

Assembly Bill 40

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**CHAPTER 98, LAWS OF 1967**

AN ACT to repeal 341.26 (1) (i); to amend 341.05 (12), 341.25 (1) (j), 341.26 (3) (d) and 341.42 (2) and (4); to repeal and recreate 341.40 (1) (intro.) and 341.42 (1); and to create 194.04 (3) (am), 341.26 (3) (da), 341.40 (1) (d) and 341.41 (7) and (8) of the statutes, relating to motor vehicle registration requirements and granting rule-making authority.

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

SECTION 1. 194.04 (3) (am) of the statutes is created to read:

194.04 (3) (am) No additional permit or payment of fees is required by the lessee of a contract motor carrier vehicle licensed in this state if the lessor is a Wisconsin resident and the lessee has a contract carrier license or common carrier certificate of authority issued by the commission and insurance on file with the motor vehicle department as prescribed in s. 194.41.

SECTION 1h. 341.05 (12) of the statutes is amended to read:

341.05 (12) Is a fork-lift truck, *a specially constructed road or truck tractor used for shunting trailers or semitrailers in terminal areas* or a trailer which is used principally off the highway; or

SECTION 1r. 341.25 (1) (j) of the statutes is amended to read:

341.25 (1) (j) ~~For each self propelled mobile home, a fee of \$16.~~ All fees and provisions applicable to the registration of private automobiles also apply to the registration of self-propelled mobile homes.

SECTION 2. 341.26 (1) (i) of the statutes is repealed.

SECTION 3. 341.26 (3) (d) of the statutes is amended to read:

341.26 (3) (d) For each motor vehicle used exclusively in the transportation of ~~liquid dairy products, or~~ cheese, butter and powdered milk when such cheese, butter and powdered milk are transported from plant to plant or to warehouse within ~~Wisconsin~~ *this state* and are transported by vehicles registered at a gross weight of not more than 20,000 pounds; a fee to be determined in accordance with par. (g) on the basis of maximum gross weight.

SECTION 4. 341.26 (3) (da) of the statutes is created to read:

341.26 (3) (da) For each motor vehicle used exclusively in the transportation of liquid dairy products, a fee to be determined in accordance with par. (g) on the basis of maximum gross weight.

SECTION 5. 341.40 (1) (intro.) of the statutes is repealed and re-created to read:

341.40 (1) (intro.) Except as to foreign-owned vehicles required by s. 341.07 to be registered in this state, any vehicle which is registered in another jurisdiction is exempt from the laws of this state providing for the registration of such vehicles if:

SECTION 5m. 341.40 (1) (d) of the statutes is created to read:

341.40 (1) (d) The vehicle is operated in accordance with rules adopted by the commissioner based on the gross weight of the vehicle. These rules may also establish procedures for the issuance of blanket fleet reciprocity authorization in lieu of individual vehicle certificates of registration prescribed in s. 341.42 (3). The commissioner may, by rule, determine the gross weight exemption giving consideration to reciprocity privileges extended to Wisconsin residents in other jurisdictions. Foreign owned or operated vehicles entering Wisconsin to have special equipment or a body constructed or installed or for repair shall be exempt from the registration requirements of this section.

SECTION 5r. 341.41 (7) and (8) of the statutes are created to read:

341.41 (7) Except as to foreign owned vehicles required by s. 341.07 to be registered in this state, vehicles owned or operated by a nonresident in interstate movement may be qualified by advance purchase of a trip permit which authorizes operation for a 72-hour period when the vehicle is not eligible for reciprocal privileges. The fee for such trip permits shall be determined by the commissioner. The commissioner shall make rules and regulations for the issuance and use of such permits.

(8) Residents of the state operating a fleet of 3 or more units consisting of trucks, truck tractors or road tractors with a gross weight of not less than 12,000 pounds shall display Wisconsin license plates for which 100% of the fee has been paid on vehicles not exempt from Wisconsin registration and operated in intrastate commerce. Vehicles engaged in interstate commerce may display Wisconsin prorated license plates for which a proportional registration fee has been paid in addition to a full

fee license plate from another jurisdiction. Such proportional registration shall be accomplished either by payment to the department of registration fees in an amount equal to that obtained by applying the proportion of in-state fleet miles divided by the total fleet miles to the total fees which would otherwise be required for the registration of all such vehicles in this state, or by registration of a portion of such vehicles as determined under this subsection. The commissioner may refuse to permit any or all of such vehicles to be registered under apportionment if he is not satisfied that this state will obtain a fair and equitable share of license registrations of the vehicles comprising such fleet.

SECTION 6. 341.42 (1) of the statutes is repealed and recreated to read:

341.42 (1) An operator or owner of a motor truck, road tractor, truck tractor or motor bus having a gross weight as determined in s. 341.40 (1) (d) is not eligible to receive reciprocity privileges under an agreement entered into pursuant to s. 341.41 unless he has made application for and been issued a nonresident reciprocity permit pursuant to this section.

SECTION 7. 341.42 (2) of the statutes is amended to read:

341.42 (2) Application shall be made to the department upon a form prescribed by it and shall be subscribed by the applicant ~~and duly acknowledged before a notary public or other officer with like authority.~~ The application shall contain the name and address of the owner and such other information as the department requires to enable it to determine whether the applicant is entitled to a permit.

SECTION 8. 341.42 (4) of the statutes is amended to read:

341.42 (4) Upon being issued a reciprocity permit, the permittee shall display such permit in the cab of his motor truck ~~or, road tractor, truck tractor or motor bus.~~ Any person who operates on a highway in this state, and any owner who consents to the operation of, a vehicle for which a reciprocity permit has been issued without displaying such permit, as required by this subsection may be fined not more than \$200 or imprisoned not more than 6 months or both.

Approved July 28, 1967.