

Chapter Trans 132

TEMPORARY LICENSE PLATE AND PERMITS

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Trans 132.01 Purpose and scope. (1) **STATUTORY AUTHORITY.** As authorized by ss. 110.06 (1), 227.11 and 341.09, Stats., the purpose of this chapter is to establish the department's administrative interpretations of ss. 341.04 and 341.09, Stats., relating to issuance of temporary operation vehicle license plate and permits.

(2) **APPLICABILITY.** This chapter applies to any licensed Wisconsin motor vehicle dealer participating in the issuance of temporary plates or to any vehicle owner purchasing a temporary plate from a dealer or the department.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, December, 1987, No. 384.

Trans 132.02 Definitions. In this chapter:

(1) "Bus" means a vehicle as defined in s. 340.01 (31) and (56), Stats.

(2) "Dealer" means a retail dealer as defined by s. 340.04 (11), Stats.

(3) "Department" means the Wisconsin department of transportation.

(4) "For hire vehicle" means a vehicle operated for compensation as described in s. 194.01 (15), Stats.

(5) "IRP vehicle" means a vehicle registered under s. 341.405, Stats., as part of the international registration plan.

(6) "Non-resident" means a vehicle owner as described in s. 340.01 (37), Stats.

(7) "Plate" means a temporary operation plate issued under s. 341.09, Stats.

(7m) "Purchase" includes lease.

(8) "Resident" means a vehicle owner who does not meet the definition of "non-resident".

(9) "Vehicle" has the same meaning as in s. 340.01 (74), Stats., except that those vehicles as defined in subs. (1), (4) and (5) are excluded.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; cr. (7m), Register, October, 1998, No. 514, eff. 11-1-98.

Trans 132.03 Plate. A temporary plate issued under s. 341.09, Stats., shall be approximately 6" x 12" and shall contain:

(1) The word "Wisconsin".

(2) A 6 character number.

(3) The word "temporary".

(4) The expiration date.

(5) A portion of the vehicle identification number as determined by the department.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; correction made under s. 13.93 (2m) (b) 1., Stats., Register, August, 1996, No. 488; am. (Intro.) and (3), cr. (5), Register, October, 1998, No. 514, eff. 11-1-98.

Trans 132.04 Plate display, usage and restrictions.

(1) **PLATE DISPLAY.** (a) As provided by s. 341.15, Stats., only a single plate shall be issued per vehicle and shall be attached firmly and rigidly in a horizontal position to the rear of the vehicle, unless the vehicle is a truck tractor or a road tractor, as defined in s.

340.01 (53) and (73), Stats., then the plate shall be attached to the front of the vehicle.

(b) If the vehicle is equipped with a plate bracket provided by the vehicle manufacturer, the plate shall be affixed to the bracket. If the vehicle is not equipped with a plate bracket, the plate shall be conspicuously displayed as required in par. (a).

(c) No person may display upon any vehicle a plate not issued for that vehicle.

(2) **USAGE.** Use of the temporary plate is limited to the vehicle purchased, as evidenced by the issued receipt.

Note: Form MVD 2467 or other receipt issued by the department.

(3) **RESTRICTIONS.** (a) No person may duplicate, reproduce or copy any plate.

(b) Altering the originally stated expiration date is prohibited.

(c) Use of the plate does not allow a vehicle to be operated at a gross weight greater than that for which regular registration fees have been paid.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; am. (1) (c) and (3) (a), Register, October, 1998, No. 514, eff. 11-1-98.

Trans 132.05 Issuance to dealers. (1) A dealer may obtain plates from the department for issuance to either a resident or non-resident vehicle purchaser.

(2) A dealer may order plates by a written request that includes the dealer license number, phone number and dealership name and address.

Note: The fee is \$15 for each group of 5 plates (\$3 per plate). Dealer orders for temporary plates shall be mailed or delivered to Dealer Section, Department of Transportation, P.O. Box 7909, Madison, Wisconsin, 53707.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; am. (1), r. (2) and (3), renum. (4) to be (2) and am., Register, October, 1998, No. 514, eff. 11-1-98.

Trans 132.06 Issuance by dealers to purchasers.

(1) A dealer may issue a plate at the fee established by s. 341.09 (2m) (a) 1. (intro.), Stats., to any resident or non-resident who purchases from the dealer any type of vehicle except buses, for-hire vehicles, and IRP vehicles, except as provided in sub. (2).

(2) A dealer shall issue a plate at no charge to any resident who purchases from the dealer an automobile, station wagon or motor truck with a registered weight of 8,000 pounds or less if the dealer has received all information and money required under sub. (4).

(3) A dealer may issue a plate at the fee established by s. 341.09 (2m) (a) 1. (intro.), Stats., to any resident who purchases an automobile, station wagon or motor truck having a registered weight of 8,000 pounds or less from a person other than the dealer if the dealer has received all information and money required under sub. (4). The dealer may collect a special handling fee of not more than \$5 as provided in s. 341.09 (1) (c), Stats., if the dealer provides special assistance to the purchaser.

(4) A dealer may not issue a plate to a resident purchaser unless the dealer receives from the purchaser a complete application for registration and title for the vehicle together with all required fees, including regular registration fees and sales tax.

(5) The dealer shall write the temporary plate number on the application for title and registration. The dealer shall give a copy of the application form to the purchaser.

(6) For each plate issued, the dealer shall validate and affix the plate to the vehicle purchased in the manner specified by s. Trans 132.04 (1). The plate is validated by legibly writing the expiration date, which shall be plainly visible, in the specified area on the plate and securing with transparent tape, by removing backing, over the stated expiration date which, under s. 341.09 (1) (a) and (4), Stats., is 30 days from delivery date for non-residents and 90 days from delivery date for residents.

(7) As provided by s. 341.16 (1), Stats., whether or not the dealer issues a plate and receipt to the purchaser, within 7 business days following sale and delivery of a vehicle to a purchaser, the dealer shall mail or deliver to the department the purchaser's title and registration application and fees, except that:

(a) Upon sale of a vehicle to a non-resident, the dealer need not submit the purchaser's application for Wisconsin title, unless the dealer determines that the title is necessary to protect the interests of a secured party.

(b) The dealer shall determine whether a title and perfection of security interest are required, and is liable for any damages as a result of the dealer's failure to perfect a security interest of which the dealer had knowledge.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; am. (1), renum. (2), (4) and (5) to be (4), (6) and (7) and am. (4) and (6), cr. (2) and (5), r. and recr. (3), Register, October, 1998, No. 514, eff. 11-1-98.

Trans 132.07 Dealer records. (1) The dealer shall maintain for 5 years complete and accurate records of all temporary plates issued by the dealer, which shall be open for inspection by the department or any law enforcement official, as provided by s. 342.16 (2), Stats., in numerical order by plate number. The record keeping system may be manual or electronic. The records shall contain at a minimum the plate number, date of issuance, expiration date, purchaser's name and address, fees paid, description of the vehicle, the vehicle identification number and the name of the person issuing the temporary plate.

(2) The dealer shall be responsible for security and accounta-

bility of plates obtained from the department, but not yet issued to vehicle purchasers.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; am. Register, October, 1998, No. 514, eff. 11-1-98.

Trans 132.08 Withdrawal of dealer issuance privilege. (1) A dealer shall have the privilege to issue plates withdrawn and plates ordered by, issued to, or in possession of a dealer shall be returned to the department under s. 341.09 (2m) (d), Stats., when the dealer:

(a) Has discontinued business or the dealer's license has been denied, suspended or revoked.

(b) Has failed to comply with this chapter.

(c) Has violated any law related to the sale of vehicles.

(2) Within 30 days after denial or issuance of an order, the dealer may request a hearing before the division of hearings and appeals under s. 341.09 (2m) (d), Stats. The dealer may not issue any plates until the division of hearings and appeals has held its hearing and not unless the finding is in the dealer's favor.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; am. (2), Register, October, 1998, No. 514, eff. 11-1-98.

Trans 132.09 Refunds and replacement plates. History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; r. Register, October, 1998, No. 514, eff. 11-1-98.

Trans 132.09 Temporary plate for military personnel. Under s. 341.09 (3), Stats., military personnel may obtain a temporary operation plate from the department, which shall be the plate described in s. Trans 132.03 (1), upon presenting to the department military leave or furlough papers. No fee may be charged for issuance of this plate.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; renum. from Trans 132.11 and am. Register, October, 1998, No. 514, eff. 11-1-98.

Trans 132.10 Plate issuance by contractors. Any person contracting with the department under s. 341.21, Stats., to issue temporary plates under s. 341.09, Stats., shall comply with all provisions of this chapter applicable to dealers issuing temporary plates.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; r. and recr. Register, October, 1998, No. 514, eff. 11-1-98.