

CR 90-39

**CERTIFICATE**

STATE OF WISCONSIN )  
 ) ss.  
DEPARTMENT OF TRANSPORTATION )

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, RONALD R. FIEDLER, Secretary of the Wisconsin Department of Transportation and custodian of the official records, do hereby certify that the rule relating to **counter service and special handling service for certificates of title and registration** was duly approved and adopted by this Department on **June 18, 1990**.

I further certify that this copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Transportation at 4802 Sheboygan Avenue, in the City of Madison, Wisconsin, this 18th day of June, 1990.



*Ronald R Fiedler*

RONALD R. FIEDLER, P.E.  
Secretary

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STATE OF WISCONSIN

DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY

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IN THE MATTER OF repealing	*	
ch. MVD 26 and creating ch.	*	
TRANS 196 relating to Counter	*	ORDER ADOPTING RULE
Service and Special Handling	*	
Service for Certificates of	*	
Title and Registration.	*	

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Analysis Prepared by the Department of Transportation

General summary of rule. Under current regulations, the Department of Transportation (Department) charges a fee of \$4 for most special handling requests for fast service in the processing of vehicle certificates of title or registration when the service requires exceptional processing procedures; certain applications for registration may be processed for a fee of \$2 per vehicle. These fees are required to approximate the cost to the Department of providing the special processing. In contrast, the fees for counter services are established by statute as follows: (1) for a transaction relating to a certificate of title, \$2; (2) for a transaction relating to a registration not involving a certificate of title, \$2, except for a renewal registration, which is \$1; and (3) for a transaction involving both a certificate of title and registration for the same vehicle, \$2.

This rule clarifies the types of processing requests to which fees for special handling service and counter service apply and revises the current schedule of special handling fees. Under this rule, "counter service" means the issuance of evidence of ownership or registration from a facility established by the Department at which an application may be submitted in person by an applicant. "Special handling" means a request by an applicant for accelerated service, fast handling or priority service in the issuance of a certificate of title or registration, including use of a special department telephone registration service for processing renewal transactions. The fees for these special handling services are as follows: (1) for processing an application for certificate of title, \$4; (2) for processing a combination of a certificate of title and registration, \$4; (3) for processing an application for registration only, \$2; and (4) for the use of the special department telephone registration service, \$1.

Authority for rule. The Department is authorized by s. 85.16 (1), Stats., to establish the rules necessary to discharge the duties, functions and powers vested in the Department and to prescribe the form and manner in which applications may be submitted. The Department is specifically authorized by ss. 341.255(1) and 342.14(7), Stats., to establish the fees for requests for special handling of applications for registration and certificates of title.

Fiscal estimate. This rule will have no independent fiscal impact. The revenue generated by the special handling fees would offset the Department's costs to provide the special handling service but are not expected to generate revenue in excess of those costs.

Final regulatory flexibility analysis. This rule will have no effect on small businesses.

Forms Impact. This rule will require revision of the forms MV2, License Plate Renewal Notice (postcard), and MV3, License Plate Renewal Notice (statement). These forms are distributed by the Department to vehicle owners, who may return the forms, with fees, to renew a vehicle registration. The forms are not required to renew a vehicle registration.

This analysis was prepared by Eileen Ostrowsky, Motor Vehicle Program Specialist, Wisconsin Department of Transportation, Room 253, 4802 Sheboygan Avenue, P.O. Box 7911, Madison, Wisconsin 53707, (608) 266-8376.

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Pursuant to the authority vested in the state of Wisconsin, Department of Transportation, by ss. 85.16(1), 341.255(1) and 342.14(7), Stats., the Department of Transportation proposes to adopt a rule interpreting ss. 20.905, 85.14(1)(a), 341.19, 341.255, 342.08, and 342.14(7), Stats., relating to counter service and special handling service for certificates of title and registration.

#### RULE TEXT

SECTION 1. Chapter MVD 26 is repealed.

SECTION 2. Chapter Trans 196, Wis. Admin. Code, is created to read:

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CHAPTER TRANS 196  
COUNTER SERVICE AND SPECIAL HANDLING SERVICE  
FOR  
CERTIFICATES OF TITLE AND REGISTRATION

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Trans 196.01 PURPOSE AND SCOPE. (1) As authorized by ss. 85.16 (1), 227.11 (2) (a), 341.19, 341.255 (1) and 342.14 (7), Stats., the purpose of this chapter is to establish the department's administrative interpretation of ss. 20.905, 85.14 (1) (a), 341.255, 342.08, and 342.14 (7), Stats., relating to counter service and special handling service for certificates of title or registration.

(2) This chapter applies to any applicant obtaining counter service or requesting special handling service for certificates of title or registration.

Trans 196.02 DEFINITIONS. In this chapter:

(1) "Applicant" means a natural person, partnership, association, or body politic or corporate, or the designee of a natural person, partnership, association, or body politic or corporate.

(2) "Application" includes documents, forms, information or fees which must be submitted to the department before the department may issue evidence of ownership or registration, or both, for a single vehicle.

(3) "Counter" means a facility that is established by the department at which an application may be submitted in person by an applicant.

(4) "Counter service" means issuance of evidence of ownership or registration from an application submitted to a counter.

(5) "Department" means the department of transportation.

(6) "Evidence of ownership or registration" includes the following:

- (a) Certificate of registration.
- (b) Certificate of title.
- (c) License plate, including a temporary license plate.
- (d) Receipt.
- (e) Special identification card for the physically disabled.
- (f) Validation sticker.

(7) "Special handling" means a request by an applicant for accelerated service, fast handling, or priority service in the issuance of certificate of title or registration, including the use of a special department telephone registration service for the payment of renewal fees.

(8) "Transaction" means one or more applications for renewal of registration, submitted at one time through a special department telephone registration service.

Trans 196.03 COUNTER SERVICE AND FEES. (1) The department shall collect the applicable fee for counter service as specified in s. 341.255 (2), Stats.

(2) Except as provided in sub. (3), the charge for counter service shall be computed as a fee per application.

(3) The department shall charge the counter service fee for each application submitted to a counter, unless one or more of the following apply:

(a) The application is also subject to a special handling fee under s. Trans 196.04.

(b) The department requests the applicant to deliver an application or evidence of ownership or registration to a service counter for the purpose of correcting an error by the department.

(c) The applicant requests a duplicate registration month or year validation sticker, and department records show that the applicant paid for the original validation sticker.

(4) A counter service fee shall be refunded if the department determines that evidence of ownership or registration was not issued to the applicant.

Trans 196.04 SPECIAL HANDLING SERVICE AND FEES. (1) Except as provided in sub. (3), the department shall charge a fee for special handling service as follows:

(a) For processing an application for a certificate of title, \$4.

(b) For processing an application for a combination of a certificate of title and registration, \$4.

(c) For processing an application for registration only, \$2.

(d) For the payment of fees through a special department telephone registration service, \$1 per transaction.

(2)(a) Except as provided in par. (b), the department may charge only one special handling service fee under sub. (1) per application.

(b) The department may charge the special handling service fee under sub. (1) (d) in addition to a special handling fee under sub. (1) (a) to (c) if both fees apply to the service.

(3) The department shall charge a special handling service fee when an applicant does one of the following:

(a) Mails an application to the department with a request for special handling, and the department satisfies one of the following conditions:

1. Issues a certificate of title or registration within 2 working days of receipt of the request.

2. Contacts the applicant by telephone within 2 working days of receipt of an incomplete application for a certificate of title or registration.

3. Mails a written response to the applicant within 2 working days of receipt of an incomplete application for a certificate of title or registration.

(b) Submits an application to the department and requests issuance of a certificate of title in less than the 3 days normally required for the department to check the application against the records of stolen vehicles in the department of justice as prescribed by s. 342.08, Stats.

(c) Requests the department to locate an application previously submitted to the department and the department locates the application.

(d) Submits a transaction through a special department telephone registration service, except for the telephone authorization service established by s. 341.19, Stats.

(4) The special handling fee shall be refunded if the department determines that the special handling service for which the fee was collected was not performed.

(5) The department shall include information about fees for the special department telephone registration service in the notice for renewal of registration that the department mails to vehicle owners.

Note: The mailing address for requests for special handling of an application for a certificate of title or registration is: Division of Motor Vehicles, Fast Service Processing, P.O. Box 7306, Madison, Wisconsin, 53707-7306.

Note: As of the effective date of this rule, the special department telephone registration service is limited to a pilot project using a special telephone number. The special telephone number and information about the use of the service may be obtained from the Inquiry and Tracing Unit, (608) 266-1466.

Note: The forms MV2, License Plate Renewal Notice (postcard), and MV3, License Plate Renewal Notice (statement), are not required to renew a vehicle registration or to use the special department telephone registration service, but provide information regarding the renewal of vehicle registration. The department mails the forms to the owner of a vehicle approximately 30 days prior to the expiration of a vehicle's registration.

(END OF RULE TEXT)

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Effective date: This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22 (2), Stats.

Signed at Madison, Wisconsin, this  
18th day of June, 1990.

*Ronald R Fiedler*

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Ronald R. Fiedler, P.E.  
Secretary  
Wisconsin Department of Transportation

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## Wisconsin Department of Transportation

Tommy G. Thompson  
Governor

Ronald R. Fiedler, PE  
Secretary

OFFICE OF GENERAL COUNSEL  
P. O. Box 7910  
Madison, WI 53707-7910

June 18, 1990

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Mr. Gary Poulson  
Assistant Revisor of Statutes  
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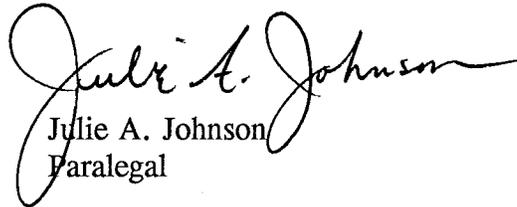
RE: **CLEARINGHOUSE RULE 90-39**

In the Matter of the Adoption of **TRANS 196**, Wisconsin Administrative Code, relating to counter service and special handling service for certificates of title and registration.

Dear Mr. Poulson:

Enclosed for filing, pursuant to sec. 227.20, Wis. Stats., is a certified copy of **CR 90-39**, an administrative rule relating to the above-mentioned matter. This rule is submitted by the Wisconsin Department of Transportation.

Sincerely,

  
Julie A. Johnson  
Paralegal

Enclosures

cc: Tom Walker  
Linda Thelke  
Sandy Beaupre  
Eileen Ostrowsky