

CR 85-148

CERTIFICATE

RECEIVED

JAN 24 1986  
9:15 am  
Revisor of Statutes  
Bureau

State of Wisconsin )  
 ) ss.  
Department of Transportation )

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Lowell B. Jackson, P.E. Secretary of the Wisconsin Department of Transportation and custodian of the official records of the Department, do hereby certify that the annexed emergency rule relating to establishing a telephone call-in procedure to authorize the operation of vehicles on Wisconsin highways was duly approved and adopted by this Department of January 23rd 1986.

I further certify that the annexed copy has been compared by me with the original on file in this Department and that the same is a true copy thereof and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Transportation, in the City of Madison, WI, this 23rd day of January, 1986.



*Lowell B. Jackson*  
Lowell B. Jackson, P.E., Secretary  
Wisconsin Department of Transportation

STATE OF WISCONSIN  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY

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AN ORDER of the Department of Transportation creating CHAPTER TRANS 133,  
Wisconsin Administrative Code, relating to establishing a telephone  
call-in procedure to authorize the operation of vehicles on Wisconsin  
highways.

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CR 85-148

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Analysis Prepared by Department of Transportation

GENERAL SUMMARY OF RULE

Section 341.18, Stats., created by 1983 Wisconsin Act 469, states that a vehicle registered under the quarterly registration system in s. 341.30, Stats., or the consecutive monthly registration system in s. 341.305, Stats., may not be operated on the highway without displaying acceptable evidence of registration on or in the vehicle. Vehicles eligible for quarterly or consecutive monthly registration, include motor trucks or truck tractors and certain other vehicles registering at gross weights in excess of 8,000 pounds.

In order to minimize problems associated with emergency situations in which an applicant has an immediate need to place an unregistered or newly acquired vehicle into service, s. 341.19, Stats., empowers the department to establish a telephone call-in procedure that will allow the applicant to operate on Wisconsin highways without displaying evidence of registration as required by s. 341.18, Stats. In effect, such applicants will not be required to appear personally at one of the Department registration offices prior to operating a vehicle.

This rule promulgates the various policies and procedures of the telephone authorization program in accordance with s. 341.19, Stats. It contains the following key provisions:

1. TRANS 133.02(3) defines the term "telephone authorization" as the approval, granted by the department to the owner or lessee of a vehicle to operate on Wisconsin highways, without displaying evidence of registration as required by s. 341.18, Stats.
2. TRANS 133.03 establishes the acceptable evidence of registration to be displayed on or in the vehicle.

3. TRANS 133.04 provides the applicant with information regarding the telephone call-in procedure. This section includes the department's hours of service, explains the information required for the telephone authorization process and prescribes that any registration application forms normally used to obtain a registration are to be submitted to the Department in order to complete the telephone authorization process.
4. TRANS 133.05 explains when the department will require the applicant to use an authorization code in order to acquire a telephone authorization. Authorization codes are intended to assist the applicant and the Department in reviewing questions of liability for telephone authorization fees.
5. TRANS 133.06 refers to the costs of the telephone call-in procedure. This section establishes how those costs will be calculated and describes the applicant's responsibility to pay these fees.
6. TRANS 133.09 explains the conditions under which the department will refuse to grant telephone authorizations. It restates previous requirements set out in both the statutes and administrative rules and warns the applicant of continued responsibilities in meeting prerequisites to registration of a vehicle.
7. TRANS 133.13 clarifies when an applicant shall be exempt from registration fees following periods of non-use and provides that the Department's interpretation of minimum periods of non-use shall be based on the applicant's previous type of registration.

AUTHORITY FOR RULE

Section 341.19 and 227.014, Stats.

FORMS

There are no new forms created by this rule.

FISCAL ESTIMATE

See the attached fiscal estimate for an explanation of the effect Chapter Trans 133 has on the Transportation Fund.

INITIAL REGULATORY FLEXIBILITY ANALYSIS

This rule should not have a significant economic impact on small businesses. There are no new forms or any special reports required of these applicants for a telephone authorized approval to operate a vehicle on Wisconsin highways. Only those applicants that do utilize the telephone authorization system will be assessed the \$10.00 fee for this service.

Person to contact for further information is Carl Johnson at (608) 266-2235.

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ORDER ADOPTING RULE

Pursuant to the authority vested in the Wisconsin Department of Transportation by ss. 227.014 and 341.19, Stats., the Department of Transportation hereby adopts chapter TRANS 133 as follows:

SECTION 1. Chapter Trans 133 is created to read:

CHAPTER TRANS 133

TELEPHONE AUTHORIZATION FOR QUARTERLY OR  
CONSECUTIVE MONTHLY REGISTRATIONS

Trans 133.01 PURPOSE AND SCOPE. (1) STATUTORY AUTHORITY. As authorized by ss. 227.014 and 341.19, Stats., the purpose of this chapter is to establish the department of transportation's administrative interpretation of ss. 341.19 and 341.195, Stats., relating to the telephone call-in procedure to authorize the operation of vehicles and the suspension of vehicle registrations as a result of unpaid fees.

(2) APPLICABILITY. This chapter applies to any person registering vehicles, under the quarterly registration system or consecutive monthly registration system, as provided in ss. 341.30 and 341.305, Stats., using the telephone call-in authorization procedure.

[NOTE: Owners of motor trucks or truck tractors, and certain other vehicles, registering at gross weights in excess of 8,000 pounds may select a quarterly registration option. If those vehicles are involved in specific types of operations the owner may choose a consecutive monthly registration.]

Trans 133.02 DEFINITIONS. Words and phrases defined in ch. 340, Stats., have the same meaning in this chapter unless a different definition is specified. In this chapter:

(1) "Applicant" means any vehicle owner or lessee who is required to apply for Wisconsin vehicle registration.

(2) "Authorization code" means the six letter or numeric configuration issued by the department to an applicant for purposes of identification and used by an applicant during the telephone call-in procedure.

(3) "Department" means the Wisconsin department of transportation.

(4) "Telephone authorization" means the approval granted to the registered owner or lessee of a vehicle, through the department's telephone call-in procedure, to operate on Wisconsin highways, without displaying evidence of registration as required by s. 341.18, Stats. and described in s. Trans 133.03.

Trans 133.03 EVIDENCE OF REGISTRATION. In accordance with s. 341.18, Stats., acceptable evidence of registration displayed on or in the vehicle shall be one of the following:

(1) A certificate of registration, a registration plate, and year tag for the current registration period; or

(2) A copy of the application for registration and title completed by a Wisconsin licensed motor vehicle dealer; or,

(3) A receipt for registration issued by the department.

Trans 133.04 TELEPHONE APPLICATION REQUIREMENTS. (1) DEPARTMENT SERVICE SCHEDULE. Requests for telephone authorizations will be accepted by the department between 7:30 a.m. and 4:00 p.m. Monday through Friday except on New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas Eve Day, Christmas Day, and New Year's Eve Day, and any other holiday when state offices are closed. When any of the named holidays falls on Sunday and is celebrated on the following Monday, applications will not be accepted on the day celebrated as the holiday.

(2) INFORMATION REQUIRED FOR TELEPHONE AUTHORIZATION. Every applicant seeking a telephone authorization shall provide the department with an adequate description of the vehicle, and any other information which the department may reasonably require, including:

1. The name and address of the applicant;
2. The type of vehicle;
3. The make of the vehicle;
4. The model year of the vehicle;
5. The vehicle identification number, license plate number or the title number of the vehicle;
6. The gross weight;
7. The period and type of registration being requested; and
8. The authorization code, when one has been assigned to the applicant.

(3) APPLICATION FOR REGISTRATION. A telephone authorization shall not relieve the owner or lessee of the vehicle from compliance with the registration application requirements as defined in s. 341.08(1), (2), (3) and (4), Stats.

[NOTE: Form MV-1, application for title and registration and forms MV2 and 3, registration renewal forms.]

(4) TYPE OF REGISTRATION. (a) Applicants may utilize the telephone call-in procedure to obtain a telephone authorization for a vehicle subject to renewal of registration provided the contact is received by the department after the 15th day of the month preceding the beginning of the new period of registration.

(b) Applicants may utilize the telephone call-in procedure to apply for telephone authorization on an original registration, a reregistration, or a transfer of ownership involving registration of a vehicle.

(5) INTRASTATE OPERATIONS. The department will accept a request for a telephone authorization from an applicant provided the vehicle is operated intrastate under quarterly or consecutive monthly registration as described in ss. 341.30 and 341.305, Stats., and not for any vehicle operated in interstate or foreign commerce as defined in s. 194.03, Stats.

(6) MULTIPLE TELEPHONE REQUESTS. The department may decline to accept requests for more than 2 telephone authorizations during a single telephone call.

[NOTE: This provision is intended to allow the department to free its telephone lines for use by other applicants during periods of high workloads. If the workload is low, additional requests may be accepted.]

(7) TELEPHONE COSTS. It is the responsibility of the applicant to pay for all telephone calls to the department to obtain or to cancel a telephone authorization.

[NOTE: Initially, telephone calls to the department shall be tape-recorded. If the department is able to resolve questions concerning an applicant's liability for telephone authorization fees without using tape recordings, then the department shall discontinue recording telephone calls.]

Trans 133.05 AUTHORIZATION CODE. (1) GENERAL. The department may require that an applicant for a telephone authorization use an authorization code during the telephone call-in procedure.

(2) WHEN AUTHORIZATION CODE ISSUED. The department shall issue an authorization code under the following conditions:

(a) Whenever the applicant requests a code;

(b) Whenever the applicant refuses to be held responsible for payment of fees for a telephone authorization issued by the department to the applicant; or

(c) Whenever the department may reasonably require that an applicant use an authorization code.

(3) CONTENT. The authorization code shall consist of any combination of six letters or numerals, or both as determined by the department.

(4) CHANGING AUTHORIZATION CODES. The applicant may request a change of the authorization code at any time by notifying the department in writing that the current authorization code should be cancelled and another code assigned under this section.

Trans 133.06 COST OF THE TELEPHONE CALL-IN PROCEDURE. (1) GENERAL. In accordance with s. 341.19(1), Stats., the department shall charge the cost for a telephone authorization to those applicants utilizing the telephone call-in procedure.

(2) FEE. (a) The fee, as authorized by s. 341.19(1)(a), Stats., is the lesser of \$10.00 per vehicle or the actual cost of the telephone authorization, per vehicle, as determined by the department.

(b) The department shall establish the rate of payment for each telephone authorization based on the following factors:

1. The estimated annual volume of telephone contacts that will be received by the department; and

2. The estimated costs of operation, including employee salaries and fringe benefits, office space, office supplies and equipment, postage, "computer charges, forms and other necessary expenses.

(c) The department shall begin the program by charging \$10.00. Annual reviews of the rate of payment will start on April 1, 1987, and the cost, if calculated to be less than \$10.00 for each telephone authorization, shall become effective 90 days after the annual review date.

(3) ASSESSING LATE PAYMENT FEES. A late payment fee of \$5.00 per vehicle as described in s. 341.19(1)(b), Stats., shall be assessed when the applicant fails to submit to the department all telephone call-in procedure



fees within 21 days from the date listed on the department's invoice to the applicant.

(4) TELEPHONE AUTHORIZATION CANCELLATION FEE. As authorized by s. 341.19(2)(c), when the applicant requests the department to cancel a telephone authorization, the department shall charge the applicant, the lesser of \$10.00 per vehicle or the actual cost of the cancellation procedure, as determined by the department.

(5) ANNUAL REVIEW. The department shall review the fee for cancelling a telephone authorization as described in sub. (2)(c).

(6) RENEWAL APPLICATIONS. If an applicant complies with s. 341.185(1)(b), Stats., and does not receive evidence of registration before the beginning of the registration period, the applicant may, before the beginning of the registration period, utilize the telephone authorization procedure without being assessed the fee provided for in sub. (2). If the renewal application is incomplete and prevents the department from sending evidence of registration to the applicant for display prior to the beginning of the registration period, the applicant shall be subject to the telephone authorization fees as provided in this section.

Trans 133.07 INVOICES. (1) SCHEDULE. The department shall mail a monthly invoice to any applicant that owes telephone authorization fees, late payment fees or cancellation fees as described in s. Trans 133.06.

(2) CONTENT OF INVOICES. Each invoice shall include:

- (a) The date of each transaction;
- (b) The department invoice date;
- (c) The license plate number, if known;
- (d) The model year, make and identification number of each vehicle;

(e) The type of fee and amount payable to the department for each telephone authorization; and

(f) The total amount payable to the department.

Trans 133.08 CANCELLATION OF TELEPHONE AUTHORIZATION. A telephone authorization may be cancelled providing the applicant requests the cancellation by telephone and the registration period for which the vehicle has been granted approval to operate has not commenced. Cancellation fees will be assessed as described in s. Trans 133.06(4).

Trans 133.09 GROUNDS FOR REFUSING TO GRANT A TELEPHONE AUTHORIZATION. Notwithstanding the requirements of this chapter, the department shall refuse to grant a telephone authorization whenever the applicant's vehicle is exempt from registration as described in s. 341.05, Stats., or is not otherwise eligible for registration as specified in s. 341.10, Stats., or is subject to, and has failed to comply with the following provisions:

(1) Motor carrier insurance certificate requirements under Chapter Trans 176;

(2) Private motor carrier lease requirements under Chapter MVD12;

(3) The authorization code requirements as specified in s. Trans 133.05;

(4) Vehicle suspension requirements as described in s. Trans 133.10;

(5) Traffic violation and registration program requirements under Chapter Trans 128; and

(6) Registration suspensions as specified in s. 341.63, Stats.

Trans 133.10 ACTION RESULTING FROM UNPAID TELEPHONE AUTHORIZATION

FEEES. (1) SUSPENSION OF VEHICLE REGISTRATION. Failure to comply with any fee provision in this chapter shall result in the suspension of registration on each vehicle owned or leased by the applicant as required by s. 341.195, Stats.

(2) LENGTH OF SUSPENSION. The suspension shall continue until the department receives payment of all fees due under this chapter.

Trans 133.11 APPLICATION FOR REGISTRATION. Nothing in this chapter shall be construed to relieve the applicant for a telephone authorization from submitting for receipt by the department a complete application for registration, including the registration fee required under ss. 341.30 or 341.305, Stats., within 72 hours from the date the department granted a telephone authorization.

Trans 133.12 GENERAL CONDITIONS OF TELEPHONE AUTHORIZATIONS.

Telephone authorizations granted pursuant to this chapter do not relieve the applicant from compliance with the provisions of the statutes, valid ordinances, and rules and regulations of any state agency or subdivision of the state, except to the extent that such statutes, ordinances and rules and regulations are modified by the provisions of this chapter.

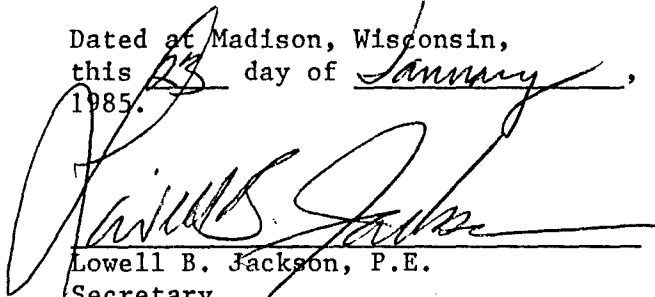
Trans 133.13 PERIODS OF NON-USE. When a vehicle was last registered under s. 341.305, Stats., the applicant shall be exempt from the payment of fees for any full calendar month in which the vehicle was not used, as described in s. 341.305(3), Stats. When a vehicle was last registered under s. 341.30, Stats., the applicant shall be exempt from the payment of fees for any full calendar quarters in which the vehicle was not operated, as described in s. 341.30(3), Stats.

(END)

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This rule shall take effect on the first day of the month following publication as provided in s. 227.026(1), (intro.) Stats.

Dated at Madison, Wisconsin,  
this 23 day of January,  
1985.

  
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Lowell B. Jackson, P.E.  
Secretary  
Wis. Department of Transportation

ORIGINAL       UPDATED  
 CORRECTED       SUPPLEMENTAL

Subject  
**TRANS 133 TELEPHONE AUTHORIZATION FOR QUARTERLY OR CONSECUTIVE MONTHLY REGISTRATIONS**

Fiscal Effect  
State:  No State Fiscal Effect  
Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.  
 Increase Existing Appropriation       Increase Existing Revenues  
 Decrease Existing Appropriation       Decrease Existing Revenues  
 Create New Appropriation  
 Increase Costs - May Be Possible to Absorb Within Agency's Budget       Yes       No  
 Decrease Costs

Local:  No local government costs

1.  Increase Costs  
 Permissive       Mandatory  
2.  Decrease Costs  
 Permissive       Mandatory

3.  Increase Revenues  
 Permissive       Mandatory  
4.  Decrease Revenues  
 Permissive       Mandatory

5. Types of Local Governmental Units Affected:  
 Towns       Villages       Cities  
 Counties       Others \_\_\_\_\_

Fund Sources Affected  
 GPR       FED       PRO       PRS       SEG       SEG-S

Affected Ch. 20 Appropriations  
**20.395(5)(cq)**

Assumptions Used in Arriving at Fiscal Estimate

CONCLUSION:

This rule allows the department to establish a telephone call-in procedure to authorize the operation of vehicles registering under the quarterly registration system in s. 341.30 or consecutive monthly registration system in s. 341.305.

The net annualized fiscal impact of this procedure will result in projected net decrease to the Transportation Fund of \$(-) 300. One time program development costs will be \$50,000.

This fiscal impact is a result of s. 341.19, Stats., created by 1983 Wisconsin Act 469, and not an effect of chapter TRANS 133

BASIS FOR CONCLUSION

1. The special handling activities inherent in the telephone call-in procedure will impact department processing units, increase correspondence activities, research and inquiry functions, and fiscal services cash management control systems. Based on those registration activities, 3.5 additional positions were approved by 1983 Wisconsin Act 469. Total annual salaries and fringe benefits for these positions equals \$61,300. Annual supplies and materials will cost \$29,000, therefore total annualized costs will be \$90,300.

Long-Range Fiscal Implications

Agency/Prepared by: (Name & Phone No.)  
Paul Helkowski DOT 266-9993  
*Paul Helkowski*

Authorized Signature & Telephone No.  
*Carl Johnson*  
Carl Johnson DOT 266-2235

Date  
1/14/86

2. It is estimated that 5% of the total calendar year quarterly or consecutive monthly registration transactions will be processed through the telephone procedure. The mean average for the past 4 years is 140,000 total quarterly transactions so the expected telephone application workload is 7,000 annually. The department expects another 3% or 4,200 telephone contacts will result due to delayed processing or delivery of applications by mail. Of these, 2,000 will be subject to the service fee of \$10 for a verified telephone registration. Therefore, it is estimated that 9,000 telephone applications annually will generate revenue of \$90,000 ( $9,000 \text{ apps} \times \$10 = \$90,000$ ). Minus annualized operating costs of \$90,300, the telephone application system is expected to operate at an annual loss of \$(-) 300.

**FISCAL ESTIMATE WORKSHEET**

1985 Session

Detailed Estimate of Annual Fiscal Effect

ORIGINAL  UPDATED  
 CORRECTED  SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.  
**TRANS 133**

Amendment No.

Subject **TRANS 133**

**Telephone Authorization for Quarterly or Consecutive Monthly Registration**

**I. One-time Costs or Revenue Fluctuations for State and/or Local Government (do not include in annualized fiscal effect):**

Program Development \$50,000

**II. Annualized Costs:** Note: Treat fiscal costs like a "checkbook": increased costs reduce available funds (-); decreased costs increase available funds (+).

Annualized fiscal impact on State funds from:

	Annualized fiscal impact on State funds from:	
	Increased Costs	Decreased Costs
<b>A. State Costs by Category</b>		
Salaries and Fringes	\$ - 61,300	\$ +
Staff Support Costs	- 29,000	+
Other State Costs	-	+
Local Assistance	-	+
Aids to Individuals or Organizations	-	+
<b>TOTAL State Costs by Category</b>	<b>\$ - 90,300</b>	<b>\$ +</b>
<b>B. State Costs by Source of Funds</b>		
GPR	\$ -	\$ +
FED	-	+
PRO/PRS	-	+
SEG SEG-S	- 90,300	+
<b>C. FTE Position Changes</b>		
	Increased Pos. + ( 3.5 )	Decreased Pos. - ( )
<b>III. State Revenues</b> -Complete this only when proposal will increase or decrease state revenues, such as taxes, license fees, etc.		
GPR Taxes	\$ -	\$ +
GPR Earned	-	+
FED	-	+
PRO/PRS	-	+
SEG/SEG-S	-	+ 90,000
<b>TOTAL State Revenues</b>	<b>\$ -</b>	<b>\$ +</b>

**Net Annualized Fiscal Impact on State & Local Funds**

State	Annual Increases	Annual Decreases	Local	Annual Increases	Annual Decreases
Total Costs	\$ - 90,300	\$ +	Total Costs	\$ -	\$ +
Total Revenues	+ 90,000	-	Total Revenues	+	-
<b>NET Impact on State Funds</b>	<b>\$ (+)</b>	<b>300.</b>	<b>NET Impact on Local Funds</b>	<b>\$ (+)</b>	<b>NONE</b>

Agency Prepared by: (Name & Phone No.)

Paul Helkowski DOT 266-0993

*Paul Helkowski*

Authorized Signatory/Telephone No.  
 Carl Johnson DOT 266-2235

*11/11/86*



State of Wisconsin \

DEPARTMENT OF TRANSPORTATION



DIVISION OF MOTOR VEHICLES  
4802 Sheboygan Avenue  
P. O. Box 7949  
Madison, WI 53707-7949

January 24, 1986


Mr. Gary Poulson  
Assistant Revisor of Statutes  
30 W. Mifflin  
Suite 904  
Madison, Wisconsin 53702

Re: Clearinghouse Rule 85-148  
Relating to establishing a telephone call-in procedure to  
authorize the operation of vehicles on Wisconsin highways;  
Trans 133.

Dear Mr. Poulson:

Enclosed for filing, pursuant to sec. 227.023, Wis. Stats., is a certified copy of CR 85-148, an administrative rule relating to establishing a telephone call-in procedure to authorize the operation of vehicles on Wisconsin highways. An additional, uncertified copy of CR 85-148 is enclosed to be used as a printer's copy. This rule is submitted by the Wisconsin Department of Transportation.

Sincerely,

  
Lynnette M. Bollant  
Program Assistant

Enclosures

cc: Sue Gallagher  
DOT Office of Transportation Information  
Connie Keator