

chapter and of chapter 161, * * * section 146.20, and of section 351.235 and the district attorney shall promptly prosecute upon notice from any source.

Approved April 27, 1943.

No. 29, S.]

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CHAPTER 78.

AN ACT to repeal 76.54 (18) and to amend 194.02, 194.03 (1), 194.04 (3) (a), 194.05, 194.07, 194.11, 194.14, 194.15, 194.16, the first sentence of 194.20, the third sentence of 194.34 (1), 194.44 (2) and 194.46 of the statutes, for the purpose of repealing obsolete provisions and eliminating obsolete references in the motor vehicle transportation laws.

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

SECTION 1. 76.54 (18) is repealed.

SECTION 2. 194.02, 194.03 (1), 194.07 and 194.44 (2) are amended by striking out "and section 76.54" wherever that phrase occurs.

SECTION 3. 194.04 (3) (a) is amended to read:

(194.04) (3) (a) No motor vehicle permit issued under the provisions of this chapter shall be transferable from one motor vehicle to another * * *. A permitted motor vehicle may be used under two or more certificates when the certificates are held by one common motor carrier of property or of persons, or under two or more licenses when licenses are held by one contract motor carrier of property, except motor vehicles * * * exempted from the provisions of sections 194.48 and 194.49 by section * * * 194.47.

SECTION 4. 194.05 is amended to read:

194.05 (1) * * * This chapter * * * shall not apply to * * * motor * * * vehicles owned by the United States, any state, or any political subdivision thereof.

(2) The provisions of this * * * chapter shall not authorize the fixing of any rates, charges or regulations respecting the transportation of United States mails.

SECTION 5. 194.11 is amended by striking out “or in section 76.54” at the end of said section.

SECTION 6. 194.14 is amended by striking out “or by section 76.54” in the second line and by striking out “or of section 76.54” in the last line.

SECTION 7. 194.15 is amended by striking out “or of section 76.54” in the fourth line.

SECTION 8. 194.16 is amended to read:

194.16 * * * *No* motor carrier of property or of passengers * * * *shall* operate any motor vehicle under any * * * permit issued pursuant to this chapter * * *, while delinquent in the payment of any part of the mileage or flat taxes due under * * * sections 194.48 and 194.49 or of interest due thereon.

SECTION 9. The first sentence of 194.20 is amended to read:

(194.20) (first sentence) Motor carriers operating in interstate commerce shall obtain certificates and licenses, amendments thereto, and approval of the assignment thereof, as provided in sections 194.18, 194.25 and 194.34 * * *, but the issuance thereof shall not be predicated upon findings in respect to public convenience and necessity.

SECTION 10. The third sentence of 194.34 (1) is amended to read:

(194.34) (1) (third sentence) Before granting a license to a contract motor carrier * * * the commission shall take into consideration existing transportation facilities in the territory for which a license is sought, including common motor carriers and steam and electric railways.

SECTION 11. 194.46 is amended by striking out “or of section 76.54” in the fifth line.

Approved April 28, 1943.