2015 ASSEMBLY BILL 511

November 13, 2015 - Introduced by Representatives VOS, PETRYK, KRUG, ROHRKASTE, MACCO, KITCHENS, HORLACHER, BRANDTJEN, TITTL, MURSAU, VANDERMEER, JORGENSEN, A. OTT, CONSIDINE, OHNSTAD, T. LARSON, KAHL and BERNIER, cosponsored by Senators WANGGAARD, WIRCH, LAZICH, L. TAYLOR and OLSEN. Referred to Committee on Transportation.

AN ACT to amend 341.14 (6r) (b) 1., 341.14 (6r) (c), 341.14 (6r) (fm) 7. and 341.145 (1) (c); and to create 20.395 (5) (eL), 25.40 (1) (a) 32., 341.14 (6r) (b) 1m. c., 341.14 (6r) (b) 17., 341.14 (6r) (f) 65. and 341.14 (11) of the statutes; relating to: special registration plates associated with the Boy Scouts of America, registration numbers on special registration plates, and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill allows the Department of Transportation (DOT) to create motor vehicle special registration plates expressing support, and providing funding, for the Boy Scouts of America if the cost of initial production of these plates is covered by donations. The bill also allows the registration number on special plates to include up to seven characters.

Under current law, a group or organization that meets certain criteria may apply to DOT for designation as an authorized special group. If the application is approved, members of the authorized special group may obtain special registration plates for certain vehicles, including automobiles and motor homes, that are owned or leased by special group members. Before October 2, 1998, authorized special groups whose members may obtain special plates were specifically enumerated in state law. With certain exceptions, current law provides that specific enumeration in state law of authorized special groups is limited to those special groups...
enumerated before October 2, 1998. A fee, in addition to the regular registration fee for the particular kind of vehicle, is charged for the issuance or reissuance of most special plates. For some special plates, members of the applicable special group pay an additional fee with each registration renewal that provides funding to a specified organization, and this additional fee is tax deductible as a charitable contribution to the extent permitted by law.

This bill establishes an authorized special group specifically enumerated in state law for persons interested in obtaining special plates expressing support for the Boy Scouts of America. In addition to the regular vehicle registration fee, special group members are required to pay a $15 fee for issuance or reissuance of the special plates and to annually include payment of $25 that provides funds to the Boy Scouts of America National Foundation for distribution to local councils located in this state. The bill requires the special plates to display the words “Scouting Alumni” and, at the option of the vehicle owner, either a logo or symbol associated with the Boy Scouts of America or a logo or symbol associated with the Eagle Scouts. DOT may not issue these special plates until DOT has obtained authority to use any applicable trademark or service mark associated with the Boy Scouts of America on these special plates and until DOT receives a contribution from any interested person or group in the amount of the initial costs of production of these special plates or $23,700, whichever is less.

Under current law, the identifying letters or numbers (registration number) appearing on special plates issued to special group members, including personalized special plates, may not exceed six positions. This bill allows special plates to have a registration number of up to seven positions.

For further information see the state 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:

SECTION 1. 20.395 (5) (eL) of the statutes is created to read:


From the general fund, all moneys received under s. 341.14 (6r) (b) 17. for payments to the Boy Scouts of America National Foundation under s. 341.14 (11) (a).

SECTION 2. 25.40 (1) (a) 32. of the statutes is created to read:

25.40 (1) (a) 32. Moneys received under s. 341.14 (6r) (b) 17. that are deposited into the general fund and credited to the appropriation account under s. 20.395 (5) (eL).
SECTION 3. 341.14 (6r) (b) 1. of the statutes is amended to read:

341.14 (6r) (b) 1. Subject to subd. 1m., upon application to register an automobile or motor home, or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, or a farm truck which has a gross weight of not more than 12,000 pounds, by any person who is a resident of this state and a member of an authorized special group, the department shall issue to the person special plates whose colors and design shall indicate that the vehicle is owned by a person who is a member of the applicable special group. The department may not issue any special group plates under par. (f) 55., 60., or 61r. until 6 months after the department has received information sufficient for the department to determine that any approvals required for use of any logo, trademark, trade name or other commercial symbol designating the professional football team or professional baseball team or associated with Harley-Davidson, Inc., have been obtained. Subject to subs. (9) (d) and, (10) (d), and (11) (d), the department may not issue any special group plates under par. (f) 61m. or, 63., or 65. until the department has received information sufficient for the department to determine that any license or other approval required for use of any logo, trademark or service mark, trade name or other commercial symbol to be used on or in association with these plates has been obtained. Notwithstanding s. 341.12 (2), if the department of corrections does not have flat-plate technology available for use in manufacturing license plates at quality and cost comparable to that available from the state of Minnesota, the department of transportation may not issue any special group plates under par. (f) 59. unless the department of transportation purchases the plates from the state of Minnesota. Sections 16.70, 16.71, 16.72, 16.75,
16.752 to 16.755, 16.765, 16.77, and 16.82 do not apply to purchases of plates issued under par. (f) 59. from the state of Minnesota.

SECTION 4. 341.14 (6r) (b) 1m. c. of the statutes is created to read:

341.14 (6r) (b) 1m. c. Upon receipt of a contribution totaling an amount equal to the department’s final estimate of the initial costs of production of the special group plates under par. (f) 65. or $23,700, whichever is less, from any person or group interested in the special group plates under par. (f) 65., the department shall commence any development work necessary to implement the provisions of par. (f) 65. and related provisions under this subsection and shall complete the development work within one year of its commencement. As soon as possible, the department shall post notice on the department’s Internet site of its final estimate of the initial costs of production of the special group plates under par. (f) 65. The development work under this subd. 1m. c. shall be funded only from the appropriation under s. 20.395 (4) (ch) from the contribution received by the department for purposes of this subd. 1m. c. No contribution received by the department under this subd. 1m. c. may be applied to any fee established under subd. 2. The department may not issue any special group plates under par. (f) 65. until the department has completed the development work specified in this subd. 1m. c.

SECTION 5. 341.14 (6r) (b) 17. of the statutes is created to read:

341.14 (6r) (b) 17. Subject to sub. (11) (d), a voluntary payment of $25 that is in addition to the fee under subd. 2. shall be collected in connection with the issuance or renewal of a plate issued on an annual basis for the special group specified under par. (f) 65. Subject to sub. (11) (d), a voluntary payment of $50 that is in addition to the fee under subd. 2. shall be collected in connection with the issuance or renewal of a plate issued on a biennial basis for the special group specified under par. (f) 65.
if the plate is issued or renewed during the first year of the biennial registration
period or $25 for the issuance or renewal if the plate is issued or renewed during the
2nd year of the biennial registration period. No plate may be issued for the special
group specified under par. (f) 65. unless the voluntary payment under this
subdivision is collected. All moneys received under this subdivision shall be
deposited into the general fund and credited to the appropriation under s. 20.395 (5)
(eL). To the extent permitted under ch. 71, the voluntary payment under this
subdivision is deductible as a charitable contribution for purposes of the taxes under
ch. 71.

SECTION 6. 341.14 (6r) (c) of the statutes is amended to read:

341.14 (6r) (c) Special group plates shall display the word “Wisconsin”, the
name of the applicable authorized special group, a symbol representing the special
group, not exceeding one position, and identifying letters or numbers or both, not
exceeding 6-7 positions and not less than one position. Except as provided in this
paragraph, the department shall specify the design for special group plates, but the
department shall consult the president of the University of Wisconsin System before
specifying the word or symbol used to identify the special groups under par. (f) 35.
to 47., the secretary of natural resources before specifying the word or symbol used
to identify the special groups under par. (f) 50. and 59., the chief executive officer of
the professional football team and an authorized representative of the league of
professional football teams described in s. 229.823 to which that team belongs before
specifying the design for the applicable special group plate under par. (f) 55., the chief
trademark officer of Harley-Davidson Michigan, LLC before specifying the design
for the applicable special group plate under par. (f) 61r., the department of veterans
affairs before specifying the design for the special group plates under par. (f) 49d.,
49h., and 49s., and the department of tourism and chief executive officer of the
organization specified in par. (f) 55m. before specifying the design and word or
symbol used to identify the special group name for special group plates under par.
(f) 55m., and the Three Harbors Council, Boy Scouts of America NESA License
Committee before specifying the designs for the initial special group plates under
par. (f) 65. Special group plates under par. (f) 50. shall be as similar as possible to
regular registration plates in color and design. Special group plates issued under
par. (f) 62. shall display the words “In God We Trust”. The department shall make
available 2 designs for the special group plates under par. (f) 60. The department
may not specify any design for the special group plates under par. (f) 60. unless the
design is approved by the executive vice president of the Milwaukee Brewers
Baseball Club LP. The word or symbol used to identify the special group under par.
(f) 59. shall be different from the word or symbol used to identify the special group
under par. (f) 50. and the design shall cover the entire plate. Special group plates
under par. (f) 61m. shall display a logo or image of the lion associated with the Lions
Clubs International. Special group plates under par. (f) 61r. shall display a bar and
shield logo associated with Harley-Davidson, Inc., on the left portion of the plates
and the words “share the road” on the bottom portion of the plates. Special group
plates under par. (f) 63. shall display the words “Trout Unlimited.” Special group
plates under par. (f) 65. shall display the words “Scouting Alumni” and, at the option
of the vehicle owner, either a logo or symbol associated with the Boy Scouts of
America or a logo or symbol associated with the Eagle Scouts. Notwithstanding par.
(e), special group plates under par. (f) 33m. and 48m. shall be the same color and
design that was specified by the department for special group plates under par. (f)
33. and 48., respectively, immediately prior to January 1, 2007. The design for
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Special group plates under par. (f) 33. and 48. shall be different from the design of special group plates under par. (f) 33m. and 48m., respectively.

Section 7. 341.14 (6r) (f) 65. of the statutes is created to read:

341.14 (6r) (f) 65. Persons interested in obtaining a plate expressing support for the Boy Scouts of America.

Section 8. 341.14 (6r) (fm) 7. of the statutes is amended to read:

341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups may only be special groups designated by the department under this paragraph. The authorized special groups enumerated in par. (f) shall be limited solely to those special groups specified under par. (f) on October 1, 1998. This subdivision does not apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m., 15m., 15n., 15o., 15p., 15q., 19m., 33m., 48m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., 60., 61., 61m., 61r., and 62. and 63. and 64. and 65.

Section 9. 341.14 (11) of the statutes is created to read:

341.14 (11) (a) Subject to par. (c), from the appropriation under s. 20.395 (5) (eL), the department shall make payments to the Boy Scouts of America National Foundation for distribution by the National Foundation to local councils of the Boy Scouts of America located in this state. All payments made under this paragraph shall be distributed by the National Foundation to these local councils in accordance with an agreement entered into between the National Foundation and the local councils.

(b) For each year in which the department makes payments under par. (a), any local council receiving funds from the National Foundation under par. (a) shall submit to the presiding officer of each house of the legislature a financial statement
of its use of the payments received under par. (a), prepared in accordance with
generally accepted accounting principles.

(c) The department shall discontinue payments to the Boy Scouts of America
National Foundation under par. (a) if the Boy Scouts of America dissolves, becomes
insolvent, files a petition for bankruptcy, or is no longer exempt from taxation under
section 501 (a) of the Internal Revenue Code. The agreement under par. (a) between
the National Foundation and local councils shall require that the National
Foundation discontinue the distribution of payments to any local council that
dissolves, becomes insolvent, files a petition for bankruptcy, or is no longer exempt
from taxation under section 501 (a) of the Internal Revenue Code.

(d) 1. If the special group plates under sub. (6r) (f) 65. will display any logo,
trademark or service mark, trade name, or other commercial symbol associated with
the Boy Scouts of America, the department may not issue any plates under sub. (6r)
(f) 65. unless the approval specified in sub. (6r) (b) 1. for these plates provides for all
of the following:

a. That the approval is irrevocable with respect to all plates issued for vehicles
after the plates are issued for these vehicles.

b. That, if the approval is withdrawn, the department may continue to renew
the registration of vehicles previously issued plates under sub. (6r) (f) 65., without
replacing those plates, but the department shall discontinue collecting the voluntary
payment specified in sub. (6r) (b) 17. with respect to these renewals.

2. Notwithstanding sub. (6r) (b) 1. and (f) (intro.), if the approval specified in
sub. (6r) (b) 1. for plates issued under sub. (6r) (f) 65. is withdrawn, the department
shall discontinue issuing plates under sub. (6r) (f) 65. for which the approval had
been provided unless additional approval, as specified in this paragraph and sub. (6r)
(b) 1., is obtained by the department.

SECTION 10. 341.145 (1) (c) of the statutes is amended to read:

341.145 (1) (c) A registration plate of the same color and design as provided in
s. 341.14 (6r) for a vehicle specified under s. 341.14 (6r), which displays the applicable
symbol of the authorized special group to which the person belongs and a registration
number composed of letters or numbers, or both, not exceeding 6-7 positions and not
less than one position, requested by the applicant.

(END)