

1973 Assembly Bill 981

**Date published:
April 30, 1974**

CHAPTER 200, Laws of 1973

AN ACT to repeal 341.26 (2) (c); to amend 194.41 (1) (intro.), 341.27 (1) and 341.29 (1); and to create 341.26 (6) and 341.267 of the statutes, relating to special

registration of driver education vehicles, requiring insurance coverage for such vehicles and granting rule-making authority.

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

SECTION 1. 194.41 (1) (intro.) of the statutes is amended to read:

194.41 (1) (intro.) No common carrier of property, or contract motor carrier, shall operate any motor vehicle for which a permit is required by this chapter unless it has on file with the division of motor vehicles and in effect a good and sufficient indemnity bond, policy of insurance or other contract in writing in such form and containing such terms and conditions as may be approved by the department issued by a surety, indemnity or insurance company or exchange lawfully qualified to transact such business in this state under which such indemnitor shall assume the liability prescribed by this section with respect to such motor vehicle. Said undertaking shall be subject to the approval of the department and shall provide that the indemnitor shall be directly liable for and shall pay all damages for injuries to or for the death of persons or for injuries to or destruction of property that may be recovered against the owner or operator of each such motor vehicle by reason of the negligent use or operation thereof in an amount not less than (a) for injury to or death of persons, \$15,000, to or for any one person and \$30,000 for any one accident, or (b) for injury to or destruction of property, \$10,000 for any one accident. Such liability may be restricted so as to be inapplicable to damage claims on account of injury to or destruction of property transported, but the department may require an undertaking protecting the owner of the property transported by public carriers from loss or damage thereto, which undertaking shall be in such amount and under such conditions as the department may require. No common motor carrier of passengers by any motor vehicle, or other carrier of passengers by motor bus, except those registered in accordance with s. ss. 341.26 (2) (b) to (f) and (2m) and 341.267 shall operate any motor vehicle unless it has on file with the department a like undertaking in such form and containing such terms and conditions as may be approved by the department for the payment of damages for injuries to property in at least the amount hereinbefore specified and of damages for injuries to or for the death of persons, including passengers in at least the following amounts:

SECTION 2. 341.26 (2) (c) of the statutes is repealed.

SECTION 3. 341.26 (6) of the statutes is created to read:

341.26 (6) DRIVER EDUCATION VEHICLES. Registration of driver education vehicles is subject to s. 341.267.

SECTION 4. 341.267 of the statutes is created to read:

341.267 Driver education motor vehicles; registration and insurance. (1) An annual fee of \$3 shall be paid to the division for the registration of any motor vehicle loaned to a public or private school having an approved driver education program as certified by the department of public instruction. The motor vehicle shall be used for the exclusive purpose of behind-the-wheel instruction and such other operation as is necessary for maintenance and storage.

(2) If a vehicle is replaced, reassignment of the plate to a replacement motor vehicle shall be made by the division on request without payment of an additional fee.

(3) All registrations issued under this section shall expire on June 30 of each year.

(4) The division shall issue plates of a distinctive design to motor vehicles licensed under this section.

(5) No motor vehicle may be used for driver education unless a policy of bodily injury and property damage liability insurance issued by an insurer authorized to transact business in this state, is maintained thereon. The policy shall provide such coverages in at least such amounts as are specified under s. 344.01 (2) (d). However, the division may require additional coverages and amounts as conditions warrant.

(6) No insurance policy issued under sub. (5) may be terminated or canceled prior to its expiration for any reason unless a notice thereof is filed with the division and with the school at least 30 days prior to the date of termination or cancellation.

(7) No registration shall be issued or remain in force for a driver education vehicle unless a certification of insurance in such form as the administrator may require is filed with the division by the insurer certifying that a policy of insurance, as required by this section, has been issued and is in effect which covers the owner, operator, instructor, school and any passengers in the vehicle.

SECTION 5. 341.27 (1) of the statutes is amended to read:

341.27 (1) All automobiles other than those that may be registered under s. 341.265 ~~or~~, 341.266 or 341.267 or are required by s. 341.29 to be registered on a calendar-year basis shall be registered by the division according to the monthly series system of registration prescribed by this section.

SECTION 6. 341.29 (1) of the statutes is amended to read:

341.29 (1) Annual registration for all vehicles other than private automobiles ~~and~~, taxicabs and driver education vehicles, shall be for the calendar year and expire on December 31 of the year for which the vehicle is registered. The division shall take the necessary action to make the change not later than January 1, 1963.

SECTION 7. **Transitional provisions.** For driver education vehicles registered on the effective date of this act, the department of transportation shall issue interim validation stickers for the 6-month period from the effective date of this act until the first new annual registrations are made. The fee for such stickers shall be \$1 and transfers may be accomplished at any time during the transition period for an additional fee of \$1. For any driver education vehicle which is newly registered during the 6-month transition period, the department shall issue a registration only for the balance of the transitional period at a fee of \$1.

SECTION 8. **Effective date.** This act shall take effect on January 1 following the date of publication.
