

whom they buy produce or for whom they act as agent to sell produce.

(8) The provisions of section 99.19 to 99.27, inclusive, and of section 99.30, shall apply to the enforcement of this section and to all orders issued hereunder.

(9) Any person injured by the breach of any obligation which a bond hereunder is given to secure may sue on such bond in his own name in any court of competent jurisdiction to recover the damages he may have sustained by such breach.

(10) Any person who shall violate any provision of this section or of any general order issued hereunder shall be guilty of a misdemeanor and, for each and every offense, shall, upon conviction thereof, be punished by a fine not exceeding five hundred dollars or by imprisonment in the county jail not exceeding six months or by both such fine and imprisonment.

SECTION 2. Subsection (2) of section 20.615, of the statutes, is amended to read: (20.615) (2) All fees collected by the department, for carrying out the provisions of sections 99.10, \* \* \* 99.11 and 99.12; and all license fees paid in accordance with section 99.32, for carrying out the provisions of said section.

SECTION 3. This act shall take effect upon passage and publication.

Approved June 26, 1925.

No. 541, S.]

[Published June 30, 1925.

### CHAPTER 390.

AN ACT to repeal section 194.01, 194.02, 194.03, and 194.06 and to create four new sections to be numbered sections 194.01, 194.02, 194.03 and 194.06 and section 82.025, paragraph (dm) of subsection (4) of section 85.04 of the statutes, relating to the regulation of motor vehicles operated as common carriers, and providing a penalty.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Sections 194.01, 194.02, 194.03 and 194.06 of the statutes are repealed.

SECTION 2. Five new sections are added to the statutes, and a new paragraph is added to subsection (4) of section 85.04 of

the statutes to be numbered and to read: 194.01 (1) Every person, firm or corporation operating any motor vehicle along and upon any public street or highway for the carriage of persons or property for hire and affording a means of local, street or highway transportation similar to that afforded by street railways or railroads, by indiscriminately accepting and discharging such persons as may offer themselves or such property as may be offered for transportation along the course on which such vehicle is operated or may be running is hereby declared to be a common carrier, and is hereby required to furnish reasonable and adequate service at just and reasonable rates, and is hereby required to operate over such general routes or within such territory, and during such hours as may be reasonably required for the accommodation of the public in accordance with the provisions of this chapter.

(2) As used in this chapter:

(a) The term "interurban motor bus" shall mean and include every motor vehicle described in subsection (1) of this section operating between cities and villages which are not contiguous.

(b) The term "urban motor bus" shall mean and include every motor vehicle described in subsection (1) of this section not included within the term "interurban motor bus" as defined in paragraph (a).

194.02 (1) No urban or interurban motor bus shall be operated in this state unless the same is registered with the railroad commission.

(2) Application for such registration shall be made annually to the railroad commission in the form prescribed by it. Such application shall, in addition to such other information as the railroad commission may require, state the name and residence of the applicant, whether such application is to afford transportation for passengers exclusively, or freight exclusively or both, the general route or the territory over which it is proposed to operate, the proposed hours of such operation, the carrying capacity of such bus, which in case of an interurban motor bus shall not exceed thirty feet in length and eight feet in width and shall not be double decked, and the rate of fare to be charged for carriage therein and in case of interurban motor busses a detailed schedule showing the exact length of such route in miles, stops and length thereof, and the time of departure and arrival. If a

certificate of registration is issued pursuant to such application, such interurban motor bus shall be operated in accordance with the schedule filed and no change in such schedule shall be made unless approved by the railroad commission.

(3) Such application shall be accompanied by a good and sufficient indemnity bond issued by some surety or indemnity carrier duly authorized to transact business in this state, which said bond shall describe such vehicle by factory number, maker's name, carrying capacity and registration number under which the same is operated (which said registration number when changed by the issuance of a new certificate of registration shall be indicated upon said bond by the attachment of a rider thereto); said bond shall provide that the carrier issuing the same shall be directly liable for and shall pay all damages, whether to persons or property that may be recovered against the operator of the vehicle described therein by reason of the negligent use and operation of such vehicle, not exceeding, in case of urban motor busses, two thousand five hundred dollars to any one person or five thousand dollars for any one accident and in case of interurban motor busses with a capacity of not more than fifteen passengers, five thousand dollars to any one person and fifteen thousand dollars for any one accident, for interurban motor busses with a capacity of more than fifteen persons, five thousand dollars to any one person and thirty thousand dollars for any one accident, and in the case of an interurban motor bus transporting freight exclusively five thousand dollars for any one person and ten thousand dollars for any one accident. The bond provided for by this section shall be deemed to include any policy of insurance or other contract in writing by which any surety or insurance carrier authorized to execute such contract shall assume the liability prescribed by this section. If any such bond so filed shall become inoperative such motor bus shall not be operated until a bond meeting the requirements of this section shall have been filed, provided, however, the commission may exempt from the provisions of this subsection the operator of any motor vehicle described in section 194.01 upon application for such exemption and upon showing to the commission to its satisfaction financial ability sufficient to pay any and all damages occurring as a result of negligent operation of its motor vehicle to the extent of the insurance or bond herein required, such exemption to be made only by written order

of the commission. The commission may from time to time require further statements of financial responsibility and may upon a ten days' notice in writing for cause revoke its order granting such exemption, in which case such operator shall immediately comply with the requirements hereof respecting a bond or insurance.

(4) If the railroad commission shall determine that such bond complies with the provisions of subsection (3) and that the rates specified in the application are reasonable for such character of service, and that the proposed general route, or territory to be covered, and the hours of such operation are reasonably adapted to the accommodation of the public, and in case of interurban motor busses, that the schedule is such that will assure the maintenance of such schedule without a violation of section 194.03 it shall, regardless of any other service furnished, issue to such applicant a certificate of registration setting forth the fact that the applicant has in respect to the vehicle described therein complied with the provisions of this chapter. All such certificates and accompanying bonds shall be numbered serially.

194.03 No interurban motor bus shall be operated on the public streets or highways of this state at a greater speed than the rates provided in chapter 85 nor at a speed greater than will result in an average speed of twenty-five miles per hour over the route described in the application for registration thereof.

194.06 Any person, firm or corporation operating any motor vehicle described in section 194.01 who shall fail to comply with the provisions of this chapter, shall transport in any such vehicle a larger number of passengers than the number specified in the application for a certificate of registration under this chapter as the carrying capacity of such vehicle, shall charge a rate of fare other than that specified in the application accompanying such bond, shall fail to operate such vehicle upon the general route, or within the territory, and during the hours set forth in such application, or shall operate an interurban motor bus in violation of section 194.03 shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars for each offense and in default thereof may be committed to the county jail for not less than ten nor more than ninety days.

82.025 The state highway commission may appoint not more than ten of their regular employes as officers to assist in enforcing the provisions of chapter 85 and 194. Such officers shall cooperate with local officers and may be equipped with devices for weighing motor vehicles and may stop and weigh any motor vehicle which appears to weigh in excess of the amounts permitted by law. Such officers may require the operator of any motor vehicle whose load is in excess of that allowed by law to reduce such load to conform to the law before permitting such motor vehicle to proceed.

(85.04) (4) (dm) For the registration of such interurban motor bus as defined in paragraph (a) of subsection (2) of section 194.01, the fees required to be paid under paragraph (c) and (d) of this subsection shall be increased twenty-five per cent.

SECTION 3. This act shall take effect upon passage and publication.

Approved June 26, 1925.

No. 562, S.]

[Published June 30, 1925.

### CHAPTER 391.

AN ACT to amend and renumber subsection (14) (as amended by Chapter 11, Laws of 1925) of section 20.20 of the statutes to be section 20.206 of the statutes; to amend the introductory paragraph, subsections (1), (2), (3), (5), (6), (7), (8), and (10) of section 20.20 of the statutes; to amend section 20.205 of the statutes; and subsection (2) of section 29.14 of the statutes; and to create six new subsections to section 20.20 of the statutes, relating to appropriations from the conservation fund to the conservation commission and the general fund.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Subsection (14) of section 20.20 of the statutes (as amended by Chapter 11, Laws of 1925) is renumbered to be section 20.206 of the statutes and is amended to read: \* \* \* (20.206) *There is appropriated from the general fund to the state conservation commission on October 1, 1925, and annually thereafter, fifty thousand dollars, as provided by subsection (6) of*