



---

---

## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

---

---

**2011 Senate Bill 462**

**Senate  
Substitute Amendment 2**

*Memo published: April 10, 2012*

*Contact: David Moore, Staff Attorney (266-1946)*

### **CURRENT LAW**

Under current law, the Department of Transportation (DOT) must refuse to register a vehicle under certain circumstances. As relevant here, DOT must refuse registration if the vehicle was originally designed and manufactured for off-highway operation or for use in any country's military forces and does not meet federal motor vehicle safety standards. [s. 341.10 (6) and (6m), Stats.]

Current law also authorizes the registration of certain vehicles as special interest vehicles. Special interest registration permits the owner to re-register the vehicle without paying an additional registration fee. A vehicle carrying special interest registration may not be operated during the month of January; however, with exceptions, a special interest vehicle may be used in the same manner as other vehicles of the same type. Additionally, the statutory provisions that apply to other vehicles also generally apply to special interest vehicles, including the provisions directing DOT to refuse registration if the vehicle does not comply with federal safety requirements.

Among the vehicles eligible for registration as special interest vehicles are "former military vehicles." A vehicle is a former military vehicle, for these purposes, if it is at least 25 years old and is any of the following vehicles:

- A high-mobility, all-terrain, four-wheel or six-wheel drive vehicle originally manufactured for military use and commonly known by the trade name of "Pinzgauer."
- A vehicle commonly known by the name of "Kaiser Jeep M715."
- A six-wheel drive utility vehicle originally manufactured by the U.S. military forces during World War II, known by the acronym of "DUKW" and commonly referred to by the name of "Duck."

The definition of former military vehicle also includes a high-mobility multi-purpose wheeled vehicle originally manufactured for use by the U.S. military forces and commonly known by the name of “Humvee” if it is at least 22 years old.

As with other special interest vehicles, a former military vehicle may be operated in the same manner as other vehicles of the same type and is generally subject to the statutory provisions that apply to other vehicles. Unlike other special interest vehicles, a former military vehicle may haul material weighing more than 500 pounds. [s. 321.266 (e) 2., Stats.]

### **2011 SENATE BILL 462**

2011 Senate Bill 462 makes various changes to the laws relating to the registration of motor vehicles in general and to the registration of special interest vehicles in particular. The bill:

- Requires DOT to register any motor vehicle for which it receives a complete and proper application, unless registration is prohibited for a reason specified by statute.
- Provides a process for a person to appeal when DOT has refused registration based on vehicle requirements. Under this process, a person may have the vehicle inspected by a person authorized to conduct salvage vehicle inspections. If the inspector determines the vehicle meets the standards for the vehicle’s year of original manufacture, DOT must register the vehicle.
- Repeals the provisions requiring DOT to refuse registration if a vehicle was originally manufactured for off-highway operation or for use in any country’s military forces and does not meet federal motor vehicle safety standards.
- Expands the definition of “former military vehicle,” for the purposes of registering the vehicle as a special interest vehicle, to include any “motor vehicle, including a motorcycle but excluding a tracked vehicle, that was manufactured for use in any country’s military forces.”
- Creates a definition for “specially exempted former military vehicles.”
- Applies the definition of “specially exempted former military vehicles” to the four types of former military vehicles that may be registered as special interest vehicles under current law, and specifies that these are the only special interest vehicles that may haul material weighing more than 500 pounds.
- Changes the requirement, under current law, that a special interest vehicle, *other than a former military vehicle*, may not be altered or modified from original manufacturer’s specifications. The bill *includes* former motor vehicles within this requirement, but specifies that a special interest vehicle may not be *substantially* altered or modified from original specifications.

**SENATE SUBSTITUTE AMENDMENT 2 TO SENATE BILL 462**

Senate Substitute Amendment 2 to Senate Bill 462 makes one change to current law: it repeals the provision requiring DOT to refuse registration if a vehicle was originally manufactured for use in any country's military forces and does not meet federal motor vehicle safety standards.

**Legislative History**

Senate Substitute Amendment 2 was offered by Senator Grothman on March 9, 2012. On March 12, 2012, the Senate Committee on Transportation and Elections unanimously recommended adoption of Senate Substitute Amendment 2, and passage of Senate Bill 462, as amended.

DM:ty