

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1431/P1dn
ARG:eev:jm

February 20, 2013

ATTN: Rachel VerVelde

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

I use the term "Kei class vehicle" in this draft without definition. Based on the information you provided and my independent review on the Internet, it seems to be an established industry term. However, without a statutory definition, there is the possibility for disagreement in the future as to what the term "Kei class vehicle" means in this draft.

Under s. 285.30 (5) (j), an "off-road utility vehicle" is exempt from emission inspection requirements under ss. 110.20 and 285.30. Under this bill, this exemption would extend to Kei class vehicles.

Given the changes to s. 341.10 (6) in this draft, the last sentence of s. 341.266 (2) (a) might not be necessary. However, I have not removed this sentence of the statutes because of the different definitions of "former military vehicles" that apply to s. 341.10 (6) and to s. 341.266.

In the treatment of s. 341.269 (3) of this draft, I have incorporated the provision from 2011 AB-594 (LRB-3349). As I discussed in connection with that draft, I have concern with the phrase "regular daily" transportation, which I consider to be ambiguous and either redundant or self-conflicting, as well as susceptible to abuse. Does the phrase mean that an owner can drive his or her historic military vehicle five days per week to work, which is not daily? Or drive it daily but to different destinations and not on a regular route? As I discussed in connection with the 2011 draft, I believe the last clause of s. 341.269 (3) in this draft is not actually necessary because the subsection already says that the vehicle "may only be used for" However, if you want to retain this language, I recommend using only the word "regular" or the word "daily" (whichever best suits your intent), not both, as I believe the terms together create ambiguity. Given the fact that historic military vehicles may be registered for \$5 with no renewal fee, there could be an incentive for exploitation of any ambiguity in the statute.

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.

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