

2013 DRAFTING REQUEST

Bill

Received: **1/30/2013** Received By: **agary**
 Wanted: **As time permits** Same as LRB:
 For: **Glenn Grothman (608) 266-7513** By/Representing: **Rachel VerVelde**
 May Contact: Drafter: **agary**
 Subject: **Transportation - motor vehicles** Addl. Drafters:
 Extra Copies: **EVM**

Submit via email: **YES**
 Requester's email: **Sen.Grothman@legis.wisconsin.gov**
 Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Vehicle registration

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>
/?	agary 2/15/2013			_____			
/P1	agary 3/5/2013	evinz 2/20/2013	jmurphy 2/20/2013	_____	sbasford 2/20/2013		State S&L
/P2	agary 3/11/2013	evinz 3/5/2013	jmurphy 3/5/2013	_____	srose 3/5/2013		State S&L
/1		evinz	jfrantze	_____	lparisi	sbasford	State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
		3/12/2013	3/12/2013	_____	3/12/2013	3/26/2013	S&L

FE Sent For:

at
intro

<END>

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11 evv 3/12/13  3/12

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FE Sent For:

102 eev 3/5/13

Jim 3/5
Jim 3/5
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/?	agary	tpl ev 2/20/13	jm 2/20	jm 2/20			

FE Sent For:

<END>

Gary, Aaron

From: VerVelde, Rachel
Sent: Thursday, February 14, 2013 11:18 AM
To: Gary, Aaron
Subject: RE: Draft Needed

Hi Aaron,

Below is some information on Kei class vehicles:

Kei class vehicles are mini vans and pickup trucks that are only 4' wide by 10' long and have a 2 cylinder engine. They have virtually no safety gear and have been manufactured since the late 1960s in Japan and now China. These vehicles are road legal in most countries. One particular Kei class vehicle is the Subaru Sanbar. The Sanbar was outlawed from U.S. highways by the federal government in 1970. WisDOT has always kept these vehicles off the road because they don't have a certification label. By defining them as an off road vehicle by class we continue the practice of denying registration to this particular type of vehicle.

Kei mini-trucks were not manufactured to meet FMVSS, and thus cannot be imported as Motor Vehicles (until they are older than 25 yrs. and thereby exempted from FMVSS requirements). It's my understanding that the concern arises from the fact that several states *do* allow the registration of these trucks, even though they are not considered Motor Vehicles by US DOT/NHTSA and US Customs when imported. I believe Wisconsin DOT had concerns that they might not be able to deny registration to a mini-truck once it was older than 25 years if our proposed change to 341.10(6) went into effect, and they definitely wanted to prevent their registration.

Let me know if you have any other questions.

Thanks,

Rachel A. VerVelde

Office of Senator Glenn Grothman
Rachel.VerVelde@legis.wi.gov
O: 608-266-7513

From: Gary, Aaron
Sent: Wednesday, February 13, 2013 1:05 PM
To: VerVelde, Rachel
Subject: RE: Draft Needed

On the Kei class vehicles, I have a couple of options for drafting the provision, but I am not very familiar with the vehicles. Can someone tell me why these vehicles don't fall within the definition of "off-road utility vehicle" under s. 340.01 (38m), i.e. what part of that definition the vehicles fail to satisfy? If I knew that, I might be able to draft the provision in a simpler way.

Thanks.

Aaron

From: VerVelde, Rachel
Sent: Tuesday, February 12, 2013 4:45 PM
To: Gary, Aaron
Subject: RE: Draft Needed

Aaron,

The intent of the legislation after considerable conversations with DOT and stakeholders, was to take the important parts from several drafts to create a piece of legislation that would do the following:

- A. Allow vehicles to register as collector as long as the body has not been altered.
- B. Allow historic military vehicles expanded but still restricted use and the ability to store vehicles and parts, with similar conditions, as collector and hobbyist registrations do.
- C. Is to rewrite 341.10 (6) to allow any vehicle that is 25 years old or older to be exempted from this requirement, allow former military vehicles regardless of age to be exempted from this requirement. Retain the exemption for historic military vehicles and state the specific federal requirement that this statute refers to.
- D. Prohibit Kei class vehicles (Japanese mini trucks) from registration since the changes to 341.10 (6) would inadvertently allow their operation. We wish to classify them as an off-road utility vehicle as in 340.01 (38m). This would allow municipalities to operate them for park maintenance, trash removal, etc.

From LRB 1431/P1 (our first draft) we wish to retain the change to 341.10 (6) written in section one and the change to 341.266 (1) (c) 2 as written in section 2.

From LRB 3349, we want the changes that section 4 through 6 would allow but section 1, while it can be used to say it does not apply to historic military vehicles, the rest of that section does not fit with the intent of this legislation. As far as section 2, you have correctly stated that it has been repealed and is no longer relevant.

LRB 0163 was intended to allow regular auto, truck, farm registration of former military vehicles. We do not want to affect HMV registration or the four specially exempted military vehicles that are allowed to be registered as collector even if modified or carrying cargo exceeding 500 pounds. The repeal of the special exemption met great resistance and that is why the Dept. abandoned this legislation. We definitely do **not** wish to include sections 4 through 8. Sections 9 and 10 are simply renaming the vehicles as we would now have a conflict between the terms "former military vehicle" and "historic military vehicle". That is why we included the definition of "former military vehicle" from LRB 0163. Section 3 again refers to 341.10 (6) which this legislation is rewriting. We do agree that it should state this subsection does not apply to former military vehicles or to historic military vehicles but we do **not** want to retain the reference to "s114 of the safety act of 1966".

As far as the jigsaw puzzle problem, we leave it up to you as to how to restrict the Kei from regular registration. The same goes for creating the definitions "former military vehicle", "historic military vehicle". Let me know if you have any questions.

Thanks,

Rachel A. VerVelde

Office of Senator Glenn Grothman
Rachel.VerVelde@legis.wi.gov
O: 608-266-7513

From: Gary, Aaron
Sent: Monday, February 11, 2013 1:51 PM
To: Sen.Grothman
Subject: RE: Draft Needed

One more thing: Regarding item 5. below, there are significant operating restrictions for off-road utility vehicles under current law. Having different definitions of these vehicles for purposes of the registration exemption vs. operation may be confusing and may end up not achieving your goal. Do you still want the draft to read as indicated in item 5. below?

Thanks. Aaron

From: Gary, Aaron
Sent: Monday, February 11, 2013 11:46 AM
To: Sen.Grothman
Subject: RE: Draft Needed

Quick follow up on the email below, just to make sure there is no confusion. Regarding 2011 LRB-3349, I know that bill section 2 has since been repealed, and bill section 1 would need to be reconciled with the changes in the other pieces of the instructions

From: Gary, Aaron
Sent: Monday, February 11, 2013 11:30 AM
To: Sen.Grothman
Subject: RE: Draft Needed

Hi Rachel,

A draft can be a bit like a jigsaw puzzle, as all the pieces have to fit together. That means picking one or two pieces out of different drafts can create complications. Regarding item 3. below, it is necessary to include bill sections 1, 2, and 3 from 2011 LRB-3349 – they are all part of one package that goes with bill sections 4 and 6. With regard to items 1. and 2. below, the material you have identified in 2013 LRB-0163 is there because of changes in LRB-0163 that you have not requested. LRB-0163 removes former military vehicles as a special category of collector vehicles under s. 341.266, stats., and changes terms in s. 341.269, stats. See bill sections 4 to 10 of 2013 LRB-0163. To make some changes without others creates statutory conflicts. Do you want to include in your bill the changes in bill sections 4 to 10 of LRB-0163? If not, then I will need to do some tweaking of the draft, to avoid statutory conflicts, if I am to include only bill sections 2 and 3 of LRB-0163.

Thanks. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)

From: Sen.Grothman
Sent: Friday, February 08, 2013 1:12 PM
To: Gary, Aaron
Subject: RE: Draft Needed

Hi Aaron,

After discussing with multiple individuals and organizations additions to the legislation, below is the consensus on what to include. The first part of the first addition is already in the draft, but there was a request for the addition of language from LRB 0163/P2. As you can see, there are multiple drafts referenced in these instructions. I will attach the drafts, but it looks like you were the drafter on all of them. Also, Senator Grothman would like a three month effective date on the legislation. Let me know if you have any questions.

Thanks,

-Rachel

1. Amend 341.10 (6) The vehicle is less than 25 years old and does not meet manufacturer or importer certification label requirement as per 49CFR CH. V Part 567. (LRB 1431/P1 section 1) (following line from DOT draft) This subsection does not apply to former military vehicles or to historic military vehicles. (LRB 0163/P2 section 3)
2. Amend 341.01 (2) (af) (from DOT draft) "Former military vehicle" means a vehicle, including a trailer but excluding a tracked vehicle, that was manufactured for use in any county's military forces. (LRB 0163/P2 sections 1 and 2)
3. Amend 341.269 (HMV Unlicensed, operable or inoperable vehicles and parts vehicles may be stored on resident's property provided the vehicles and parts vehicles and the outdoor storage area are maintained in such a manner that they do not constitute a health hazard and are screened from ordinary public view, by means of a fence, rapidly growing trees, shrubbery or other appropriate means (same as collector). (from 2011 LRB 3349/1 sections 4 and 6)
4. Amend 341.269 (3) and occasional personal use, but the vehicle may not be used for daily transportation.
(from 2011 LRB 3349/1 section 5)
5. Create 341.01 (2) (at) "Off-road utility vehicle" has the meaning given in s. 340.01 (38m) and, in addition, includes Kei class vehicles. (from 2011 LRB s0362/2 section 1)
<< File: 0163-P2.pdf >> << File: s0362-2.pdf >> << File: 3349-1.pdf >>

From: Gary, Aaron
Sent: Tuesday, February 05, 2013 3:23 PM
To: VerVelde, Rachel
Subject: RE: Draft Needed

Thanks. I have finished the draft (as requested so far). Do you want me to go ahead and send that out as a /P1 draft, or should I wait for additional instructions before sending out the first cut?

Thanks. Aaron

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

From: VerVelde, Rachel
Sent: Tuesday, February 05, 2013 2:52 PM
To: Gary, Aaron
Subject: RE: Draft Needed

Hi Aaron,

This looks good. I wanted to give you a heads up that we have been discussing this legislation with others and there will probably be additions to the draft. I will let you know for sure in the next couple of days.

Thanks,

Rachel A. VerVelde

Office of Senator Glenn Grothman
Rachel.VerVelde@legis.wi.gov
O: 608-266-7513

From: Gary, Aaron
Sent: Monday, February 04, 2013 12:43 PM
To: VerVelde, Rachel
Subject: RE: Draft Needed

Hi Rachel,

On the second item below, the citation to 49 CFR 567.3 doesn't work, because it is a definition section. I assume a broader definition to part 567 would meet your needs. Please see the attached language, which is similar but not identical to that which you provided. Will the attached suffice?

Thanks. Aaron << File: 13-1431_P1.pdf >>

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

From: VerVelde, Rachel
Sent: Wednesday, January 30, 2013 4:18 PM
To: Gary, Aaron
Subject: RE: Draft Needed

One draft. Thanks for checking.

-Rachel

Rachel A. VerVelde
Office of Senator Glenn Grothman
Rachel.VerVelde@legis.wi.gov
O: 608-266-7513

From: Gary, Aaron
Sent: Wednesday, January 30, 2013 4:16 PM
To: VerVelde, Rachel
Subject: RE: Draft Needed

Hi Rachel,
Did you want this prepared as one draft or as two? Thanks. Aaron

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

From: VerVelde, Rachel
Sent: Wednesday, January 30, 2013 2:47 PM
To: Gary, Aaron
Subject: Draft Needed

Aaron,

Senator Grothman would like legislation drafted dealing with vehicle requirements for a collector license and certification label requirements for vehicle registration. We have language, Senator Grothman would like the exact language below. If this is not possible, please contact us.

Thanks,

Rachel A. VerVelde

Office of Senator Glenn Grothman

Rachel.VerVelde@legis.wi.gov

O: 608-266-7513

Change #1
Change vehicle requirements for Collector License
[s.341.266(1)(c)2 Wis. Stats]

Current law states: Collector license plates can only be issued to a vehicle which "has not been altered or modified from original manufacturers specifications".

Amend 341.266(1)(c)2: "A motor vehicle of any age, of which the body has not been altered from original and, because of its historic interest is being preserved by a collector."

Change #2
Change Certification Label requirement for Vehicle Registration
[s. 341.10(6) Wis. Stats.]

Current law states: DMV must refuse registration for any vehicle if, "The vehicle is originally designed and manufactured for off-highway operation unless the vehicle meets the provisions of s. 114 of the national traffic and motor vehicle safety act of 1966, ..."

Amend: 341.10(6) "The vehicle is less than 25 years old and does not meet manufacturer or importer certification label requirement as per 49CFR CH. V 567.3"



State of Wisconsin
2013 - 2014 LEGISLATURE

SOCH

in
2/15



LRB-1431/P1

ARG:.....

eev

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

D-note

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1 AN ACT **relating to:** motor vehicle registration by the Department of
2 Transportation, historic military vehicles, and Kei class vehicles.

Analysis by the Legislative Reference Bureau

Current law provides for a special category of motor vehicle registration for "special interest vehicles," commonly known as "collector" vehicles. A vehicle may be eligible for registration as a collector vehicle if the vehicle: 1) is at least 20 years old, has not been altered or modified from its original manufacturer's specifications, and is being preserved for its historic interest, or 2) is, with an exception, at least 25 years old and is a specific type of former military vehicle, such as a Pinzgauer or Kaiser Jeep. The Department of Transportation (DOT) issues distinctive registration plates, commonly known as collector plates, for vehicles registered as collector vehicles. A collector vehicle may be reregistered for no additional fee. Collector vehicles are subject to minimal operating restrictions, most notably that they generally cannot be operated on the highways during the month of January.

Another special registration category recognized under current law allows a former military vehicle to be registered as a historic military vehicle if the vehicle was manufactured for use in any country's military forces, is maintained to accurately represent its military design and markings, and either is a domestic vehicle or is imported and at least 25 years old. DOT issues special plates for these vehicles identifying them as historic military vehicles. Historic military vehicles are subject to significant operating restrictions and may be used only for special occasions such as display and parade purposes, including traveling to and from such events, and for necessary testing, maintenance, and storage purposes.

Also under current law, DOT must refuse registration of a vehicle that is originally designed and manufactured for off-highway operation unless the vehicle meets the provisions of a certain section of the National Traffic and Motor Vehicle Safety Act of 1966, as amended. However, this prohibition against registration does not apply to a former military vehicle being registered under the special registration categories for collector vehicles or historic military vehicles.

This bill modifies this ground for refusing vehicle registration. Under the bill, DOT must refuse registration of a vehicle that is less than 25 years old and does not meet manufacturer or importer certification label requirements as specified in federal regulations or that is a Kei class vehicle. However, this prohibition against registration does not apply to former military vehicles, regardless of the registration category for which the vehicle is registered. The bill defines a "former military vehicle" as a vehicle, including a trailer but excluding a tracked vehicle, that was manufactured for use in any country's military forces. As under current law, this prohibition against registration also does not apply to a former military vehicle being registered under the special registration categories for collector vehicles or historic military vehicles.

The bill also modifies an eligibility requirement for registering a collector vehicle that is not a former military vehicle. Under the bill, a vehicle is eligible for registration as a collector vehicle if the vehicle is at least 20 years old, the vehicle's body has not been altered from the original, and the vehicle is being preserved for its historic interest.

The bill expands the circumstances under which a vehicle registered as a historic military vehicle may be operated. The bill allows these vehicles to be operated for occasional personal use, but not for regular daily transportation, and specifies that use for special occasions includes club activities, exhibitions, and tours. The bill also specifies that an owner of a vehicle registered as a historic military vehicle may store unregistered, operable or inoperable, historic military vehicles and parts vehicles for historic military vehicles on the owner's property if the vehicles and parts vehicles and the outdoor storage area do not constitute a health hazard and are screened from ordinary public view.

Under current law, an "off-road utility vehicle" is defined as a motor vehicle that: 1) is designed and constructed to carry no more than two persons and to be used for collecting waste, such as garbage, recyclables, and yard waste, for landscaping, or for incidental street maintenance; 2) is not certified for on-road use or is certified as meeting the equipment standards for a low-speed vehicle under federal regulations; and 3) satisfies specified equipment standards under state law or the equipment standards under federal regulations for a low-speed vehicle. A "low-speed vehicle" for purposes of these provisions is a vehicle identified as such under applicable federal regulations.

Under current law, an off-road utility vehicle operated on a highway is exempt from motor vehicle registration with DOT if the vehicle is being operated in compliance with the following restrictions. A person may operate an off-road utility vehicle on a highway only if all of the following apply: 1) the highway has a speed limit of 35 miles per hour or less; 2) the person is employed by, or under contract with,

the state or a local governmental unit; and 3) the off-road utility vehicle is being used for the state or local governmental purpose of collecting waste, landscaping, or performing incidental street maintenance and is operated on the highway for a distance of not more than one half of a mile.

Under this bill, a Kei class vehicle is an off-road utility vehicle. As such, the foregoing provisions relating to registration and operating restrictions apply to Kei class vehicles. A Kei class vehicle is prohibited from general vehicle registration with DOT but is afforded a limited registration exemption for operation as an off-road utility vehicle.

For further information see the *state and local* 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. 340.01 (38m) of the statutes is renumbered 340.01 (38m) (a) (intro.)

2 and amended to read:

3 340.01 (38m) (a) "Off-road utility vehicle" means a any of the following:

4 1. A motor vehicle that is designed and constructed to carry no more than 2
5 persons and to be used for collecting residential and commercial solid waste, such as
6 yard waste, recyclable materials, and household garbage, refuse, and rubbish,
7 landscaping, or incidental street maintenances; that is not certified by the
8 manufacturer for on-road use or that is certified by the manufacturer as meeting the
9 equipment standards for a low-speed vehicle under 49 CFR 571.500; and that
10 satisfies the equipment standards for a Type 2 automobile or Type 2 motorcycle
11 under ch. 347 or the equipment standards for a low-speed vehicle under 49 CFR
12 571.500.

13 (b) "Off-road utility vehicle" does not include any motorized construction
14 equipment or any motor vehicle that falls within another definition under this
15 section.

History: 1971 c. 100 s. 23; 1971 c. 201, 211, 233, 277, 307; 1973 c. 86, 157, 182, 185, 272, 333, 335; 1973 c. 336 s. 79; 1975 c. 25, 120, 121, 136, 192, 199, 320, 326; 1975 c. 429 ss. 2m, 2r, 3, 4, 8, 9; 1977 c. 5; 1977 c. 29 ss. 1405 to 1410, 1654 (3); 1977 c. 30 s. 5; 1977 c. 43, 55, 57, 116, 193, 272, 288, 418; 1979 c. 36, 221; 1979 c. 333 s. 5; 1979 c. 345; 1981 c. 20, 159, 329; 1983 a. 27, 78, 124, 130, 175; 1983 a. 189 ss. 249, 329 (17m), (24); 1983 a. 223, 227, 243, 270, 457, 459; 1983 a. 512 s. 8; 1983 a. 538; 1985 a. 29, 65; 1985 a. 146 s. 8; 1985 a. 165, 187, 287; 1987 a. 259, 270, 349, 399; 1989 a. 31; 1989 a. 75 s. 1; 1989 a. 102; 1989 a. 105 ss. 13 to 30, 37, 41, 42; 1989 a. 134, 170; 1991

a. 39, 239, 269, 277, 316; 1993 a. 15, 16, 63, 159, 198, 213, 246, 260, 399, 436, 490; 1995 a. 27 s. 9145 (1); 1995 a. 36, 77, 113, 138, 225, 436, 448; 1997 a. 27, 164, 252, 277; 1999 a. 9, 31, 80, 85, 109, 140; 2001 a. 10, 16, 90, 102, 105, 109; 2003 a. 30, 33, 97, 192, 320, 321; 2005 a. 455; 2007 a. 11; 2007 a. 20 ss. 3190m, 3190p, 3220c; 2007 a. 27; 2007 a. 33 s. 8; 2007 a. 130, 175; 2009 a. 85, 97, 100, 122, 177, 311, 320; 2011 a. 32, 73, 101, 208, 265; s. 13.92 (2) (i).

1 **SECTION 2.** 340.01 (38m) (a) 2. of the statutes is created to read:

2 340.01 (38m) (a) 2. A Kei class vehicle.

3 **SECTION 3.** 341.01 (2) (a) of the statutes is renumbered 341.01 (2) (am).

4 **SECTION 4.** 341.01 (2) (af) of the statutes is created to read:

5 341.01 (2) (af) “Former military vehicle” means a vehicle, including a trailer
6 but excluding a tracked vehicle, that was manufactured for use in any country’s
7 military forces.

8 **SECTION 5.** 341.10 (6) of the statutes is amended to read:

9 341.10 (6) The vehicle is ~~originally designed and manufactured for~~
10 ~~off-highway operation unless the vehicle meets the provisions of s. 114 of the~~
11 ~~national traffic and motor vehicle safety act of 1966, as amended, except as otherwise~~
12 ~~authorized by the statutes less than 25 years old and does not meet manufacturer~~
13 ~~or importer certification label requirements as specified in 49 CFR 567 or the vehicle~~
14 ~~is a Kei class vehicle. This subsection does not apply to former military vehicles or~~
15 ~~to historic military vehicles, as defined in s. 341.269 (1) (a), for which the department~~
16 ~~receives an application, and which are eligible, for registration under s. 341.269 or,~~
17 ~~with respect to a county or municipality, under s. 341.26 (2m).~~

History: 1973 c. 131; 1975 c. 32; 1977 c. 29 s. 1654 (7) (a); 1979 c. 34; 1979 c. 274; 1981 c. 165; 1983 a. 27, 78, 103, 169, 330; 1987 a. 235; 1989 a. 56, 284; 1991 a. 39, 316; 1993 a. 159, 288; 1995 a. 227; 1997 a. 27, 237; 1999 a. 85; 2003 a. 201, 297; 2009 a. 135; 2011 a. 32, 235.

18 **SECTION 6.** 341.266 (1) (am) (intro.) of the statutes is amended to read:

19 341.266 (1) (am) (intro.) “~~Former~~ Notwithstanding s. 341.01 (2) (af), “former
20 military vehicle” means any of the following vehicles if the vehicle is at least 25 years
21 old:

History: 1971 c. 299; 1985 a. 332 s. 251 (4); 1987 a. 349; 1989 a. 137; 1991 a. 81, 316; 1997 a. 126; 2003 a. 321; 2009 a. 225.

22 **SECTION 7.** 341.266 (1) (c) 2. of the statutes is amended to read:

1 341.266 (1) (c) 2. A motor vehicle of any age, of which the body has not been
2 altered ~~or modified~~ from the original manufacturers specifications and, because of
3 its historic interest, is being preserved by ~~hobbyists~~ a collector.

4 History: 1971 c. 299; 1985 a. 332 s. 251 (4); 1987 a. 349; 1989 a. 137; 1991 a. 81, 316; 1997 a. 126; 2003 a. 321; 2009 a. 225.

4 **SECTION 8.** 341.269 (1) of the statutes is renumbered 341.269 (1) (intro.) and
5 amended to read:

6 341.269 (1) (intro.) In this section, ~~“former:~~

7 (a) “Historic military vehicle” means a vehicle, including a trailer but excluding
8 a tracked vehicle, that was manufactured for use in any country’s military forces and
9 is maintained to accurately represent its military design and markings, regardless
10 of the vehicle’s size or weight.

11 **SECTION 9.** 341.269 (1) (b) of the statutes is created to read:

12 341.269 (1) (b) “Parts vehicle” means a vehicle generally in nonoperable
13 condition that is owned to furnish parts which will enable a historic military vehicle
14 owner to restore, preserve, and maintain a historic military vehicle.

15 **SECTION 10.** 341.269 (2) (a) of the statutes is amended to read:

16 341.269 (2) (a) Any resident of this state who is the owner of a ~~former~~ historic
17 military vehicle that is at least 25 years old at the time of making application for
18 registration and has been imported into the United States from another country, or
19 that is any age and has not been imported into the United States, may upon
20 application register the vehicle under this section as a historic military vehicle upon
21 payment of the fees specified in par. (b). The applicant has the burden of providing
22 evidence satisfactory to the department that the vehicle may be registered under this
23 section, including, if applicable, providing documentation demonstrating that a

1 former historic military vehicle which is less than 25 years old was manufactured for
2 U.S. military forces and was never imported.

3 **SECTION 11.** ^X 341.269 (3) of the statutes is amended to read:

4 341.269 (3) A vehicle registered under this section may only be used for special
5 occasions such as display and parade purposes, club activities, exhibitions, and
6 tours, including traveling to and from such events, and for necessary testing,
7 maintenance, and storage purposes, and for occasional personal use, but not for
8 regular daily transportation.

9 **SECTION 12.** [✓] 341.269 (6) of the statutes is created to read:

10 341.269 (6) The owner of a historic military vehicle may store unregistered,
11 operable or inoperable, historic military vehicles and parts vehicles on the owner's
12 property if the vehicles and parts vehicles and the outdoor storage area are
13 maintained in such a manner that they do not constitute a health hazard and are
14 screened from ordinary public view by means of a fence, rapidly growing trees,
15 shrubbery, or other appropriate means.

16 **SECTION 13. Initial applicability.**

17 (1) The treatment of sections [✓] 341.10 (6) and [✓] 341.266 (1) (c) 2. of the statutes first
18 applies to applications for registration received by the department of transportation
19 on the effective date of this subsection.

20 (2) The treatment of section [✓] 341.269 (3) of the statutes first applies to vehicles
21 operated on the effective date of this subsection.

22 **SECTION 14. Effective date.**

23 (1) This act takes effect on the first day of the 4th month beginning after
24 publication.

25 (END)

D - Note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1431/P1dn

ARG:.....

eev

(date)

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. 170.20 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.

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

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.

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

Gary, Aaron

From: VerVelde, Rachel
Sent: Tuesday, March 05, 2013 1:01 PM
To: Gary, Aaron
Subject: RE: Draft Needed

Hi Aaron,

Senator Grothman wants to exclude all vehicles registered under section 341.266 from the requirement of 341.10(6). In total the vehicles we wish to exempt from the requirement of 341.10(6) are all special interest vehicles registered under 341.266 and all former military vehicles regardless of type of registration except for vehicles registered as Historic Military Vehicles under 341.269. The intent is to retain the exception for historic military vehicles as it is currently defined in 341.269 (US military vehicle of any age and imported military vehicle that is at least 25 years old as is currently specified in 341.269(2)(a)).

Reading these questions, I see that we failed to include in the suggested wording change "...for which the dept. receives an application and which are eligible for registration under 341.269". This was simply an oversight.

Let me know if you have any other questions.

Thanks,

Rachel A. VerVelde

Office of Senator Glenn Grothman
Rachel.VerVelde@legis.wi.gov
O: 608-266-7513

From: Gary, Aaron
Sent: Monday, March 04, 2013 2:26 PM
To: Sen.Grothman
Subject: RE: Draft Needed

Hi Rachel,

I have a couple of questions about the first change.

1. In bill section 5, there is an exception for historic military vehicles under current law. The exception applies only if the historic military vehicle is eligible for registration under s. 341.269 and an application for registration is made. With the requested change, the exception will apply regardless of whether the historic military vehicle is eligible for registration under s. 341.269 (or has applied for registration). For example, the exception will apply to a historic military vehicle that is not yet 25 years old. Is this consistent with your intent?
2. Regarding the very end of your first paragraph below regarding collector vehicles, I'm not quite sure what the intent is here. "Collector vehicles" is not a defined term in s. 341.266(1). Did you mean to refer to "former military vehicles" as defined in s. 341.266 (1) (am) or "special interest vehicles" as defined in s. 341.266 (1)(c). Before this bill, there was a limited exception to s. 341.10 (6) for former military vehicles registered as collector vehicles under s. 341.266. So I'm not sure if you are trying to clarify that "former military vehicle," whether defined under the new s. 341.01 (2) (af) or the old s. 341.266 (1) (am) is covered, or whether this is a new exception being created for all special interest vehicles (collector vehicles), not just former military vehicles.

Thanks. Aaron

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

From: Sen.Grothman
Sent: Monday, March 04, 2013 9:30 AM
To: Gary, Aaron
Subject: RE: Draft Needed

Hi Aaron,

Senator Grothman would like to make three changes to the draft. We would like to change the 25 year exemption in 341.10(6) to an exemption for vehicles registered as collector 341.266. Suggested wording change for section five: The vehicle was manufactured after 1969 and does not meet manufacturer or importer certification label requirements as specified in 49CFR 567 or the vehicle is a Kei class vehicle. This subsection does not apply to former military vehicles, historic military vehicles as defined in s.341.269(1)(a) or collector vehicles as defined in s.341.266(1)

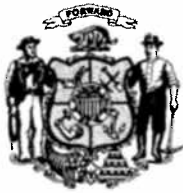
Second item is replace "regular daily" with "regular" in section eleven 341.269(3).

Third item: Section fourteen - Effective Date. We would like to change this to the third month after publication.

Let me know if you have any questions.

Thanks,

Rachel A. VerVelde
Office of Senator Glenn Grothman
Rachel.VerVelde@legis.wi.gov
O: 608-266-7513



State of Wisconsin
2013 - 2014 LEGISLATURE

in 3/5
soon



LRB-1431/11 PZ
ARG:eev:jm

stays
EMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

D-note

1 **AN ACT to renumber** 341.01 (2) (a); **to renumber and amend** 340.01 (38m) and
2 341.269 (1); **to amend** 341.10 (6), 341.266 (1) (am) (intro.), 341.266 (1) (c) 2.,
3 341.269 (2) (a) and 341.269 (3); and **to create** 340.01 (38m) (a) 2., 341.01 (2) (af),
4 341.269 (1) (b) and 341.269 (6) of the statutes; **relating to:** motor vehicle
5 registration by the Department of Transportation, historic military vehicles,
6 and Kei class vehicles.

Analysis by the Legislative Reference Bureau

Current law provides for a special category of motor vehicle registration for “special interest vehicles,” commonly known as “collector” vehicles. A vehicle may be eligible for registration as a collector vehicle if the vehicle: 1) is at least 20 years old, has not been altered or modified from its original manufacturer’s specifications, and is being preserved for its historic interest, or 2) is, with an exception, at least 25 years old and is a specific type of former military vehicle, such as a Pinzgauer or Kaiser Jeep. The Department of Transportation (DOT) issues distinctive registration plates, commonly known as collector plates, for vehicles registered as collector vehicles. A collector vehicle may be reregistered for no additional fee. Collector vehicles are subject to minimal operating restrictions, most notably that they generally cannot be operated on the highways during the month of January.

Another special registration category recognized under current law allows a former military vehicle to be registered as a historic military vehicle if the vehicle

was manufactured for use in any country's military forces, is maintained to accurately represent its military design and markings, and either is a domestic vehicle or is imported and at least 25 years old. DOT issues special plates for these vehicles identifying them as historic military vehicles. Historic military vehicles are subject to significant operating restrictions and may be used only for special occasions such as display and parade purposes, including traveling to and from such events, and for necessary testing, maintenance, and storage purposes.

Also under current law, DOT must refuse registration of a vehicle that is originally designed and manufactured for off-highway operation unless the vehicle meets the provisions of a certain section of the National Traffic and Motor Vehicle Safety Act of 1966, as amended. However, this prohibition against registration does not apply to a former military vehicle being registered under the special registration categories for collector vehicles or historic military vehicles. Insert ANAL-A

X This bill modifies this ground for refusing vehicle registration. Under the bill, DOT must refuse registration of a vehicle that ~~is less than 25 years old~~ and does not meet manufacturer or importer certification label requirements as specified in federal regulations or that is a Kei class vehicle. However, this prohibition against registration does not apply to former military vehicles, regardless of the registration category for which the vehicle is registered. The bill defines a "former military vehicle" as a vehicle, including a trailer but excluding a tracked vehicle, that was manufactured for use in any country's military forces. Insert ANAL-B As under current law, this prohibition against registration also does not apply to a former military vehicle being registered under the special registration categories for collector vehicles or historic military vehicles.

The bill also modifies an eligibility requirement for registering a collector vehicle that is not a former military vehicle. Under the bill, a vehicle is eligible for registration as a collector vehicle if the vehicle is at least 20 years old, the vehicle's body has not been altered from the original, and the vehicle is being preserved for its historic interest.

X The bill expands the circumstances under which a vehicle registered as a historic military vehicle may be operated. The bill allows these vehicles to be operated for occasional personal use, but not for regular ~~daily~~ transportation, and specifies that use for special occasions includes club activities, exhibitions, and tours. The bill also specifies that an owner of a vehicle registered as a historic military vehicle may store unregistered, operable or inoperable, historic military vehicles and parts vehicles for historic military vehicles on the owner's property if the vehicles and parts vehicles and the outdoor storage area do not constitute a health hazard and are screened from ordinary public view.

Under current law, an "off-road utility vehicle" is defined as a motor vehicle that: 1) is designed and constructed to carry no more than two persons and to be used for collecting waste, such as garbage, recyclables, and yard waste, for landscaping, or for incidental street maintenance; 2) is not certified for on-road use or is certified as meeting the equipment standards for a low-speed vehicle under federal regulations; and 3) satisfies specified equipment standards under state law or the equipment standards under federal regulations for a low-speed vehicle. A

“low-speed vehicle” for purposes of these provisions is a vehicle identified as such under applicable federal regulations.

Under current law, an off-road utility vehicle operated on a highway is exempt from motor vehicle registration with DOT if the vehicle is being operated in compliance with the following restrictions. A person may operate an off-road utility vehicle on a highway only if all of the following apply: 1) the highway has a speed limit of 35 miles per hour or less; 2) the person is employed by, or under contract with, the state or a local governmental unit; and 3) the off-road utility vehicle is being used for the state or local governmental purpose of collecting waste, landscaping, or performing incidental street maintenance and is operated on the highway for a distance of not more than half a mile.

Under this bill, a Kei class vehicle is an off-road utility vehicle. As such, the foregoing provisions relating to registration and operating restrictions apply to Kei class vehicles. A Kei class vehicle is prohibited from general vehicle registration with DOT but is afforded a limited registration exemption for operation as an off-road utility vehicle.

For further information see the *state and local* 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.** 340.01 (38m) of the statutes is renumbered 340.01 (38m) (a) (intro.)
2 and amended to read:
3 340.01 **(38m)** (a) (intro.) “Off-road utility vehicle” means a any of the following:
4 1. A motor vehicle that is designed and constructed to carry no more than 2
5 persons and to be used for collecting residential and commercial solid waste, such as
6 yard waste, recyclable materials, and household garbage, refuse, and rubbish,
7 landscaping, or incidental street maintenances; that is not certified by the
8 manufacturer for on-road use or that is certified by the manufacturer as meeting the
9 equipment standards for a low-speed vehicle under 49 CFR 571.500; and that
10 satisfies the equipment standards for a Type 2 automobile or Type 2 motorcycle
11 under ch. 347 or the equipment standards for a low-speed vehicle under 49 CFR
12 571.500.

1 (b) "Off-road utility vehicle" does not include any motorized construction
2 equipment or any motor vehicle that falls within another definition under this
3 section.

4 SECTION 2. 340.01 (38m) (a) 2. of the statutes is created to read:

5 340.01 (38m) (a) 2. A Kei class vehicle.

6 SECTION 3. 341.01 (2) (a) of the statutes is renumbered 341.01 (2) (am).

7 SECTION 4. 341.01 (2) (af) of the statutes is created to read:

8 341.01 (2) (af) "Former military vehicle" means a vehicle, including a trailer
9 but excluding a tracked vehicle, that was manufactured for use in any country's
10 military forces.

11 SECTION 5. 341.10 (6) of the statutes is amended to read:

12 341.10 (6) The vehicle ^{strike} ~~is originally designed and manufactured for~~
13 ~~off-highway operation unless the vehicle meets the provisions of s. 114 of the~~
14 ~~national traffic and motor vehicle safety act of 1966, as amended, except as otherwise~~
15 ~~authorized by the statutes~~ less than 25 years old and does not meet manufacturer
16 or importer certification label requirements as specified in 49 CFR 567 or the vehicle
17 is a Kei class vehicle. This subsection does not apply to former military vehicles, or
18 to historic military vehicles, as defined in s. 341.269 (1) (a), for which the department
19 receives an application, and which are eligible, for registration under s. 341.269 or,
20 with respect to a county or municipality, under s. 341.26 (2m). insert 4-20

21 SECTION 6. 341.266 (1) (am) (intro.) of the statutes is amended to read:

22 341.266 (1) (am) (intro.) "Former Notwithstanding s. 341.01 (2) (af), "former
23 military vehicle" means any of the following vehicles if the vehicle is at least 25 years
24 old:

25 SECTION 7. 341.266 (1) (c) 2. of the statutes is amended to read:

1 341.266 (1) (c) 2. A motor vehicle of any age, of which the body has not been
2 altered ~~or modified~~ from the original ~~manufacturers~~ specifications and, because of
3 its historic interest, is being preserved by ~~hobbyists~~ a collector.

*Insert
5-3* →
4 **SECTION 8.** 341.269 (1) of the statutes is renumbered 341.269 (1) (intro.) and
5 amended to read:

6 341.269 (1) (intro.) In this section, ~~“former:~~

7 (a) “Historic military vehicle” means a vehicle, including a trailer but excluding
8 a tracked vehicle, that was manufactured for use in any country’s military forces and
9 is maintained to accurately represent its military design and markings, regardless
10 of the vehicle’s size or weight.

11 **SECTION 9.** 341.269 (1) (b) of the statutes is created to read:

12 341.269 (1) (b) “Parts vehicle” means a vehicle generally in nonoperable
13 condition that is owned to furnish parts which will enable a historic military vehicle
14 owner to restore, preserve, and maintain a historic military vehicle.

15 **SECTION 10.** 341.269 (2) (a) of the statutes is amended to read:

16 341.269 (2) (a) Any resident of this state who is the owner of a ~~former~~ historic
17 military vehicle that is at least 25 years old at the time of making application for
18 registration and has been imported into the United States from another country, or
19 that is any age and has not been imported into the United States, may upon
20 application register the vehicle under this section as a historic military vehicle upon
21 payment of the fees specified in par. (b). The applicant has the burden of providing
22 evidence satisfactory to the department that the vehicle may be registered under this
23 section, including, if applicable, providing documentation demonstrating that a
24 ~~former~~ historic military vehicle which is less than 25 years old was manufactured for
25 U.S. military forces and was never imported.

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1431/P2ins
ARG:.....

1

2 **INSERT ANAL-A:**

(no fl) was manufactured after 1969

3

INSERT ANAL-B:

(no fl) This prohibition against registration also does not apply to collector vehicles being registered under the special registration category for collector vehicles.

4

INSERT 4-15:

5 (no fl) was manufactured after 1969

6

INSERT 4-20:

7 (no fl) , or special interest vehicles, as defined in s. 341.266 (1) (c), for which the
8 department receives an application, and which are eligible, for registration under s.
9 341.266

10

INSERT 5-3:

11

SECTION 1. 341.266 (2) (a) of the statutes is amended to read:

12

341.266 (2) (a) Any person who is the owner of a special interest vehicle that

13

is a former military vehicle, or that is not a former military vehicle and is 20 or more

14

years old at the time of making application for registration or transfer of title of the

15

vehicle, and who, unless the owner is an historical society that is exempt from federal

16

income taxes, owns, has registered in this state, and uses for regular transportation

17

at least one vehicle that has regular registration plates may upon application

18

register the vehicle as a special interest vehicle upon payment of a fee under par. (b).

19

~~A former military vehicle may be registered under this paragraph notwithstanding~~

20

~~s. 341.10 (6).~~

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1431/P2dn

ARG: f:....

eev

late

ATTN: Rachel VerVelde

The changes to s. 341.10 (6) in the attached draft making this provision inapplicable to all registrations under s. 341.266 renders the "notwithstanding" language in s. 341.266 (2) (a) unnecessary and confusing. Accordingly, I have added a treatment of s. 341.266 (2) (a) to remove this unnecessary "notwithstanding" language. This is a non-substantive change because the amended s. 341.10 (6) accomplishes the same result.

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-1431/P2dn
ARG:eev:jm

March 5, 2013

ATTN: Rachel VerVelde

The changes to s. 341.10 (6) in the attached draft making this provision inapplicable to all registrations under s. 341.266 renders the "notwithstanding" language in s. 341.266 (2) (a) unnecessary and confusing. Accordingly, I have added a treatment of s. 341.266 (2) (a) to remove this unnecessary "notwithstanding" language. This is a non-substantive change because the amended s. 341.10 (6) accomplishes the same result.

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

Gary, Aaron

From: VerVelde, Rachel
Sent: Monday, March 11, 2013 1:35 PM
To: Gary, Aaron
Subject: LRB 1431/P2

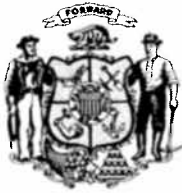
Hi Aaron,

Senator Grothman is ready for an introducible draft of this legislation.

Thanks,

Rachel A. VerVelde

Office of Senator Glenn Grothman
Rachel.VerVelde@legis.wi.gov
O: 608-266-7513



State of Wisconsin
2013 - 2014 LEGISLATURE

in
2/11



LRB-1431

ARG:eev:im

wanted
3/12

stays
KATR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

No changes

1 **AN ACT to renumber** 341.01 (2) (a); **to renumber and amend** 340.01 (38m) and
2 341.269 (1); **to amend** 341.10 (6), 341.266 (1) (am) (intro.), 341.266 (1) (c) 2.,
3 341.266 (2) (a), 341.269 (2) (a) and 341.269 (3); and **to create** 340.01 (38m) (a)
4 2., 341.01 (2) (af), 341.269 (1) (b) and 341.269 (6) of the statutes; **relating to:**
5 motor vehicle registration by the Department of Transportation, historic
6 military vehicles, and Kei class vehicles.

Analysis by the Legislative Reference Bureau

Current law provides for a special category of motor vehicle registration for “special interest vehicles,” commonly known as “collector” vehicles. A vehicle may be eligible for registration as a collector vehicle if the vehicle: 1) is at least 20 years old, has not been altered or modified from its original manufacturer’s specifications, and is being preserved for its historic interest, or 2) is, with an exception, at least 25 years old and is a specific type of former military vehicle, such as a Pinzgauer or Kaiser Jeep. The Department of Transportation (DOT) issues distinctive registration plates, commonly known as collector plates, for vehicles registered as collector vehicles. A collector vehicle may be reregistered for no additional fee. Collector vehicles are subject to minimal operating restrictions, most notably that they generally cannot be operated on the highways during the month of January.

Another special registration category recognized under current law allows a former military vehicle to be registered as a historic military vehicle if the vehicle

was manufactured for use in any country's military forces, is maintained to accurately represent its military design and markings, and either is a domestic vehicle or is imported and at least 25 years old. DOT issues special plates for these vehicles identifying them as historic military vehicles. Historic military vehicles are subject to significant operating restrictions and may be used only for special occasions such as display and parade purposes, including traveling to and from such events, and for necessary testing, maintenance, and storage purposes.

Also under current law, DOT must refuse registration of a vehicle that is originally designed and manufactured for off-highway operation unless the vehicle meets the provisions of a certain section of the National Traffic and Motor Vehicle Safety Act of 1966, as amended. However, this prohibition against registration does not apply to a former military vehicle being registered under the special registration categories for collector vehicles or historic military vehicles.

This bill modifies this ground for refusing vehicle registration. Under the bill, DOT must refuse registration of a vehicle that was manufactured after 1969 and does not meet manufacturer or importer certification label requirements as specified in federal regulations or that is a Kei class vehicle. However, this prohibition against registration does not apply to former military vehicles, regardless of the registration category for which the vehicle is registered. The bill defines a "former military vehicle" as a vehicle, including a trailer but excluding a tracked vehicle, that was manufactured for use in any country's military forces. This prohibition against registration also does not apply to collector vehicles being registered under the special registration category for collector vehicles. As under current law, this prohibition against registration also does not apply to a former military vehicle being registered under the special registration categories for collector vehicles or historic military vehicles.

The bill also modifies an eligibility requirement for registering a collector vehicle that is not a former military vehicle. Under the bill, a vehicle is eligible for registration as a collector vehicle if the vehicle is at least 20 years old, the vehicle's body has not been altered from the original, and the vehicle is being preserved for its historic interest.

The bill expands the circumstances under which a vehicle registered as a historic military vehicle may be operated. The bill allows these vehicles to be operated for occasional personal use, but not for regular transportation, and specifies that use for special occasions includes club activities, exhibitions, and tours. The bill also specifies that an owner of a vehicle registered as a historic military vehicle may store unregistered, operable or inoperable, historic military vehicles and parts vehicles for historic military vehicles on the owner's property if the vehicles and parts vehicles and the outdoor storage area do not constitute a health hazard and are screened from ordinary public view.

Under current law, an "off-road utility vehicle" is defined as a motor vehicle that: 1) is designed and constructed to carry no more than two persons and to be used for collecting waste, such as garbage, recyclables, and yard waste, for landscaping, or for incidental street maintenance; 2) is not certified for on-road use or is certified as meeting the equipment standards for a low-speed vehicle under federal

regulations; and 3) satisfies specified equipment standards under state law or the equipment standards under federal regulations for a low-speed vehicle. A “low-speed vehicle” for purposes of these provisions is a vehicle identified as such under applicable federal regulations.

Under current law, an off-road utility vehicle operated on a highway is exempt from motor vehicle registration with DOT if the vehicle is being operated in compliance with the following restrictions. A person may operate an off-road utility vehicle on a highway only if all of the following apply: 1) the highway has a speed limit of 35 miles per hour or less; 2) the person is employed by, or under contract with, the state or a local governmental unit; and 3) the off-road utility vehicle is being used for the state or local governmental purpose of collecting waste, landscaping, or performing incidental street maintenance and is operated on the highway for a distance of not more than half a mile.

Under this bill, a Kei class vehicle is an off-road utility vehicle. As such, the foregoing provisions relating to registration and operating restrictions apply to Kei class vehicles. A Kei class vehicle is prohibited from general vehicle registration with DOT but is afforded a limited registration exemption for operation as an off-road utility vehicle.

For further information see the *state and local* 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.** 340.01 (38m) of the statutes is renumbered 340.01 (38m) (a) (intro.)
2 and amended to read:
3 340.01 (38m) (a) (intro.) “Off-road utility vehicle” means a any of the following:
4 1. A motor vehicle that is designed and constructed to carry no more than 2
5 persons and to be used for collecting residential and commercial solid waste, such as
6 yard waste, recyclable materials, and household garbage, refuse, and rubbish,
7 landscaping, or incidental street maintenances; that is not certified by the
8 manufacturer for on-road use or that is certified by the manufacturer as meeting the
9 equipment standards for a low-speed vehicle under 49 CFR 571.500; and that
10 satisfies the equipment standards for a Type 2 automobile or Type 2 motorcycle

1 under ch. 347 or the equipment standards for a low-speed vehicle under 49 CFR
2 571.500.

3 (b) "Off-road utility vehicle" does not include any motorized construction
4 equipment or any motor vehicle that falls within another definition under this
5 section.

6 **SECTION 2.** 340.01 (38m) (a) 2. of the statutes is created to read:

7 340.01 (38m) (a) 2. A Kei class vehicle.

8 **SECTION 3.** 341.01 (2) (a) of the statutes is renumbered 341.01 (2) (am).

9 **SECTION 4.** 341.01 (2) (af) of the statutes is created to read:

10 341.01 (2) (af) "Former military vehicle" means a vehicle, including a trailer
11 but excluding a tracked vehicle, that was manufactured for use in any country's
12 military forces.

13 **SECTION 5.** 341.10 (6) of the statutes is amended to read:

14 341.10 (6) The vehicle is ~~originally designed and manufactured for~~
15 ~~off-highway operation unless the vehicle meets the provisions of s. 114 of the~~
16 ~~national traffic and motor vehicle safety act of 1966, as amended, except as otherwise~~
17 ~~authorized by the statutes~~ was manufactured after 1969 and does not meet
18 manufacturer or importer certification label requirements as specified in 49 CFR 567
19 or the vehicle is a Kei class vehicle. This subsection does not apply to former military
20 vehicles, historic military vehicles, as defined in s. 341.269 (1) (a), for which the
21 department receives an application, and which are eligible, for registration under s.
22 341.269 or, with respect to a county or municipality, under s. 341.26 (2m), or special
23 interest vehicles, as defined in s. 341.266 (1) (c), for which the department receives
24 an application, and which are eligible, for registration under s. 341.266.

25 **SECTION 6.** 341.266 (1) (am) (intro.) of the statutes is amended to read:

1 341.266 (1) (am) (intro.) ~~“Former~~ Notwithstanding s. 341.01 (2) (af), “former
2 military vehicle” means any of the following vehicles if the vehicle is at least 25 years
3 old:

4 **SECTION 7.** 341.266 (1) (c) 2. of the statutes is amended to read:

5 341.266 (1) (c) 2. A motor vehicle of any age, of which the body has not been
6 altered ~~or modified~~ from the original ~~manufacturers~~ specifications and, because of
7 its historic interest, is being preserved by ~~hobbyists~~ a collector.

8 **SECTION 8.** 341.266 (2) (a) of the statutes is amended to read:

9 341.266 (2) (a) Any person who is the owner of a special interest vehicle that
10 is a former military vehicle, or that is not a former military vehicle and is 20 or more
11 years old at the time of making application for registration or transfer of title of the
12 vehicle, and who, unless the owner is an historical society that is exempt from federal
13 income taxes, owns, has registered in this state, and uses for regular transportation
14 at least one vehicle that has regular registration plates may upon application
15 register the vehicle as a special interest vehicle upon payment of a fee under par. (b).
16 ~~A former military vehicle may be registered under this paragraph notwithstanding~~
17 ~~s. 341.10 (6).~~

18 **SECTION 9.** 341.269 (1) of the statutes is renumbered 341.269 (1) (intro.) and
19 amended to read:

20 341.269 (1) (intro.) In this section, ~~“former;~~

21 (a) “Historic military vehicle” means a vehicle, including a trailer but excluding
22 a tracked vehicle, that was manufactured for use in any country’s military forces and
23 is maintained to accurately represent its military design and markings, regardless
24 of the vehicle’s size or weight.

25 **SECTION 10.** 341.269 (1) (b) of the statutes is created to read:

1 341.269 (1) (b) "Parts vehicle" means a vehicle generally in nonoperable
2 condition that is owned to furnish parts which will enable a historic military vehicle
3 owner to restore, preserve, and maintain a historic military vehicle.

4 **SECTION 11.** 341.269 (2) (a) of the statutes is amended to read:

5 341.269 (2) (a) Any resident of this state who is the owner of a ~~former~~ historic
6 military vehicle that is at least 25 years old at the time of making application for
7 registration and has been imported into the United States from another country, or
8 that is any age and has not been imported into the United States, may upon
9 application register the vehicle under this section as a historic military vehicle upon
10 payment of the fees specified in par. (b). The applicant has the burden of providing
11 evidence satisfactory to the department that the vehicle may be registered under this
12 section, including, if applicable, providing documentation demonstrating that a
13 ~~former~~ historic military vehicle which is less than 25 years old was manufactured for
14 U.S. military forces and was never imported.

15 **SECTION 12.** 341.269 (3) of the statutes is amended to read:

16 341.269 (3) A vehicle registered under this section may only be used for special
17 occasions such as display and parade purposes, club activities, exhibitions, and
18 tours, including traveling to and from such events, and for necessary testing,
19 maintenance, and storage purposes, and for occasional personal use, but not for
20 regular transportation.

21 **SECTION 13.** 341.269 (6) of the statutes is created to read:

22 341.269 (6) The owner of a historic military vehicle may store unregistered,
23 operable or inoperable, historic military vehicles and parts vehicles on the owner's
24 property if the vehicles and parts vehicles and the outdoor storage area are
25 maintained in such a manner that they do not constitute a health hazard and are

1 screened from ordinary public view by means of a fence, rapidly growing trees,
2 shrubbery, or other appropriate means.

3 **SECTION 14. Initial applicability.**

4 (1) The treatment of sections 341.10 (6) and 341.266 (1) (c) 2. of the statutes first
5 applies to applications for registration received by the department of transportation
6 on the effective date of this subsection.

7 (2) The treatment of section 341.269 (3) of the statutes first applies to vehicles
8 operated on the effective date of this subsection.

9 **SECTION 15. Effective date.**

10 (1) This act takes effect on the first day of the 3rd month beginning after
11 publication.

12

(END)

Basford, Sarah

From: VerVelde, Rachel
Sent: Tuesday, March 26, 2013 8:54 AM
To: LRB.Legal
Subject: Draft Review: LRB -1431/1 Topic: Vehicle registration

Please Jacket LRB -1431/1 for the SENATE.