



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 103
[2013 Senate Bill 110]

**Motor Vehicle Registration,
Historic Military Vehicles, and Kei
Class Vehicles**

With limited exceptions, Wisconsin law prohibits the operation of unregistered motor vehicles on public roads. [ss. 341.04 (1) and 341.05, Stats.] 2013 Wisconsin Act 103 makes several changes to Wisconsin's vehicle registration law for the following general categories of vehicles, as described below:

- Vehicles registered as “special interest vehicles.”
- Vehicles registered as “historic military vehicles.”
- Grounds for refusing vehicle registration.
- Kei class vehicles.

SPECIAL INTEREST VEHICLES

Current Law

Current law authorizes the registration of certain vehicles as “special interest vehicles.” Generally, the following vehicles may be eligible for registration as a special interest vehicle:

- A motor vehicle that 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.
- Certain former military vehicles.

[ss. 341.266 (1) (c) and (2) (a), Stats.]

A “former military vehicle,” for the purpose of special interest registration, is any of the following:

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

- 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,” if it is at least 25 years old.
- A vehicle commonly known by the name of “Kaiser Jeep M715,” if it is at least 25 years old.
- 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,” if it is at least 25 years old.
- 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.

[s. 341.266 (1) (am), Stats.]

The Department of Transportation (DOT) issues distinctive registration plates, commonly known as “collector” plates, for vehicles registered as special interest vehicles. Registration as a special interest vehicle permits the owner to re-register the vehicle without paying an additional registration fee. A vehicle displaying special interest vehicle registration plates 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. [s. 341.266 (2), Stats.]

The Act

The Act modifies an eligibility requirement for registering a special interest vehicle that is not a former military vehicle. Specifically, the Act eliminates the requirement that a special interest vehicle that is not a former military vehicle may not be modified from the manufacturer’s original specifications. Instead, the Act provides that a vehicle is eligible for registration as a special interest 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.

HISTORIC MILITARY VEHICLES

Current Law

Current law authorizes the registration of certain vehicles as “historic military vehicles.” Generally, a former military vehicle may be registered as a historic military vehicle if it was manufactured for use in any country’s military forces, is maintained to accurately represent its military design and markings, and is a domestic vehicle, or is imported and is at least 25 years old. [s. 341.269 (2) (a), Stats.]

DOT issues distinctive registration plates for vehicles registered as historic military vehicles. [s. 341.269 (2) (c), Stats.] This type of registration permits the owner to re-register the vehicle without paying an additional registration fee. [s. 341.269 (2) (b), Stats.] Vehicles registered as historic military vehicles may only be used for special occasions, such as display and parade purposes, including traveling to and from such events, and for necessary testing, maintenance, and storage purposes. [s. 341.269 (3), Stats.]

The Act

The Act expands the circumstances under which a vehicle registered as a historic military vehicle may be operated. In addition to the uses permitted under current law, the Act authorizes vehicles

registered as historic military vehicles to be used for occasional personal use, but not for regular transportation. The Act specifies that use for special occasions includes club activities, exhibitions, and tours.

The Act also specifies that an owner of a historic military vehicle may store unregistered, operable or inoperable, historic military vehicles, and parts vehicles¹ on the owner's property. This kind of storage is permitted if the vehicles and parts vehicles, and the outdoor storage area, are maintained in 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.

GROUNDS FOR REFUSING VEHICLE REGISTRATION

Current Law

Under current law, DOT must refuse to register a vehicle under certain circumstances. As relevant to Act 103, DOT must generally refuse registration if the vehicle was originally designed and manufactured for off-highway operation unless the vehicle meets certain federal motor vehicle safety standards. This prohibition against registration does not apply to former military vehicles² being registered as special interest vehicles or historic military vehicles. [ss. 341.10 (6) and 341.266 (2) (a), Stats.]

The Act

The Act eliminates the requirement that DOT must refuse registration of a vehicle that is originally designed and manufactured for off-highway operation unless the vehicle meets certain federal motor vehicle safety standards. Instead, the Act requires DOT to refuse registration of any vehicle that: (a) was manufactured after 1969 and does not meet manufacturer or importer certification label requirements as specified in federal law; or (b) is a Kei class vehicle (described below).

In addition, the Act provides that this requirement to refuse registration does not apply to the following vehicles:

- **Former military vehicles**, defined as “a vehicle, including a trailer but excluding a tracked vehicle, that was manufactured for use in any country’s military forces.”
- **Vehicles registered as historic military vehicles**, which requires that the vehicle was manufactured for use in any country’s military forces, is maintained to accurately represent its military design and markings, and is a domestic vehicle or is imported and is at least 25 years old.
- **Vehicles registered as special interest vehicles, which requires that either: (a) 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; or (b) the vehicle is a qualified Pinzgauer, Kaiser Jeep, Duck, or Humvee.**

¹ Under the Act, “parts vehicle” means a vehicle generally in nonoperable condition that is owned to furnish parts which will enable a historic military vehicle owner to restore, preserve, and maintain a historic military vehicle.

² It should be noted that under current law, different definitions of “former military vehicle” are used for the purposes of registering a vehicle as a “special interest vehicle” and for the purposes of registering a vehicle as a “historic military vehicle.” The applicable definition used for each purpose is described above.

Therefore, under the Act, DOT may not refuse registration of these vehicles due to a failure to meet manufacturer or importer certification label requirements as specified in federal law.

KEI CLASS VEHICLES

As discussed above, the Act specifically provides that Kei class vehicles may not be registered. “Kei class vehicle” is not defined in the Act or elsewhere in statute. However, under the Act, a Kei class vehicle is treated as an “off-road utility vehicle.”³ As a result, certain provisions relating to registration and operating restrictions apply to Kei class vehicles.

An off-road utility vehicle is exempt from motor vehicle registration with DOT and may be operated by a person on a roadway if all of the following apply:

- The roadway has a speed limit of 35 mph or less.
- The person is employed by, or under contract with, the state or a local governmental unit⁴.
- **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.**

[ss. 341.05 (27) and 346.94 (19), Stats.]

Effective date and initial applicability: The Act takes effect on March 1, 2014. The provision of the Act providing that a vehicle is eligible for registration as a special interest 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, first applies to applications for registration received by the DOT on the Act’s effective date. Similarly, the provision of the Act that changes the grounds for which the DOT must refuse to register a vehicle also first applies to applications for registration received by the DOT on the Act’s effective date. In addition, the provision of the Act that expands the circumstances under which a vehicle registered as a historic military vehicle may be operated first applies to vehicles operated on the Act’s effective date.

Prepared by: Michael Queensland, Staff Attorney

January 10, 2014

MQ:jb;ksm

³ Under current law, “off-road utility vehicle” means a motor vehicle that is designed and constructed to carry no more than two persons and to be used for collecting residential and commercial solid waste, such as yard waste recyclable materials, and household garbage, refuse, and rubbish, landscaping, or incidental street maintenances; that is not certified by the manufacturer for on-road use or that is certified by the manufacturer as meeting the equipment standards for a low speed vehicle under federal law; and that satisfies the equipment standards for a Type 2 automobile or Type 2 motorcycle or the equipment standards for a low-speed vehicle under federal law. [s. 340.01 (38m), Stats.]

⁴ “Local governmental unit” means a political subdivision of this state, a special purpose district in this state, an instrumentality or corporation of such a political subdivision or special purpose district, a combination or subunit of any of the foregoing or an instrumentality of the state and any of the foregoing. [s. 19.42 (7u), Stats.]