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Chapter MVD 12

LEASING OF VEHICLES BY PRIVATE CARRIERS

MVD 12.01	Applicability	MVD 12.03	Interstate and foreign
MVD 12.02	Lease of motor vehicles	MVD 12.04	commerce Approval

MVD 12.01 Applicability. No private motor carrier of property as defined in section 194.01 Wis. Stats., shall operate any leased motor vehicle on the highways of Wisconsin without complying with the provisions of this order except for motor vehicles qualifying under the following exemptions:

(1) Motor vehicles other than a power unit (trailers and semi-trailers), provided that such equipment is not drawn by a power unit leased from the lessor of such equipment.

(2) A vehicle owned by a rental company when such vehicle bears a private lessor plate issued in accordance with section 194.44(2), Wis. Stats., and is in compliance with any other MVD regulations with respect thereof.

(3) A vehicle owned by a non-resident rental company when such vehicle bears a reciprocity plate issued in accordance with section 341.42, Wis. Stats.

(4) Motor vehicles which are operated under a plan of operation approved by the division of motor vehicles.

History: Cr. Register, December, 1958, No. 36, eff. 1-1-59; am. (4), Register, February, 1969, No. 158, eff. 3-1-69.

MVD 12.02 Lease of motor vehicles. A lease for the use of a motor vehicle must comply with the following requirements:

(1) Shall be in writing and signed by the parties thereto or the regular employees or agents duly authorized to act for them in the execution of contracts, leases, or other arrangements.

(2) Shall provide for the exclusive possession, control and use of motor vehicle involved, by the lessee for the duration of the lease. The lessee shall be fully responsible to the public and to all regulatory agencies having jurisdiction.

(3) Shall specify the names and addresses of all parties of the lease agreement.

(4) Shall state the year, make, identification number, license number and state covering any vehicle or vehicles to be operated. (The license number need not be shown for vehicles which are licensed in Wisconsin or in the process of being licensed in Wisconsin by lessee.)

(5) Shall indicate the basis and method of compensation.

(6) Shall specify the time the lease begins and the time or the circumstances on which it ends.

(7) Shall state the general purpose for which the vehicle or vehicles are to be used.

(8) Shall specify the driver of the vehicle or vehicles is an employee of the lessee, and the lessee thereby assumes responsibility

for his wages, unemployment, and workmen's compensation insurance, and other social security requirements.

(9) Shall be executed in quadruplicate, and original shall be retained by the lessee, one copy shall be retained by the owner, one copy shall be carried on the vehicle during the entire period of the lease, and one copy filed with the Division of Motor Vehicles, Madison, Wisconsin, by the lessee.

(a) Unless a copy of the lease is carried on the motor vehicle as provided in section (9), the lessee shall prepare a statement certifying, that the motor vehicle is being operated by it, specifying the name of the owner, the date of the lease, the period thereof, and any restrictions therein relative to the general commodities to be transported, which certificate shall be carried with the motor vehicle while such motor vehicle is being operated by or for such lessee.

History: Cr. Register, December, 1958, No. 36, eff. 1-1-59; am. (9), Register, February, 1969, No. 158, eff. 3-1-69.

MVD 12.03 Interstate and foreign commerce. Motor carriers operating in interstate and foreign commerce shall comply with MVD 12.02 insofar as section 194.03(4) of the Wis. Stats. provides.

History: Cr. Register, December, 1958, No. 36, eff. 1-1-59.

MVD 12.04 Approval. No such leased vehicle may be operated by the lessee on Wisconsin highways until the lease has been approved by the division of motor vehicles.

History: Cr. Register, December, 1958, No. 36, eff. 1-1-59; am. Register, February, 1969, No. 158, eff. 3-1-69.