

## WISCONSIN LEGISLATIVE COUNCIL STAFF

LCRC  
FORM 2**RULES CLEARINGHOUSE**

**Ronald Sklansky**  
Director  
(608) 266-1946

**Richard Sweet**  
Assistant Director  
(608) 266-2982



**Terry C. Anderson, Director**  
Legislative Council Staff  
(608) 266-1304

One E. Main St., Ste. 401  
P.O. Box 2536  
Madison, WI 53701-2536  
FAX: (608) 266-3830

---

**CLEARINGHOUSE REPORT TO AGENCY**

---

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

**CLEARINGHOUSE RULE 00-122**

AN ORDER to create Trans 158, relating to placement of Wisconsin-issued motor vehicle identification numbers (VINs).

Submitted by **DEPARTMENT OF TRANSPORTATION**

08-15-00 RECEIVED BY LEGISLATIVE COUNCIL.

09-08-00 REPORT SENT TO AGENCY.

RNS:REL;jal;rv

**LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT**

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached      YES       NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached      YES       NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached      YES       NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS [s. 227.15 (2) (e)]

Comment Attached      YES       NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached      YES       NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REGULATIONS [s. 227.15 (2) (g)]

Comment Attached      YES       NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached      YES       NO

# WISCONSIN LEGISLATIVE COUNCIL STAFF

## RULES CLEARINGHOUSE

Ronald Sklansky  
Director  
(608) 266-1946

Richard Sweet  
Assistant Director  
(608) 266-2982



Terry C. Anderson  
Director  
Legislative Council Staff  
(608) 266-1304

One E. Main St., Ste. 401  
P.O. Box 2536  
Madison, WI 53701-2536  
FAX: (608) 266-3830

## CLEARINGHOUSE RULE 00-122

### Comments

**[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]**

#### 1. Statutory Authority

Section 342.30 (2), Stats., provides that "an identification number assigned by the department to a vehicle shall be permanently affixed to a location on the vehicle that is readily visible when observed from outside the vehicle, as specified by the department." However, s. Trans 158.04 (1) and (2) simply provide that ". . . the VIN plate shall be attached to a location on the vehicle as directed by the department." As a partial explanation, the first note under s. Trans 158.04 states that "the Department will direct specific location on the vehicle to which the VIN plate is to be attached by way of installation instructions in Form MV2048, which the Department will include with every Wisconsin-issued VIN." It is understandable that the department would not want to list in the rule where to install a vehicle identification number (VIN) plate on every make of vehicle, recreational vehicle, trailer and semi-trailer; however, the department is directed by statute to specify the VIN location in the rule. If the department does not wish to include the VIN location for every make of vehicle in the rule, perhaps it should request a statutory change.

#### 2. Form, Style and Placement in Administrative Code

a. In s. Trans 158.03 (intro.), "all of the following" should be inserted before the colon. [See s. 1.03 (8), Manual.]

b. The second note under s. Trans 158.04 states that “the department-issued sticker is to be readily visible and readable from the outside of the vehicle and will identify the specific location of the Wisconsin-issued VIN plate on the vehicle.” This information is substantive in nature and should be included in the text of the rule. [See s. 1.09 (1), Manual.]

**5. Clarity, Grammar, Punctuation and Use of Plain Language**

a. In s. Trans 158.04 (2), it appears that a phrase such as “with the” should be inserted before “wording.” In sub. (3), “shall be” should replace “is.”

b. The second note included in s. Trans 158.04 refers to a “department-issued sticker.” Will the department include the sticker with every Wisconsin-issued VIN?

c. Section Trans 158.03 provides that the official Wisconsin VIN consists of: (1) “Department-issued VIN plate with the VIN stamped on it”; and (2) “Department-issued rivets with which to attach the VIN plate to the vehicle.” However, s. Trans 158.04 (3) provides that “For motorcycles only, as specified in s. 342.30 (2), Stats., the Wisconsin-issued VIN is stamped on the left side, near the top of the engine casting just below the cylinder barrel.” Should the description of the official Wisconsin-issued VIN in s. Trans 158.03 include the “stamp” used only on motorcycles?

The Wisconsin Department of Transportation proposes an order to create TRANS 158, Wisconsin Administrative Code, relating to placement of Wisconsin-issued Motor Vehicle Identification numbers (VINs)

**NOTICE OF INTENT TO ADOPT RULE  
WITHOUT PUBLIC HEARING  
AND  
TEXT OF PROPOSED RULE**

NOTICE IS HEREBY GIVEN that pursuant to the authority of s. 342.30(2), and 227.11, Stats., and according to the procedure set forth in s. 227.16(2)(b), Stats., the Wisconsin Department of Transportation will adopt the following rule creating ch. Trans 158, relating to placement of Wisconsin-issued vehicle identification numbers, without public hearing.

Questions about this rule may be addressed to Carson Frazier, Division of Motor Vehicles, Bureau of Vehicle Services, Room 253, P. O. Box 7911, Madison, Wisconsin 53707-7911, telephone (608) 266-7857.

---

**Analysis Prepared by the Wisconsin Department of Transportation**

**STATUTORY AUTHORITY:** s. 342.30(2), Stats.

**STATUTES INTERPRETED:** s. 342.30(2), Stats.

**General Summary of Proposed Rule.** This rule making creates ch. Trans 158 which specifies the location where a Wisconsin-issued Vehicle Identification Number (VIN) should be placed upon a vehicle. The Department is directed by 1999 Wis. Act 80 to promulgate this rule.

**Fiscal Impact.** The Department estimates that there will be no fiscal impact on the liabilities or revenues of any county, city, village, town, school district, vocational, technical and adult education district or sewerage district, or any federally-recognized tribes or bands. The Department estimates that there will be no fiscal impact on state revenues or liabilities.

**Initial Regulatory Flexibility Analysis.** This proposed rule will have no adverse impact on small businesses.

**Copies of Rule.** Copies of the proposed rule may be obtained, without cost, by writing to Carson Frazier, Division of Motor Vehicles, Bureau of Vehicle Services, Room 253, P. O. Box 7911, Madison, Wisconsin 53707-7911, or by calling (608) 266-7857. Alternative formats of the proposed rule will be provided to individuals at their request.

---

### TEXT OF PROPOSED RULE

Under the authority vested in the state of Wisconsin, department of transportation, by s. 342.30(2), Stats., the department of transportation hereby proposes to create a rule interpreting s. 342.30(2), Stats., relating to placement of Wisconsin-issued vehicle identification numbers (VINS).

**SECTION 1.** Chapter Trans 158 is created to read:

#### CHAPTER TRANS 158

#### PLACEMENT OF WISCONSIN-ISSUED VINS

**Trans 158.01 Purpose.** The purpose of this chapter is to interpret and administer s. 342.30(2), Stats., relating to the placement of Wisconsin-issued vehicle identification numbers.

**Trans 158.02 Definitions.** The words and phrases defined in s. 340.01, Stats., have the same meaning in this chapter unless a different definition is specifically provided. In this chapter, "VIN" means vehicle identification number.

**Trans 158.03 Wisconsin-issued VINs.** The official Wisconsin-issued VIN consists of:

- (1) Department-issued VIN plate with the VIN stamped on it.
- (2) Department-issued rivets with which to attach the VIN plate to the vehicle.

**Trans 158.04 Placement of the Wisconsin-issued VIN.** (1) For recreational vehicles, trailers and semi-trailers, the VIN plate shall be attached to a location on the vehicle as directed by the department.

(2) For all other motor vehicles except motorcycles, the VIN plate shall be attached to a location on the vehicle as directed by the department, and a department-issued sticker shall be placed on the inside of the front windshield at the driver's side lower left of the windshield adjacent to the front pillar, wording of the sticker to be readable from the outside of the vehicle, as directed by the department.

**NOTE:** For subs. (1) and (2), the Department will direct specific location on the vehicle to which the VIN plate is to be attached by way of installation instructions in Form MV2048, which the Department will include with every Wisconsin-issued VIN.

**NOTE:** For sub. (2), the Department-issued sticker is to be readily visible and readable from the outside of the vehicle and will identify the specific location of the Wisconsin-issued VIN plate on the vehicle.

(3) For motorcycles only, as specified in s. 342.30(2), Stats., the Wisconsin-issued VIN is stamped on the left side, near the top of the engine casting just below the cylinder barrel.

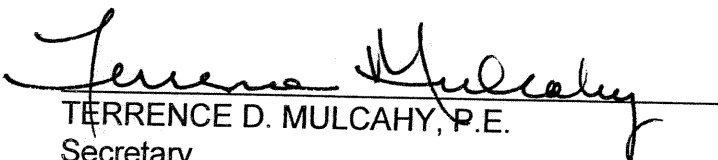
---

(END OF RULE TEXT)

---

**Effective Date.** This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Signed at Madison, Wisconsin, this 14 day of August, 2000.

  
TERRENCE D. MULCAHY, P.E.  
Secretary  
Wisconsin Department of Transportation



AUG 16 2000

## Wisconsin Department of Transportation

www.dot.state.wi.us

Tommy G. Thompson  
Governor

Terrence D. Mulcahy, P.E.  
Secretary

Office of General Counsel  
4802 Sheboygan Ave., Rm. 115B  
P.O. Box 7910  
Madison, WI 53707-7910

Telephone: 608-266-8810  
FAX: 608-267-6734  
E-Mail: ogc.exec@dot.state.wi.us

August 14, 2000

The Honorable Judy Robson  
Senate Chairman  
Joint Committee for Review  
of Administrative Rules  
Room 15 South, State Capitol  
Madison, Wisconsin 53702

The Honorable Glenn Grothman  
Assembly Chairman  
Joint Committee for Review  
of Administrative Rules  
Room 15 North, State Capitol  
Madison, Wisconsin 53702

RE: **NOTICE OF INTENT TO ADOPT RULE WITHOUT PUBLIC HEARING** and Text  
of Proposed Rule, relating to **placement of Wisconsin-issued Motor Vehicle  
Identification Numbers (VINS)**, Trans 158

Dear Senator Robson and Representative Grothman:

Enclosed for your information is a Notice of Intent to Adopt Rule Without Public Hearing and Text of Proposed Rule making relating to the above-entitled matter. This document has also been filed with the Legislative Council and with the Revisor of Statutes in accordance with the requirements of ss. 227.15(1) and 227.16(2)(b), Stats.

Sincerely,

A handwritten signature in cursive script that reads "Julie A. Johnson".

Julie A. Johnson  
Paralegal

Enclosure

cc: Alice Morehouse/Mike Goetzman/Roger D. Cross/Carson Frazier





JUN 29 2000

## Wisconsin Department of Transportation

www.dot.state.wi.us

Tommy G. Thompson  
Governor

Terrence D. Mulcahy, P.E.  
Secretary

Office of General Counsel  
4802 Sheboygan Ave., Rm. 115B  
P.O. Box 7910  
Madison, WI 53707-7910

Telephone: 608-266-8810  
FAX: 608-267-6734  
E-Mail: ogc.exec@dot.state.wi.us

June 28, 2000

Mr. Gary L. Poulson, Deputy Revisor  
Revisor of Statutes Bureau  
131 West Wilson Street  
Suite 800  
Madison, Wisconsin 53703

RE: **STATEMENT OF SCOPE OF PROPOSED RULEMAKING, TRANS 158**

Dear Mr. Poulson:

Enclosed is the Statement of Scope for the proposed amendment of ch. Trans 158. Please publish the Scope Statement in accordance with § 227.135(3), Stats., in the Administrative Register.

Sincerely,

A handwritten signature in cursive script, appearing to read "Julie A. Johnson".

Julie A. Johnson  
Paralegal

Enclosures

cc: Richard G. Chandler/DOA State Budget Director  
Senator Judy Robson, Co-Chair/JCRAR  
Representative Glenn Grothman, Co-Chair/JCRAR  
Alice Morehouse  
Mike Goetzman  
Roger D. Cross  
Carson Frazier

## STATEMENT OF SCOPE

### *DESCRIPTION OF THE OBJECTIVE OF THE RULE.*

This rule making creates ch. Trans 158 which specifies the location where a Wisconsin-issued Vehicle Identification Number (VIN) should be placed upon a vehicle. DOT is directed by 1999 Wis. Act 80 to promulgate this rule.

### *DESCRIPTION OF EXISTING POLICIES RELEVANT TO THE RULE AND OF NEW POLICIES PROPOSED TO BE INCLUDED IN THE RULE AND AN ANALYSIS OF POLICY ALTERNATIVES:*

For certain situations, if a vehicle does not have a manufacturer's VIN, Wisconsin will issue a VIN for the vehicle. To meet the statutory requirement of s. 342.30(2), Stats., DOT currently, by policy, specifies where on the vehicle that VIN should be placed.

### *STATUTORY AUTHORITY FOR THE RULE.*

s. 342.30(2), Stats.

### *ESTIMATES OF THE AMOUNT OF TIME THAT STATE EMPLOYEES WILL SPEND DEVELOPING THE RULE AND OF OTHER RESOURCES NECESSARY TO DEVELOP THE RULE:*

100 hours.

Signed at Madison, Wisconsin, this 22<sup>nd</sup> day  
of June, 2000.



for  
TERRENCE D. MULCAHY, P.E.  
Secretary  
Wisconsin Department of Transportation