



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-1019/P2  
EHS:skw&emw

DOA:.....Hamer, BB0366 - Recreational vehicle online registration

**FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION**

**AN ACT ...; relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**NATURAL RESOURCES**

**RECREATION**

***Recreational vehicle online registration***

Under current law, no person may operate an all-terrain vehicle (ATV), utility terrain vehicle (UTV), or snowmobile and no owner may give permission for such operation unless the ATV, UTV, or snowmobile is registered with DNR. Current law allows DNR to appoint persons who are not DNR employees as agents to issue, transfer, or renew registration documents for ATVs, UTVs, and snowmobiles and to issue reprints of those documents. Current law provides that an agent who accepts an application and required fees for ATV, UTV, or snowmobile registration documents must issue to the applicant a temporary operating receipt or some or all of the registration documents at the time the application is submitted, and issue any remaining registration documents directly from DNR at a later date. This bill allows an agent to accept an application by facilitating an online application for registration documents.

Current law requires every ATV, UTV, or snowmobile manufacturer, dealer, distributor, or renter to register with DNR and apply to DNR for, respectively, a commercial ATV and UTV or commercial snowmobile certificate. The bill allows these applications to be completed through an online application system.

Under current law, no person may operate an off-highway motorcycle (OHM) off the highways and no owner may give permission for such operation unless the OHM is registered with DNR. Current law requires an OHM dealer to register with DNR and apply to obtain a commercial OHM certificate. Current law requires an OHM dealer to require an OHM buyer to pay the applicable registration fee and complete an application for registration of an OHM. Current law requires an OHM dealer to affix a decal issued by DNR to a removable plate or sign on an OHM offered for sale. If a commercial OHM certificate or decal is lost or destroyed, current law allows the holder to apply to DNR for a duplicate. The bill allows for all of these applications to be completed through an online application system.

Current law requires an OHM dealer to provide an OHM buyer with a temporary operating receipt, and to mail or deliver the application and fee to DNR no later than seven days after the date of the sale. If ownership of an unregistered OHM is transferred by a person other than an OHM dealer, current law requires the buyer or transferee to complete an application for registration. If ownership of a registered OHM is transferred, current law requires the transferee to complete an application for transfer on a DNR form and mail or deliver the form to DNR within 10 days after the date of transfer. The bill allows for all of these applications to be completed through an online application system.

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

**SECTION 1.** 23.33 (2) (dm) 2. of the statutes is amended to read:

23.33 (2) (dm) 2. The fee for the issuance or renewal of a commercial all-terrain vehicle and utility terrain vehicle certificate is \$90. Upon receipt of the application through an online application system or on a form required by the department and the fee required under this subdivision, the department shall issue to the applicant a commercial all-terrain vehicle and utility terrain vehicle certificate and 3 registration decals. The fee for additional registration decals is \$30 per decal.

**SECTION 2.** 23.33 (2) (ig) 3. of the statutes is created to read:

23.33 (2) (ig) 3. Under either procedure under subd. 1., an agent may accept an application by facilitating an online application for registration documents.

**SECTION 3.** 23.335 (3) (b) of the statutes is amended to read:

23.335 (3) (b) *Registration; sales by dealers.* If the seller of an off-highway motorcycle is an off-highway motorcycle dealer, the dealer shall require each buyer to whom he or she sells an off-highway motorcycle to complete an application, which may be online, for registration for public or private use and collect the applicable fee required under sub. (4) (d) at the time of the sale if the off-highway motorcycle will be operated off the highways and is not exempt from registration under sub. (2) (b). The department shall provide application and temporary operating receipt forms to off-highway motorcycle dealers. Each off-highway motorcycle dealer shall provide the buyer a temporary operating receipt showing that the application has been submitted and the accompanying fee have has been obtained by the off-highway motorcycle dealer. The off-highway motorcycle dealer shall ensure an application and fee is submitted online on the day of sale or shall mail or deliver the a paper application and fee to the department no later than 7 days after the date of sale.

**SECTION 4.** 23.335 (3) (d) of the statutes is amended to read:

23.335 (3) (d) *Registration; action by department.* Upon receipt of an application for registration of an off-highway motorcycle through an online application system or on a form provided by the department, and the payment of any applicable fees under sub. (4) (d) and of any sales or use taxes that may be due, the department shall issue a registration certificate to the applicant.

**SECTION 5.** 23.335 (3) (e) of the statutes is amended to read:

23.335 (3) (e) *Transfers of registered motorcycles.* Upon transfer of ownership of an off-highway motorcycle that is registered for public or private use, the transferor shall deliver the registration certificate to the transferee at the time of the transfer. The transferee shall complete an application for transfer through an online application system or on a form provided by the department and shall submit the

online application or mail or deliver the paper form to the department within 10 days after the date of the transfer if the transferee intends to operate the off-highway motorcycle off the highways.

**SECTION 6.** 23.335 (4) (e) 1. of the statutes is amended to read:

23.335 (4) (e) 1. If a registration certificate issued under sub. (3) or accompanying decal is lost or destroyed, the holder of the certificate or decal may apply for a duplicate through an online application system or on a form provided by the department. Upon receipt of the application and the fee required under subd. 2., the department shall issue a duplicate certificate or decal to the applicant.

**SECTION 7.** 23.335 (5) (a) of the statutes is amended to read:

23.335 (5) (a) A person who is an off-highway motorcycle dealer shall register with the department and obtain from the department a commercial off-highway motorcycle certificate. Upon receipt of the required fee under par. (e) and an application through an online application system or on a form provided by the department, the department shall issue the applicant a commercial off-highway motorcycle certificate and 3 accompanying decals.

**SECTION 8.** 23.335 (5) (d) of the statutes is amended to read:

23.335 (5) (d) If a certificate or decal that was issued under par. (a) is lost or destroyed, the holder of the certificate or decal may apply for a duplicate through an online application system or on a form provided by the department. Upon receipt of the application and the required fee under par. (e), the department shall issue a duplicate certificate or decal to the applicant.

**SECTION 9.** 350.12 (3) (c) 2. of the statutes is amended to read:

350.12 (3) (c) 2. The fee for issuing or renewing a commercial snowmobile certificate is \$90. Upon receipt of the application through an online application

system or on a form required by the department and the fee required under this subdivision, the department shall issue to the applicant a commercial snowmobile certificate and 3 registration decals. The fee for additional registration decals is \$30 per decal.

**SECTION 10.** 350.12 (3) (d) 1. of the statutes is amended to read:

350.12 (3) (d) 1. Upon receipt of the required fee, a sales report, payment of sales and use taxes due under s. 77.61 (1), and an application through an online application system or on forms prescribed by the department, a temporary operating receipt or a registration certificate and 2 registration decals shall be issued to the applicant using one of the procedures specified in sub. (3h) (ag) 1.

**SECTION 11.** 350.12 (3) (e) of the statutes is amended to read:

350.12 (3) (e) If a registration certificate, registration decal, or commercial snowmobile certificate is lost or destroyed, the holder of the certificate or decal may apply for a duplicate through an online application system or on forms provided for by the department accompanied by a fee of \$5. Upon receipt of a proper application and the required fee, the department or an agent appointed under sub. (3h) (a) 3. shall issue a duplicate certificate, decal, or plate to the applicant.

**SECTION 12.** 350.12 (3h) (ag) 3. of the statutes is created to read:

350.12 (3h) (ag) 3. Under either procedure under subd. 1., an agent may accept an application by facilitating an online application for registration documents.

(END)