



2009 SENATE BILL 490

January 25, 2010 – Introduced by LAW REVISION COMMITTEE. Referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

1 **AN ACT** *to repeal* 341.14 (1r) and 346.50 (2a) (f) and (g); and *to amend* 100.51
2 (5) (b) 1., 167.31 (4) (cg) 5., 341.13 (2), 341.14 (8) (c), 341.625 (1), 346.50 (2),
3 346.50 (2a) (intro.), 346.50 (3), 346.50 (3m) (b) 1., 346.503 (1), 346.505 (2),
4 349.13 (1m) and 349.145 of the statutes; **relating to:** registration plates for
5 vehicles leased to persons with a disability that limits the ability to walk
6 (suggested as remedial legislation by the Department of Transportation).

Analysis by the Legislative Reference Bureau

Under current law, an owner of certain motor vehicles, including an automobile, registering the motor vehicle with the Department of Transportation (DOT) who submits a statement certifying that he or she is a person with a disability that limits or impairs the ability to walk may receive special registration plates for the motor vehicle that entitle the person to certain parking privileges. For the purposes of the vehicle registration provisions, the term “owner” includes a lessee who leases a vehicle for a period of one year or more. Also under current law, a state resident registering certain motor vehicles, including an automobile, with DOT who submits a statement certifying that the motor vehicle is leased to a person with a disability that limits or impairs the ability to walk may receive special registration plates for the motor vehicle that entitle the lessee to certain parking privileges. DOT, however, may not issue plates under this latter provision after January 1, 1998.

Under this bill, the provision allowing a person who leases a vehicle to a person with a disability that limits or impairs the ability to walk to obtain special

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registration plates entitling the person with a disability who leases the vehicle to certain parking privileges is repealed. The provision allowing an owner to obtain special registration plates entitling the owner, if he or she has a disability that limits or impairs the ability to walk, to certain parking privileges is unchanged.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Transportation and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 **SECTION 1.** 100.51 (5) (b) 1. of the statutes is amended to read:

2 100.51 (5) (b) 1. The motor vehicle displays special registration plates issued
3 under s. 341.14 (1), (1a), (1m), or (1q) ~~or (1r) (a)~~ or a special identification card issued
4 under s. 343.51 or is a motor vehicle registered in another jurisdiction and displays
5 a registration plate, card or emblem issued by the other jurisdiction that designates
6 that the vehicle is used by a physically disabled person.

7 **SECTION 2.** 167.31 (4) (cg) 5. of the statutes is amended to read:

8 167.31 (4) (cg) 5. The vehicle bears special registration plates issued under s.
9 341.14 (1), (1a), (1e), or (1m) ~~or (1r)~~ or displays a sign that is at least 11 inches square
10 on which is conspicuously written “disabled hunter”.

11 **SECTION 3.** 341.13 (2) of the statutes is amended to read:

12 341.13 (2) In addition to the matter specified in s. 341.12 (3), the registration
13 plates for a vehicle registered on the basis of gross weight except a dual purpose
14 motor home or a motor home, motor truck, farm truck, or dual purpose farm truck
15 registered under s. 341.14 (1), (1a), (1m), (1q), ~~(1r) (a)~~, (2), (6m), or (6r) or 341.145 (1)
16 (a), (b), (c), (d), or (e) or a motor truck or dual purpose farm truck registered under

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1 s. 341.14 (6) shall indicate the weight class into which the vehicle falls in a manner
2 prescribed by the department. The gross weight which determines the registration
3 fee for a dual purpose motor home or a motor home, motor truck, farm truck, or dual
4 purpose farm truck registered under s. 341.14 (1), (1a), (1m), (1q), ~~(1r)~~ (a), (2), (6m),
5 or (6r) or 341.145 (1) (a), (b), (c), (d), or (e) or a motor truck or dual purpose farm truck
6 registered under s. 341.14 (6) shall be shown on its certificate of registration.

7 **SECTION 4.** 341.14 (1r) of the statutes is repealed.

NOTE: This SECTION repeals s. 341.14 (1r), which currently permits a person with
a disability to obtain disabled license plates for a leased vehicle. This statutory section
is no longer needed, due to the creation of s. 341.01 (2) (b), which defines a vehicle owner
to include a vehicle lessee.

8 **SECTION 5.** 341.14 (8) (c) of the statutes is amended to read:

9 341.14 **(8)** (c) This subsection does not apply to a special plate issued under s.
10 341.14 (1) ~~or (1r)~~.

11 **SECTION 6.** 341.625 (1) of the statutes is amended to read:

12 341.625 **(1)** Any person who fraudulently procures or uses special registration
13 plates issued under s. 341.14 (1), (1a), (1e), (1m), or (1q) ~~or (1r)~~ (a) shall forfeit not
14 less than \$200 nor more than \$500.

15 **SECTION 7.** 346.50 (2) of the statutes is amended to read:

16 346.50 **(2)** Except as provided in sub. (3m), a motor vehicle bearing a special
17 registration plate issued under s. 341.14 (1) ~~or (1r)~~ (a) to a disabled veteran or on his
18 or her behalf is exempt from any ordinance imposing time limitations on parking in
19 any street or highway zone and parking lot, whether municipally owned or leased,
20 or both municipally owned and leased or a parking place owned or leased, or both
21 owned and leased by a municipal parking utility, with one-half hour or more
22 limitation but otherwise is subject to the laws relating to parking. Where the time
23 limitation on a metered stall is one-half hour or more, no meter payment is required.

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1 Parking privileges granted by this subsection are limited to the disabled veteran to
2 whom or on whose behalf the special plates were issued and to qualified operators
3 acting under the disabled veteran's express direction with the disabled veteran
4 present.

5 **SECTION 8.** 346.50 (2a) (intro.) of the statutes is amended to read:

6 346.50 **(2a)** (intro.) Except as provided in sub. (3m), a motor vehicle bearing
7 special registration plates issued under s. 341.14 (1a), (1e), (1m), or (1q) ~~or (1r) (a)~~
8 or a motor vehicle, other than a motorcycle, upon which a special identification card
9 issued under s. 343.51 is displayed or a motor vehicle registered in another
10 jurisdiction upon which is displayed a registration plate, a card or an emblem issued
11 by the other jurisdiction designating the vehicle as a vehicle used by a physically
12 disabled person is exempt from any ordinance imposing time limitations on parking
13 in any street or highway zone and parking lot, whether municipally owned or leased,
14 or both municipally owned and leased or a parking place owned or leased, or both
15 owned and leased by a municipal parking utility, with one-half hour or more
16 limitation but otherwise is subject to the laws relating to parking. Where the time
17 limitation on a metered stall is one-half hour or more, no meter payment is required.
18 Parking privileges granted by this subsection are limited to the following:

19 **SECTION 9.** 346.50 (2a) (f) and (g) of the statutes are repealed.

20 **SECTION 10.** 346.50 (3) of the statutes is amended to read:

21 346.50 **(3)** Except as provided in sub. (3m), a vehicle bearing special
22 registration plates issued under s. 341.14 (1), (1a), (1e), (1m), or (1q) ~~or (1r) (a)~~ or a
23 motor vehicle, other than a motorcycle, upon which a special identification card
24 issued under s. 343.51 is displayed or a motor vehicle registered in another
25 jurisdiction upon which is displayed a registration plate, a card or an emblem issued

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1 by the other jurisdiction designating the vehicle as a vehicle used by a person with
2 a physical disability is exempt from s. 346.505 (2) (a) or any ordinance in conformity
3 therewith prohibiting parking, stopping or standing upon any portion of a street,
4 highway or parking facility reserved for persons with physical disabilities by official
5 traffic signs indicating the restriction. Stopping, standing and parking privileges
6 granted by this subsection are limited to the persons listed under subs. (2) and (2a)
7 (a) to (m).

8 **SECTION 11.** 346.50 (3m) (b) 1. of the statutes is amended to read:

9 346.50 **(3m)** (b) 1. Before enactment, the city council seeks the advice and
10 recommendation of a disabled parking council of at least 7 members established by
11 an ordinance of the city or, if the city has established a disabled parking enforcement
12 assistance council under s. 349.145, by that council, and holds a public hearing on
13 the proposal. The majority of the members of any disabled parking council shall be
14 appointed by the city council from among those residents of the city to whom or on
15 whose behalf the department has issued a special registration plate under s. 341.14
16 (1) to ~~(1r)~~ (1q) or a special identification card under s. 343.51.

17 **SECTION 12.** 346.503 (1) of the statutes is amended to read:

18 346.503 **(1)** In this section, “motor vehicle used by a physically disabled person”
19 means a motor vehicle bearing special registration plates issued under s. 341.14 (1),
20 (1a), (1e), (1m), or (1q) ~~or (1r) (a)~~ or a motor vehicle, other than a motorcycle, upon
21 which a special identification card issued under s. 343.51 is displayed or a motor
22 vehicle registered in another jurisdiction and displaying a registration plate, card or
23 emblem issued by the other jurisdiction which designates the vehicle as a vehicle
24 used by a physically disabled person.

25 **SECTION 13.** 346.505 (2) of the statutes is amended to read:

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1 346.505 **(2)** (a) Except for a motor vehicle used by a physically disabled person
2 as defined under s. 346.503 (1), no person may park, stop or leave standing any
3 vehicle, whether attended or unattended and whether temporarily or otherwise,
4 upon any portion of a street, highway or parking facility reserved, by official traffic
5 signs indicating the restriction, for vehicles displaying special registration plates
6 issued under s. 341.14 (1), (1a), (1e), (1m), or (1q) ~~or (1r) (a)~~ or a special identification
7 card issued under s. 343.51 or vehicles registered in another jurisdiction and
8 displaying a registration plate, card or emblem issued by the other jurisdiction which
9 designates the vehicle as a vehicle used by a physically disabled person.

10 (b) No person may park, stop or leave standing any vehicle, whether attended
11 or unattended and whether temporarily or otherwise, upon any portion of a street,
12 highway or parking facility so as to obstruct, block or otherwise limit the use of any
13 portion of a street, highway or parking facility reserved, by official traffic signs
14 indicating the restriction, for vehicles displaying special registration plates issued
15 under s. 341.14 (1), (1a), (1e), (1m), or (1q) ~~or (1r) (a)~~ or a special identification card
16 issued under s. 343.51 or vehicles registered in another jurisdiction and displaying
17 a registration plate, card or emblem issued by the other jurisdiction which
18 designates the vehicle as a vehicle used by a physically disabled person.

19 (c) Notwithstanding par. (b), no person may park, stop or leave standing any
20 vehicle, whether attended or unattended and whether temporarily or otherwise,
21 upon any portion of a street, highway or parking facility that is clearly marked as and
22 intended to be an access aisle to provide entry to and exit from vehicles by persons
23 with physical disabilities and which is immediately adjacent to any portion of a
24 street, highway or parking facility reserved, by official traffic signs indicating the
25 restriction, for vehicles displaying special registration plates issued under s. 341.14

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1 (1), (1a), (1e), (1m), or (1q) ~~or (1r) (a)~~ or a special identification card issued under s.
2 343.51 or vehicles registered in another jurisdiction and displaying a registration
3 plate, card or emblem issued by the other jurisdiction which designates the vehicle
4 as a vehicle used by a person with a physical disability.

5 **SECTION 14.** 349.13 (1m) of the statutes is amended to read:

6 349.13 **(1m)** In addition to the requirements under s. 346.503 (1m), the
7 department, with respect to state trunk highways outside of corporate limits and
8 parking facilities under its jurisdiction, and local authorities, with respect to
9 highways under their jurisdiction including state trunk highways or connecting
10 highways within corporate limits and parking facilities within corporate limits, may,
11 by official traffic signs indicating the restriction, prohibit parking, stopping or
12 standing upon any portion of a street, highway or parking facility reserved for any
13 vehicle bearing special registration plates issued under s. 341.14 (1), (1a), (1e), (1m),
14 or (1q) ~~or (1r) (a)~~ or a motor vehicle, other than a motorcycle, upon which a special
15 identification card issued under s. 343.51 is displayed or any vehicle registered in
16 another jurisdiction and displaying a registration plate, card or emblem issued by
17 the other jurisdiction which designates the vehicle as a vehicle used by a physically
18 disabled person.

19 **SECTION 15.** 349.145 of the statutes is amended to read:

20 **349.145 Authority to establish disabled parking enforcement**
21 **assistance councils.** Any city, village or county may by ordinance or resolution
22 establish a disabled parking enforcement assistance council. The majority of such
23 a council shall be appointed by the local authorities from among those residents of
24 the city, village or county to whom or on whose behalf the department has issued a
25 special registration plate under s. 341.14 (1) to ~~(1r)~~ (1q) or a special identification

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1 card under s. 343.51. Members of such a council may report violations of s. 341.625
2 (1), 343.52, 346.503 or 346.505 (2) or ordinances in conformity therewith to a traffic
3 officer of the city, village or county as provided in s. 341.625 (2), 343.52 (3), 346.503
4 (5) or 346.505 (3). If a 1st or 2nd class city has enacted an ordinance under s. 346.50
5 (3m), the council shall perform any duties required by s. 346.50 (3m).

NOTE: SECTIONS 1 to 3 and SECTIONS 5 to 15 reflect the repeal of s. 341.14 (1r) in
SECTION 4 of this bill.

6

(END)