

1983 Assembly Bill 75

Date of enactment: **May 10, 1984**  
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**1983 Wisconsin Act 469**

AN ACT *to amend* 341.04 (1) and (3) (c); and *to create* 341.18, 341.185, 341.19, 341.195 and 341.305 of the statutes, *relating to* permitting certain motor vehicles to be registered on a consecutive monthly basis, granting rule-making authority and making an appropriation.

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

SECTION 1. 341.04 (1) and (3) (c) of the statutes are amended to read:

341.04 (1) It is unlawful for any person to operate or for an owner to consent to being operated on any highway of this state any motor vehicle, mobile home, trailer or semi-trailer or any other vehicle for which a registration fee is specifically prescribed unless at the time of operation the vehicle in question either is registered in this state, or, except for registration under s. 341.30 or 341.305, a complete application for registration, including evidence of inspection under s. 110.20 when required, accompanied by the required fee has been delivered to the department or deposited in the mail properly addressed with postage prepaid, or is exempt from registration.

(a) A vehicle may be operated by a private person after the date of purchase of such vehicle by such private person or after the date such person moved to this state if application for registration, except for registration under s. 341.30 or 341.305, and certificate of title has been made.

(b) All vehicles subject to renewal of registration may be operated provided that application for reregistration, except for registration under s. 341.30 or 341.305, has been made.

(3) (c) In addition to imposing the penalty under par. (a) or (b), the court shall order the offender to make application for registration or reregistration and to pay the required fee. If 45 days have elapsed from the date of conviction and the department has not received an application for registration or reregistration and the required fee, the department shall order the offender to make application for registration or reregistration and to pay the required fee. Unless the department receives the application for registration or reregistration and the required fee within 20 days from the date of the department's order, the department may suspend any or all registrations of the offender. Any registration suspended under this section shall remain suspended until the offender makes application for registration or reregistration and the required fee for registration is paid. For purposes of this section, the required registration or reregistration fee for residents of this state is the required annual fee, or, if the vehicle is eligible for quarterly or consecutive monthly registration, the fee required in s. 341.30 or 341.305. For purposes of this section, the required fee for a vehicle registered on the basis of gross weight shall be the fee for the maximum weight for which the vehicle may be legally registered or the weight at which the vehicle was operating, whichever is greater.

SECTION 2. 341.18 of the statutes is created to read:

**341.18 Evidence of registration to be displayed on vehicles registered under quarterly or consecutive monthly systems; operation without display of registration prohibited.** (1) A vehicle registered under s. 341.30 or 341.305 may not be operated on the highway without evidence of registration in the form required by the department displayed on or in the vehicle as required by the department, unless the vehicle has been authorized to operate under s. 341.19.

(2) If a person claims as a defense to a citation for failure to display evidence of registration that the person has made application for annual registration as provided in s. 341.04 (1) (intro.) and no such application was submitted to the department and the person is convicted of operating the vehicle without registration, the person shall be required to pay the full annual fee upon registration of the vehicle, notwithstanding the eligibility of the vehicle for registration under s. 341.30 or 341.305. The court or the department shall order the annual registration under s. 341.04 (3) (c).

SECTION 3. 341.185 of the statutes is created to read:

**341.185 Application for quarterly or consecutive monthly registration.** (1) **RENEWAL APPLICATION.** (a) Application for renewal of quarterly or consecutive monthly registration shall be made to the department upon forms prescribed by the department and shall be accompanied by the required fee. An applicant may obtain evidence of registration before the beginning of the registration period for which application is made by submitting for receipt by the department on or before the 15th day of the month preceding the registration period a complete application accompanied by the required fee.

(b) If the applicant complies with par. (a) and does not receive evidence of registration before the beginning of the registration period, the applicant may, before the beginning of the registration period, utilize the telephone authorization procedure in s. 341.19 without charge.

(c) If the application for renewal of a quarterly or consecutive monthly registration is submitted after the 15th day of the month preceding the beginning of the registration period, and evidence of registration is not received before the beginning of the registration period, the applicant may not operate the vehicle on a highway unless the applicant utilizes the telephone authorization procedure in s. 341.19.

(2) **ORIGINAL APPLICATION.** An applicant for original registration of a vehicle under the quarterly or consecutive monthly registration system may not operate the vehicle on a highway without evidence of registration as determined by the department displayed in or on the vehicle, unless the applicant obtains authorization to operate the vehicle as provided in s. 341.19.

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SECTION 4. 341.19 of the statutes is created to read:

**341.19 Telephone authorization for quarterly and consecutive monthly registration.** (1)

The department shall establish a telephone call-in procedure to authorize the operation of vehicles under the quarterly registration system in s. 341.30 or consecutive monthly registration system in s. 341.305. In addition to the registration fee required under s. 341.30 or 341.305, the following fees shall be paid to the department for authorizing the operation of a vehicle under this section:

(a) The lesser of \$10 per vehicle or the actual cost of the telephone authorization per vehicle as determined by the department.

(b) Five dollars per vehicle as a late payment for fees received after the time period established by the department.

(2) (a) The department may require that cancellation of telephone authorization be made by telephone.

(b) Telephone authorization to operate a vehicle granted on or after the beginning of a registration period may not be canceled by an applicant, and the applicant shall pay to the department all fees required in sub. (1).

(c) Telephone authorization to operate a vehicle granted before the beginning of the registration period may be canceled by the applicant before the beginning of the registration period, and the applicant shall not be required to pay the registration fee. The applicant shall pay to the department the authorization fee under sub. (1) (a) and may be charged a cancellation fee established by the department.

(3) The department may refuse telephone authorization to an applicant who does not comply with this section or whose registration has been suspended under s. 341.195.

(4) The department shall promulgate rules to implement this section.

SECTION 5. 341.195 of the statutes is created to read:

**341.195 Suspension for failure to pay fees for telephone authorization.** The department may suspend any or all registrations of a person who obtains authorization to operate under s. 341.19 and fails to pay the required authorization and registration fees within the time period established by the department under s. 341.19. A registration suspended under this section shall remain suspended until the fees required in s. 341.19 are paid.

SECTION 6. 341.305 of the statutes is created to read:

**341.305 Consecutive monthly registration.** (1) In this section, "consecutive monthly registration" means registration for a minimum of 3 consecutive months.

(2) Any of the following vehicles may be registered on a consecutive monthly registration basis in lieu of the annual registration specified in s. 341.29:

(a) A motor truck or truck tractor used exclusively to transport recycled metal salvage materials, logs or pulpwood, dirt, fill or aggregates, or fresh milk, or to transport perishable fresh fruits or vegetables for canning, freezing, dehydrating or storage prior to processing, including return of waste, or to transport petroleum products.

(b) A motor truck or truck tractor equipped with a dump, box or other container used exclusively to transport gravel, concrete or cement and bituminous road construction materials or agricultural lime, feed, grain or fertilizer, or equipped with a mechanical mixer used exclusively to mix and deliver concrete.

(c) Any motor vehicle used exclusively for towing operations of stalled or disabled vehicles.

(3) The monthly registration fee is one-twelfth of the annual fee. A consecutive monthly registration period begins on the first day of the first month of the period. The department shall register a vehicle under this section for as many additional consecutive months as the applicant desires, and the fee payable shall be the monthly registration fee times the number of months for which registration is desired plus \$15 for each applica-

tion submitted. If satisfactory evidence is provided that a vehicle was not operated on the highways during any month for which registration is not requested, it shall be exempt from the payment of fees for the month in which it was not used.

(4) One additional month may be added once per calendar year to the registration period of a vehicle registered under this section upon payment of the fee in sub. (3) as provided in ss. 341.185 and 341.19.

(5) Registration under this section precludes registration under s. 341.30 if the consecutive monthly registration period begins during the current annual registration period.

**SECTION 6m. Appropriation changes; transportation.** (1) The appropriation to the department of transportation under section 20.395 (5) (cq) of the statutes, as affected by the acts of 1983, is increased by \$64,500 for fiscal year 1984-85 for start-up costs of the telephone authorization program.

(2) The appropriation to the department of transportation under section 20.395 (5) (cq) of the statutes, as affected by the acts of 1983, is increased by \$31,000 for fiscal year 1984-85 to authorize and fund 3.5 SEG positions to perform the additional vehicle registration duties required by this act.

**SECTION 7. Initial applicability.** The treatment of section 341.305 of the statutes by this act first applies commencing with the first annual registration period after the effective date of this act.

**SECTION 8. Effective date.** This act takes effect on first day of the 6th month commencing after its publication.

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