

## Chapter Trans 134

### AUTHORIZED SPECIAL GROUPS

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**Trans 134.01 Authority and purpose. (1)** As authorized by s. 341.14 (6r) (fm), Stats., the purpose of this chapter is to establish procedures for the designation of authorized special groups and the issuance or discontinuation of issuance of special group plates to members of an authorized special group including application procedures, eligibility determination procedures, license plate reservation and sale procedures and discontinuance of license plate sale procedures for groups desiring to be designated as an authorized special group under s. 341.14 (6r) (fm), Stats.

**History:** Cr. Register, December, 1999, No. 528, eff. 1–1–00.

**Trans 134.02 Definitions.** The words and phrases defined in ss. 341.14 (6r), 341.01, and 340.01, Stats., have the same meaning in this chapter, in that order of priority, unless a different definition is specifically provided. In this chapter:

(2) “Department” means the department of transportation.

(3) “Special plate” means a license plate imprinted with a message for an authorized special group or a decal plate for which stickers are issued for an authorized special group.

**Note:** The term “authorized special group” as used in this chapter is defined in s. 341.14 (6r) (a) 1., Stats., to mean a special group enumerated in s. 341.14 (6r) (f), Stats., or designated by the department under s. 341.14 (6r) (fm), Stats.

**History:** Cr. Register, December, 1999, No. 528, eff. 1–1–00; CR 22–049: am. (intro.), r. (1), cr. (3) Register May 2023 No. 809, eff. 6–1–23.

**Trans 134.03 Application for designation as an authorized special group. (1) APPLICATION.** (a) A group wishing to be designated as an authorized special group may apply to the department upon the form provided by the department.

(c) The application shall require that the group certify that it has obtained any necessary approvals for use of a logo or trademark to be included in the design of a special group license plate.

(d) If the group is incorporated, the application shall be accompanied by a copy of the group’s articles of incorporation and by-laws.

(e) If the group is not incorporated, the application shall be accompanied by a copy of a document setting forth the group’s purpose.

(2) **FEE DEPOSIT.** (a) Along with the application, the group shall submit a deposit of \$15,500 by check made payable to the department of transportation, or by another method approved by the department. If the application is not approved, the department shall return or refund the deposit to the group as provided in s. 341.14 (6r) (fm) 2. a., Stats., and this section.

**Note:** Currently, deposits are made by a single check payable to Wisconsin Department of Transportation.

(b) The department shall do an initial review of the group’s application, and if the application is not acceptable after the initial review, the department shall return the application and return or refund the deposit.

(c) If the group’s application is not returned to the group following the department’s initial review, the department shall deposit the funds received in the general fund and debit the appropriation under s. 20.395 (5) (cj), Stats.

(d) If the department denies the group’s application, it shall credit the appropriation under s. 20.395 (5) (cj), Stats., and refund the deposit to the group.

**Note:** See s. Trans 134.04 (3) and s. 341.14 (6r) (fm) 2. a., Stats.

(e) A group may withdraw its application any time before the department has approved the application. If the application is timely withdrawn by an applicant, the department shall deny the application and refund the deposit in accordance with par. (d). In order to receive a refund, a notice of withdrawal must be received by the department prior to any decision approving the application.

(g) If the group withdraws its application after the department has approved the application, the department may not issue any refund to the applicant.

**Note:** Refunds may only be issued if an application is denied. See s. 341.14 (6r) (fm) 2. a., Stats. To apply for designation as an authorized special group, complete Form MV2090 which can be obtained by writing to the Department of Transportation, Bureau of Vehicle Services, P.O. Box 7911, Madison, WI 53707, or online at <https://wisconsin.gov/Documents/formdocs/mv2090.pdf>. Additional information about special plates may be viewed online at <https://wisconsin.gov/pages/dmv/vehicles/title-plates/special-list.aspx>.

**History:** Cr. Register, December, 1999, No. 528, eff. 1–1–00; CR 22–049: r. (1) (b), (f), am. (2) (a) to (e), r. (2) (f), am. (2) (g) Register May 2023 No. 809, eff. 6–1–23; correction in (2) (e) made under s. 35.17, Stats., Register May 2023 No. 809.

**Trans 134.04 Designation of authorized special groups. (1)** The department shall approve an application by a group or organization for designation as an authorized special group if all of the following conditions are met:

(a) The applicant group or organization files a complete application and all required fees with the department.

(b) The department determines that the applicant group or organization meets all of the criteria specified in s. 341.14 (6r) (fm), Stats.

(2) The department shall process applications according to the following schedule:

(a) The department shall notify the group after initial screening if the application is not acceptable and the notice shall specify why the application is not acceptable.

(d) If the department has not received additional information needed to determine eligibility within 90 days of asking for this information, the application shall be considered withdrawn and the department shall refund the deposit as provided in s. Trans 134.03 (2) (e).

(dm) Upon receiving a complete application and payment, the department shall follow the required steps set forth in s. 341.14 (6r) (fm) 1m., Stats., to determine whether there are any objections to designation of the group and, if any objections are made, to obtain a decision on approval of designation from the standing committees of each house of the legislature dealing with transportation matters. If the department receives any objections within 30 days after the date of the department’s notice under s. 341.14 (6r) (fm) 1m. a., Stats., the department shall refer the application to those standing committees.

1. If fewer than 61 days remain in a legislative session, the referral shall not be made sooner than the first day of the next legislative session.

2. If, within 14 days of a department referral of an application to the standing committees dealing with transportation matters, no chairperson of one or both of the standing committees notifies the department that one or both of the committees has scheduled a meeting for the purpose of reviewing the application, the depart-

ment shall process the application as if approved by the legislature notwithstanding the objection.

3. If the chairperson of one or both of the standing committees dealing with transportation matters notifies the department that the committee has scheduled a meeting for the purpose of reviewing the application, the application is approved only if each standing committee to which the application was referred under s. 341.14 (6r) (fm) 1m. c., Stats., expressly approves the application.

4. If the express approval by each standing committee dealing with transportation matters is required, and the legislative session ends without express approval of the group plate application by each applicable standing committee, the application is not approved by the legislature and the department shall deny the application and refund any deposit in accordance with s. Trans 134.03 (2) (d).

**Note:** Unless modified by the legislature, the applicable standing committees are the Assembly and Senate Transportation Committees. Express approval of the standing committees is not required for approval of a special group plate following an objection. Specific approval is required only if one of the committees to which the objection is referred notifies the department within 14 days of the referral that it will hold a hearing. If either committee schedules a hearing, an application must be specifically approved by both standing committees or it is deemed denied under s. 341.14 (6r) (fm) (1m) d., Stats. Because committees terminate at the end of the legislative session, this rule prohibits the department from referring an objection to the standing committees during the final days of a legislative session. To ensure that the committees have adequate time to schedule and hold committee meetings, the department is prohibited from referring a matter to the standing committees in the last 61 days of a legislative session. Assuming a session ends on December 31 every even-numbered year, no referrals will be made from November 1 of that year until the start of the next legislative session.

(e) The department shall begin data processing work as soon as it approves the group's application as an authorized special group. The department shall endeavor to complete data processing work within 12 months.

(f) After the department and the authorized special group agree on a plate design concept, the department shall endeavor to complete a production-ready plate design and purchase plate materials within 12 months.

**(3)** If the department denies an application by a group or organization, it shall return the application and deposit in the manner provided in s. Trans 134.03 (2) (d) and shall notify the group or organization of the reasons for the denial.

**Note:** Section 341.14 (6r) (fm) 4., Stats., provides that the decision of the department or legislature denying an application for designation as an authorized special group is final and is not subject to judicial review under ch. 227.

**History:** Cr. Register, December, 1999, No. 528, eff. 1–1–00; CR 22–049: renum. (1) to (1) (intro.) and am., cr. (1) (a), (b), am. (2) (a), r. (2) (b), (c), cr. (2) (dm), am. (2) (e), (f), (3) Register May 2023 No. 809, eff. 6–1–23.

**Trans 134.05 Special group plate design. (1)** Special group plates shall display the word “Wisconsin” and the name of the applicable authorized special group shall be displayed on the plate.

**(2)** A special group plate shall display a symbol representing the special group. The symbol may not exceed  $\frac{1}{4}$  the width of the plate.

**Note:** For personalized plates, up to 6 positions are available for the desired message. Sequential plate numbering shall be as the department determines.

**(3)** Special group plates shall be the combination of colors specified by the department for special group plates under s. 341.14 (6r) (f), Stats., which are not military in nature and not special groups under s. 341.14 (6r) (f) 35. to 47. and 50., Stats.

**(4)** The department shall specify the design of special group plates for authorized special groups designated under this chapter after consulting with the chief executive officer of the group or organization or the chief executive officer's representative regarding symbols and wording on the special group plate.

**(5)** The authorized special group shall pay any licensing fees related to the symbol or wording on special group plates.

**History:** Cr. Register, December, 1999, No. 528, eff. 1–1–00; CR 22–049: am. (2) Register May 2023 No. 809, eff. 6–1–23; CR 22–048: am. **(4)** Register July 2023 No. 811, eff. 8–1–23.

**Trans 134.06 Authorized special group license plate sales. (1)** INDIVIDUAL PLATE APPLICATIONS. (a) Special group plates are available for automobiles, station wagons, motor homes, motor trucks of 8,000 pounds or less, dual purpose motor homes or dual purpose farm trucks of 8,000 pounds or less, or farm trucks of 12,000 pounds or less. Special group plates may not be issued for motorcycles.

(b) License plates under this program are available only for vehicles registered for highway operation.

(c) Special group plates may not be combined with special plates for the disabled under s. 341.14 (1), (1a), (1m), or (1q), Stats., and therefore, vehicles displaying special group plates are not entitled to special parking privileges unless displaying a disabled parking identification card issued under s. 343.51, Stats.

(d) If the authorized special group applies to have restricted license plates, all of the following shall apply:

1. The authorized special group shall certify eligibility of license plate applicants.

**Note:** Certification of eligibility is generally accomplished by a representative of the group signing a verification of the person's membership in the group as part of the person's application for the special plate.

3. The authorized special group shall include in its application for designation as an authorized special group the criteria it proposes for eligibility for the restricted special license plate.

4. As provided in s. 341.14 (6r) (fm) 5., Stats., the authorized special group may not charge any fees, administrative or otherwise, and may not require or request any contribution from a license plate applicant to obtain eligibility certification for a special plate.

**Note:** Section 341.14 (6r) (fm) 5., Stats., has been repealed.

5. The authorized special group shall determine eligibility of the license plate applicant for initial issuance of the special group plate. After the department has issued the license plate, the department will not cancel the license plate if at some later time the license plate applicant no longer is eligible for initial issuance of the special license plate according to the authorized special group criteria.

(e) Each individual vehicle registrant who wishes to purchase a special group license plate shall submit a \$15 issuance fee along with the license plate and registration application in addition to regular registration fees.

(f) Authorized special groups may apply to reserve personalized plate messages on special group plates. If a group wishes to reserve personalized plate messages, the group shall submit \$15 for each reservation. The department shall search the current database and will reserve only personalized plate messages which do not duplicate any existing license plate number. If an individual vehicle registrant purchases the license plate with the reserved personalized plate message, the individual may not be charged the \$15 issuance fee.

**Note:** The department shall have a form for application for plates of authorized special groups. The department shall develop the application form, which will be available before any license plates are available for sale. The application form shall designate for which authorized special group plate the person is applying. Forms can be obtained by writing to the Department of Transportation, Bureau of Vehicle Services, P. O. Box 7911, or by calling (608) 266–3041.

**(2) GENERAL REQUIREMENTS.** The department may not conduct any special advertising or promotion for authorized special group license plates. Any promotion shall be the responsibility of the authorized special group. Nothing in this paragraph shall prohibit the department from issuing a press release related to the plates or from including the special group plate on any website related to special group plates.

**(3) REFUND OF FEE DEPOSIT.** (a) Except as provided in ss. Trans 134.03 (2) (a) to (e) and Trans 134.04 (2) (d) and (3), the department may not refund a deposit.

**Note:** Statutory provisions related to the collection and remittance of voluntary fundraising amounts for groups qualifying for special plates is found at s. 341.14 (6r) (fm) 8., Stats.

(b) The first year of plate sales begins on the first date that the department accepts individual applications for plates of the authorized special group.

**(4) DISCONTINUANCE OF PLATE SALES.** (a) If, at any time after 3 years from the date that special plates associated with an authorized special group are first issued under s. 341.14 (6r) (fm), Stats., there are fewer than 500 motor vehicles registered for which these special plates have been issued and are valid for the motor vehicles' then current registration period, the department shall follow the process set forth in s. 341.14 (6r) (fm) 3m., Stats., to determine whether the authorized special group's designation should be continued or rescinded.

**Note:** Section 341.14 (6r) (fm) 3m., Stats., provides:

a. If, at any time after 3 years from the date that special plates associated with an authorized special group are first issued under this paragraph, there are fewer than 500 motor vehicles registered for which these special plates have been issued and are valid for the motor vehicles' then current registration period, the department shall give notice to the authorized special group that it will rescind its designation of the authorized special group and cease issuing special plates associated with the authorized special group unless, within one year after the date of this notice, this threshold of at least 500 currently registered vehicles displaying these special plates is met.

b. If one year elapses after the department has given notice under subd. 3m. a. and the threshold under subd. 3m. a. is still not met, the department shall rescind its designation of the authorized special group and, except as provided in subd. 3m. c., cease issuing special plates associated with the authorized special group.

c. After rescinding its designation of an authorized special group under subd. 3m. b., the department may continue issuing special plates associated with the authorized special group until the department's inventory of these special plates is depleted and the department may continue to renew registrations of vehicles displaying these special plates and continue to collect the involuntary payment under subd. 8. a. After the department's inventory of these special plates is depleted, the department may not accept applications for initial issuance of these special plates or issue these special plates as replacement plates but may continue to renew registrations of vehicles displaying these special plates and may continue to collect the involuntary payment under subd. 8. a. in connection with these registration renewals.

d. This subdivision does not apply to any group or organization designated by the department as an authorized special group prior to October 1, 2016.

(b) If the department discontinues sales of special group plates for an authorized special group, the department may continue to renew authorized special group plates which have already been issued.

(c) If the department rescinds designation of a group under s. 341.14 (6r) (fm) 3m. b., Stats., the department shall not replenish its supply of that group's special plates and shall cease issuing the plates and any related decals once its supply is exhausted.

(d) If an authorized special group plate has been discontinued and the group decides to re-apply for designation as an authorized special group, the group must apply for authorized special group status following the procedure set forth in s. 341.14 (6r) (fm), Stats.

(e) The department may terminate special group authorization and plate sales at any time if it discovers that false or misleading information as to the nature of the special group was provided in the application process. If the department discontinues special group authorization, it may recall all license plates issued under this chapter, and may suspend registration of all vehicles with recalled plates, if the plates are not returned to the department.

(f) Personalized plate messages obtained under this program are subject to all department policies applicable to any personalized plate messages, and plates already issued may be recalled and registration suspended, if the plates contain messages which the department determines to carry connotations offensive to good taste or decency or which may be misleading.

**Note:** Decisions of the department to discontinue plate sales or to terminate authorized special group designation is final and not subject to judicial review under ch. 227 as provided in s. 341.14 (6r) (fm) 4., Stats.

**History:** Cr. Register, December, 1999, No. 528, eff. 1-1-00; r. and recr. (1) (d), Register, October, 2000, No. 538, eff. 11-1-00; correction in (1) (c) made under s. 13.92 (4) (b) 7., Stats., Register March 2012 No. 675; CR 22-049: r. (1) (d) 2., consol. and renum. (2) (intro.) and (a) and renum. to (2) and am., r. (2) (b), r. and recr. (3) (a), (4) (a), (c), am. (4) (d) Register May 2023 No. 809, eff. 6-1-23.