

No. 331, S.]

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CHAPTER 444

AN ACT to amend 114.20 (1), (2) (d), (3) (a), (4) and (5); and to create 114.20 (8), (9), (10), (11) and (12) of the statutes, relating to registration of aircraft, designation of aircraft dealers, dealer aircraft, dealer aircraft identification cards and related matters.

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

SECTION 1. 114.20 (1), (2) (d), (3) (a), (4) and (5) of the statutes are amended to read:

114.20 (1) All aircraft customarily kept in this state shall be registered with the state aeronautics commission on or before November 1, 1953, and annually thereafter on or before November 1, *except those aircraft which have been designated by the state aeronautics commission as unairworthy aircraft and which are in a severely damaged condition or in a state of major deterioration with one or more of the plane's flight surfaces removed.* All aircraft purchased to be customarily kept in this state shall be registered by the purchaser with the commission * * *, except that this subsection shall not apply to aircraft * * * *owned and held by a designated aircraft dealer solely for purposes of sale.* The fee for such registration shall be as set forth in sub. (2). * * * *Application for registration shall be filed not more than 30 days from date of purchase and if filed after that date a penalty of \$5 shall be charged. No aircraft*

for which a registration certificate is required shall be purchased or sold or otherwise transferred without assignment of the registration certificate. Upon payment of the fee the commission shall issue a certificate and evidence of registration which shall be displayed in and on the aircraft at all times in the manner prescribed by the commission.

(2) (d) For new aircraft * * * , aircraft not previously registered in this state, or unregistered aircraft for which a registration certificate is required, the fee shall be computed from the date of purchase or restoration on the basis of one-twelfth of the prescribed registration fee multiplied by the number of months for the current registration year which have not fully expired.

(3) (a) * * * *Current registrations of aircraft * * * when sold within the state shall be transferred * * * to the name of the purchaser by the purchaser and who shall make application and payment of a fee of \$1 to the commission. Application for transfer of registration shall be filed not more than 30 days from date of purchase and if filed after that date a penalty of \$5 will be charged. Aircraft owned and held by a designated dealer for purposes of sale are exempt from the provisions of this subsection.*

(4) Aircraft owned and operated exclusively in the public service by the state or by any county or municipality thereof or by the civil air patrol shall be registered by the commission upon receipt of the proper application accompanied by payment of \$1 for each aircraft.

(5) This section shall not apply to aircraft included within the provisions of s. 76.02 * * * (5a).

SECTION 2. 114.20 (8), (9), (10), (11) and (12) of the statutes are created to read:

114.20 (8) In addition to all existing remedies afforded by civil and criminal law, upon complaint of the commission, the fees, interest and late filing penalties specified in this section may be collected by the state in an action of debt.

(9) Aircraft dealer as used in s. 114.20 is any person with an established place of business in this state who is engaged in: (a) The manufacture of aircraft, or (b) the distribution or sale of new aircraft under authority of a franchise, license, letter of authority, agreement or other arrangement from the manufacturer or his authorized agent, or (c) the distribution or sale of used aircraft to ultimate purchasers through ordinary trade channels. Any person desiring to be designated as an aircraft dealer shall apply to the commission. The commission may require the applicant to supply pertinent facts concerning his past or proposed operation as a dealer. The commission shall issue a certificate as a designated aircraft dealer to the applicant if the commission determines from the facts submitted and its own investigation that the applicant is a dealer within the meaning of this section. Such certificates shall be valid for a period of one year ending October 31 in each year unless sooner revoked by the commission.

(10) For the purposes of this section dealer aircraft shall be those aircraft owned or held by a dealer solely for purposes of sale.

(11) Identification cards shall be furnished by the state aeronautics commission to designated aircraft dealers at the rate of \$1 each. Such cards shall be valid only for the current registration year and only when used to designate dealer aircraft and shall be attached to all dealer aircraft which the dealer has in his possession.

(12) A refund may be made for aircraft registration fees paid in error as determined by the commission. A refund may be made for any portion of the overpayment of aircraft registration fee as determined

by the commission. Refunds made under this section shall be paid out of the moneys received under s. 114.20; such payments to be made and deducted from the appropriation transferring such receipts by s. 20.053 (1) (c) to s. 20.053 (1) (b).

Approved July 21, 1955.
