

visions of this act. Except where the context plainly requires a different meaning, the following words and phrases shall have the following meanings:

SECTION 2. Chapter 201, Laws of 1937, Section 1 (4), is amended to read:

(Chapter 201, Laws of 1937) Section 1. (4) "Employe" shall mean any person regularly employed by the county at an annual wage or salary payable at stated intervals, *including any person who is employed by the state but who receives part of his wage or salary from the county*, but shall not include any person in the county service elected by the vote of the people. In the event of a question arising as to the right of any person in the service of the county to be classified as an employe under this act, the decision of the board shall be final.

Approved April 26, 1945.

No. 339, A.]

[Published April 28, 1945.]

### CHAPTER 78.

AN ACT to amend 85.02 (1) (a), (3), (6) and 85.04 (3); to repeal and recreate 85.02 (1) (c); and to create 85.04 (6) of the statutes, relating to registration and fees for motor vehicle dealers, established place of business, cost and use of dealer plates, and sale of used motor vehicles used for public transportation, and providing penalties.

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

SECTION 1. 85.02 (1) (a) of the statutes is amended to read:

85.02 (1) (a) Every dealer, distributor and manufacturer of motor vehicles \* \* \* *as defined in chapter 218.01* shall file a duly acknowledged application for registration with the motor vehicle department, which shall contain the name under which such dealer, distributor or manufacturer is transacting business within this state, the names and addresses of the several persons constituting the firm or partnership and if a corporation the corporate name under which it is authorized to transact business, the names and addresses of its principal officers, resident general agent and attorney in fact and the established place or places of business of such dealer, distributor or manufacturer, *and*

*whether engaged in wholesale or retail selling of automobiles or both, and whenever a new place of business is opened such place of business shall promptly be reported to the motor vehicle department. On receipt of such statement and \$25 to cover the cost of registration and the first set of dealer plates, the motor vehicle department shall issue a certificate of registration to such dealer, distributor or manufacturer which shall be assigned a number.*

SECTION 2. 85.02 (1) (c) of the statutes is repealed and recreated to read:

85.02 (1) (c) The motor vehicle department shall issue a certificate of registration to an applicant for the sale of motor vehicles at retail only if he owns or leases a permanent building wherein there are facilities to display or repair functional and nonfunctional parts of automobiles and where replacement parts, repair tools and equipment to service automobiles are kept, and at which place of business shall be kept and maintained the books, records and files necessary to conduct the business, and such place shall not mean residence, tents or temporary stands. An approved service contract with an established repair shop having the above repair facilities and the requirement for replacement parts, repair tools and equipment to service automobiles shall serve in lieu of an applicant's repair facilities and the requirement for replacement parts, repair tools, and equipment to service automobiles, provided that such service connection is within reasonable distance from the applicant's place of business, and provided further that such service connection guarantees in writing the making of the repairs or replacements ordered by the dealer.

SECTION 3. 85.02 (3) of the statutes is amended to read:

85.02 (3) Beginning July 1, 1931, as to motor trucks, tractor trucks, trailers and semitrailers, and on January 1, 1932, as to other vehicles, every \* \* \* *tow truck, service truck or pickup truck* owned by any dealer, distributor or manufacturer of vehicles required to be registered by this chapter shall be registered in the same manner as other similar vehicles, except \* \* \* *service or pickup trucks actually for sale and incidentally used for business purposes.*

SECTION 4. 85.02 (6) of the statutes is amended to read:

85.02 (6) Number plates shall be furnished by the motor vehicle department at \* \* \* \$25 for the first set of 2 plates and \$1 for each additional set to manufacturers, distributors and dealers whose vehicles are registered in accordance with the provisions of this section. Such plates shall have upon them the registration number assigned to the registered manufacturer, distributor or dealer but with a different symbol upon each set of number plates as a special distinguishing mark and such plates shall be used in lieu of regular plates *for private or business purposes* only on those vehicles actually offered for sale by dealers, distributors or manufacturers or on vehicles while in transit from the factory to a dealer or distributor or while being used for trial tests by manufacturers.

SECTION 5. 85.04 (3) of the statutes is amended to read:

85.04 (3) No person, firm or corporation shall knowingly offer for sale or exchange in this state to any resident thereof any motor vehicle which was previously licensed and used \* \* \* as a taxicab or for public transportation until the certificate of title for such motor vehicle shall have been surrendered to the motor vehicle department and until the motor vehicle department has stamped in a conspicuous place on such certificate of title the words "This motor vehicle has previously been used as a taxicab or for public transportation". \* \* \*

SECTION 6. 85.04 (6) of the statutes is created to read:

85.04 (6) If any part of this section or of sections 85.02 or 85.025 shall be held unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of these sections.

Approved April 26, 1945.