

No. 508, S.]

[Published June 18, 1953.

CHAPTER 281

AN ACT to amend 194.03 (1), (2) and (4), 194.18 (10) and 194.20; and to create 194.03 (6) of the statutes, relating to interpretation of term "interstate commerce" to include foreign commerce.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 194.03 (1), (2) and (4) of the statutes are amended to read:
194.03 INTERSTATE AND FOREIGN COMMERCE. (1) This chapter shall apply to motor carriers engaged in interstate *and foreign* commerce upon the public highways of this state, in all particulars and provisions lawful under the constitution of the United States.

(2) Fees and taxes provided in this chapter shall be assessed against operations in interstate *and foreign* commerce and collected from the carriers performing such operations, as partial compensation for the use of the highways and policing of the same.

(4) Motor carriers operating in interstate *and foreign* commerce shall obtain permits and display evidence thereof as required by the motor vehicle department in the same manner as is required of motor carriers operating in intrastate commerce.

SECTION 2. 194.03 (6) of the statutes is created to read:

194.03 (6) Whenever the term "interstate commerce" is used in this chapter it shall be interpreted as including foreign commerce.

SECTION 3. 194.18 (10) of the statutes is amended to read:

194.18 (10) The commission shall have power and authority to cooperate with or participate in proceedings before the Interstate Commerce Commission or such other federal authority as may have jurisdiction over carriers by motor vehicle or railroad under the laws of the United States, in relation to such carriers operating in interstate *and foreign* commerce into, out of, or through this state, or whose operations and service affect traffic moving into, out, or within this state.

SECTION 4. 194.20 of the statutes is amended to read:

194.20 CERTIFICATES AND LICENSES FOR CARRIERS IN INTERSTATE AND FOREIGN COMMERCE. Motor carriers operating in interstate *and foreign* commerce shall obtain certificates and licenses, amendments thereto, and approval of the assignment thereof, as provided in ss. 194.18, 194.25 and 194.34, but the issuance thereof shall not be predicated upon findings in respect to public convenience and necessity. Certificates, licenses, amendments thereto and approval of assignments thereof which involve operations in interstate *and foreign* commerce may be denied by the commission if it finds that the record and experience of the applicant evinces a disposition to violate or evade the laws or regulations of the state applicable to the operations proposed by him. It is hereby declared to be the legislative intent that if the foregoing provision relative to denial of certificates, licenses, amendments and approval of assignments, or the application of such provision to any person or circumstances, is held invalid, the remaining provisions and the application of said provision to other persons and circumstances shall not be affected thereby.

Approved June 10, 1953.
