

BOB KULP

STATE REPRESENTATIVE • 69TH ASSEMBLY DISTRICT

TO: Assembly Committee on Local Government

FROM: Representative Bob Kulp

RE: Support For Assembly Bill 612 / County Registration of Animal-Drawn Vehicles

DATE: December 12, 2019

Thank you Chair Novak, Vice-Chair Gundrum and fellow committee members for holding a public hearing today on Assembly Bill 612 ("AB 612"). I appreciate having the opportunity to testify in support of AB 612 relating to county registration of animal-drawn vehicles.

There has been a spike in our district in Amish buggy accidents causing 9 deaths in the past several years. Several county boards in our area including Wood, Clark, and Jackson County have proposed regulations to the Amish Community in regards to their Amish buggies. It is important to ensure that the rights of the Amish are respected while also understanding the perspective of our local governments, who are concerned with the safety of everyone who uses the roads. Local law enforcement has informed us that registering animal-drawn vehicles will help them identify the owners of animal drawn vehicles, which in turn will help them enforce safety standards on the roads we all use.

Current law, allows a county, town village or city to enact an ordinance to collect an annual registration fee for motor vehicles that weigh less than 8,000 pounds and are customarily kept in the county, town, village or city. This bill will allow a county, if they so choose, to begin registering animal-drawn vehicles which use the roads in that county. The county will be able to charge up to a \$100 registration fee, which can be used for administration of the registration process and/or other transportation needs.

AB 612 is supported by the Wisconsin Towns Association. I respectfully ask committee members to join me in supporting AB 612. Thank you again for scheduling the public hearing today, and thank you for your time and consideration.

REPRESENTING WISCONSIN'S 69TH ASSEMBLY DISTRICT



HOWARD MARKLEIN

STATE SENATOR • 17TH SENATE DISTRICT

December 12, 2019 Assembly Committee on Local Government Testimony on Assembly Bill 612

Good morning!

Thank you Chair Novak and committee members for hearing Assembly Bill 612 (AB 612), which allows a county to enact an ordinance requiring registration of animal drawn vehicles used primarily for transportation.

Rep. Kulp and I worked on a similar proposal last session. It is important to note that AB 612 allows a county to enact an ordinance, but does not require any county to take action on this issue.

In many rural communities, our roads are shared by regular traffic, agricultural implements, commercial trucks and animal-drawn vehicles. Unfortunately, several of our communities have experienced difficulty in managing the animal-drawn vehicle traffic, especially when there is an accident or damage to the road. It is currently very difficult to identify individual animal-drawn vehicles and address the owners and operators of these vehicles.

This bill allows a county to pass an ordinance to create county-registration of animal drawn vehicles primarily used for transportation. The bill also sets a maximum annual flat registration fee of no greater than \$100. If the animal drawn vehicle is normally kept in a town, and the county enacts an ordinance, 50% of the registration fee would go to the town. Any revenue received from the registration fee must be used for transportation-related expenses or the actual administrative costs related to collection of the fee.

We are concerned about the safety of everyone who uses our roads, and have heard from local law enforcement that registering animal drawn vehicles will help them identify the owners of the vehicle if it is involved in an accident.

AB 612 is supported by both the Wisconsin Counties Association and the Wisconsin Towns Association. I also appreciate the support of the Chair, Rep. Novak, who is a cosponsor of the proposal.

Thank you again for hearing AB 612, and your timely action on the bill.

ADAMS COUNTY
AMENDATORY ORDINANCE NO.: 2017 - 2

SHORT TITLE: AN ORDINANCE OF THE BOARD OF COMMISSIONERS, COUNTY OF ADAMS, STATE OF INDIANA, WHICH AMENDS ORDINANCE 2017-1 CONCERNING LICENSING OF HORSE-DRAWN VEHICLES AND THE COLLECTION OF LICENSE FEES

WHEREAS, the Board of Commissioners, County of Adams, State of Indiana, adopted Ordinance 2017-1 which imposes a license fee on Horse-drawn Vehicles that use the roads in Adams County; and

WHEREAS, the Board of Commissioners, County of Adams, State of Indiana, desire to revise and amend Ordinance 2017-1 and enact this Ordinance to govern the licensing fee and registration of Horse-drawn Vehicles in Adams County, Indiana beginning in 2017; and

WHEREAS, the Board of Commissioners, County of Adams, State of Indiana, desire to regulate Horse-drawn Vehicles operated on the roadways of Adams County, State of Indiana;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF ADAMS, STATE OF INDIANA AS FOLLOWS:

Section 1. Definitions. The terms and definitions referenced in this ordinance are specific to this ordinance. The terms and definitions shall not have universal meaning in any other ordinance unless specific reference has been made to this ordinance and the term to be incorporated into another ordinance.

- A. "*Adams County Highway Department*". The Adams County Highway Department shall mean the local administrative agency where each Owner must Register each of their Horse-drawn Vehicles. Further, the Adams County Highway Department shall be the local administrative agency responsible for issuing Registration Plates and Registration Stickers and for collecting Annual License Fee.
- B. "*Annual License Fee*". The Annual License Fee shall mean the One Hundred Twenty and 00/100 Dollars (\$120.00) for each Owner of a Horse-drawn Vehicle shall pay to the Adams County Highway Department per Horse-drawn Vehicle the Owner has.
- C. "*Horse-drawn Vehicle*". Horse-drawn Vehicle shall mean any and all buggies, carriages, drays, wagons, covered or open in which a horse is designed and intended to provide the means of locomotion.

- D. "*Identification Sticker*". Identification Sticker (ID Sticker) shall mean the adhesive display that is required to be placed on the Horse-drawn Vehicle that matches the numbered metallic plate for each Registered Horse-drawn Vehicle.
- E. "*Owner*". Owner shall mean an individual or entity that owns or has control over the use of a Horse-drawn Vehicle and who resides or has a principle place of business in Adams County, Indiana.
- F. "*Register*". Register shall mean the process and act of Owner of each Horse-drawn Vehicle completing the necessary forms with the Adams County Highway Department and paying the Annual License Fee for each Horse-drawn Vehicle the Owners own.
- G. "*Registration Plate*". Registration Plate shall mean the metallic plate that is provided to the Owner of the Horse-drawn Vehicle.

Section 2. Annual Registration Fee and Issuance of Registration Plate and Registration Sticker.

- A. Annual Registration. All Owners of Horse-drawn Vehicles shall register each and every Horse-drawn Vehicle that operates on the roadways within Adams County, State of Indiana, between March 1 and May 15 each year with the Adams County Highway Department. Prior year registrations expire on May 15th of each year.
- B. Collection of Annual Fee. For each Horse-drawn Vehicle Registered with the Adams County Highway Department; the Adams County Highway Department shall collect an Annual License Fee for each Horse-drawn Vehicle Registered.
- C. Forms. The Adams County Highway Department shall provide forms for the Owner of each Horse-drawn Vehicle to complete in order to record information about each Horse-drawn Vehicle. Any individual or entity that fails or refuses to provide the required information will be denied a registration.
- D. Issuance of Registration Plate and ID Sticker. The Adams County Highway Department shall issue (i) a Registration Plate and (ii) an ID Sticker for each Horse-drawn Vehicle that is registered. Each Registration Plate shall correspond to the number on the ID Sticker. The Registration Plate and the corresponding ID Sticker shall be separately affixed to the back of the Horse-drawn Vehicle in a conspicuous location where both can be seen and observed from a following vehicle. The Adams County Highway Department has full authority to develop and implement rules, regulations and instructions for the proper location and placement of Registration Plates and ID Stickers on Horse-drawn Vehicles required to be registered in Adams County.
- E. Late Fee. In the event an owner of a Horse-drawn Vehicle fails to register a Horse-drawn Vehicle between March 1 and May 15 of a

year, they shall pay a late fee of \$25.00 in addition to the Annual License Fee.

- F. Maintenance of Records. The Adams County Highway Department shall maintain records of each Registration Plate and ID Sticker it issues to Owners of Horse-drawn Vehicles in Adams County.

Section 3. Enforcement and Exemptions.

- A. Compliance and Enforcement. The Sheriff of Adams County and deputies of the Adams County Sheriff shall enforce this ordinance by inspecting Registration Plates and ID Stickers during any stop of a Horse-drawn Vehicle on the federal highways, State highways or other public roadways located within the County of Adams, State of Indiana.
- B. Exemptions. Implements and equipment that are used exclusively for agricultural purposes and that are drawn by horses are exempt from this ordinance.
- C. Cooperation. Individuals operating a Horse-drawn vehicle in Adams County who fail or refuse to provide accurate information about the Ownership of a Horse-drawn vehicle and the Owner's residence may be found in violation of this ordinance.

Section 4. Violations and Fines.

- A. No Owner of a Horse-drawn Vehicle shall use or permit a Horse-drawn Vehicle to be used upon a highway in Adams County, Indiana, unless the Horse-drawn Vehicle has the current Registration Plate and current ID Sticker, both properly affixed to the Horse-drawn Vehicle required by this Ordinance. An Owner or operator of a Horse-drawn Vehicle who violates this ordinance shall be subject to a fine of up to Two Hundred and 00/100 Dollars (\$200.00) per occurrence.
- B. No person shall operate a Horse-drawn Vehicle upon a public roadway located in the County of Adams, State of Indiana with a Registration Plate or ID Sticker that has been reported as lost or destroyed. A person operating a Horse-drawn Vehicle on the public roadways located with the County of Adams, State of Indiana with a lost or destroyed Registration Plate or ID Sticker shall be subject to a fine of up to Two Hundred Fifty and 00/100 Dollars (\$250.00) per occurrence.
- C. Any Owner or operator who shall intentionally or recklessly violate this ordinance shall be subject to a fine of up to Five Hundred and 00/100 Dollars (\$500.00) per occurrence.

Section 5. Replacement Plates and/or Registration Stickers

- A. In the event that a previously issued Registration Plate or ID Sticker is lost or destroyed, an Owner can obtain a replacement by filing an affidavit with the Adams County Highway Department and paying a replacement fee of \$25.00.
- B. The Affidavit will substantially state that the Owner of the Registered Plate and/or ID Sticker has lost either the Plate and/or Sticker or that either were destroyed. The Owner of the Registered Plate and/or ID Sticker seeking a replacement must sign the Affidavit under the penalties of perjury.

Section 6. New Horse-drawn Vehicles.

The Owner of a Horse-drawn Vehicle who purchases a Horse-drawn Vehicle after May 15th and can provide a bill of sale or receipt verifying the date of purchase, shall have 30 days after the date of purchase in order to obtain a Registration Plate and ID Sticker, without incurring a late Registration fee.

Section 7. Effective Date.

This Ordinance shall be effective upon adoption and publication for 2017 registrations.

ADOPTED, by the Board of Commissioners, County of Adams, State of Indiana, this 28th day of February, 2017 AM, by a vote of 3 ayes and 0 nays.

BOARD OF COMMISSIONERS
COUNTY OF ADAMS

Kim A. Fruechte

Kim Fruechte, Commissioner, District #1

Rex Moore

Rex Moore, Commissioner, District #2

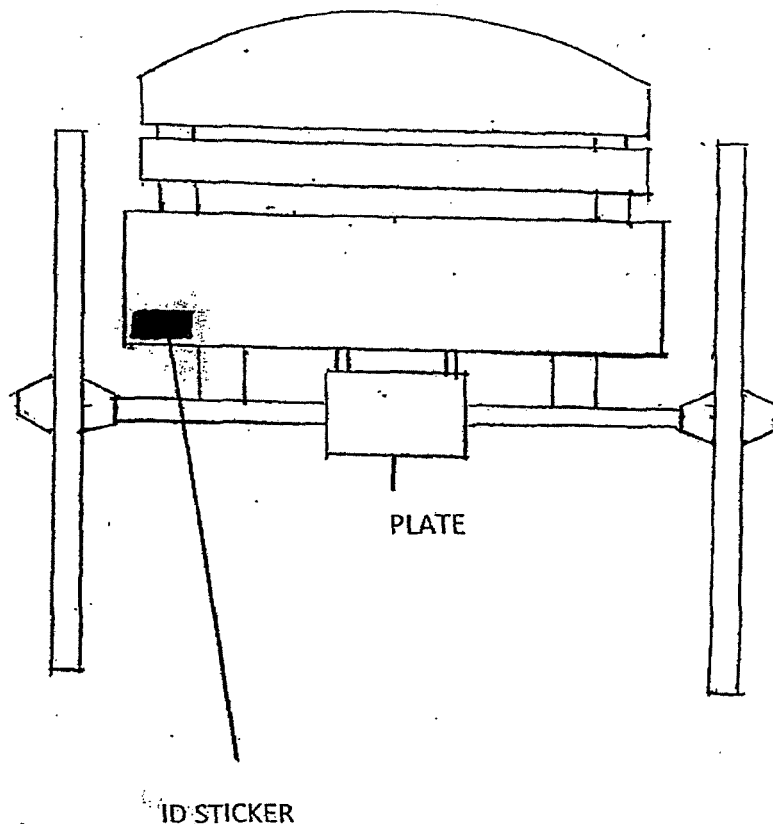
Douglas J. Scumacher

Doug Bateman, Commissioner, District #3

Attested by:

Mary B. Beery
Mary Beery, Auditor of the
County of Adams, State of Indiana

DIAGRAM: REAR OF HORSE DRAWN VEHICLE



ID STICKERS CAN NOT BE ON THE SLOW MOVING SIGN NOR MOUNTED BELOW THE BUGGY BOX

CLEAN THE AREA WITH HOT SOAPY WATER AND DRY COMPLETELY BEFORE APPLYING STICKER. FAILURE TO COMPLY MAY RESULT IN LOSS OF STICKER.

THE BUGGY ID STICKER SHALL BE PLACE AT THE REAR OF THE BOX FRAME, ON THE LOWEST FAR LEFT CORNER OF THE BUGGY AS SHOWN IN DIAGRAM. PLACING IT ELSEWHERE IS IN VIOLATION OF THE AMENDED ADAMS COUNTY ORDINANCE 2017-2/2017-6.

ANY ATTEMPT TO REMOVE THE ID STICKER WILL VOID THE STICKER. YOU WILL NEED TO FILL OUT AN AFFIDAVIT TO RECEIVE A REPLACEMENT AT THE APPROPRIATE PRICE. (AMENDED ADAMS COUNTY ORDINANCE 2017-2/2017-6)

WHEN PURCHASING OR TRANSFERRING A NEW BUGGY YOU MUST BRING A "BILL OF SALE" OR "RECEIPT" VERIFYING THE DATE OF PURCHASE WITHIN 30 DAYS TO AVOID ADDITIONAL COST. (AMENDED ADAMS COUNTY ORDINANCE 2017-2/2017-6)

APPLICATION FOR DUPLICATE OR REPLACEMENT HORSE DRAWN VEHICLE PLATE

AFFIDAVIT (TO BE COMPLETED BY LAW ENFORCEMENT AGENCY)

Law enforcement agency reported to		
Date Reported	Name of Officer	Badge No:
TO BE COMPLETED BY APPLICANT		
Name of Applicant		
Street Address		
City	State	Zip Code

COUNTY USE ONLY
Township
Replacement/Duplicate Plate No
Original Plate Number
Date

Above plate was Lost Stolen Mutilated

I affirm under perjury that the statements herein are correct

Signature of Applicant	Date
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AFTER FORM HAS BEEN COMPLETED BY LAW ENFORCEMENT AND APPLICANT FORM MUST BE TAKEN TO ADAMS COUNTY HIGHWAY DEPARTMENT FOR REPLACEMENT PLATE

The original plate reported above is now contraband and not valid for registration purposes. The duplicate of replacement plate will become the current plate valid for use on the public highways.

APPLICANT COPY

**RETURN WITH
PLATE OR
STICKER**

- Amish Buggy License Plate
- Amish Buggy Clip Art
- Amish Buggy Silhouette
- Amish People
- Amish Buggy Drawing
- Amish Buggy Inside
- Amish Buggy Cartoon
- Amish Buggy Accident
- Amish Clothing

As if record gas prices weren't enough-Page 2| Off-Topic Discussion forum

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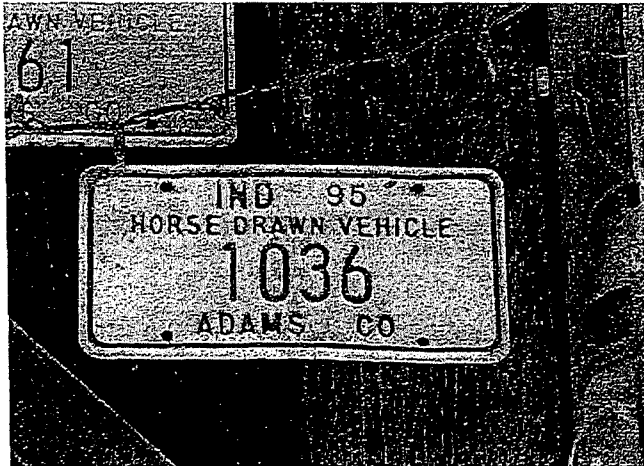
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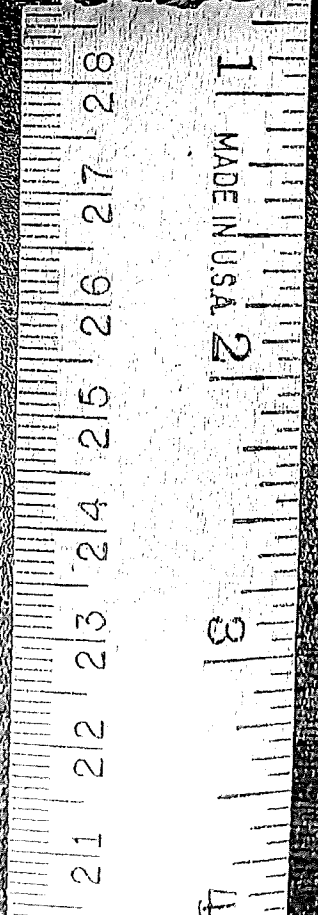
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