

1983 Assembly Bill 600

Date of enactment: **April 20, 1984**
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1983 Wisconsin Act 270

AN ACT to repeal 341.31 (1) (b) 4; to amend 341.045, 341.11 (4), 341.13 (2), 341.145 (1) (a) and (3), 341.26 (3) (am), 341.27 (3) (a), 341.28 (4) (c), 341.295 (3) (a), 341.31 (1) (intro.), 341.31 (1) (c) and (4), 342.15 (4) (a), 342.34 (1) (c), 343.01 (2) (e) 3 and 343.08 (1) (a) and (2); and to create 340.01 (15n), 341.28 (2) (c), 341.28 (4) (d), 341.31 (1) (b) 5 and 6 and 341.31 (6) of the statutes, relating to personalized plates and transfer of registration plates.

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

SECTION 1. 340.01 (15n) of the statutes is created to read:

340.01 (15n) “Dual purpose farm truck” means a motor truck owned and operated by a farmer and used for the transportation of supplies, farm equipment and products on the owner’s farm or between the owner’s farms, the transportation of farm products from the owner’s farm to market, and the transportation of supplies to the owner’s farm and also used in furtherance of any nonfarm occupation, trade, profession or employment.

SECTION 2. 341.045 of the statutes is amended to read:

341.045 Use of registered farm trucks regulated. A motor truck registered as a farm truck under s. 341.26 (3) (a) may be used for personal and family purposes if the primary use of that motor truck is for purposes specified in s. 340.01 (18), except that a registered farm truck may not be used in furtherance of any nonfarm occupation, trade, profession or other employment, including commuting to or from the place of such nonfarm occupation, trade, profession or employment. This section does not apply to dual purpose farm trucks registered under s. 341.26 (3) (am). Any violations of this section are subject to the penalty prescribed for violations of s. 341.04 (2).

SECTION 3. 341.11 (4) of the statutes is amended to read:

341.11 (4) In the case of dual purpose motor homes, motor trucks, motor busses, truck tractors and road tractors or a motor home for which personalized license plates have been issued under s. 341.145 (1), the certificate of registration shall be displayed in a prominent place in the driver’s compartment of the vehicle to which the certificate refers. Any person who operates and any person in whose name the vehicle is registered who consents to the operation of any such vehicle without the certificate of registration being so displayed may be required to forfeit not more than \$200.

SECTION 4. 341.13 (2) of the statutes is amended to read:

341.13 (2) In addition to the matter specified in s. 341.12 (3), the registration plates for a vehicle registered on the basis of gross weight except a motor truck or dual purpose farm truck registered under s. 341.145 (1) (a), a dual purpose motor home, or a motor home registered under s. 341.14 (1), (1a), (1m) or (1q) or 341.145 (1) (a) shall indicate the weight class into which the vehicle falls in a manner prescribed by the department. The gross weight which determines the registration fee for a motor truck or dual purpose farm truck registered under s. 341.145 (1) (a), a dual purpose motor home, or a motor home registered under s. 341.14 (1), (1a), (1m) or (1q) or 341.145 (1) (a) shall be shown on its certificate of registration.

SECTION 5. 341.145 (1) (a) and (3) of the statutes are amended to read:

341.145 (1) (a) In this section, “personalized license plate” means a registration plate for an owned automobile, or station wagon or a motor home registered for an annual registration period under s. 341.29 or 341.295 or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 6,000 8,000 pounds, or a farm truck which has a gross weight of not more than 12,000 pounds, which displays a registration number composed of letters or numbers, or both, requested by the applicant. Personalized license plates shall be of the same color and design as regular license plates and shall consist of numbers or letters, or any combination thereof both, not exceeding 6 positions and not less than 2 positions.

(3) In addition to the regular application fee provided under s. 341.25 (1) (a) ~~or~~ (b), (c) or (j) or (2) or 341.26 (3) (a) or (am), the applicant for a personalized license plate shall pay a fee of \$10 for the issuance of the plate and \$10 in each succeeding year to maintain the plate. The fee for reissuance of a personalized plate shall be \$10.

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

341.26 (3) (am) For each dual purpose farm truck having a registered gross weight of 12,000 pounds or less ~~used in furtherance of any nonfarm occupation, trade, profession or employment,~~ an annual fee to be determined in accordance with s. 341.25 (2) on the basis of the maximum gross weight of the vehicle. Maximum gross weight shall be determined by adding together the weight in pounds of the vehicle when equipped to carry a load as a motor truck and the maximum load in pounds which the applicant proposes to carry on the vehicle when used as a motor truck. A motor truck registered under this paragraph may be operated at a maximum gross weight of not more than 12,000 pounds when used as for the purposes of a farm truck.

SECTION 7. 341.27 (3) (a) of the statutes is amended to read:

341.27 (3) (a) If Except as provided in s. 341.28 (2) (c), if the applicant holds current registration plates which were removed from an automobile of which the applicant no longer is the owner, or which has been junked, or is no longer used on the highways, and such plates were issued under the monthly series system, the department shall register the automobile which is the subject of the application for the remainder of such unexpired registration period.

SECTION 8. 341.28 (2) (c) of the statutes is created to read:

341.28 (2) (c) The credit or plate transfer provisions authorized under this subsection do not apply if the applicant has, within the preceding 12 months, transferred or received credit for registration plates removed from the automobile which is the subject of the application.

SECTION 9. 341.28 (4) (c) of the statutes is amended to read:

341.28 (4) (c) The automobile is owned by a person who has been in active military service and less than 12 months of nonoperation have elapsed since the end of the period for which the automobile was previously registered, provided the applicant files with the department a statement of such nonoperation; or

SECTION 10. 341.28 (4) (d) of the statutes is created to read:

341.28 (4) (d) The automobile is subject to the provisions of sub. (2) (c).

SECTION 11. 341.295 (3) (a) of the statutes is amended to read:

341.295 (3) (a) If the applicant holds registration plates which were removed from a ~~motor truck vehicle~~ under s. ~~341.31 (4) (b)~~, 342.15 (4) (a) or 342.34 (1) (c), and the plates were issued under the monthly series system, the department shall register ~~the motor truck~~ a replacement vehicle of the same type and gross weight which is the subject of the application for the remainder of the unexpired registration period.

SECTION 12. 341.31 (1) (intro.) of the statutes is amended to read:

341.31 (1) (intro.) The annual registration fee shall be paid in full on all vehicles registered pursuant to s. 341.29 or 341.295 and the quarterly registration fee shall be paid in full on all vehicles registered pursuant to s. 341.30 unless the vehicle comes within one of the following categories, in which event the applicant is liable for the payment of only a part-period fee to be computed in accordance with sub. (2):

SECTION 13. 341.31 (1) (b) 4 of the statutes is repealed.

SECTION 14. 341.31 (1) (b) 5 and 6 of the statutes are created to read:

341.31 (1) (b) 5. The vehicle which has been transferred to the applicant is a motor home or a motor truck, dual purpose motor home or dual purpose farm truck which had been registered by the previous owner at a gross weight of 8,000 pounds or less or is a farm truck which had been registered by the previous owner at a gross weight of 12,000 pounds or less; or

6. The vehicle is subject to the provisions of sub. (6); or

SECTION 15. 341.31 (1) (c) and (4) of the statutes are amended to read:

341.31 (1) (c) The vehicle is a replacement for a registered vehicle which has been junked or is no longer used on the highway; or

(4) (a) The transferee of a vehicle registered as provided in s. 341.29, 341.295 or 341.30 is not subject to the payment of any registration fee for the remainder of the period for which the vehicle is registered unless, by reason of his or her status or the use to which the vehicle is put, the fee prescribed by law is higher than that paid by the former owner. In such event, the fee shall be computed on the basis of one-twelfth of the difference between the 2 annual fees multiplied by the number of months of the current registration period which have not fully expired on the date, after the vehicle is acquired by the applicant, when such vehicle is first operated by him or her or with his or her consent under circumstances making it subject to registration in this state.

(b) A person retaining a set of plates removed from a ~~motor truck registered vehicle~~ under s. ~~341.29 for 6,000 pounds or less~~ 342.15 (4) (a) or 342.34 (1) (c) and which was junked or transferred or is no longer used on the highways may receive credit for the unused portion of the registration fee paid when registering a replacement ~~motor truck at 6,000 pounds or less~~ vehicle of the same type and gross weight.

SECTION 16. 341.31 (6) of the statutes is created to read:

341.31 (6) The credit or plate transfer provisions authorized under this section do not apply if the applicant has, within the preceding 12 months, transferred or received credit for registration plates removed from the motor vehicle which is the subject of the application.

SECTION 17. 342.15 (4) (a) of the statutes is amended to read:

342.15 (4) (a) If the vehicle being transferred is an automobile or station wagon registered under the monthly series system or a motor home or a motor truck for which personalized license plates have been issued, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds or a farm truck which has a gross weight of not more than 12,000 pounds, the owner shall remove the registration plates and retain and preserve them for use on any other vehicle of the same type and gross weight which may subsequently be registered in his or her name. ~~If the vehicle being transferred is a motor truck registered under the maximum gross weight system for 6,000 pounds or less, the owner shall remove the registration plates and retain and preserve them for use on any other motor truck which may subsequently be registered for not more than 6,000 pounds in his or her name.~~

SECTION 18. 342.34 (1) (c) of the statutes is amended to read:

342.34 (1) (c) If the motor vehicle is an automobile or station wagon registered under the monthly series system or a motor home or a motor truck for which personalized license plates have been issued, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds or a farm truck which has a gross weight of not more than 12,000 pounds, the owner shall remove the registration plates and retain and preserve them for use on any other vehicle of the same type which may subsequently be registered in his or her name. ~~If the motor vehicle is a motor truck registered under the maximum gross weight system for 6,000 pounds or less, the owner shall remove the registration plates and retain and preserve them for use on any motor truck which may subsequently be registered for not more than 6,000 pounds in the owner's name.~~ If the motor vehicle is not an automobile or station wagon registered under the monthly series system, or a motor home or a motor truck for which personalized license plates have been issued, or a motor truck registered under the maximum gross weight system for 6,000 pounds or less, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds or a farm truck which has a gross weight of not more than 12,000 pounds, he or she shall remove and destroy the plates.

SECTION 19. 343.01 (2) (e) 3 of the statutes is amended to read:

343.01 (2) (e) 3. He is engaged in operating a farm truck or a dual purpose farm truck and he is either the owner of the ~~farm~~ truck or a member of the owner's immediate family or an employe of the owner not employed primarily for the purpose of operating the ~~farm~~ truck; or

SECTION 20. 343.08 (1) (a) and (2) of the statutes are amended to read:

343.08 (1) (a) The department must be satisfied that it is necessary for the applicant to operate either an automobile, farm truck, dual purpose farm truck or power driven cycle owned and registered by the applicant's parent or guardian.

(2) A restricted license issued pursuant to this section is valid only until the licensee secures a regular operator's license or reaches 18 years of age and entitles the licensee to operate either an automobile ~~or~~, farm truck or dual purpose farm truck owned and registered by the licensee's parent or guardian or a motor-driven cycle owned and registered by the licensee's parent or guardian or both, depending on the restrictions placed by the department on the particular license. A license issued pursuant to this section does not authorize the licensee to operate any such vehicle during hours of darkness or to operate a vehicle in a city having a population of 500,000 or more or to operate a commercial motor truck, motor bus or taxicab.

SECTION 21. **Effective date.** This act takes effect on the first day of the 6th month commencing after publication.
