

Chapter Trans 126

MUNICIPAL OR COUNTY VEHICLE REGISTRATION FEE

Trans 126.01 Purpose and scope.
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Trans 126.04 Computation of administrative costs and collection and distribution of monies.

Note: Chapter Trans 126 as it existed on April 30, 1983, was repealed and a new chapter Trans 126 was created effective May 1, 1983.

Trans 126.01 Purpose and scope. (1) **STATUTORY AUTHORITY.** As authorized by ss. 227.11, and 341.35 (4), (6), (6m) and (8), Stats., the purpose of this chapter is to establish the department of transportation's administrative interpretation of s. 341.35, Stats., relating to a municipal or county vehicle registration fee.

(2) **APPLICABILITY.** (a) This chapter applies to any municipality or county which enacts, amends, or repeals a vehicle registration fee ordinance.

(b) As provided in s. 341.35 (1), Stats., vehicles subject to the municipal or county vehicle registration fee are automobiles or motor trucks registered under s. 341.25 (1) (c), Stats., at a gross weight of not more than 8,000 pounds.

(c) For purposes of determining where a vehicle is customarily kept, the municipality or county of domicile as indicated by the vehicle owner and contained in the department's title database shall be used. In the absence of an indicated municipality or county of domicile, the owner or lessee's post office address shall be used to determine municipality or county of domicile.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; am. Register, October, 1985, No. 358, eff. 11-1-85; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, December, 1987, No. 384; **CR 08-113: renum. (2) to be (2) (a), cr. (2) (b) and (c) Register May 2009 No. 641, eff. 6-1-09.**

Trans 126.02 Notice of enactment, amendment, or repeal. (1) **WHEN NOTIFICATION REQUIRED.** A municipal or county governing body which enacts, amends, or repeals a municipal or county vehicle registration fee ordinance under s. 341.35, Stats., shall notify the department of transportation, as required by s. 341.35 (4), Stats.

(2) **NOTIFICATION TO BE MAILED TO DEPARTMENT.** The notification of enactment, amendment, or repeal from the municipality or county shall be sent to:

Administrator
 Division of Motor Vehicles
 Wisconsin Department of Transportation
 4802 Sheboygan Avenue
 Room 255
 P.O. Box 7911
 Madison, Wisconsin 53707-7911

(3) **CONTENTS OF ENACTMENT NOTIFICATION.** A notification of enactment shall include:

- (a) The name of the municipal or county governing body enacting the ordinance.
- (b) The date on which the ordinance was enacted.
- (c) The effective date of the ordinance.
- (d) The amount of the municipal or county vehicle registration fee.

(e) The name, address and telephone number of the person in the municipality or county responsible for the administration of the ordinance.

(f) The signature of an authorized party of the municipal or county governing body.

(g) The date the notification of enactment was signed.

(4) **ENACTMENT NOTIFICATION REQUIREMENTS.** A municipality or county shall provide the notification of enactment as described in subs. (1), (2) and (3) at least 90 days prior to the first day of the month in which the ordinance is effective.

(5) **CONTENTS OF AMENDMENT NOTIFICATION.** A notification of amendment shall include:

- (a) The name of the municipal or county governing body amending the ordinance.
- (b) The date on which the ordinance was amended.
- (c) The effective date of the amendment.
- (d) A description of the amendment, or a copy of the amended ordinance.
- (e) The signature of an authorized party of the municipal or county governing body.
- (f) The date the notification of amendment was signed.

(6) **AMENDMENT NOTIFICATION REQUIREMENTS.** A municipality or county which amends a municipal or county vehicle registration fee ordinance shall notify the department of the amendment at least 90 days prior to the first day of the month in which the amendment is effective.

(7) **CONTENTS OF REPEAL NOTIFICATION.** A notification of repeal shall include:

- (a) The name of the municipal or county governing body repealing the ordinance.
- (b) The date on which the ordinance was repealed.
- (c) The effective date of the repeal.
- (d) The signature of an authorized party of the municipal or county governing body.
- (e) The date the notification of repeal was signed.

(8) **REPEAL NOTIFICATION REQUIREMENTS.** A municipality or county which repeals a municipal or county vehicle registration fee ordinance shall notify the department of the repeal at least 90 days prior to the first day of the month in which the repeal is effective.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; renum. (intro.), (1) and (2) to be (1), (2) and (4) and am., cr. (3) and (5) to (8), Register, October, 1985, No. 358, eff. 11-1-85; **CR 08-113: am. (2), (3) (d), (4), (6) and (8) Register May 2009 No. 641, eff. 6-1-09.**

Trans 126.03 Evidence of payment to be shown on registration certificate. (1) **TOTAL AMOUNT PAID TO BE DESIGNATED.** The total amount paid to the department for the municipal or county vehicle registration fee may be designated on the registration certificate by words similar to "municipal fee," or by the total amount paid.

(2) **MULTIPLE FEES NOT ITEMIZED.** If separate fees are collected for one vehicle for a municipality and a county, no itemization will be made on the registration certificate for the individual municipality or county.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; r. and recr. Register, October, 1985, No. 358, eff. 11-1-85.

Trans 126.04 Computation of administrative costs and collection and distribution of monies. (1) **REIMBURSEMENT FOR ADMINISTRATIVE COSTS.** In accordance with s. 341.35 (6m), Stats., the department shall capture and recover the

administrative costs related to the collection of the municipal or county vehicle registration fee as follows:

(a) The administrative costs shall be computed and recovered as an administrative fee per vehicle application.

(b) The administrative fee per vehicle application shall be based on the direct costs of operation, including employee salaries and fringe benefits, office space, office supplies and equipment, postage, computer charges, printing and forms, and other necessary or indirect expenses.

(c) The department shall review the administrative fee per vehicle application annually and any over or under recovery shall become a component in the next fiscal year administrative fee.

(2) NOTICE OF CHANGES IN THE ADMINISTRATIVE FEE PER VEHICLE APPLICATION. The department shall notify any participating municipality or county of changes in the administrative fee per vehicle application at least 30 days prior to the effective date of the change.

(2m) APPLICATION OF MUNICIPAL OR COUNTY VEHICLE REGISTRATION FEE. The department shall apply a municipal or county

registration fee to a vehicle covered by this chapter when the registration of the vehicle is made for the first time after the effective date of the applicable enacted municipal or county vehicle registration fee ordinance and for each renewal of the registration for the vehicle due on or after the effective date of the ordinance.

(3) DISTRIBUTION OF MONIES TO MUNICIPALITY OR COUNTY. (a) The amount of the municipal or county registration fees returned to a municipality or county shall be the total amount collected less the administrative costs described in sub. (1).

(b) The department shall pay municipal or county vehicle registration fees collected during any month to the municipality or county no later than 30 days after the end of that month.

(4) REFUNDS. (a) The department may not refund a municipal or county vehicle registration fee to an applicant.

(b) An applicant shall request a refund of a municipal or county vehicle registration fee from the appropriate municipality or county.

History: Cr. Register, October, 1985, No. 358, eff. 11-1-85; CR 08-113: am. (title), (1), (2) and (3) (title), cr. (2m) Register May 2009 No. 641, eff. 6-1-09.