

# STATEMENT OF SCOPE

## Department of Transportation

**Rule No.:** Trans 134

**Relating to:** Authorized Special Plate Groups

**Rule Type:** Permanent

### 1. Finding/nature of emergency (Emergency Rule only):

N/A

### 2. Detailed description of the objective of the proposed rule:

The Wisconsin Department of Transportation (WisDOT) proposes to amend Wisconsin Administrative Code ch. Trans 134, to conform to the requirements of current Wis. Stat. s. 341.14 (6r) (fm), Stats. That paragraph of the statutes establishes a program by which groups can apply to have a license plate issued for their group. In general, the group files an application supported by signatures of 500 people who indicate an interest in the plate and a deposit by the organization, and, after a review process, production of a special plate may be authorized.

That statute was substantially rewritten by 2015 Wisconsin Act 227 to amend the application and approval processes for the determination of groups eligible for the issuance of special license plates in Wisconsin. Chapter Trans 134 was last amended in 2012. This rulemaking proposes to make the rule consistent with the amended statutes as they exist today so that it conforms to amendments made by 2015 Wisconsin Act 227 and various other legislative enactments that modified Wis. Stat. s. 341.14(6r)(fm) since 2012.

### 3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

The Department proposes to change the existing provisions of Ch. Trans 134 related to the application and approval process for a group wishing to be designated as an authorized special group to conform to the statutory processes now set in Wis. Stat. s. 341.14 (6r) (fm). The amendments to the statute made by 2015 Wisconsin Act 227 provide a new process for determining whether a group may become an authorized special group and qualify for the issuance of special license plates. Ch. Trans 134 still describes the old pre-2015 Act 227 process and the department proposes to update the rule consistent with the amended statute.

The Department proposes to change those provisions of Ch. Trans 134 related to discontinuance of license plates to match the new statutory criteria for plate discontinuance found in Wis. Stat. s. 341.14(6r)(fm)3m. That statute now requires that,

after a 3-year introductory period, that at least 500 plates be in use as a condition of a group remaining qualified for issuance of a special plate. The statute provides for rescission of group designation if it fails to meet that target after being given a one-year warning of the threat of designation rescission. Wis. Stat. s. 341.14(6r)(fm)3m.b.

The department proposes in this rulemaking to consider what processes, fees and other criteria will apply to a rescinded special group if it reapplies for authorization. The Department will also consider whether Wis. Stat. s. 137.15 permits or requires acceptance of e-signatures on forms that must be submitted to the Department and attached to a group's application under Wis. Stat. s. 341.14(6r)(fm)2.f. If e-signatures are allowed, the rule will consider mechanisms by which that could be accomplished.

The new policies to be incorporated into the rule are those established by the legislature's revisions to Wis. Stat. ss. 341.14(6r)(fm) and 137.15. Because state agencies may not adopt rules that contradict statutory requirements, no consideration is proposed to be given to rule amendments that would be inconsistent with that statute.

**4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):**

Wisconsin Administrative Code ch. Trans 134 administratively interprets s. 341.14 (6r) (fm), Stats. Specifically, it establishes standards and procedures for the authorization and issuance of specialty license plates in Wisconsin. Changes to s. 341.14 (6r) (fm), Stats., made by 2015 Wisconsin Act 227 require amendment of Ch. Trans 134.

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

400 hours.

**6. List with description of all entities that may be affected by the proposed rule:**

Any group that holds or seeks a specialty license plate authorized under Wis. Stat. s. 341.14(6r)(fm) may be affected by this proposed rule. At present this includes the following groups:

- Choose Life Wisconsin
- Musky Clubs Alliance
- Medical College of Wisconsin
- 4H Foundation
- Operating Engineers Local 139
- Keeping the Lights On
- Children's Hospital of Wisconsin
- Scouting Alumni
- Midwest Athletes Against Childhood Cancer (MACC Fund)
- Rocky Mountain Elk Foundation
- Nurses Change Lives
- Road America
- Versiti
- Whitetails Unlimited

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:**

The federal government does not issue license plates for automobiles. No existing or proposed federal regulations address the issuance of license plates to special groups.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

This rule will have no impact on small business because no small business is required to obtain special plates for vehicles. This rule allows members of the public interested in a particular authorized topic of interest to them to discretionarily spend additional dollars annually to hold a special registration plate tied to their topic of interest. Obtaining the plates and paying required fees is entirely discretionary and has no significant fiscal effect on individuals, households or businesses.

The economic impact of bringing this rule into compliance with the provisions of law passed as part of 2015 Wisconsin Act 227 are expected to be the costs anticipated with that legislation. Those costs have proven to be minimal and falls under the program management of the special plates unit and not with frontline staff. On-going costs associated with 2015 Wisconsin Act 227 and this rulemaking are anticipated to be minimal.

**9. Contact Person:**

Reed McGinn  
Wisconsin Department of Transportation  
Division of Motor Vehicles  
4822 Madison Yards Way, Room 206  
Madison, WI 53705  
(608) 266-7857  
[dotadminrules@dot.wi.gov](mailto:dotadminrules@dot.wi.gov)