



## Legislative Fiscal Bureau

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March 25, 2015

TO: Members  
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Transportation: Section 13.10 Request for Approval of Reciprocal Motor Vehicle Registration Agreements with the Ho-Chunk Nation -- Agenda Item I

### REQUEST

The Department of Transportation requests approval of reciprocal motor vehicle registration agreements under s. 341.409 of the statutes with the Ho-Chunk Nation.

### BACKGROUND

In 1979, citing tribal authority under federal law, the Menominee Indian Tribe began issuing its own license plates to tribal members. A few years later, the State Legislature passed a law officially recognizing Indian tribes' authority to enforce their own registration requirements and authorized the Secretary of the Department of Transportation, with the approval of the Joint Committee on Finance, to enter into reciprocal motor vehicle registration agreements with federally-recognized tribes and bands. Such agreements allow designated classes of vehicles registered with the Indian tribe or band to travel outside of the reservation and within Wisconsin without being registered with the State of Wisconsin. Likewise, similar classes of vehicles registered with the state could travel on the Indian reservation without having to register with the governing Indian tribe or band.

Currently, six of the 11 federally-recognized tribes or bands in Wisconsin have entered into reciprocal registration agreements: the Menominee Indian Tribe, the Oneida Tribe of Indians, and the Bad River, Lac Courte Oreilles, Lac du Flambeau, and Red Cliff bands of Lake Superior Chippewa Indians. Although the Department does not maintain records on the number of vehicles registered by Indian tribes and bands with reciprocal registration agreements, the estimated number of vehicles registered with the tribes and bands for which data is available suggests that the total number of such vehicles is less than 10,000.

## **ANALYSIS**

The Department indicates that the proposed agreements between the state and the Ho-Chunk Nation are substantially similar to the existing reciprocal registration agreements. As with the other agreements, there will be a reduction in transportation fund revenue when the Ho-Chunk Nation begins issuing registration plates, since vehicles displaying those plates will no longer register with the state. According to information provided to the Department by the Ho-Chunk Nation, it is estimated that approximately 630 Ho-Chunk plates could be issued for various types of vehicles, with an associated annual transportation fund revenue loss of \$34,000. This estimate includes all vehicles owned by tribal members living on land held in trust by the federal government, enrolled tribal members living on land from which transfer requires the approval of the federal government, as well as land owned by the Nation. It is unknown how many of these vehicles would actually be registered.

## **CONCLUSION**

Since the state already has reciprocal registration agreements with six other Indian tribes or bands, the Committee's approval of this request would provide similar consideration to the Ho-Chunk Nation.

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