ~~(12)~~ ⁽¹²⁾ b., for activities under the Type 1 motorcycle, moped, and motor bicycle safety program under s. 85.30 limited to evaluation of basic rider education courses, aiding other organizations in the promotion of Type 1 motorcycle safety, conducting public workshops, rallies, and programs related to Type 1 motorcycle safety, and making grants for providing motorcycle riding courses.

SECTION 3. 20.395 (5) (ct) ^{14.} ~~(12)~~ ⁽¹²⁾ a. of the statutes is created to read:
 20.395 (5) (ct) *Motorcycle safety plate licensing fees, state funds.* All moneys received under s. 341.14 (6r) (b) ^{14.} ~~(12)~~ ⁽¹²⁾ a. for the purpose of making payments of licensing fees under s. 341.14 (6r) ⁽¹⁾ ~~(1)~~ ^(j).

~~SECTION 4. 341.14 (6r) (b) 1. of the statutes is amended to read:
 341.14 (6r) (b) 1. Upon application to register an automobile or motor home, or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, or a farm truck which has a gross weight~~

insert
2-16

of not more than 12,000 pounds, by any person who is a resident of this state and a member of an authorized special group, the department shall issue to the person special plates whose colors and design shall indicate that the vehicle is owned by a person who is a member of the applicable special group. The department may not issue any special group plates under par. (f) 55. or 59. until 6 months after the department has received information sufficient for the department to determine that any approvals required for use of any logo, trademark, trade name or other commercial symbol designating the professional football team under par. (f) 55., or associated with Harley-Davidson, Inc., have been obtained.

SECTION 5. 341.14 (6r) (b) ^{14.} ~~(12)~~ of the statutes is created to read:

341.14 (6r) (b) ^{14.} ~~(12)~~ An additional fee of \$25 that is in addition to the fee under subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual basis for the special group specified under par. (f) ^{61.} ~~(59)~~. An additional fee of \$50 that is in addition to the fee under subd. 2. shall be charged for the issuance or renewal of a plate issued on the biennial basis for the special group specified under par. (f) ^{61.} ~~(59)~~ if the plate is issued or renewed during the first year of the biennial registration period or \$25 for the issuance or renewal if the plate is issued or renewed during the 2nd year of the biennial registration period. All moneys received under this subdivision, in excess of \$43,200 for the initial costs of production of the special group plate under par. (f) ^{61.} ~~(59)~~, shall be credited as follows:

a. An amount equal to the costs of licensing fees under par. ^(j) ~~(i)~~ shall be credited to the appropriation account under s. 20.395 (5) (ct).

^{14.} b. The remainder after crediting the appropriation account as provided in subd. ^(j) ~~(i)~~ shall be credited to the appropriation account under s. 20.395 (5) (cs).

SECTION 6. 341.14 (6r) (c) of the statutes is amended to read:

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341.14 (6r) (c) Special group plates shall display the word "Wisconsin", the name of the applicable authorized special group, a symbol representing the special group, not exceeding one position, and identifying letters or numbers or both, not exceeding 6 positions and not less than one position. The department shall specify the design for special group plates, but the department shall consult the president of the University of Wisconsin System before specifying the word or symbol used to identify the special groups under par. (f) 35. to 47., the secretary of natural resources before specifying the word or symbol used to identify the special group under par. (f) 50., the chief executive officer of the professional football team and an authorized representative of the league of professional football teams described in s. 229.823 to which that team belongs before specifying the design for the applicable special group plate under par. (f) 55., the chief trademark officer of Harley-Davidson Michigan before specifying the design for the applicable special group plate under par. (f) 59., the department of veterans affairs before specifying the design for the special group plates under par. (f) 49d., 49h., and 49s., and the department of tourism and chief executive officer of the organization specified in par. (f) 55m. before specifying the design and word or symbol used to identify the special group name for special group plates under par. (f) 55m. Special group plates under par. (f) 50. shall be as similar as possible to regular registration plates in color and design. Special group plates under par. (f) 59. shall display a bar and shield logo associated with Harley-Davidson, Inc., on the left portion of the plates and the words "share the road" on the bottom portion of the plates.

SECTION 7. 341.14 (6r) (f) ^e59. of the statutes is created to read:

341.14 (6r) (f) ^e59. ^{6l.} Persons interested in supporting motorcycle safety.

SECTION 8. 341.14 (6r) (fm) 7. of the statutes is amended to read:

Insert
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1 ~~341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups~~
 2 ~~may only be special groups designated by the department under this paragraph. The~~
 3 ~~authorized special groups enumerated in par. (f) shall be limited solely to those~~
 4 ~~special groups specified under par. (f) on October 1, 1998. This subdivision does not~~
 5 ~~apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,~~
 6 ~~19m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., and 58., and 59.~~

7 **SECTION 9.** 341.14 (6r) (i) of the statutes is created to read: ✓

8 341.14 (6r) (i) From the appropriation under s. 20.395 (5) (ct), the department
 9 shall pay reasonable licensing fees relating to the word or words or the symbol on,
 10 or otherwise required for, special group plates under par. (f) 59. 61.

11 **SECTION 10. Nonstatutory provisions.**

12 (1) Notwithstanding section 341.135 (1) of the statutes, the design established
 13 for registration plates issued under section 341.14 (6r) (f) 59. of the statutes, as
 14 created by this act, shall be the same for the 10-year design interval that began on
 15 July 1, 2000, and for the 10-year design interval beginning on July 1, 2010.

16 (2) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes
 17 effect in fiscal year 2010-11, in submitting information under section 16.42 of the
 18 statutes for purposes of the 2011-13 biennial budget bill, the department of
 19 transportation shall submit information concerning the appropriation under section
 20 20.395 (5) (cq) of the statutes as though the total amount appropriated under section
 21 20.395 (5) (cq) of the statutes for the 2010-11 fiscal year was \$43,200 less than the
 22 total amount that was actually appropriated under section 20.395 (5) (cq) of the
 23 statutes for the 2010-11 fiscal year.

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(3) No later than the first day of the 3rd month beginning after the effective date of this subsection, the department of transportation shall consult with the chief trademark officer of Harley-Davidson Michigan regarding all of the following:

4

(a) The design for the special group plates under section 341.14 (6r) (f) (59) of the statutes, as created by this act.

61.

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(b) The department of transportation's obtaining of the approval described in section 341.14 (6r) (b) 1. of the statutes, as affected by this act.

8

SECTION 11. Fiscal changes.

9

(1) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (5) (cq) of the statutes, as affected by the acts of 2009, the dollar amount is increased by \$43,200 for the fiscal year in which this subsection takes effect to increase funding for special registration plates supporting motorcycle safety.

14

SECTION 12. Effective date.

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(1) This act takes effect on the first day of the 7th month beginning after publication.

17

(END)

Not

**2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2138/1ins
ARG:.....

INSERT 2-16:

SECTION 1. 341.14 (6r) (b) 1. of the statutes, as affected by 2009 Wisconsin Act 28, sections 2810 and 2811, is amended to read:

341.14 (6r) (b) 1. Upon application to register an automobile or motor home, or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, or a farm truck which has a gross weight of not more than 12,000 pounds, by any person who is a resident of this state and a member of an authorized special group, the department shall issue to the person special plates whose colors and design shall indicate that the vehicle is owned by a person who is a member of the applicable special group. The department may not issue any special group plates under par. (f) 55. or, 60., or 61. until 6 months after the department has received information sufficient for the department to determine that any approvals required for use of any logo, trademark, trade name or other commercial symbol designating, ~~respectively,~~ the professional football team or the professional baseball team or associated with Harley-Davidson, Inc. have been obtained. Notwithstanding s. 341.12 (2), if the department of corrections does not have flat-plate technology available for use in manufacturing license plates at quality and cost comparable to that available from the state of Minnesota, the department of transportation may not issue any special group plates under par. (f) 59. unless the department of transportation purchases the plates from the state of Minnesota. Sections 16.70, 16.71, 16.72, 16.75, 16.752 to 16.755, 16.765, 16.77, and 16.82 do not apply to purchases of plates issued under par. (f) 59. from the state of Minnesota.

(end ins 2-16)

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SECTION 2. 341.14 (6r) (c) of the statutes, as affected by 2009 Wisconsin Act 28,

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sections 2817 and 2818, is amended to read:

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341.14 (6r) (c) Special group plates shall display the word "Wisconsin", the

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name of the applicable authorized special group, a symbol representing the special

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group, not exceeding one position, and identifying letters or numbers or both, not

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exceeding 6 positions and not less than one position. The department shall specify

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the design for special group plates, but the department shall consult the president

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of the University of Wisconsin System before specifying the word or symbol used to

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identify the special groups under par. (f) 35. to 47., the secretary of natural resources

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before specifying the word or symbol used to identify the special group under par. (f)

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50., the chief executive officer of the professional football team and an authorized

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representative of the league of professional football teams described in s. 229.823 to

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which that team belongs before specifying the design for the applicable special group

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plate under par. (f) 55., the chief trademark officer of Harley-Davidson Michigan

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before specifying the design for the applicable special group plate under par. (f) 61.,

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the department of veterans affairs before specifying the design for the special group

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plates under par. (f) 49d., 49h., and 49s., and the department of tourism and chief

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executive officer of the organization specified in par. (f) 55m. before specifying the

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design and word or symbol used to identify the special group name for special group

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plates under par. (f) 55m. Special group plates under par. (f) 50. shall be as similar

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as possible to regular registration plates in color and design. The department shall

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make available 2 designs for the special group plates under par. (f) 60. The

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department may not specify any design for the special group plates under par. (f) 60.

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unless the design is approved by the executive vice president of the Milwaukee



INS 4-2
cont

1 Brewers Baseball Club LP. The word or symbol used to identify the special group
 2 under par. (f) 59. shall be different from the word or symbol used to identify the
 3 special group under par. (f) 50. and the design shall cover the entire plate. Special
 4 group plates under par. (f) 61. shall display a bar and shield logo associated with
 5 Harley-Davidson, Inc. on the left portion of the plates and the words "share the
 6 road" on the bottom portion of the plates. (end ins 4-2)

INSERT 5-2:

8 **SECTION 3.** 341.14 (6r) (fm) 7. of the statutes, as affected by 2009 Wisconsin Act
 9 28, sections 2823 and 2824, is amended to read:

10 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups
 11 may only be special groups designated by the department under this paragraph. The
 12 authorized special groups enumerated in par. (f) shall be limited solely to those
 13 special groups specified under par. (f) on October 1, 1998. This subdivision does not
 14 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,
 15 19m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., and 60., and 61.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU
date

LRB-2138/1dn

ARG: ↑...

jld

ATTN: Steven Kulig

Because the biennial budget act (Act 28) created two new special plates, I had to make numerous technical changes to this draft. ✓

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2138/1dn
ARG:jld:md

July 1, 2009

ATTN: Steven Kulig

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Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

Gary, Aaron

From: Gary, Aaron
Sent: Tuesday, July 28, 2009 10:04 AM
To: Kulig, Steven
Subject: RE: Draft Changes

Steven,

I made all of the changes except for the last one (p. 6, line 22), which is unnecessary.

Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

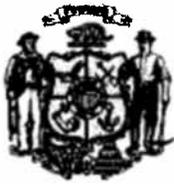
-----Original Message-----

From: Kulig, Steven
Sent: Friday, July 24, 2009 12:19 PM
To: Gary, Aaron
Subject: FW: Draft Changes

Hi Aaron,

Attached are additional changes that we would like to be included on the Harley Davidson license plate draft. Please let me know if you have any questions.

Steven Kulig
Office of State Senator Jim Sullivan
State Capitol Room 15 South
PO Box 7882
Madison, WI 53707-7882
608-266-2512



Received
as

State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-2138/1

ARG:jld:md

Attachment to requester's e-mail

2009 BILL

DRAFTING NOTES: SEE ON PAGE 4 OUR NOTES RELATIVE TO THE PROPER WORDING FOR H-D MICHIGAN.

ALSO, WE WANT TO ENSURE THAT WHEN WE GO ABOUT WORKING WITH THE DEPARTMENT ON THE DESIGN THAT WE CAN WORK WITH THEM ON THE COLORS, I.E. WE MAY WANT A SILVER PLATE, WITH BLACK OR ORANGE LETTERING.

Thanks,
MR

- 1 AN ACT *to amend* 341.14 (6r) (b) 1., 341.14 (6r) (c) and 341.14 (6r) (fm) 7.; and
 2 *to create* 20.395 (5) (cs), 20.395 (5) (ct), 341.14 (6r) (b) 14., 341.14 (6r) (f) 61. and
 3 341.14 (6r) (j) of the statutes; **relating to:** special distinguishing registration
 4 plates supporting motorcycle safety and making appropriations.

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BILL

by DOT: evaluation of basic rider education courses; aiding other organizations in the promotion of Type 1 motorcycle safety; conducting public workshops, rallies, and programs related to Type 1 motorcycle safety; and making grants for providing motorcycle riding courses. The bill requires these plates to display the words "motorcycle safety" and a logo associated with Harley-Davidson, Inc. The plates may not be issued until after DOT has obtained licensing rights for this logo.

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The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.395 (5) (cs) of the statutes is created to read:

2 20.395 (5) (cs) *Motorcycle safety program supplement, state funds.* All moneys
3 received under s. 341.14 (6r) (b) 14. b., for activities under the Type 1 motorcycle,
4 moped, and motor bicycle safety program under s. 85.30 limited to evaluation of basic
5 rider education courses, ~~[aiding other organizations in the promotion of Type 1~~
6 ~~motorcycle safety, conducting public workshops]~~, rallies, and programs related to
7 Type 1 motorcycle safety, ^{ADD TRAINING} and making grants for providing motorcycle riding courses.

8 **SECTION 2.** 20.395 (5) (ct) of the statutes is created to read:

9 20.395 (5) (ct) *Motorcycle safety plate licensing fees, state funds.* All moneys
10 received under s. 341.14 (6r) (b) 14. a. for the purpose of making payments of
11 licensing fees under s. 341.14 (6r) (j).

12 **SECTION 3.** 341.14 (6r) (b) 1. of the statutes, as affected by 2009 Wisconsin Act
13 28, section 2811, is amended to read:

14 341.14 (6r) (b) 1. Upon application to register an automobile or motor home,
15 or a motor truck, dual purpose motor home or dual purpose farm truck which has a
16 gross weight of not more than 8,000 pounds, or a farm truck which has a gross weight
17 of not more than 12,000 pounds, by any person who is a resident of this state and a
18 member of an authorized special group, the department shall issue to the person

BILL

1 subdivision, in excess of \$43,200 for the initial costs of production of the special group
2 plate under par. (f) 61., shall be credited as follows:

3 a. An amount equal to the costs of licensing fees under par. (j) shall be credited
4 to the appropriation account under s. 20.395 (5) (ct).

5 b. The remainder after crediting the appropriation account as provided in subd.
6 14. a. shall be credited to the appropriation account under s. 20.395 (5) (cs).

7 **SECTION 5.** 341.14 (6r) (c) of the statutes, as affected by 2009 Wisconsin Act 28,
8 section 2818, is amended to read:

9 341.14 (6r) (c) Special group plates shall display the word "Wisconsin", the
10 name of the applicable authorized special group, a symbol representing the special
11 group, not exceeding one position, and identifying letters or numbers or both, not
12 exceeding 6 positions and not less than one position. The department shall specify
13 the design for special group plates, but the department shall consult the president
14 of the University of Wisconsin System before specifying the word or symbol used to
15 identify the special groups under par. (f) 35. to 47., the secretary of natural resources
16 before specifying the word or symbol used to identify the special group under par. (f)
17 50., the chief executive officer of the professional football team and an authorized
18 representative of the league of professional football teams described in s. 229.823 to
19 which that team belongs before specifying the design for the applicable special group
20 plate under par. (f) 55., ^{HARLEY-DAVIDSON MICHIGAN, LLC} ~~the chief trademark officer of Harley-Davidson Michigan~~
21 before specifying the design for the applicable special group plate under par. (f) 61.
22 the department of veterans affairs before specifying the design for the special group
23 plates under par. (f) 49d., 49h., and 49s., and the department of tourism and chief
24 executive officer of the organization specified in par. (f) 55m. before specifying the
25 design and word or symbol used to identify the special group name for special group

BILL**SECTION 9. Nonstatutory provisions.**

(1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes effect in fiscal year 2010-11, in submitting information under section 16.42 of the statutes for purposes of the 2011-13 biennial budget bill, the department of transportation shall submit information concerning the appropriation under section 20.395 (5) (cq) of the statutes as though the total amount appropriated under section 20.395 (5) (cq) of the statutes for the 2010-11 fiscal year was \$43,200 less than the total amount that was actually appropriated under section 20.395 (5) (cq) of the statutes for the 2010-11 fiscal year.

(2) No later than the first day of the 3rd month beginning after the effective date of this subsection, the department of transportation shall consult with the chief trademark officer of ~~Harley-Davidson Michigan~~ ^{Harley-Davidson Michigan, LLC} regarding all of the following:

(a) The design for the special group plates under section 341.14 (6r) (f) 61. of the statutes, as created by this act.

(b) The department of transportation's obtaining of the approval described in section 341.14 (6r) (b) 1. of the statutes, as affected by this act.

SECTION 10. Fiscal changes.

(1) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (5) (cq) of the statutes, as affected by the acts of 2009, the dollar amount is increased by \$43,200 for the fiscal year in which this subsection takes effect to increase funding for special registration plates supporting motorcycle safety. ^{Add: Training}

SECTION 11. Effective date.



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in 7/28

RMA

2009 BILL

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Regen

1 AN ACT *to amend* 341.14 (6r) (b) 1., 341.14 (6r) (c) and 341.14 (6r) (fm) 7.; and
 2 *to create* 20.395 (5) (cs), 20.395 (5) (ct), 341.14 (6r) (b) 14., 341.14 (6r) (f) 61. and
 3 341.14 (6r) (j) of the statutes; **relating to:** special distinguishing registration
 4 plates supporting motorcycle safety and making appropriations. ✓

4

Analysis by the Legislative Reference Bureau

Under current law, any group or organization may apply to the Department of Transportation (DOT) for designation as an authorized special group. If the application is approved, members of the authorized special group may obtain special distinguishing registration plates for certain vehicles, including automobiles and motor homes, that are owned or leased by special group members. A fee, in addition to the regular registration fee for the particular kind of vehicle, is charged for the issuance or reissuance of most special plates.

Before October 2, 1998, authorized special groups whose members may obtain special plates were specifically enumerated in state law. With certain exceptions, current law provides that specific enumeration in state law of authorized special groups is limited to those special groups enumerated before October 2, 1998.

This bill establishes an authorized special group specifically enumerated in state law for persons interested in supporting motorcycle safety. In addition to the regular vehicle registration fee, special group members are required to pay a \$15 fee for issuance or reissuance of the special plates and an additional \$25 annual fee that, after paying applicable licensing fees, provides funds for the following activities under the Type 1 motorcycle, moped, and motor bicycle safety program administered

BILL

and training ✓

X by DOT: evaluation of basic rider education courses; ~~aiding other organizations in~~
Y ~~the promotion of Type 1 motorcycle safety;~~ conducting public workshops, rallies, and
X programs related to Type 1 motorcycle safety; and making grants for providing
motorcycle riding courses. The bill requires these plates to display the words
~~motorcycle safety~~ and a logo associated with Harley-Davidson, Inc. The plates
may not be issued until after DOT has obtained licensing rights for this logo.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

"share the road"

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 20.395 (5) (cs) of the statutes is created to read:

2 20.395 (5) (cs) *Motorcycle safety program supplement, state funds.* All moneys
3 received under s. 341.14 (6r) (b) 14. b., for activities under the Type 1 motorcycle,
4 moped, and motor bicycle safety program under s. 85.30 limited to evaluation of basic
5 rider education courses, ~~aiding other organizations in the promotion of Type 1~~
6 ~~motorcycle safety,~~ conducting public workshops, rallies, and programs related to
7 Type 1 motorcycle safety, and making grants for providing motorcycle riding courses.

8 SECTION 2. 20.395 (5) (ct) of the statutes is created to read:

9 20.395 (5) (ct) *Motorcycle safety plate licensing fees, state funds.* All moneys
10 received under s. 341.14 (6r) (b) 14. a. for the purpose of making payments of
11 licensing fees under s. 341.14 (6r) (j).

12 SECTION 3. 341.14 (6r) (b) 1. of the statutes, as affected by 2009 Wisconsin Act
13 28, section 2811, is amended to read:

14 341.14 (6r) (b) 1. Upon application to register an automobile or motor home,
15 or a motor truck, dual purpose motor home or dual purpose farm truck which has a
16 gross weight of not more than 8,000 pounds, or a farm truck which has a gross weight
17 of not more than 12,000 pounds, by any person who is a resident of this state and a
18 member of an authorized special group, the department shall issue to the person

BILL

1 special plates whose colors and design shall indicate that the vehicle is owned by a
2 person who is a member of the applicable special group. The department may not
3 issue any special group plates under par. (f) 55. ~~or 60.~~ or 61. until 6 months after the
4 department has received information sufficient for the department to determine that
5 any approvals required for use of any logo, trademark, trade name or other
6 commercial symbol designating, ~~respectively,~~ the professional football team or the
7 professional baseball team or associated with Harley-Davidson, Inc. have been
8 obtained. Notwithstanding s. 341.12 (2), if the department of corrections does not
9 have flat-plate technology available for use in manufacturing license plates at
10 quality and cost comparable to that available from the state of Minnesota, the
11 department of transportation may not issue any special group plates under par. (f)
12 59. unless the department of transportation purchases the plates from the state of
13 Minnesota. Sections 16.70, 16.71, 16.72, 16.75, 16.752 to 16.755, 16.765, 16.77, and
14 16.82 do not apply to purchases of plates issued under par. (f) 59. from the state of
15 Minnesota.

16 **SECTION 4.** 341.14 (6r) (b) 14. [✓] of the statutes is created to read:

17 341.14 (6r) (b) 14. An additional fee of \$25 that is in addition to the fee under
18 subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual
19 basis for the special group specified under par. (f) 61. An additional fee of \$50 that
20 is in addition to the fee under subd. 2. shall be charged for the issuance or renewal
21 of a plate issued on the biennial basis for the special group specified under par. (f) 61.
22 if the plate is issued or renewed during the first year of the biennial registration
23 period or \$25 for the issuance or renewal if the plate is issued or renewed during the
24 2nd year of the biennial registration period. All moneys received under this

BILL

1 subdivision, in excess of \$43,200 for the initial costs of production of the special group
2 plate under par. (f) 61., shall be credited as follows:

3 a. An amount equal to the costs of licensing fees under par. (j) shall be credited
4 to the appropriation account under s. 20.395 (5) (ct).

5 b. The remainder after crediting the appropriation account as provided in subd.
6 14. a. shall be credited to the appropriation account under s. 20.395 (5) (cs).

7 **SECTION 5.** 341.14 (6r) (c) of the statutes, as affected by 2009 Wisconsin Act 28,
8 section 2818, is amended to read:

9 341.14 (6r) (c) Special group plates shall display the word "Wisconsin", the
10 name of the applicable authorized special group, a symbol representing the special
11 group, not exceeding one position, and identifying letters or numbers or both, not
12 exceeding 6 positions and not less than one position. The department shall specify
13 the design for special group plates, but the department shall consult the president
14 of the University of Wisconsin System before specifying the word or symbol used to
15 identify the special groups under par. (f) 35. to 47., the secretary of natural resources
16 before specifying the word or symbol used to identify the special group under par. (f)
17 50., the chief executive officer of the professional football team and an authorized
18 representative of the league of professional football teams described in s. 229.823 to
19 which that team belongs before specifying the design for the applicable special group

20 plate under par. (f) 55., the chief trademark officer of Harley-Davidson Michigan, LLC
21 before specifying the design for the applicable special group plate under par. (f) 61.,

22 the department of veterans affairs before specifying the design for the special group
23 plates under par. (f) 49d., 49h., and 49s., and the department of tourism and chief
24 executive officer of the organization specified in par. (f) 55m. before specifying the
25 design and word or symbol used to identify the special group name for special group

BILL

1 plates under par. (f) 55m. Special group plates under par. (f) 50. shall be as similar
2 as possible to regular registration plates in color and design. The department shall
3 make available 2 designs for the special group plates under par. (f) 60. The
4 department may not specify any design for the special group plates under par. (f) 60.
5 unless the design is approved by the executive vice president of the Milwaukee
6 Brewers Baseball Club LP. The word or symbol used to identify the special group
7 under par. (f) 59. shall be different from the word or symbol used to identify the
8 special group under par. (f) 50. and the design shall cover the entire plate. Special
9 group plates under par. (f) 61. shall display a bar and shield logo associated with
10 Harley-Davidson, Inc., on the left portion of the plates and the words "share the
11 road" on the bottom portion of the plates.

12 **SECTION 6.** 341.14 (6r) (f) 61. of the statutes is created to read:

13 341.14 (6r) (f) 61. Persons interested in supporting motorcycle safety. ✓

14 **SECTION 7.** 341.14 (6r) (fm) 7. of the statutes, as affected by 2009 Wisconsin Act
15 28, section 2824, is amended to read:

16 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups
17 may only be special groups designated by the department under this paragraph. The
18 authorized special groups enumerated in par. (f) shall be limited solely to those
19 special groups specified under par. (f) on October 1, 1998. This subdivision does not
20 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,
21 19m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., ~~and 60.~~ and 61.

22 **SECTION 8.** 341.14 (6r) (j) of the statutes is created to read:

23 341.14 (6r) (j) From the appropriation under s. 20.395 (5) (ct), the department
24 shall pay reasonable licensing fees relating to the word or words or the symbol on,
25 or otherwise required for, special group plates under par. (f) 61.

Insert
5-11

BILL**SECTION 9. Nonstatutory provisions.**

(1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes effect in fiscal year 2010-11, in submitting information under section 16.42 of the statutes for purposes of the 2011-13 biennial budget bill, the department of transportation shall submit information concerning the appropriation under section 20.395 (5) (cq) of the statutes as though the total amount appropriated under section 20.395 (5) (cq) of the statutes for the 2010-11 fiscal year was \$43,200 less than the total amount that was actually appropriated under section 20.395 (5) (cq) of the statutes for the 2010-11 fiscal year.

(2) No later than the first day of the 3rd month beginning after the effective date of this subsection, the department of transportation shall consult with the chief trademark officer of Harley-Davidson Michigan ^{LLC} regarding all of the following:

(a) The ^{and colors} design for the special group plates under section 341.14 (6r) (f) 61. of the statutes, as created by this act.

(b) The department of transportation's obtaining of the approval described in section 341.14 (6r) (b) 1. of the statutes, as affected by this act.

SECTION 10. Fiscal changes.

(1) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (5) (cq) of the statutes, as affected by the acts of 2009, the dollar amount is increased by \$43,200 for the fiscal year in which this subsection takes effect to increase funding for special registration plates supporting motorcycle safety.

SECTION 11. Effective date.

**2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2138/2ins
ARG:.....

INSERT 5-11:

SECTION 1. 341.14 (6r) (e) of the statutes, as affected by 2009 Wisconsin Act 28, section 2820, is amended to read:

341.14 (6r) (e) The department shall specify one combination of colors for special group plates for groups or organizations which are not military in nature and not special group plates under par. (f) 35. to 47., 50., and 59., for each professional football team under par. (f) 55., and for each professional baseball team under par. (f) 60. The department shall specify one combination of colors for special group plates under par. (f) 35. to 47. Subject to par. (c), the department shall specify the word or words comprising the special group name and the symbol to be displayed upon special group plates for a group or organization which is not military in nature after consultation with the chief executive officer in this state of the group or organization. The department shall require that the word or words and symbol for a university specified under par. (f) 35. to 47. be a registration decal or tag and affixed to the special group plate and be of the colors for a university specified under par. (f) 35. to 47. that the president of the University of Wisconsin System specifies. The department shall consult the chief trademark officer of Harley-Davidson Michigan, LLC before specifying the colors for the special group plate under par. (f) 61.

History: 1971 c. 164 s. 83; 1971 c. 299; 1975 c. 384, 417; 1977 c. 16; 1977 c. 29 ss. 1417, 1418, 1654 (7) (a), (e); 1977 c. 43, 183, 292, 418, 447; 1979 c. 236; 1981 c. 255; 1983 a. 227, 430, 511; 1985 a. 29, 55; 1985 a. 87 ss. 1, 5; 1985 a. 124, 202; 1985 a. 332 ss. 191, 251 (4); 1987 a. 19, 64, 112, 145, 315, 399, 403; 1989 a. 31, 54, 56, 137, 302, 304, 312, 359; 1991 a. 2, 39, 100, 240; 1993 a. 16, 291, 303, 415, 491; 1995 a. 147, 253, 255, 445; 1997 a. 27, 67, 252, 255; 1999 a. 9, 32, 80, 92, 167, 186; 2001 a. 16, 38, 103, 109; 2003 a. 83, 184; 2005 a. 22, 25, 109, 199, 260, 319, 472; 2007 a. 38, 97, 107, 120, 160, 194; s. 13.92 (2) (j).

Duerst, Christina

From: Kulig, Steven
Sent: Friday, January 08, 2010 10:30 AM
To: LRB.Legal
Subject: Bill Jacket for LRB 2138/2

Could you send a bill jacket for LRB 2138/2?

Thanks,

Steven Kulig
Office of State Senator Jim Sullivan
State Capitol Room 15 South
PO Box 7882
Madison, WI 53707-7882
608-266-2512