



2009 ASSEMBLY BILL 433

September 23, 2009 - Introduced by Representatives FRISKE, BARCA, RIPP, SPANBAUER, BROOKS, HRAYCHUCK, JORGENSEN, CLARK, BIES, GUNDERSON, LEMAHIEU, MEYER, PETERSEN, SUDER and TOWNSEND, cosponsored by Senators HANSEN, A. LASEE, SCHULTZ and GROTHMAN. Referred to Committee on Veterans and Military Affairs.

1 **AN ACT to amend** 25.40 (1) (a) 3., 84.59 (2) (b) and 341.145 (3); and **to create**
2 341.26 (8) of the statutes; **relating to:** registration fees for certain motor
3 vehicles issued special registration plates.

Analysis by the Legislative Reference Bureau

Under current law, any group or organization may apply to the Department of Transportation for designation as an authorized special group. If the application is approved, members of the authorized special group may obtain special distinguishing registration plates for certain vehicles, including automobiles and motor homes, that are owned or leased by special group members. A fee, in addition to the regular registration fee for the particular kind of vehicle, is charged for the issuance or reissuance of most special plates.

Current law recognizes as an authorized special group persons who have had an immediate family member die while serving in the U.S. armed forces, or in forces incorporated as part of the U.S. armed forces, if the immediate family member is eligible for a gold star lapel button under federal law. "Immediate family member" includes a spouse, grandparent, parent, sibling, child, and others. These persons may obtain special plates displaying a gold star flag (gold star plates). Unlike most special plates, these gold star plates are not subject to any additional fee for their issuance or reissuance. However, the vehicle owner or lessee is required to pay the regular registration fee and, if the plates are personalized, any additional fee for having the plates personalized.

This bill establishes a special registration fee for vehicles issued gold star plates if registered by the deceased service member's spouse or parent. The bill provides

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an initial registration fee for these vehicles that is generally the regular registration fee that would ordinarily apply for the same vehicle type, but then exempts the vehicle from all registration renewal fees thereafter. A vehicle owner may register only one vehicle at this special registration fee. The bill does not affect the applicable fee for personalizing gold star plates.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 25.40 (1) (a) 3. of the statutes, as affected by 2009 Wisconsin Act 28,
2 section 669, is amended to read:

3 25.40 (1) (a) 3. Revenues collected under ss. 341.09 (2) (d), (2m) (a) 1., (4), and
4 (7), 341.14 (2), (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1)
5 (a) and (b), (2), and (2m), 341.17 (8), 341.19 (1) (a), 341.25, 341.255 (1), (2) (a), (b), and
6 (c), and (5), 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), ~~and (7), and (8) (a),~~
7 341.264 (1), 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.30 (3),
8 341.305 (3), 341.308 (3), 341.36 (1) and (1m), 341.51 (2), and 342.14, except s. 342.14
9 (1r), that are pledged to any fund created under s. 84.59 (2).

10 **SECTION 2.** 84.59 (2) (b) of the statutes, as affected by 2009 Wisconsin Act 28,
11 section 1927, is amended to read:

12 84.59 (2) (b) The department may, under s. 18.562, deposit in a separate and
13 distinct special fund outside the state treasury, in an account maintained by a
14 trustee, revenues derived under ss. 341.09 (2) (d), (2m) (a) 1., (4), and (7), 341.14 (2),
15 (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a) and (b), (2),
16 and (2m), 341.17 (8), 341.19 (1) (a), 341.25, 341.255 (1), (2) (a), (b), and (c), and (5),
17 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), ~~and (7), and (8) (a),~~ 341.264 (1),
18 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.30 (3), 341.305 (3),

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1 341.308 (3), 341.36 (1) and (1m), 341.51 (2), and 342.14, except s. 342.14 (1r), and
2 from any payments received with respect to agreements or ancillary arrangements
3 entered into under s. 18.55 (6) with respect to revenue obligations issued under this
4 section. The revenues deposited are the trustee's revenues in accordance with the
5 agreement between this state and the trustee or in accordance with the resolution
6 pledging the revenues to the repayment of revenue obligations issued under this
7 section. Revenue obligations issued for the purposes specified in sub. (1) and for the
8 repayment of which revenues are deposited under this paragraph are special fund
9 obligations, as defined in s. 18.52 (7), issued for special fund programs, as defined in
10 s. 18.52 (8).

11 **SECTION 3.** 341.145 (3) of the statutes is amended to read:

12 341.145 (3) In addition to the regular application fee provided under s. 341.25
13 (1) (a), (c), or (j) or (2) or 341.26 (3) (a) 2. or (am) or (8) (a), the applicant for a
14 personalized registration plate issued on an annual basis shall pay a fee of \$15 for
15 the issuance of the plate and \$15 in each succeeding year to maintain the plate. In
16 addition to the regular application fee provided under s. 341.25 (1) (b) or 341.26 (3)
17 (a) 1. or (8) (a), the applicant for a personalized registration plate issued on a biennial
18 basis shall pay a fee of \$30 for issuance of the plate if the plate is issued during the
19 first year of the biennial registration period or \$15 for issuance of the plate if the plate
20 is issued during the 2nd year of the biennial registration period. The fee to maintain
21 a personalized plate issued on a biennial basis is \$30. The fee for reissuance of a
22 personalized plate shall be \$15 for an annual registration and \$30 for a biennial
23 registration. An applicant for personalized plates issued under sub. (1) (b) or (c) shall
24 not be required to pay the fee for initial issuance of the plates.

25 **SECTION 4.** 341.26 (8) of the statutes is created to read:

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1 341.26 (8) CERTAIN VEHICLES DISPLAYING GOLD STAR FLAG SPECIAL PLATES. (a)
2 Subject to par. (b), the fee for original registration of a vehicle that is issued special
3 group registration plates under s. 341.14 (6r) (f) 19m. and that is registered by the
4 deceased service member's spouse or parent shall be the regular annual fee under
5 s. 341.25 or the regular biennial fee under s. 341.26 for the type of vehicle, except that
6 the fee for a vehicle that has a gross weight of more than 8,000 pounds may be no
7 more than the annual or biennial fee for a similar vehicle that has a gross weight of
8 not more than 8,000 pounds. No fee may be charged for each renewal of registration
9 of the vehicle.

10 (b) A vehicle owner may register only one vehicle at the special registration fee
11 specified in par. (a). The vehicle owner shall register any additional vehicles at the
12 vehicle's regular registration fee. For purposes of this paragraph, if a vehicle is
13 owned by 2 or more persons and the vehicle is registered at the special registration
14 fee specified in par. (a), none of the vehicle's owners may register additional vehicles
15 at the special registration fee specified in par. (a).

16 **SECTION 5. Nonstatutory provisions.**

17 (1) Subject to section 341.26 (8) (b) of the statutes, as created by this act, any
18 individual who is the owner of a vehicle for which, on the effective date of this
19 subsection, the vehicle's current registration requires the vehicle to display special
20 group registration plates issued under section 341.14 (6r) (f) 19m. of the statutes and
21 who is the deceased service member's spouse or parent may, at the time for renewal
22 of registration of the vehicle, treat the application for renewal of registration as an
23 application for original registration for purposes of section 341.26 (8) of the statutes,
24 as created by this act, pay the fee specified in section 341.26 (8) (a) of the statutes,

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1 as created by this act, and thereafter not be subject to any fee for renewal of
2 registration of the vehicle.

3 **SECTION 6. Initial applicability.**

4 (1) This act first applies to applications for vehicle registration received by the
5 department of transportation on the effective date of this subsection.

6 **SECTION 7. Effective date.**

7 (1) This act takes effect on the first day of the 4th month beginning after
8 publication.

9 (END)