



2001 ASSEMBLY BILL 150

February 23, 2001 - Introduced by Representatives WADE, HUNDERTMARK, SCHNEIDER, MUSSER, DUFF, GRONEMUS, OLSEN, LIPPERT, FREESE, LADWIG, POWERS, ALBERS, OWENS, GUNDERSON, LASSA, JESKEWITZ, TOWNSEND and SKINDRUD, cosponsored by Senators WELCH and ROESSLER. Referred to Committee on Transportation.

1 **AN ACT to amend** 165.755 (1) (b), 218.0161, 302.46 (1) (a), 341.15 (3) (intro.), (a)
2 and (b), 757.05 (1) (a), 814.63 (1) (c), 814.63 (2), 814.634 (1) (a), 814.635 (1) and
3 814.65 (1); and **to create** 218.0148 and 341.15 (3) (d) of the statutes; **relating**
4 **to:** proper display of a registration plate and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a registration plate must be placed at the front and the back of a motor vehicle, with certain exceptions. Each plate must be affixed firmly and horizontally and must be kept legible and unobstructed. The penalty for failing to display a plate in a proper condition is a forfeiture of not more than \$200, plus court costs.

This bill specifically prohibits the use of any tinted cover or of any bracket or clear cover that interferes with the legibility and normal reading of any registration plate. The bill provides that any person who operates a vehicle with an offending bracket or cover may be required to forfeit \$20, without court costs, for a first offense and not more than \$200, plus court costs, for a second or subsequent violation within one year. In addition, the bill provides that the same penalties apply for failing to display a plate in proper condition, including no court costs for a first violation.

The bill also requires motor vehicle dealers to ensure that vehicles are equipped with brackets that comply with the requirements of this bill before a motor vehicle can be sold. A motor vehicle dealer may be required to forfeit not less than \$10 nor more than \$200 for each violation.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 165.755 (1) (b) of the statutes is amended to read:

2 165.755 (1) (b) A court may not impose the crime laboratories and drug law
3 enforcement assessment under par. (a) for a violation of s. 101.123 (2) (a), (am) 1., (ar)
4 or (bm) or (5) (b) or for a violation of a state law or municipal or county ordinance
5 involving a nonmoving traffic violation ~~or~~, a safety belt use violation under s. 347.48
6 (2m), or a first conviction of a violation of s. 341.15 (3).

7 **SECTION 2.** 218.0148 of the statutes is created to read:

8 **218.0148 Registration plates. (1)** No motor vehicle dealer or motor vehicle
9 salesperson may offer for sale any motor vehicle unless the vehicle is equipped with
10 a registration plate bracket for each plate the vehicle is required to display under s.
11 341.15 (1). No bracket that is required by this subsection may interfere with the
12 normal reading of any number, letter, word, or symbol on a registration plate, insert
13 tag, decal, or other evidence of registration.

14 **(2)** Any person who violates sub. (1) may be required to forfeit not less than \$10
15 nor more than \$200 for each violation.

16 **SECTION 3.** 218.0161 of the statutes is amended to read:

17 **218.0161 Penalties.** Except for s. 218.0116 (1) (a), (b), (cm), (d), (f), (fm), (g),
18 (jm), (m), (o) and (om), and except for violations for s. 218.0114 (1), 218.0117 (3),
19 218.0119 ~~or~~, 218.0147, or 218.0148, any person violating ss. 218.0101 to 218.0163
20 may be required to forfeit not less than \$25 nor more than \$500 for each violation.

21 **SECTION 4.** 302.46 (1) (a) of the statutes is amended to read:

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1 302.46 (1) (a) On or after October 1, 1987, if a court imposes a fine or forfeiture
2 for a violation of state law or for a violation of a municipal or county ordinance except
3 for a violation of s. 101.123 (2) (a), (am) 1., (ar) or (bm) or (5) or state laws or municipal
4 or county ordinances involving nonmoving traffic violations or, safety belt use
5 violations under s. 347.48 (2m), or first convictions of violations under s. 341.15 (3),
6 the court, in addition, shall impose a jail assessment in an amount of 1% of the fine
7 or forfeiture imposed or \$10, whichever is greater. If multiple offenses are involved,
8 the court shall determine the jail assessment on the basis of each fine or forfeiture.
9 If a fine or forfeiture is suspended in whole or in part, the court shall reduce the jail
10 assessment in proportion to the suspension.

11 **SECTION 5.** 341.15 (3) (intro.), (a) and (b) of the statutes are amended to read:

12 341.15 (3) (intro.) Any of the following may be required to forfeit \$20 for the first
13 offense and, for the 2nd or subsequent conviction within one year, not more than
14 \$200:

15 (a) A person who operates a vehicle for which a current registration plate,
16 insert tag, decal or other evidence of registration has been issued without such plate,
17 tag, decal or other evidence of registration being attached to the vehicle, except when
18 such vehicle is being operated pursuant to a temporary operation permit or plate;

19 (b) A person who operates a vehicle with a registration plate attached in a
20 non-rigid or non-horizontal manner or in an inconspicuous place so as to make it
21 difficult to see and read the plate;

22 **SECTION 6.** 341.15 (3) (d) of the statutes is created to read:

23 341.15 (3) (d) A person who operates a vehicle with any tinted cover or with any
24 bracket or clear cover that interferes with the normal reading of any number, letter,

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1 word, or symbol on a registration plate, insert tag, decal, or other evidence of
2 registration.

3 **SECTION 7.** 757.05 (1) (a) of the statutes is amended to read:

4 757.05 (1) (a) Whenever a court imposes a fine or forfeiture for a violation of
5 state law or for a violation of a municipal or county ordinance except for a violation
6 of s. 101.123 (2) (a), (am) 1., (ar) or (bm) or (5) or state laws or municipal or county
7 ordinances involving nonmoving traffic violations ~~or~~, safety belt use violations under
8 s. 347.48 (2m), or first convictions of violations of s. 341.15 (3), there shall be imposed
9 in addition a penalty assessment in an amount of 23% of the fine or forfeiture
10 imposed. If multiple offenses are involved, the penalty assessment shall be based
11 upon the total fine or forfeiture for all offenses. When a fine or forfeiture is suspended
12 in whole or in part, the penalty assessment shall be reduced in proportion to the
13 suspension.

14 **SECTION 8.** 814.63 (1) (c) of the statutes is amended to read:

15 814.63 (1) (c) This subsection does not apply to an action for a violation of s.
16 101.123 (2) (a), (am) 1., (ar), or (bm) or (5) ~~or~~, a safety belt use violation under s. 347.48
17 (2m), or a first conviction of a violation of s. 341.15 (3).

18 **SECTION 9.** 814.63 (2) of the statutes is amended to read:

19 814.63 (2) Upon the disposition of a forfeiture action in circuit court for
20 violation of a county, town, city, village, town sanitary district or public inland lake
21 protection and rehabilitation district ordinance, except an action for a safety belt use
22 violation under s. 347.48 (2m), or a first conviction of a violation of s. 341.15 (3), the
23 county, town, city, village, town sanitary district or public inland lake protection and
24 rehabilitation district shall pay a nonrefundable fee of \$5 to the clerk of circuit court.

25 **SECTION 10.** 814.634 (1) (a) of the statutes is amended to read:

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1 814.634 (1) (a) Except for an action for a safety belt use violation under s.
2 347.48 (2m), or for a first conviction of a violation of s. 341.15 (3), the clerk of circuit
3 court shall charge and collect a \$40 court support services fee from any person,
4 including any governmental unit as defined in s. 108.02 (17), paying a fee under s.
5 814.61 (1) (a), (3) or (8) (am) or 814.63 (1).

6 **SECTION 11.** 814.635 (1) of the statutes is amended to read:

7 814.635 (1) Except for an action for a safety belt use violation under s. 347.48
8 (2m), or for a first conviction of a violation of s. 341.15 (3), the clerk of circuit court
9 shall charge and collect a \$9 justice information system fee from any person,
10 including any governmental unit as defined in s. 108.02 (17), paying a fee under s.
11 814.61 (1) (a), (3) or (8) (am), 814.62 (1), (2) or (3) (a) or (b) or 814.63 (1). The justice
12 information system fee is in addition to the other fees listed in this section.

13 **SECTION 12.** 814.65 (1) of the statutes is amended to read:

14 814.65 (1) COURT COSTS. In a municipal court action, except an action for
15 violation of an ordinance in conformity with s. 347.48 (2m) or 341.15 (3), the
16 municipal judge shall collect a fee of not less than \$15 nor more than \$23 on each
17 separate matter, whether it is on default of appearance, a plea of guilty or no contest,
18 on issuance of a warrant or summons or the action is tried as a contested matter. Of
19 each fee received by the judge under this subsection, the municipal treasurer shall
20 pay monthly \$5 to the state treasurer for deposit in the general fund and shall retain
21 the balance for the use of the municipality.

22 **SECTION 13. Initial applicability.**

23 (1) The treatment of sections 165.755 (1) (b), 302.46 (1) (a), 341.15 (3) (intro.),
24 (a), (b), and (d), 757.05 (1) (a), 814.63 (1) (c) and (2), 814.634 (1) (a), 814.635 (1), and

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SECTION 13

1 814.65 (1) of the statutes first applies to violations committed on the effective date
2 of this subsection.

3 (2) The treatment of sections 218.0148 and 218.0161 of the statutes first
4 applies to offers for the sale of motor vehicles that occur on the effective date of this
5 subsection.

6 (END)