

Chapter Trans 132

TEMPORARY LICENSE PLATE AND PERMITS

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Trans 132.01 Purpose and scope. (1) STATUTORY AUTHORITY. As authorized by ss. 85.16 (1), 227.11 and 341.09, Stats., the purpose of this chapter is to establish the department's administrative interpretations of ss. 341.04 and 341.09, Stats., relating to issuance of temporary operation vehicle license plates and permits.

(2) APPLICABILITY. This chapter applies to any licensed Wisconsin motor vehicle dealer or contractor participating in the issuance of temporary operation plates or to any vehicle owner purchasing or obtaining a temporary operation plate from a dealer or the department.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, December, 1987, No. 384; CR 10-142: am. (1), (2) Register August 2011 No. 668, eff. 9-1-11; correction in (1) made under s. 13.92 (4) (b) 7., Stats., Register March 2012 No. 675.

Trans 132.02 Definitions. In this chapter:

(1) "Bus" means a vehicle as defined in s. 340.01 (31) and (56), Stats.

(2) "Dealer" means a retail dealer as defined by s. 340.01 (11), Stats.

(3) "Department" means the Wisconsin department of transportation.

(4) "For hire vehicle" means a vehicle operated for compensation as described in s. 194.01 (4), Stats.

(5) "IRP vehicle" means a vehicle registered under s. 341.405, Stats., as part of the international registration plan.

(6) "Non-resident" means a vehicle owner as described in s. 340.01 (37), Stats.

(7) "Plate" or "temporary plate" or "temporary operation plate" means a temporary operation plate issued under s. 341.09, Stats., and includes either of the following:

(a) An "on-line delivered temporary operation plate," which means a temporary operation plate issued by the department through its on-line web application for electronic vehicle title and registration, and which is delivered electronically to applicant's printer, which printer shall produce the temporary operation plate on white paper at the conclusion of the electronic vehicle title and registration process.

(b) A "manually delivered temporary operation plate," which means a temporary operation plate that is issued by the department and delivered to the applicant by any means other than as provided in par. (a).

(7m) "Purchase" includes lease.

(8) "Resident" means a vehicle owner who does not meet the definition of "non-resident".

(9) "Vehicle" has the same meaning as in s. 340.01 (74), Stats., except that those vehicles as defined in subs. (1), (4) and (5) are excluded.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; cr. (7m), Register, Octo-

ber, 1998, No. 514, eff. 11-1-98; CR 10-142: renum. (7) to be (7) (intro.) and am., cr. (7) (a), (b) Register August 2011 No. 668, eff. 9-1-11; corrections in (2), (4) made under s. 13.92 (4) (b) 7., Stats., Register March 2012 No. 675.

Trans 132.03 Plate. A temporary operation plate issued under s. 341.09, Stats., shall be approximately 6" x 12" or, in the case of an on-line delivered temporary operation plate, shall be approximately 8.5" x 11" and shall contain:

(1) The word "Wisconsin".

(2) A number of up to 8 characters determined by the department.

(3) The word "temporary".

(4) The expiration date.

(5) A portion of the vehicle identification number as determined by the department.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; correction made under s. 13.93 (2m) (b) 1., Stats., Register, August, 1996, No. 488; am. (intro.) and (3), cr. (5), Register, October, 1998, No. 514, eff. 11-1-98; CR 10-142: am. (intro.), (2) Register August 2011 No. 668, eff. 9-1-11.

Trans 132.04 Plate display, usage and restrictions.

(1) PLATE DISPLAY. (a) As provided by s. 341.15, Stats., only a single plate shall be issued per vehicle. A manually delivered temporary operation plate shall be attached firmly and rigidly in a horizontal position to the rear of the vehicle, unless the vehicle is a truck tractor or a road tractor, as defined in s. 340.01 (53) and (73), Stats., then the plate shall be attached to the front of the vehicle. An on-line delivered temporary operation plate shall be displayed horizontally on the inside lower driver's side of the rear window, in a manner that does not obstruct the driver's view and is clearly readable from the outside of the vehicle.

(b) If the vehicle is equipped with a plate bracket provided by the vehicle manufacturer, a manually delivered temporary operation plate shall be affixed to the bracket. If the vehicle is not equipped with a plate bracket, a manually delivered temporary operation plate shall be conspicuously displayed as required in par. (a). If the vehicle does not allow for display of an on-line delivered temporary operation plate horizontally on the inside lower driver's side rear window, an on-line delivered temporary operation plate shall be displayed in a location as close as possible to a lower rear window display, in a manner that is conspicuous and clearly readable from the outside of the vehicle.

(c) No person may display upon any vehicle a temporary operation plate not issued for that vehicle.

(2) USAGE. Use of the temporary operation plate is limited to the vehicle purchased, as evidenced by the issued receipt.

Note: Form MVD 2467 or other receipt issued by the department.

(3) RESTRICTIONS. (a) No person may duplicate, reproduce or copy any temporary operation plate.

(b) A temporary operation plate shall be displayed as originally delivered to the applicant and may not be altered in any way.

(c) Use of the temporary operation plate does not allow a ve-

hicle to be operated at a gross weight greater than that for which regular registration fees have been paid.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; am. (1) (c) and (3) (a), Register, October, 1998, No. 514, eff. 11-1-98; CR 10-142: am. (1) (a) to (c), (2), (3) (a), (c), r. and recr. (3) (b) Register August 2011 No. 668, eff. 9-1-11.

Trans 132.05 Distribution to dealers. (1) A dealer may obtain manually delivered temporary operation plates from the department for issuance on behalf of the department to either a resident or non-resident vehicle purchaser.

(2) A dealer may order manually delivered temporary operation plates by a written request that includes the dealer license number, phone number and dealership name and address.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; am. (1), r. (2) and (3), renum. (4) to be (2) and am., Register, October, 1998, No. 514, eff. 11-1-98; CR 10-142: am. Register August 2011 No. 668, eff. 9-1-11.

Trans 132.06 Issuance by dealers on behalf of the department to purchasers. (1) A dealer may issue a manually delivered temporary operation plate on behalf of the department at the fee established by s. 341.09 (2m) (a) 1. (intro.), Stats., to any resident or non-resident who purchases from the dealer any type of vehicle except buses, for-hire vehicles, and IRP vehicles, except as provided in sub. (2).

(2) A dealer shall issue a manually delivered temporary operation plate on behalf of the department at no charge to any resident who purchases from the dealer an automobile, station wagon or motor truck with a registered weight of 8,000 pounds or less if the dealer has received all information and money required under sub. (4).

(3) A dealer may issue a manually delivered temporary operation plate on behalf of the department at the fee established by s. 341.09 (2m) (a) 1. (intro.), Stats., to any resident who purchases an automobile, station wagon or motor truck having a registered weight of 8,000 pounds or less from a person other than the dealer if the dealer has received all information and money required under sub. (4). The dealer may collect a special handling fee of not more than \$5 as provided in s. 341.09 (1) (c), Stats., if the dealer provides special assistance to the purchaser.

(4) A dealer may not issue a manually delivered temporary operation plate on behalf of the department to a resident purchaser unless the dealer receives from the purchaser a complete application for registration and title for the vehicle together with all required fees, including regular registration fees and sales tax.

(5) The dealer shall write the number of the manually delivered temporary operation plate on the application for title and registration. The dealer shall give a copy of the application form to the purchaser.

(6) For each manually delivered temporary operation plate issued on behalf of the department, the dealer shall validate and affix the plate to the vehicle purchased in the manner specified by s. Trans 132.04 (1). The manually delivered temporary operation plate is validated by legibly writing the expiration date, which shall be plainly visible, in the specified area on the plate and securing with transparent tape, by removing backing, over the stated expiration date which, under s. 341.09 (1) (a) and (4), Stats., is 30 days from delivery date for non-residents and 90 days from delivery date for residents.

(7) As provided by s. 342.16 (1), Stats., whether or not the dealer issues a manually delivered temporary operation plate on behalf of the department and receipt to the purchaser, except as provided in pars. (a) and (b), within 7 business days following sale and delivery of a vehicle to a purchaser, the dealer shall, unless exempted by the department by rule, process the application for certificate of title, and within the next business day after pro-

cessing the application, mail or deliver to the department the purchaser's original application for title and registration and all associated materials required by the department. In the case of exempted dealers and transactions and for dealer issuance of a manually delivered temporary operation plate as authorized under sub. (3), the dealer shall within 7 business days following sale and delivery of a vehicle to a purchaser mail or deliver to the department the purchaser's title and registration application and fees and all associated materials required by the department. This section is applicable except that:

(a) Upon sale of a vehicle to a non-resident, the dealer need not process the purchaser's application for Wisconsin title and submit to the department the purchaser's original application for Wisconsin title and all associated materials required by the department or, in the case of exempted dealers and transactions and issuance under sub. (3), mail or deliver to the department the purchaser's title and registration application and fees and all associated materials required by the department, unless the dealer determines that the Wisconsin title is necessary to protect the interests of a secured party.

(b) The dealer shall determine whether a title and perfection of security interest are required, and is liable for any damages as a result of the dealer's failure to perfect a security interest of which the dealer had knowledge.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; am. (1), renum. (2), (4) and (5) to be (4), (6) and (7) and am. (4) and (6), cr. (2) and (5), r. and recr. (3), Register, October, 1998, No. 514, eff. 11-1-98; CR 10-142: am. (title), (1) to (7) (a) Register August 2011 No. 668, eff. 9-1-11.

Trans 132.07 Dealer records. (1) The dealer shall maintain for 5 years complete and accurate records of all manually delivered temporary operation plates issued by the dealer on behalf of the department, which shall be open for inspection by the department or any law enforcement official, as provided by s. 342.16 (2), Stats., in numerical order by plate number. The record keeping system may be manual or electronic. The records shall contain at a minimum the manually delivered temporary operation plate number, date of issuance, expiration date, purchaser's name and address, fees paid, description of the vehicle, the vehicle identification number and the name of the person issuing the manually delivered temporary operation plate on behalf of the department.

(2) The dealer shall be responsible for security and accountability of manually delivered temporary operation plates obtained from the department, but not yet issued on behalf of the department to vehicle purchasers.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; am. Register, October, 1998, No. 514, eff. 11-1-98; CR 10-142: am. Register August 2011 No. 668, eff. 9-1-11.

Trans 132.08 Withdrawal of dealer issuance privilege. (1) A dealer shall have the privilege to issue manually delivered temporary operation plates on behalf of the department withdrawn and manually delivered temporary operation plates ordered by, distributed to, or in possession of a dealer shall be returned to the department under s. 341.09 (2m) (d), Stats., when the dealer:

(a) Has discontinued business or the dealer's license has been denied, suspended or revoked.

(b) Has failed to comply with this chapter.

(c) Has violated any law related to the sale of vehicles.

(2) Within 30 days after denial or issuance of an order, the dealer may request a hearing before the division of hearings and appeals under s. 341.09 (2m) (d), Stats. The dealer may not issue any manually delivered temporary operation plates on behalf of

the department until the division of hearings and appeals has held its hearing and not unless the finding is in the dealer's favor.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; am. (2), Register, October, 1998, No. 514, eff. 11-1-98; CR 10-142: am. (1) (intro.), (2) Register August 2011 No. 668, eff. 9-1-11.

Trans 132.09 Temporary operation plate for military personnel. Under s. 341.09 (3), Stats., military personnel may obtain a manually delivered temporary operation plate from the department, which shall be the manually delivered temporary operation plate described in s. Trans 132.03 (1), upon presenting to the department military leave or furlough papers. No fee may be charged for issuance of this plate.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; renum. from Trans 132.11 and am. Register, October, 1998, No. 514, eff. 11-1-98; CR 10-142: am. Register August 2011 No. 668, eff. 9-1-11.

Trans 132.10 Plate issuance by contractors. Any person contracting with the department under s. 341.21, Stats., to issue manually delivered temporary operation plates on behalf of the department under s. 341.09, Stats., shall, within 7 business days following issuance of a manually delivered temporary operation plate to an applicant, mail or deliver to the department the purchaser's title and registration application and fees and all associated materials required by the department, and shall comply with all other provisions of this chapter applicable to dealers issuing manually delivered temporary operation plates on behalf of the department.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; r. and recr. Register, October, 1998, No. 514, eff. 11-1-98; CR 10-142: am. Register August 2011 No. 668, eff. 9-1-11.