

State of Wisconsin



2009 Assembly Bill 592

Date of enactment: **March 3, 2010**
Date of publication*: **March 17, 2010**

2009 WISCONSIN ACT 135

AN ACT *to amend* 25.40 (1) (a) 3., 84.59 (2) (b), 341.10 (6), 341.27 (1) and 347.02 (5); and *to create* 341.10 (6m), 341.14 (4u) and 341.269 of the statutes; **relating to:** registration of former military vehicles.

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

SECTION 1. 25.40 (1) (a) 3. of the statutes, as affected by [2009 Wisconsin Act 28](#), section [669](#), is amended to read:

25.40 (1) (a) 3. Revenues collected under ss. 341.09 (2) (d), (2m) (a) 1., (4), and (7), 341.14 (2), (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a) and (b), (2), and (2m), 341.17 (8), 341.19 (1) (a), 341.25, 341.255 (1), (2) (a), (b), and (c), and (5), 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), and (7), 341.264 (1), 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), [341.269 \(2\) \(b\)](#), 341.30 (3), 341.305 (3), 341.308 (3), 341.36 (1) and (1m), 341.51 (2), and 342.14, except s. 342.14 (1r), that are pledged to any fund created under s. 84.59 (2).

SECTION 2. 84.59 (2) (b) of the statutes, as affected by [2009 Wisconsin Act 28](#), section [1927](#), is amended to read:

84.59 (2) (b) The department may, under s. 18.562, deposit in a separate and distinct special fund outside the state treasury, in an account maintained by a trustee, revenues derived under ss. 341.09 (2) (d), (2m) (a) 1., (4), and (7), 341.14 (2), (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a) and (b), (2), and (2m), 341.17 (8), 341.19 (1) (a), 341.25, 341.255 (1), (2) (a), (b), and (c), and (5), 341.26 (1), (2), (2m) (am) and (b),

(3), (3m), (4), (5), and (7), 341.264 (1), 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), [341.269 \(2\) \(b\)](#), 341.30 (3), 341.305 (3), 341.308 (3), 341.36 (1) and (1m), 341.51 (2), and 342.14, except s. 342.14 (1r), and from any payments received with respect to agreements or ancillary arrangements entered into under s. 18.55 (6) with respect to revenue obligations issued under this section. The revenues deposited are the trustee's revenues in accordance with the agreement between this state and the trustee or in accordance with the resolution pledging the revenues to the repayment of revenue obligations issued under this section. Revenue obligations issued for the purposes specified in sub. (1) and for the repayment of which revenues are deposited under this paragraph are special fund obligations, as defined in s. 18.52 (7), issued for special fund programs, as defined in s. 18.52 (8).

SECTION 3. 341.10 (6) of the statutes is amended to read:

341.10 (6) The vehicle is originally designed and manufactured for off-highway operation unless the vehicle meets the provisions of s. 114 of the national traffic and motor vehicle safety act of 1966, as amended, except as otherwise authorized by the statutes. This subsection does not apply to former military vehicles, as defined in s. 341.269 (1), for which the department receives an application, and which are eligible, for regis-

* Section 991.11, WISCONSIN STATUTES 2007-08 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

tration under s. 341.269 or, with respect to a county or municipality, under s. 341.26 (2m).

SECTION 4. 341.10 (6m) of the statutes is created to read:

341.10 (6m) The vehicle was manufactured for use in any country's military forces and does not meet federal motor vehicle safety standards. This subsection does not apply to former military vehicles, as defined in s. 341.269 (1), for which the department receives an application, and which are eligible, for registration under s. 341.269 or, with respect to a county or municipality, under s. 341.26 (2m).

SECTION 5. 341.14 (4u) of the statutes is created to read:

341.14 (4u) For historic military vehicles as specified in s. 341.269. The special plate for a historic military vehicle that is a motorcycle shall be the same size as the usual registration plate for a motorcycle that is not a historic military vehicle.

SECTION 6. 341.269 of the statutes is created to read:

341.269 Historic military vehicles; registration, plates, use. (1) In this section, "former military vehicle" means a vehicle, including a trailer but excluding a tracked vehicle, that was manufactured for use in any country's military forces and is maintained to accurately represent its military design and markings, regardless of the vehicle's size or weight.

(2) (a) Any resident of this state who is the owner of a former military vehicle that is at least 25 years old at the time of making application for registration and has been imported into the United States from another country, or that is any age and has not been imported into the United States, may upon application register the vehicle under this section as a historic military vehicle upon payment of the fees specified in par. (b). The applicant has the burden of providing evidence satisfactory to the department that the vehicle may be registered under this section, including, if applicable, providing documentation demonstrating that a former military vehicle which is less than 25 years old was manufactured for U.S. military forces and was never imported.

(b) 1. Except as provided in subd. 3., the fee to register a vehicle under this section is \$5. Upon application, the owner may reregister the vehicle under this section without the payment of any additional fee.

2. Except as provided in subd. 3., in addition to the fee under subd. 1., an applicant for initial registration under this section shall pay a one-time processing fee of \$25 for the initial costs of production of the special plates under par. (c).

3. The department may not collect any fee under subd. 1. or 2. if, at the time of application for registration under this section, the vehicle is currently registered under another provision of this chapter. The department shall cease collection of the fee under subd. 2. when the

department has collected a total of \$11,800 from either, or a combination of both, of the following sources:

a. The fee under subd. 2.

b. Any gift or contribution received by the department for purposes of funding the initial costs of production of the special plates under par. (c).

(c) The department shall furnish the owner of the vehicle registered under this section with registration plates of a distinctive design in lieu of the usual registration plates, and those plates shall show that the vehicle is registered as a historic military vehicle. The department shall specify the design for the registration plates furnished under this paragraph after consulting with a group or organization chartered in this state that is interested in historic military vehicles.

(3) A vehicle registered under this section may only be used for special occasions such as display and parade purposes, including traveling to and from such events, and for necessary testing, maintenance, and storage purposes.

(4) A motorcycle may be registered under this section if all of the requirements for registration specified in this section are satisfied.

(5) Unless inconsistent with this section or s. 341.10 (6), the provisions applicable to other motor vehicles apply to vehicles registered under this section as historic military vehicles.

SECTION 7. 341.27 (1) of the statutes is amended to read:

341.27 (1) All automobiles, other than those that may be registered under s. 341.26 (2), 341.265, 341.266 ~~or~~, 341.268, ~~or~~ 341.269 or are required by s. 341.29 to be registered on a calendar-year basis, shall be registered by the department according to the system of registration prescribed by this section.

SECTION 8. 347.02 (5) of the statutes is amended to read:

347.02 (5) If a vehicle registered under s. 341.25 (1) (a), 341.265 ~~or~~, 341.266, ~~or~~ 341.269 has equipment which was designated by the manufacturer as optional equipment in the model year the vehicle was manufactured, it is not necessary for such equipment to be in operating condition unless it replaces equipment which is required by law to be both present and functioning.

SECTION 9. Nonstatutory provisions.

(1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes effect in fiscal year 2010-11, in submitting information under section 16.42 of the statutes for purposes of the 2011-13 biennial budget bill, the department of transportation shall submit information concerning the appropriation under section 20.395 (5) (cq) of the statutes as though the total amount appropriated under section 20.395 (5) (cq) of the statutes for the 2010-11 fiscal year was \$11,800 less than the total

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amount that was actually appropriated under section 20.395 (5) (cq) of the statutes for the 2010–11 fiscal year.

SECTION 10. Fiscal changes.

(1) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (5) (cq) of the statutes, as affected by the acts of 2009, the dollar amount is increased by \$11,800 for the fiscal year in which this subsection takes effect to increase funding for special regis-

tration plates associated with historic military vehicles.

SECTION 11. Initial applicability.

(1) This act first applies to applications received by the department of transportation on the effective date of this subsection.

SECTION 12. Effective date.

(1) This act takes effect on the first day of the 7th month beginning after publication.
