

Assembly Bill 1065

Date published:  
January 3, 1968.

CHAPTER 257, LAWS OF 1967

AN ACT to amend 110.07 (1) and (3); and to create 20.560 (3) (x), (xg) and (xm) and 110.075 of the statutes, relating to an increase in the state patrol, and granting rule-making authority.

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

SECTION 1. At the appropriate place in the schedule of s. 20.005 of the statutes, insert the following amounts for the purposes indicated:

20.560	Division of motor vehicles	1967-68	1968-69
(3)	Enforcement and inspection		
(x)	Traffic officers		S
(xg)	Pilot project		S
(xm)	Random vehicle inspection		S

SECTION 2. 20.560 (3) (x), (xg) and (xm) of the statutes are created to read:

20.560 (3) (x) *Traffic Officers.* A sum sufficient to provide for 75 additional traffic officers in 1967-68.

(xg) *Pilot project.* A sum sufficient for costs of the voluntary vehicle inspection pilot project under s. 110.07 (11m).

(xm) *Random vehicle inspection.* A sum sufficient to provide for 36 vehicle inspectors.

SECTION 3. 110.07 (1) of the statutes is amended to read:

110.07 (1) The ~~commissioner~~ *administrator* of motor vehicles shall employ not to exceed ~~300~~ 375 traffic officers, *18 of whom shall be employed as inspectors to implement the random motor vehicle inspection provisions of s. 110.075.* Such traffic officers, in addition to the director of ~~the enforcement division~~ of the ~~department~~ *division*, shall constitute the state traffic patrol, to enforce and assist in the administration of chs. 110, 194 and 341 to 349, or orders or rules issued pursuant thereto. Such traffic officers shall have the powers of sheriff in enforcing the above chapters and orders or rules issued pursuant thereto. Such traffic officers shall have authority to enter any place where vehicles subject to chs. 110, 194 and 341 to 349 are stored or parked at any time to examine such vehicles, or to stop such vehicles while en route at any time upon the public highways to examine the same and make arrests for all violations thereof. ~~It is the duty of~~ All *municipal* justices of the peace, judges, district attorneys and law enforcement officers ~~to~~ *shall* assist in enforcing chs. 110, 194 and 341 to 349, and orders or rules issued pursuant thereto, and law enforcement officers shall report to the ~~motor vehicle department~~ *division of motor vehicles* all arrests and disposition of court cases involving the aforementioned statutes.

SECTION 3m. 110.07 (3) of the statutes is amended to read:

110.07 (3) The ~~commissioner~~ *administrator* of motor vehicles may employ inspectors who shall not wear the uniform of the state patrol, whose duties shall be to enforce and assist in administering s. 110.10 (11), 110.075 and chs. 129, 194, 340 to 345 and 347 to 349. Such inspectors, in the performance of these duties, shall have the powers and authority of state traffic officers. For the purpose of death, disability and retirement coverage, such inspectors shall be subject to ss. 66.191 and 66.90 to

66.918 as is the state traffic patrol. The ~~commissioner~~ *administrator* may clothe and equip inspectors as the interest of public safety and their duties require.

SECTION 4. 110.075 of the statutes is created to read:

110.075 RANDOM MOTOR VEHICLE INSPECTION. (1) No person shall drive or move, or cause or knowingly permit to be driven or moved, on any highway any vehicle or combination of vehicles which is not in conformity with the requirements of this section.

(2) When directed by any traffic officer, the operator of any motor vehicle shall stop and submit such motor vehicle to an inspection and such tests as are necessary to determine whether it meets the requirements of this section, or that its equipment is not in proper adjustment or repair, or in violation of the equipment provisions of ch. 347. Such inspection shall be made with respect to the brakes, lights, turn signals, steering, horns and warning devices, glass, mirrors, exhaust system, windshield wipers, tires, and other items of equipment designated by the administrator of motor vehicles.

(3) Upon determining that a motor vehicle is in conformity with sub. (2), the inspecting team shall issue to the operator an official inspection sticker which shall be in such form as the administrator prescribes. The official inspection sticker issued following a random or voluntary inspection shall exempt the inspected vehicle from random vehicle inspection for a period of one year.

(4) The administrator may, upon application and payment of a \$100 annual fee for each inspection location, issue a permit designating the state, any political subdivision thereof, or any person as a self-inspector provided such applicant meets requirements which the administrator shall establish for self-inspectors as to equipment, space and personnel and provided said applicant operates a minimum of 10 motor vehicles and can satisfy the administrator that such inspections will be properly conducted. Self-inspectors shall inspect only those vehicles owned or leased and operated by them as a fleet. Self-inspectors shall be subject to all provisions of this section and rules and regulations adopted pursuant thereto.

(5) Each permit issued to a self-inspector shall specify the locations at which inspections will be conducted. No such permit shall be assigned or transferred or used at any location other than therein designated, and every such permit shall be posted in a conspicuous place at the location designated.

(6) When any motor vehicle is found to be unsafe for operation, the inspecting team may order it removed from the highway and not operated, except for purposes of removal and repair, until it has been repaired pursuant to a repair order as provided in sub. (7).

(7) When any motor vehicle is not in compliance with sub. (2) a repair order may be issued, in such form and containing such information as the administrator prescribes, to the owner or driver of the motor vehicle. The owner or driver shall thereupon obtain such repairs as are required.

(8) Inspections performed by the state under this section shall be performed by inspection teams composed of one traffic officer and 2 motor vehicle inspectors. Eighteen inspection teams shall be maintained full time to implement the random motor vehicle inspection provided by this section. Not less than 2 inspection teams shall be assigned to each state patrol district.

(9) This section shall only apply to vehicles subject to registration

under ch. 341, but the following are exempt from the inspection required by this section:

(a) A motor vehicle bearing a valid certificate of inspection issued by another state.

(b) A vehicle operating under a certificate or permit issued by the interstate commerce commission, or subject to and operating under the safety rules and regulations of the U.S. department of transportation.

(10) The administrator shall provide for a voluntary vehicle inspection program which shall be conducted by the same state personnel trained to conduct random inspections under this section, and shall establish procedures to implement such program.

(11) The administrator shall set standards and promulgate rules to establish a plan of inspection to implement the random and voluntary inspection program provided by this section, and he shall submit such standards and rules, and any subsequent changes therein, to the assembly and senate committees on highways acting jointly for their approval.

(11m) The administrator shall establish in 2 areas of the state, so as to obtain experience in both essentially urban and rural localities, a pilot project providing for a voluntary vehicle inspection program under which the inspections will be performed by private parties designated by him as official inspection stations. So far as possible, the requirements of this section applicable to the random inspection program shall apply to the pilot project under this subsection. The administrator shall prepare a plan to implement this subsection which, before being put into operation, shall be submitted to the assembly and senate committees on highways acting jointly for their approval. The committees shall approve the plan, with any modifications they deem necessary, within 30 days of its receipt. If the committees do not approve the plan with or without modifications within such time period, the administrator shall submit the plan to the joint committee on legislative organization for its approval. The plan shall go into operation no later than July 1, 1968. The administrator shall periodically report to such committees on the operation of the pilot project.

(12) Any person producing, manufacturing or using an inspection sticker or causing the same to be done to subvert the provisions of this section shall be fined not less than \$100 nor more than \$500 or imprisoned not more than 6 months or both. Any persons otherwise violating this section or rules issued pursuant thereto, unless otherwise provided by statute, shall be fined not less than \$10 nor more than \$200 or imprisoned not more than 30 days or both.

SECTION 5. In filling the additional positions in the state patrol authorized by SECTION 3 of this act, former members of the state patrol having left in good standing shall be given preference subject to the reinstatement provisions of chapter 16 of the statutes, but any time limits established under section 16.23 of the statutes shall be suspended. No former member of the state patrol reinstated under this SECTION shall be required to attend, again, the basic training course of the state patrol academy.

SECTION 5m. Upon the commencement of the random and voluntary vehicle inspection programs under this act, the administrator of motor vehicles shall study the operation of the voluntary programs and shall periodically report to the assembly and senate committees on highways on the operation of such programs, together with any suggested improvements. Such committees shall jointly review the operation of such programs and the reports of the administrator and shall submit findings and recommendations thereon, together with any suggested legislation,

to the 1969 legislature when it convenes. The report of the committees shall include, without limitation because of enumeration, the committee's recommendation on the following subjects:

- (1) Continuing or abolishing the programs established under this act;
- (2) Providing for compulsory vehicle inspection;
- (3) Increasing the scope of the random or voluntary program, or both, as established by this act; and
- (4) Providing for privately operated inspection stations under a compulsory, random or voluntary plan, or any combination thereof.

SECTION 6. SECTION 3m and SECTION 4, except Section 110.075 (11m) of the statutes as created by SECTION 4, shall take effect July 1, 1968; all other provisions of this act shall take effect on passage and publication.

Approved December 19, 1967.