



Notice of

Public Meeting

to be held

February 19, 2015 at 12:15 p.m.

OBC Conference Room - 2nd Floor, Norbert Hill Center



Topic: Motor Vehicle Law Amendments

The Legislative Operating Committee is hosting this Public Meeting to gather feedback from the community regarding a legislative proposal that would:

- ◆ Remove specific fees from the Law and require the Oneida Business Committee to adopt the motor vehicle registration fee schedule upon recommendation of the Licensing Department.
- ◆ Records will be retained in accordance with the Open Records and Open Meetings Law and language creating a record retention schedule will be removed from the Law.
- ◆ The Licensing Department will determine the vehicle registration period, the current law outlines different registration periods.
- ◆ Process language has been removed from the Law to streamline the Law and the Department will be responsible for determining how the Law will be carried out.

All community members are invited to attend this meeting to learn more about this proposal and/or to submit comments concerning this proposal.

Public Comment Period—Open until February 26, 2015

During the Public Comment Period, all interested persons may submit written comments regarding this legislative proposal; and/or a transcript of any testimony/spoken comments made during the Public Meeting. Written comments may be submitted to the Tribal Secretary's Office or to the Legislative Reference Office in person or by U.S. mail, interoffice mail, e-mail or fax.

For more information about the public meeting process, or to obtain copies of the Public Meeting documents for this proposal, please visit www.oneida-nsn.gov/Register/PublicMeetings or contact the Legislative Reference Office (LRO), which is located on the second floor of the Norbert Hill Center, Oneida WI.

**Mail: Legislative Reference Office
PO Box 365
Oneida, WI 54155**

**Phone: (920) 869-4376 or (800) 236-2214
E-Mail: LOC@oneidanation.org
Fax: (920) 869-4040**

Chapter 51
MOTOR VEHICLE REGISTRATION ORDINANCE
Tehalaht@tst k@sleht olihw@-ke
matters concerning operating a vehicle

51.1. Purpose and Policy
51.2. Adoption, Amendment, Repeal
51.3. Definitions
51.4. Department Authority and Responsibilities
51.5. Registration of Motor Vehicles

51.6. Grounds For Refusing Registration
51.7. Design, Procurement and Issuance of Registration Plates
51.8. Display of Registration Plates
51.9. Penalties and Appeals

<i>Analysis by the Legislative Reference Office</i>					
Title	Motor Vehicle Registration (Law)				
Requester	Licensing Administrator	Drafter	Lynn A. Franzmeier	Analyst	Candice E. Skenandore
Reason for Request	The Licensing Department would like to change the motor vehicle registration prices without having to amend the Law. In addition, the Law has not been updated since 1999.				
Purpose	The purpose of this Law is to create a system for Tribal members who reside on the Reservation to register their motor vehicles within the Tribe <i>[See 51.1-1]</i> .				
Authorized/Affected Entities	Tribal members who reside on the Reservation and need to register their motor vehicles; Licensing Department or any other department of the Tribe that has the authority to implement and administer this Law (Department); Oneida Business Committee (OBC); Oneida Police Department/Law Enforcement and Tribal Judiciary				
Due Process	A person who received a fine under this Law can appeal to the Tribal Judiciary <i>[See 51.9-3]</i> .				
Related Legislation	Open Records and Open Meetings Law, Wisconsin Statutes 341.05 (22), 341.409, 110.20 (6)				
Policy Mechanism	Issuance of registration plates and renewal decals for a motor vehicle <i>[See 51.7-1 & 51.7-2]</i> .				
Enforcement	The Department has the authority to suspend registration and issue fines <i>[See 51.9-1 & 51.9-2]</i> .				

Overview

This Law was adopted by the OBC pursuant to OBC Resolution 04-08-97-D and was amended by OBC Resolution 12-07-99-E. This Law:

- Authorizes the Department to administer and implement this Law *[See 51.3-1 (b) & 51.4-1]*.
- Allows the OBC, upon recommendation of the Department, to adopt a motor vehicle registration fee schedule *[See 51.4-2]*.
- Requires the Department to maintain a list of registrations *[See 51.4-4]*.
- Allows the Tribe to enter into reciprocal agreements *[See 51.5-1]*.
- Permits Tribal members, who live on the Reservation, to have their automobiles registered with the Department *[See 51.5-2 & 51.5-9]*.
- Sets out how registrations are handled including applications renewal requests and re-registrations *[See 51.5-3 through 51.5-8]*.
- Specifies when the Department must refuse a vehicle registration *[See 51.6-1]*.
- Identifies the process in which the Department issues registration plates and registration renewal tags, decals or other identifications including the Department's authority to

- 17 determine the size, color and design of the registration plates *[See 51.7-1 through 51.7-*
18 *4]*.
- 19 ■ Allows the Department to issue the following types of registration plates: special plates
20 (disabled person plates, veteran plates and other special plates), antique motor vehicle
21 plates, special interest plates and personalized plates *[See 51.7-5 through 51.7-8]*.
 - 22 ■ Explains when the Department may issue replacement plates and the process for doing
23 so *[See 51.7-9]*.
 - 24 ■ Dictates the placement of the registration plates and decals on motor vehicles *[See 51.8]*.
 - 25 ■ Specifies when the Department must suspend the registration of vehicle *[See 51.9-1]*
 - 26 ■ Gives the Department the authority to issue a fine of no more than \$500 for any person
27 who violates this Law unless otherwise specified within the Law *[See 51.9-2]*.

28 29 **Proposed Amendments**

30 The following are proposed amendments to the Law:

- 31 ■ The title of this legislation has been changed; this legislation will no longer be an
32 ordinance but a law.
- 33 ■ This Law no longer states that the General Tribal Council can amend or repeal this Law
34 *[See 51.2-2]*.
- 35 ■ The Department is no longer responsible for enforcing this Law *[See Redline 51.3-1 (b)]*.
- 36 ■ The definition section has been expanded and the definitions for “automobile”, “moped”
37 and “motorcycle” have been amended. An automobile is, among other things, a motor
38 vehicle that has a curb weight of at least 1500 pounds, not 1600 pounds, which is
39 currently specified. For a bicycle-type vehicle to be considered “moped”, the engine size
40 cannot be more than 130 centimeters which is greater than the current maximum allowed
41 engine size of 50 cubic centimeters. In addition, this Law clearly states that a utility
42 terrain vehicle is not considered a motorcycle *[See 51.3-1 (a) (2), 51.3-1 (f) (1) and 51.3-*
43 *1 (i)]*.
- 44 ■ The Department will no longer have the authority to draft policies to implement this Law;
45 however, the Department can now create rules for implementation *[See Redline 51.4-1]*.
- 46 ■ Specific fees (i.e. annual registration fee, application fee, personalized plates fee, etc.) are
47 removed from the Law and language has been added to clarify that the OBC, upon
48 recommendation of the Department, will adopt the motor vehicle registration fee
49 schedule. This amendment will allow the fee schedule to change without having to
50 amend the Law. *[See 51.4-2 and redline 51.10-5, 51.18-1(b), 51.11-3, 51.11-5, 51.13-*
51 *1(a), 51.15-1 through 51.19-1, 51.22-1 through 51.27-1 and 51.33-1]*.
- 52 ■ Language has been added that states that registration fees are nonrefundable; the current
53 Law does not address refundable fees *[See 51.4-2]*.
- 54 ■ The Department can recommend separate fees based on different scenarios listed within
55 this Law *[See 54.4-2 (a-c)]*.
- 56 ■ The Open Records and Open Meetings Law will dictate how registration applications and
57 renewal requests will be retained *[See 51.4-3]*. The current Law requires the Department
58 to hold on to the applications and requests for one year before forwarding them to
59 Records to hold for an additional seven years *[See Redline 51.4-5]*.
- 60 ■ The Law now specifies the types of reciprocal agreements the Tribe can enter into with
61 the State of Wisconsin (State); they include, but are not limited to, registration and
62 licensing of any motor vehicle like automobiles, trucks, motorcycling, busses or official
63 vehicles with government jurisdiction pursuant to State law *[See 51.5-1 (a)]*.
- 64 ■ The Department will have the authority to determine the registration period. The current

- 65 Law requires 12 registration periods designated by a calendar month as well as special
66 registration periods of vehicles other than private automobiles [See 51.5-2 and redline
67 51.20-1 & 51.21-1].
- 68 ■ Many of the fines (i.e. failure to notify of new address, obtaining guardian consent
69 violations, operating an unregistered/improperly registered vehicle, etc.) have been removed
70 from the Law. Unless otherwise specified in this Law, the Department can now issue a
71 fine of up to \$500 for violating this Law [See redline 51.25-1 (b), 51.7-4, 51.5-1 (a) (1) &
72 51.5-1 (a) (2)].
 - 73 ■ If a vehicle is registered in another jurisdiction, it does not have to be registered with the
74 Tribe. The current Law requires Tribal members that live on the Reservation to register
75 their vehicles with the Tribe [See 51.5-9 (a) and redline 51.1-1 & 51.21-1 (b)].
 - 76 ■ Language has been added that requires a vehicle to be kept on the Reservation for six
77 months out of the year in order for it to be registered with the Department. This Law also
78 specifies that if an applicant has an unpaid citation for any nonmoving traffic violations,
79 the Department can refuse registration [See 51.6-1 (f)].
 - 80 ■ The Department will continue to offer disabled person plates and veteran plates but the
81 Law no longer specifies that a disabled veteran, Oneida Veteran/Congressional Medal of
82 Honor or Prisoner of War plate will be available. The Department can; however, issue
83 additional special plates which may include these special plates [See 51.7-5 (a) (3) and
84 redline 51.10-1 (b) through 51.10-4].
 - 85 ■ Before the Department can issue personalized registration plates the proper paperwork, as
86 determined by the Department must accompany the required fee [See 51.7-8 (a) (1)].
 - 87 ■ A person who was issued a fine can appeal to the Tribe's judiciary [See 51.9-3].
 - 88 ■ Process language has been removed from the Law. For example the current Law spells
89 out exactly what information needs to be on a registration application but amendments
90 remove the process and simply state that the Department will prescribe the form.
91 Similarly, the process for how the Department creates and maintains the registration list
92 was removed as well as plate designs and what happens when a person fails to appear in
93 court [See 51.4-3 (a) & (b) and 51.5-3, redline 51.7-1, 51.11-1 and 51.32-1].

94 95 **Considerations**

96 The LOC may want to consider the following:

- 97 ■ This Law only allows Tribal members that reside on the Reservation and customarily
98 keep their vehicles on the Reservation for at least six months out of the year to register
99 their vehicles with the Department [See 51.6-1 (a)]. Lac du Flambeau Band of Lake
100 Superior Chippewa Indians (Lac du Flambeau) allows non-members to register their
101 vehicles with the Tribe so long as the non-members reside on the reservation [See *Lac du*
102 *Flambeau Motor Vehicle Code, 71.103 (1)*]. By expanding those eligible to register their
103 vehicles with the Tribe may increase revenue generation.
- 104 ■ This Law does not specify how often the registration fees need to be reviewed, just that
105 the OBC, upon recommendation by the Department, must adopt a fee schedule. The
106 current Law requires the Department to submit annualized fees to the OBC for approval
107 but this language was omitted in the proposed Law [See 51.4-2 and redline 51.33-3].

108 109 **Miscellaneous**

110 A public meeting has not been held. Minor language and formatting changes have been
111 made in order to comply with the Legislative Procedures Act. The Oneida Licensing
112 Department supports these proposed amendments.

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51.1-1. Purpose and Policy

~~51.1-1.~~ The purpose of this Law is to create a system for ~~enrolled Oneida Tribal~~ members who reside on the ~~Oneida Nation~~ Reservation ~~in Wisconsin~~ to register their motor vehicles ~~exclusively~~ with the ~~Oneida Nation, for the issuance of Oneida license plates to qualified applicants, and for the Oneida Nation to regulate the public roads within its sovereign jurisdiction~~ Tribe.

51.1-2. It is the policy of this Law to clarify jurisdictional sovereignty and to generate revenue for the Oneida Nation Tribe.

~~51.2. 51.2-1. Adoption, Amendment, Repeal, Review.~~ The Oneida Nation, a sovereign nation and federally recognized Indian tribe, has the authority to enter into reciprocal agreements regarding the registration and licensing of any motor vehicle, including but not limited to, automobiles, trucks, motorcycles, buses or official vehicles with any governmental jurisdiction and pursuant to Section 341.05 (22) and 341.409, Wis. Stats.

~~51.2-2.~~ The Oneida Nation has the power and authority to license and register motor vehicles pursuant to the sovereign jurisdiction status of the Oneida Nation and a reciprocal registration exemption agreement that has been entered into between the Oneida Nation and the State of Wisconsin with parallel laws and statues for cross administration and enforcement purposes.

Adoption, Amendment, Repeal

~~51.2-1. 51.2-3.~~ This ~~law may be~~ Law was adopted by the Oneida Business Committee ~~and is effective contingent upon the reciprocal agreement~~ by resolution BC # 3 27 96 B, entered into and signed by the State of Wisconsin and the Oneida Tribe of Indians of Wisconsin.

~~-04-02-97-D and 51.2-4.~~ This law may be amended by resolutions BC-12-07-99-E and

_____.

51.2-2. This Law may be amended or repealed by the Oneida Business Committee pursuant to the procedures set out in the Oneida Administrative Legislative Procedures Act ~~by the Oneida Business Committee or the Oneida General Tribal Council.~~

~~51.2-5. 51.2-3.~~ Should a provision of this Law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this Law which are considered to have legal force without the invalid portions.

~~51.2-4. 51.2-6.~~ All other Oneida laws, policies, regulations, rules, resolutions, motions and all other similar actions which are inconsistent with this policy are hereby repealed unless specifically re-enacted after adoption of this policy.

In the event of a conflict between a provision of this Law and a provision of another Tribal law, the provisions of this Law shall control. Provided that, nothing in this Law is intended to repeal or modify any existing law, ordinance, policy, regulation, rule, resolution or motion.

51.2-75. This Law is adopted under authority of the Constitution of the Oneida Tribe of Indians of Wisconsin.

51.3. Definitions

51.3-1. **Definitions.** This article section shall govern the definitions of words and phrases used within the Law. All words not defined herein shall be used in their ordinary and everyday sense.

~~51.3-2.~~ “Oneida Nation” means ~~Oneida Tribe of Indians of Wisconsin.~~

~~51.3-3.(a)~~ “Automobile” means any of the following:

159 | (a~~1~~) A motor vehicle designed and used primarily for carrying persons but
160 | which does not come within the definition of a motor bus, motorcycle, or moped.
161 | (b~~2~~) A motor vehicle capable of speeds in excess of thirty (30) miles per hour on
162 | a dry, level, hard surface with no wind, designed and built to have at least three
163 | (3) wheels in contact with the ground, a power source as an integral part of the
164 | vehicle, a curb weight of at least ~~1,600~~one thousand, five hundred (1,500)
165 | pounds, and a passenger and operator area with sides permanently enclosed with
166 | rigid construction and a top which may be convertible.

167 | ~~51.3-4.(b)~~ “Department” means the Licensing Department, or any other department of
168 | the Oneida Nation Tribe, with the authority to implement, and administer ~~and enforce~~ this
169 | law.

170 | ~~51.3-5. “Oneida member” means a member of the Oneida Nation who is on the Oneida~~
171 | ~~enrollment list and has an Oneida enrollment number.~~

172 | ~~51.3-6.(c)~~ “Gross weight” means the weight of the vehicle equipped for service plus the
173 | weight which the vehicle is carrying as load.

174 | ~~51.3-7.(d)~~ “Highway” means all public ways and thoroughfares and bridges on the same.
175 | It includes the entire width between the boundary lines of every way open to the use of
176 | the public as a matter of right for the purposes of vehicular travel.

177 | ~~51.3-8.(e)~~ “Identification number” means the numbers, letters or combination of
178 | numbers and letters assigned by the manufacturer of a vehicle or vehicle part or by the
179 | ~~d~~Department and stamped upon or affixed to a vehicle or vehicle part for the purpose of
180 | identification.

181 | ~~51.3-9. “Junked” means dismantled for parts or scrapped.~~

182 | ~~51.3-10.(f)~~ “Moped” means any of the following motor vehicles capable of speeds of not
183 | more than thirty (30) miles per hour with a one hundred fifty (150-) pound rider on a dry,
184 | level hard surface with no wind, excluding a tractor, a power source as an integral part of
185 | the vehicle and a seat for the operator:

186 | (a~~1~~) A bicycle-type vehicle with fully operative pedals for propulsion by human
187 | power and an engine certified by the manufacturer at not more than ~~50~~one
188 | hundred thirty (130) cubic centimeters or an equivalent power unit.

189 | (b~~2~~) A Type 1 motorcycle with an automatic transmission and an engine certified
190 | by the manufacturer at not more than fifty (50) cubic centimeters or an equivalent
191 | power unit.

192 | ~~51.3-12.(g)~~ “Motor home” means a motor vehicle designed to be operated upon a
193 | highway for use as a temporary or recreational dwelling and having the same internal
194 | characteristics and equipment as a mobile home.

195 | (h) “Motor vehicle” means every device in, upon or which any person or property is or
196 | may be transported or drawn upon a highway, except railroad trains. A snowmobile shall
197 | not be considered a motor vehicle.

198 | ~~51.3-11.(i)~~ “Motorcycle” means a motor vehicle, excluding a tractor ~~or an~~, all-terrain
199 | vehicle or a utility terrain vehicle, which is capable of speeds in excess of thirty (30)
200 | miles per hour with a one hundred fifty (150-) pound rider on a dry, level, hard surface
201 | with no wind, with a power source as an integral part of the vehicle, and which meets any
202 | of the following conditions under par. (a) or (b):

203 | (a~~1~~) Type 1 is a motor vehicle which meets either of the following conditions:

204 | (A) Is designed and built with two (2) wheels in tandem and a seat for
205 | the operator, and may be modified to have no more than three (3) wheels

206 by attaching a sidecar to one of the side the wheels in tandem without
207 changing the location of the power source.

208 ~~(a)(2B)~~ Is designed and built to have no more than three (3) wheels,
209 seating for the operator and no more than three (3) passengers, and does
210 not have the operator area enclosed.

211 ~~(b2)~~ Type 2 is a motor vehicle designed and built to have at least three (3) wheels
212 in contact with the ground, a curb weight of less than one thousand five hundred
213 (1,500) pounds, and a passenger and operator area with sides permanently
214 enclosed with rigid construction and a top which may be convertible.

215 (j) “Nonmoving traffic violation” means a citation for parking a motor vehicle in
216 violation of a statute, ordinance or resolution of the Tribe or the state of Wisconsin.

217 ~~51.3-13.(k)~~ “Nonresident” means a person who is not a resident of the Reservation.

218 ~~51.3-14.(l)~~ “Other jurisdiction” or “another jurisdiction” means territory other than the
219 ~~Oncida Nation~~ Reservation, including the State of Wisconsin and any State other than
220 Wisconsin.

221 ~~51.3-15.(m)~~ “Owner” means a person who holds the legal title of a motor vehicle, except
222 that if legal title is held by a secured party with the immediate right of possession of the
223 motor vehicle vested in the debtor, the debtor is the owner for the purposes of this Law.

224 ~~51.3-17.(n)~~ “Person with a disability that limits or impairs the ability to walk” means any
225 person with a disability as defined by the ~~federal~~ Americans with ~~d~~Disabilities ~~a~~Act of
226 1990, 42 USC 12101 et. seq., so far as applicable, or any persons who meet the following
227 conditions:

228 ~~(a1)~~ Cannot walk ~~200~~two hundred feet (200') or more without stopping to rest.

229 ~~(b2)~~ Cannot walk without the use of, or assistance from, another person or brace,
230 cane, crutch, prosthetic device, wheelchair or other assistive device.

231 ~~(e3)~~ Is restricted by lung disease.

232 ~~(d4)~~ Uses portable oxygen.

233 ~~(e5)~~ Has cardiac condition to the extent that functional limitations are present.

234 ~~(f6)~~ Is severely limited in the ability to walk due to an arthritic, neurological or
235 orthopedic condition.

236 ~~(g7)~~ Has a degree of disability equal to that specified in ~~pars.-(a1) to (f)-6~~
237 above.

238 ~~51.3-16.(o)~~ “Personal identifier” means a name, street address, post office box number or
239 nine (9) digit extended zip code.

240 (p) “Personalized registration plates” means registration plates for a motor vehicle
241 registered under this Law which display a registration composed of letters or numbers, or
242 both, requested by the applicant.

243 (q) “Registrant” means a person who has applied for and received registration plates for
244 a motor vehicle under this Law.

245 ~~51.3-21.(r)~~ “Reservation” means ~~the Reservation of the Oneida Tribe of Indians of~~
246 ~~Wisconsin and includes all lands within the exterior boundaries and any other lands~~
247 ~~owned by the Oneida Nation~~ all land within the exterior boundaries of the Reservation of
248 the Oneida Tribe of Indians of Wisconsin, as created pursuant to the 1838 Treaty with the
249 Oneida, 7 Stat. 566, and any lands added thereto pursuant to federal law.

250 (s) “Special interest vehicle” means a motor vehicle of any age which has not been
251 altered or modified from original manufacturing specifications and, because of its historic
252 interest, is being preserved by hobbyists.

253 51.3-19. ~~“Vehicle” means every device in, upon or which any person or property is or~~
254 ~~may be transported or drawn upon a highway, except railroad trains. A snowmobile shall~~
255 ~~not be considered a vehicle except for purposes made specifically applicable by this law.~~

256 51.3-20. (t) “Tribal member” means an enrolled member of the Oneida Tribe of Indians
257 of Wisconsin.

258 (u) “Tribe” means the Oneida Tribe of Indians of Wisconsin.

259 (v) “Truck” means every motor vehicle ten thousand (10,000) pounds or ~~underless~~
260 designed, used or maintained primarily for the transportation of property.

261 51.4. Department Authority and Responsibilities

262 51.4-41. The dDepartment shall be responsible for the administration of this ~~ordinance~~Law and
263 is delegated the authority to ~~draft policies~~create rules to allow for the full-implementation of this
264 Law.

265 51.4-32. Fees. The Oneida Business Committee, upon recommendation of the Department,
266 shall adopt a motor vehicle registration fee schedule. The fee schedule shall be published in the
267 Kalihwisaks upon adoption and whenever fees are changed. All registration fees, ~~applicable~~
268 finer, penalties, forfeitures and assessments shall be non-refundable and shall be paid to and
269 retained by the dDepartment, for the operation of such department. The Department may
270 recommend separate fees based on any combination of the following:

271 (a) The type of motor vehicle being registered.

272 (b) The maximum gross weight of the motor vehicle. Upon payment of the fee, a motor
273 vehicle subject to registration on the basis of gross weight may be registered at a weight
274 in excess of the manufacturer’s maximum gross weight rating, but such registration does
275 not exempt such vehicle from compliance with weight limitations imposed by law or by
276 state, local or tribal authorities pursuant to authority of law.

277 (c) Whether the motor vehicle’s registration was previously suspended under this Law.

278 51.4-5-3. Records Retention. All registration applications and registrationsrenewal requests
279 shall be retained byin accordance with the department for one year after the application has been
280 submitted or registration filed, thereafter all applicationsOpen Records and registrations shall be
281 retained by Oneida Records Management for seven yearsOpen Meetings Law.

282 51.14-1. Department to Compile4-4. Registration Lists. Maintaining of Lists.

283 (a) ~~At intervals selected by the department, t~~The dDepartment shall ~~compile~~maintain a list of
284 registrations ~~made during that interval pursuant to the monthly series system of registering~~
285 automobiles. The list shall give the name and address of each registrant, the registration number
286 assigned, and other identifying information as the dDepartment deems necessary.

287 (b) ~~The department shall compile a list of new automobile and motor truck registrations.~~
288 ~~Registrations for other new vehicles may be included if deemed necessary by the~~
289 ~~department. Such lists shall be compiled at such intervals during the month as is deemed~~
290 ~~necessary by the department but the final list compiled each month shall include the~~
291 ~~listing of the last day of the month. Such list shall contain only those vehicles being~~
292 ~~registered for the first time after sale by a dealer. Such list shall contain the name and~~
293 ~~address of the owner, the make, body type, identification number of the vehicle, and the~~
294 ~~date of sale.~~

295 51.14-2. Access to Lists.

296 (a) Upon request, the dDepartment shall distribute, free of charge, registration lists
297 compiled under this section ~~as follows~~to the following:

299 (1) ~~To t~~The Oneida Police Department, ~~one copy of each automobile registration~~
300 ~~list under sec.14-1.~~

301 (2) ~~To a~~Any other person, agency or public officer ~~or agency~~ that provides, in
302 writing, a reasonable requests for the lists, ~~one copy of each automobile~~
303 ~~registration list under sec.14-1.~~

304 (b) ~~Except as provided in sec. 14-3(c) public officers and agencies receiving free copies~~
305 ~~of registration lists under par. (a) shall keep such lists current and open to public~~
306 ~~inspection.~~

307 51.14-3. Limitations in Disclosure.

308 (a) ~~In providing copies under this section of any written information collected or~~
309 ~~prepared under this law which consists in whole or in part of the personal identifiers of 10~~
310 ~~or more persons, the department may not disclose~~ Any person who has received a
311 personal identifier of any person ~~who has made under 51.4-4(a) designation that his or~~
312 ~~her) shall keep the~~ personal ~~identifiers~~identifier confidential and may not ~~be disclosed as~~
313 ~~provided in this Article.~~disclose it except:

314 (b) Paragraph (a) does not apply to any of the following:

315 (1) ~~A person receiving a registration list under sec. 14-2(a-b) to~~ (1) To perform a
316 legally authorized function.;

317 (2) ~~A law enforcement agency~~

318 (3) ~~An insurer authorized to write~~ To issue or renew a property and/or casualty
319 insurance in the State of Wisconsin or an agent of the insurer, if the insurer or
320 agent uses the personal identifier designated for non disclosure under sec. 7-1(b)
321 for purposes of issuing or renewing a policy and related underwriting, billing or,
322 processing or paying a claim.; or

323 (4) ~~A person obtaining registration or title information for use in the~~ (3) To
324 conduct of a vehicle recall by the manufacturer of ~~the vehicle or an agent of the~~
325 ~~manufacturer, if the person uses the personal identifiers designated for non-~~
326 ~~disclosure under sec. 7-1(b).~~ a vehicle or his or her agent.

327 (c) ~~Any person who has received under par. (b) a personal identifier of any person who~~
328 ~~has made a designation under sec. 7-1(b) shall keep the personal identifier confidential~~
329 ~~and may not disclose it except for a purpose applicable to that person under par. (b).~~

330 (1c) Any person who ~~willfully~~ discloses a personal identifier in violation of this section
331 may be subject to a fine of not more than five hundred dollars (\$500.00) for each
332 violation.

333 (2d) Any person who ~~wilfully~~ requests or obtains a personal identifier from the
334 ~~d~~Department ~~under this subsection~~ under false pretenses may be required to forfeit not
335 more than five hundred dollars (\$500.00) for each violation.

337 51.285. Registration of Motor Vehicles

338 51.4-1. Reciprocal agreements. ~~The Oneida Nation may~~ Tribe has the authority to enter into a
339 reciprocal agreements regarding:

340 (a) the registration and licensing of any motor vehicle, including but not limited to
341 automobiles, trucks, motorcycles, buses or official vehicles with any governmental
342 jurisdiction and pursuant to Sections 341.05 (22) and 341.409, Wis. Stats; and

343 (b) the exemption agreement with the State of ~~from~~ Wisconsin. ~~The reciprocal~~
344 ~~agreement may exempt~~ state registration requirements of designated classes of motor
345 vehicles registered by the ~~department from the registration requirements of the State of~~
346 ~~Wisconsin~~ Department.

347 **51.4-1. Registration of Automobiles.**

348 ~~Regular~~^{5-2.} Except as provided in 51.5-9, all automobiles.

349 (a) ~~All automobiles customarily~~ owned by ~~Oneida~~^{Tribal} members residing on the
350 Reservation shall be registered with the ~~d~~Department in accordance with the registration
351 period determined by the Department.

352 (b) ~~The annual fee for each automobile registered in this jurisdiction and under this~~
353 ~~Article shall be \$40 for two plates~~

354 **51.4-2. Registration Periods for Private Automobiles.**

355 (a) ~~All automobiles shall be registered by the department according to a monthly series~~
356 ~~system of registrations.~~

357 (b) ~~There are established 12 registration periods, each to be designated by a calendar~~
358 ~~month and to start on the first day of such month and end on the last day of the twelfth~~
359 ~~month from the date of commencing. The department shall so administer the monthly~~
360 ~~series system of registration so as to distribute the work of registering automobiles as~~
361 ~~uniformly as practicable throughout the calendar year.~~

362 (c) ~~All automobiles subject to registration under monthly series systems shall be~~
363 ~~registered by the department for a period of twelve consecutive calendar months except~~
364 ~~as follows:~~

365 (1) ~~If the applicant holds current registration plates which were removed from an~~
366 ~~automobile which the applicant no longer owns or which has been junked, is no~~
367 ~~longer used on the highways or has been registered as a special interest vehicle or~~
368 ~~a reconstructed, replica, street modified or homemade vehicle and the plates were~~
369 ~~issued under the monthly series system, the department shall register the~~
370 ~~automobile which is the subject of the application for the remainder of the~~
371 ~~unexpired registration period.~~

372 (2) ~~If the applicant does not hold current registration plates under the~~
373 ~~circumstances described in par. (a) and the application is an original rather than~~
374 ~~renewal application, the department may register the automobile which is subject~~
375 ~~to the application for such period or part thereof as the department determines will~~
376 ~~help to equalize the registration and renewal work load of the department.~~

377 **51.7-1. Application For**^{5-3.} ~~Registration.~~ *Applications in General.*

378 applications and forregistration renewal of registration requests shall be made^{submitted} to the
379 ~~d~~Department upon forms prescribed by ~~it~~^{the Department} and shall be accompanied by the
380 required fee.

381 (b) ~~The forms for application for original registration and for renewal of registration~~
382 ~~shall be provided by the department and shall include a place for an applicant or~~
383 ~~registrant under this chapter to designate that the applicant's or registrant's name, street~~
384 ~~address, post office box number and 9-digit extended zip code may not be disclosed, a~~
385 ~~statement indicating the effect of making such a designation and a place for an applicant~~
386 ~~or registrant who made a designation under this subsection to reverse the designation.~~

387 ^{51.2-8.} (a) All information given for purposes of obtaining a
388 license obtained by the Department for purposes of registering a motor vehicle under the
389 ~~Oneida Motor Vehicle Ordinance~~ this Law shall ~~may~~ be subject to review or internal
390 audit.

391 (b)(1) ~~The application form or an accompanying document shall include a list of any~~
392 ~~unpaid citations for nonmoving traffic violations, or any violations of administrative rules~~
393 ~~of the department, or parking violations, entered against the registrant which remain~~
394 ~~unpaid.~~

395 (b)(2) If ~~there is a citation~~ the registrant has an unpaid citation for any non-moving
396 traffic violation ~~entered against the registrant which is unpaid~~, he or she shall be notified
397 that the ~~vehicle may not be registered~~ registration may not be issued or renewed until the
398 citation is paid or the registrant appears in court to respond to the citation.

399 **51.25-1. Notice of Change of Address.** ~~Change of Address.~~

400 (a)(c) Whenever any person, after applying for and receiving registration plates, moves
401 from the ~~has a change of~~ address ~~named in the application for the registration plates~~ or
402 when the ~~of his or her~~ name ~~of the licensee is changed by marriage or otherwise~~, the
403 person shall, within ten (10) days of such change, notify the ~~d~~Department in writing of
404 the old and new address or of such former and new names and of all registration plate
405 numbers held.

406 (b) ~~Any person who fails to comply with any of the requirements of par. (a) may be~~
407 ~~required to forfeit not more than \$25.~~

408 **51.7-25-4. Original Applications** Registration.

409 (a) Applications for original registration of a motor vehicle shall contain the following
410 information:

411 (a)(1) The name of the owner.

412 (a)(2) A description of the vehicle, including make, model, identification number
413 and any other information which the ~~d~~Department may reasonably require for
414 proper identification of the vehicle.

415 (a)(3) Such further information as the ~~d~~Department may reasonably require to
416 enable it to determine whether the vehicle is by law entitled to registration or to
417 enable it to determine the proper registration fee for the vehicle.

418 (b) The ~~d~~Department may accept an application and complete registration of a motor
419 vehicle when the evidence of ownership is held by a nonresident lien holder or for other
420 reasons not immediately available if the ~~d~~Department is satisfied as to ownership of the
421 vehicle. ~~The title fee shall be collected at the time of registration and retained even~~
422 ~~though certificate of title is not issued.~~

423 ~~51.7-4. Applicants Under 18:~~ (c) Minors. If the applicant for ~~a certificate of~~ registration
424 is under eighteen (18) years of age, the application shall be accompanied by a notarized
425 statement made and signed by ~~either of the applicant's parents, if such parent has custody~~
426 ~~of the minor; or if neither parent has custody, then by the person having custody~~ a
427 guardian of the applicant, stating that the applicant has the signer ~~guardian's~~ consent to
428 register the motor vehicle in the applicant's name. The signature on the statement shall
429 not impute any liability for the negligence of misconduct of the applicant while operating
430 such motor vehicle on the highways. ~~Any person who violates this section may be~~
431 ~~required to forfeit not more than \$200.~~

432 **51.7-35-5. Registration Renewal** Applications.

433 (a)(b) At least thirty (30) days prior to the expiration of a motor vehicle's registration,
434 the ~~d~~Department shall mail to the last-known address of the registrant a notice of the date
435 upon which the registration must be renewed and ~~an application form~~ instructions for
436 renewal of registration.

437 (a)(b) Applications for In order to renew a renewal of registration, the registrant shall
438 contain provide the Department with any updates to the information required ~~in sec.7-2(a)~~
439 ~~for original applications, or such parts thereof as the department deems necessary~~ on the
440 application for registration to ~~as~~ ensure the proper registration of the motor vehicle. The
441 Department may require that ~~applications~~ requests for renewal of registration be
442 accompanied by the certificate of title issued for the motor vehicle ~~only when the if~~ true

443 | ownership or proper registration of the motor vehicle is in doubt and cannot be resolved
444 | from records maintained by the Department.

445 | 51.23-15-6. *Re-registration Required For Motor Vehicles Subject To A Different Fee.*
446 | Whenever the construction or the use of a registered motor vehicle is changed in a manner
447 | ~~making which makes~~ the motor vehicle subject to a different registration fee ~~than the fee for~~
448 | ~~which the vehicle currently is registered~~, the owner shall immediately ~~make application~~ apply
449 | a new registration. The fee payable upon such re-registration shall be computed as ~~for if the a~~
450 | motor vehicle was not previously registered ~~in this jurisdiction by the Tribe~~, but a credit shall be
451 | allowed for the unused portion of the fee paid for the previous registration ~~if so long as~~ the
452 | registration plates issued upon the previous registration are returned to the ~~d~~Department. The
453 | credit shall be computed on the basis of one-twelfth (1/12) of the annual registration fee or one
454 | twenty-fourth (1/24) of the biennial registration fee prescribed for the vehicle as previously
455 | registered multiplied by the number of months of registration which have not fully expired on the
456 | date the motor vehicle became subject to the different fee. The credit may be applied toward the
457 | re-registration of the motor vehicle only up to the date when the previous registration would have
458 | expired.

459 | 51.5-17. *Operating Unregistered or Improperly Registered Motor Vehicle. ~~Penalty for~~*
460 | ~~Operating Unregistered or Improperly Registered Vehicle.~~

461 | ~~(a)~~ It is unlawful for any person to operate or for an owner to consent to being operated on any
462 | highway of this jurisdiction the Reservation any motor vehicle, ~~mobile home, trailer, or any other~~
463 | ~~vehicle~~ for which a registration fee is specifically prescribed unless at the time of operation the
464 | motor vehicle in question either is registered ~~in this jurisdiction by the Department~~, or, a complete
465 | application for registration, including evidence of any inspection required by the
466 | ~~jurisdiction~~ Department, accompanied by the required fee has been delivered to the ~~d~~Department
467 | or deposited in the mail properly addressed with postage prepaid, and if the motor vehicle is an
468 | automobile, ~~station wagon~~ or ~~motor~~ truck having a registered weight of eight thousand (8,000)
469 | pounds or less, the motor vehicle displays a temporary operation plate issued by the Department
470 | for the motor vehicle unless the operator or owner of the ~~vehicle displays a temporary operation~~
471 | ~~plate issued for the vehicle unless the operator or owner of the~~ motor vehicle produces proof that
472 | operation of the motor vehicle is within two (2) business days of the motor vehicle's sale or
473 | transfer, or the motor vehicle in question ~~or~~ is exempt from registration.

474 | ~~(1a)~~ A motor vehicle may be operated ~~by a private person~~ after the date of purchase of
475 | such vehicle ~~by such private person~~ or after the date ~~such person~~ the owner moved to this
476 | jurisdiction the Reservation if application for registration and certificate of title has been
477 | made.

478 | ~~(2b)~~ All motor vehicles subject to renewal ~~or registration~~ may be operated provided that
479 | ~~application for re-a~~ registration renewal request has been made.

480 | ~~(1c)~~ Any person who violates ~~par. (a) or (b),~~ 51.5-7, where the motor vehicle used is an
481 | automobile, station wagon, or any other motor vehicle having a gross weight of ten
482 | thousand (10,000) pounds or less, may be required to forfeit not more than two hundred
483 | dollars (\$200.00).

484 | ~~(2d)~~ Any person who violates ~~par. (a) or (b),~~ 51.5-7, where the motor vehicle used is
485 | ~~vehicle~~ not enumerated under ~~sub. (1)~~ 51.5-7(c), may be required to forfeit not more than
486 | five hundred dollars (\$500.00).

487 | ~~(b)~~ 51.5-8. Unless application for re-registration has been made as required by ~~sec. 23-1~~ 51.5-6, it
488 | is unlawful for any person to operate or for the owner to consent to being operated on any
489 | highway of this jurisdiction the Reservation any registered motor vehicle the construction or use
490 | of which has been changed so as to make the vehicle subject to a higher fee than the fee at which

491 it currently is registered or which is carrying a greater load than that permitted under the current
492 registration.

493 | 51.6-15-9. *Vehicles Exempt From Registration.* A motor vehicle ~~even though~~ operated on a
494 highway of the Reservation, is exempt from registration when such vehicle:

495 | (a) Is registered in another jurisdiction and the vehicle has a registration plate indicating
496 it is validly registration in such other jurisdiction.

497 | (b) Is operated in accordance with ~~the provisions~~ 51.7-6 exempting ~~nonresident or foreign~~
498 ~~registered-motor~~ vehicles from registration, or

499 | (c) Is a farm tractor used exclusively in agricultural operations, ~~including threshing~~, or
500 used exclusively to provide power to drive other machinery, or to transport from job to
501 job machinery driven by such tractor; or

502 | (d) Is a trailer or semi-trailer used exclusively for the transportation of farm machinery,
503 implements, produce or supplies on a farm or between farms; or

504 | (e) Is a fork-lift truck, a specially constructed road or truck tractor used for shunting
505 trailers; ~~or semi-trailer used exclusively for the transportation of farm machinery,~~
506 ~~implements, produce or supplies on a farm or between farms; or~~

507 | (f) Is a trailer or camping trailer having a gross weight of three thousand (3,000)
508 pounds or less and not used for hire or rental; or

509 | (g) Is a trailer not operated in conjunction with a motor vehicle; or

510 | (h) Is a new motor vehicle being operated only across a highway from point of
511 manufacture or assembly; or

512 | (i) Is a piece of road machinery.

513

514 | **51.8-16. Grounds For Refusing Registration**

515 | 51.6-1. The ~~d~~Department shall refuse registration of a vehicle under any of the following
516 circumstances:

517 | (a) The ~~vehicle~~ owner applying for registration is not ~~an Oneida~~ a Tribal member, does
518 not reside on the Reservation ~~and/or~~ the motor vehicle is not customarily kept on the
519 Reservation for at least six (6) months out of the year.

520 | (b) The required motor vehicle registration fee ~~imposed by the department for a vehicle~~
521 ~~customarily kept on the Reservation and owned by an enrolled Oneida member,~~ has not
522 been paid for the specific vehicle, ~~and the department may refuse registration of a vehicle~~
523 ~~if or~~ such fees ~~for the current period or for any previous period for which payment of a~~
524 ~~registration fee is required by law~~ have not been paid on any other vehicles owned ~~or~~
525 ~~leased~~ by the applicant ~~for registration.~~

526 | (c) The applicant has failed to furnish any of the following:

527 | (1) Unless exempted by rule of the document, the mileage disclosure from the
528 most recent titled owner and of all subsequent non-titled owners of the motor
529 vehicle.

530 | (2) Other information or documents required by law or by the ~~d~~Department
531 pursuant to authority of law.

532 | (3) Proof of Oneida membership by enrollment card or number.

533 | (d) ~~Where t~~The applicant does not hold a valid certificate of title and is not entitled to the
534 issuance of a certificate of title.

535 | (e) The applicant's registration has been suspended ~~or revoked~~ and such suspension ~~or~~
536 ~~revocation~~ is still ~~is~~ in effect.

537 | (f) The applicant has an unpaid citation for any nonmoving traffic violation.

538 | ~~(g) The~~ vehicle is exempt from registration ~~and voluntary registration of the vehicle is~~
539 | ~~not expressly authorized.~~

540 |
541 | **51.9-17. Design, Procurement and Issuance of Registration Plates**

542 | ~~51.7-1.~~ The ~~d~~Department, upon registering a motor vehicle ~~pursuant to Article IV and Article~~
543 | ~~XIX,~~ shall issue to the applicant two (2) registration plates for an automobile, truck, or motor
544 | home, and one (1) plate for other motor vehicles. ~~The department upon registering a vehicle~~
545 | ~~pursuant to any other section shall issue one plate unless the department determines that two (~~
546 | ~~51.7-2) plates will better serve the interests of law enforcement.~~

547 | ~~51.9-4.~~ In lieu of issuing a new plate upon each renewal of registration of a motor vehicle, the
548 | ~~d~~Department may issue ~~one insert~~a tag, decal or other identification per motor vehicle to indicate
549 | the period of registration. The tag, decal or other identification shall be ~~provided by the~~
550 | ~~department and~~ used only if the outstanding plate is in suitable condition for further usage.

551 | ~~51.9-27-3.~~ The ~~d~~Department shall determine the size, color and design of registration plates with
552 | a view toward making ~~them~~the following visible ~~evidence of:~~ the period for which the motor
553 | vehicle is registered and the fee class into which the motor vehicle falls ~~as well as making them.~~
554 | The registration plates shall also be a ready means of identifying the specific motor vehicle or
555 | owner for which the ~~plated~~plates were issued.

556 | ~~51.9-37-4.~~ All registration plates shall have displayed upon them the following:

- 557 | (a) The registration number assigned to the motor vehicle or owner. The registration
558 | number ~~shall~~may be composed of numbers or letters or both.
559 | (b) The name "Oneida Nation."
560 | (c) An indication of the period for which the specific plate is issued or the date of
561 | expiration of registration.

562 | **~~51.10-1. Application For and Issuance of~~7-5. Special Plates.**

563 | ~~(a)~~ The ~~d~~Department ~~shall~~may issue ~~special plates as specified in this section under the~~
564 | following ~~circumstances~~special plates:

565 | ~~(a) Disabled Oneida Residents. If any Oneida member, who is a resident of the~~
566 | ~~Reservation and who is registering or has registered an automobile or truck or a~~
567 | ~~motor home,~~(1) Disabled Person Plates. If a registrant submits a statement once
568 | every four (4) years, from a physician licensed to practice medicine in any state,
569 | or from a chiropractor licensed to practice chiropractic in any state, that the
570 | ~~resident~~registrant is a person with a disability that limits or impairs the ability to
571 | walk, the ~~d~~Department shall ~~procure,~~ issue ~~and deliver to the disabled person or~~
572 | ~~renew~~ plates of a special design in lieu of plates which ordinarily would be issued
573 | for the motor vehicle, ~~and shall renew the plates.~~ The plates shall be so designed
574 | as to readily ~~apprize~~apprize law enforcement officers of the fact that the motor
575 | vehicle is owned by a ~~non-veteran~~ disabled person and is entitled to parking
576 | privileges specified in other laws. No charge in addition to the registration fee
577 | shall be made for the issuance or renewal of such plates.

578 | (2) Veterans Plates. The Department shall issue special veteran plates for
579 | veterans of the various branches of the military, specific wars or military
580 | conflicts.

581 | (3) Other Special Plates. The Department may issue additional special plates if
582 | the Department determines the demand for such special plates would justify the
583 | issuance of such plates and the Department has the ability to determine who is
584 | qualified to receive the plates.

585 ~~(b) *Disabled Oneida Veterans.* If any resident of the Reservation who is registering or~~
586 ~~has registered an automobile, truck, or a motor home submits a statement once every four~~
587 ~~(4) years, from the Oneida Nation Department of Veterans Affairs certifying to the~~
588 ~~department that the resident is, by reason of injuries sustained while in the active U.S.~~
589 ~~military service, a person with a disability that limits or impairs the ability to walk, the~~
590 ~~department shall procure, issue and deliver to the veteran, plates of a special design in~~
591 ~~lieu of the plates which ordinarily would be issued for the vehicle, and shall renew the~~
592 ~~plates. The plates shall be so designed as to readily apprise law enforcement officers of~~
593 ~~the fact that the vehicle is owned by a disabled veteran and is entitled to parking~~
594 ~~privileges specified in other laws. No charge in addition to the registration fee shall be~~
595 ~~made for the issuance or renewal of such plates.~~

596 ~~51.10 2. *Oneida Veteran/Congressional Medal of Honor.* Upon application by any person~~
597 ~~awarded the congressional medal of honor and submission of proper proof thereof, the~~
598 ~~department shall issue special plates so designed as to indicate such award. No charge whatever~~
599 ~~shall be made for the issuance of such plates.~~

600 ~~51.10 3. *Prisoner of War.*~~

601 ~~(a) Upon application to register an automobile or truck by any Oneida member residing~~
602 ~~on the Reservation who was a member of any of the U.S. armed services and who was~~
603 ~~held as a prisoner of war during any of the conflicts described as World War II, Vietnam,~~
604 ~~Persian Gulf, Operation Desert (Shield) Storm, or in Grenada, Lebanon, Panama, Somalia~~
605 ~~or a Middle East crisis, and upon submission of a statement from the Oneida Nation~~
606 ~~Department of Veterans Affairs certifying that the person was a prisoner of war during~~
607 ~~one of the conflicts described, the department shall issue to the person a special plate~~
608 ~~which is colored (to be determined by the department) and which has the words "ex-~~
609 ~~prisoner of war" placed on the plate in the manner designated by the department.~~

610 ~~(b) If a registration plate has been issued to a person under par (a), upon application by~~
611 ~~the surviving spouse of the person, the department may permit the surviving spouse to~~
612 ~~retain the plate. If the plate has been returned to the department or surrendered to another~~
613 ~~state, the department may reissue the plate to the surviving spouse. The department shall~~
614 ~~charge an additional fee of \$10 to reissue the plate.~~

615 ~~(c) A person who maintains no more than one registration under this subsection at one~~
616 ~~time shall not be charged a fee for registration of the vehicle or issuance of plates.~~

617 ~~(d) For each additional vehicle, a person who maintains more than one registration under~~
618 ~~this subsection at one time shall be charged a fee of \$10 for issuance of the plates in~~
619 ~~addition to the annual registration fee for the vehicle.~~

620 ~~(e) The department shall charge a fee of \$10 for re-issuance of any plate under par. (d).~~

621 ~~51.10 4. *Veterans Plates.* The department shall issue special veterans/military plates under this~~
622 ~~subsection for the following authorized special groups:~~

623 ~~(a) World War II veterans~~

624 ~~(b) Korean War veterans~~

625 ~~(c) Vietnam War veterans~~

626 ~~(d) Persian Gulf War veterans~~

627 ~~(e) Air force Retired~~

628 ~~(f) Air force Veteran~~

629 ~~(g) Army Retired~~

630 ~~(h) Army Veteran~~

631 ~~(i) U.S. Coast Guard~~

632 ~~(j) Marine Corps Retired~~

- 633 ~~(k) Marine Corps Veteran~~
- 634 ~~(l) Navy Retired~~
- 635 ~~(m) Navy Veteran~~
- 636 ~~(n) Purple Heart~~
- 637 ~~(o) Medal of Honor~~

638 51.10-5. ~~The annual registration fee shall be \$40.00. There shall be an additional fee of \$10.00~~
639 ~~for the issuance of the initial registration of Special Veteran/Military plates. \$40.00 plus \$10.00~~
640 ~~for the first plate. Renewal fees for these plates shall be \$40.00.~~

641 51.10-6. ~~(b)~~ If an individual in possession of special plates ~~or of personalized plates under~~
642 ~~this article does not maintain membership in the applicable authorized special groups~~
643 ~~during the year which is not a plate issuance year~~ no longer qualifies for the special plates,
644 the individual shall:

645 ~~(a)~~ 1 Dispose of the special plates in a manner prescribed by the ~~d~~Department;
646 and

647 ~~(b)~~ ~~In addition to the regular~~ 2 Submit an application and registration fee; for
648 plates he or she qualifies for and pay a ~~\$4~~ fee for the issuance of replacement
649 plates; ~~and~~

650 ~~(c)~~ Return the certificate of title to the department for correction.

651 51. ~~17-17-6.~~ Antique Motor Vehicles; Registration, Vehicle Plates, Use. ~~Antique Motor~~
652 ~~Vehicles.~~

653 ~~(a)~~ A Any person who is a resident of the Reservation and the owner or subsequent transferee of a
654 A motor vehicle which has a model year of 1945 or earlier and which has not been altered or
655 modified from the original manufacturers' specifications may ~~upon application~~ register the
656 same vehicle as an antique motor vehicle upon payment of a fee ~~of \$5~~, and be furnished
657 registration plates of a distinctive design, in lieu of the usual registration plates, which shall
658 show, in addition to the ~~registration number~~ requirements of 51.7-4, that the motor vehicle is an
659 antique. The registration shall be valid while the motor vehicle is owned by the applicant
660 without payment of any additional fee. The motor vehicle shall only be used for special
661 occasions such as display and parade purposes or for necessary testing, maintenance and storage
662 purposes.

663 ~~(b)~~ a Any person who registers an antique motor vehicle ~~under par. (a)~~ may furnish and
664 display on the motor vehicle a historical plate from or representing the model year of the
665 motor vehicle if the registration and plates issued by the ~~d~~Department are simultaneously
666 carried in the motor vehicle and are available for inspection.

667 ~~(e)~~ b Unless inconsistent with this section, the provisions applicable to other motor
668 vehicles apply to antique motor vehicles.

669 51. ~~18-17-7.~~ Special Interest Vehicles; Registration, Plates, Use. ~~Special Interest~~
670 ~~Vehicle/Collectors Special Vehicle.~~

671 ~~(a)~~ a Any person who is the owner of who has a special interest motor vehicle ~~which is 20 or more~~
672 ~~years old at the time of making application for registration or transfer of title of the vehicle and~~
673 ~~who has registered in Oneida~~ through the Tribe and uses for regular transportation at least one
674 (1) vehicle that has regular registration plates may ~~upon application~~ apply to register ~~the~~ a
675 he or she owns as a special interest vehicle ~~upon payment of a fee under par. (b)~~ if the vehicle is
676 at least twenty (20) years old.

677 ~~(b)~~ b The fee to register a vehicle under par. (b) is twice the regular annual fee for this type
678 of vehicle, except that the fee for a vehicle that has a gross weight of more than 8,000
679 pounds may be no more than twice the annual fee for a similar vehicle that has a gross

680 | ~~weight of not more than twice the annual fee for a similar vehicle that has a gross weight~~
681 | ~~of not more than 8,000 pounds.~~

682 | ~~(ea)~~ The ~~d~~Department shall furnish the owner of the vehicle with registrations plates of a
683 | distinctive design in lieu of the usual registration plates, and those shall show that the
684 | vehicle is a special interest vehicle owned by a collector. Upon application, the owner
685 | may re-register the vehicle without the payment of any additional fee.

686 | ~~(eb)~~ Each collector applying for special interest vehicle registration plates will be issued
687 | a collector's identification number which will appear on each plate. Second and all
688 | subsequent registrations under this section by the same collector will bear the same
689 | collector's identification number followed by a suffix letter for vehicle identification.

690 | ~~(ec)~~ The vehicle may be used as are other vehicles of the same type except:

691 | (1) Motor vehicles may not transport passengers for hire.

692 | (2) Trucks may not haul material weighing more than ~~five hundred (500)~~ pounds.

693 | (3) No special interest vehicle may be operated upon any highway within the
694 | Reservation during the month of January unless the owner of the vehicle re-
695 | registers the vehicle with regular registration plates or transfers regular
696 | registration plates to the vehicle.

697 | ~~(fd)~~ Unless inconsistent with this section, the provisions applicable to other vehicles
698 | shall apply to special interest vehicles.

699 | ~~51.11-17-8. Personalized LicenseRegistration Plates. In this article, "personalized registration~~
700 | ~~plates" means either of the following:~~

701 | ~~(a) A registration plate for a motor vehicle registered under this ordinance which displays a~~
702 | ~~registration composed of letters or numbers, or both, requested by the applicant. Personalized~~
703 | ~~registration plates under this paragraph shall be of the same color and design as regular~~
704 | ~~registration plates and shall consist of numbers or letters, or both, not exceeding 5 positions and~~
705 | ~~not less than one position for a plate issued for a motorcycle or not exceeding 7 positions and not~~
706 | ~~less than 1 position for all other plates.~~

707 | ~~(b) A registration plate of the same color and design as provided in Article X for (a~~
708 | ~~vehicle specified under Article X which displays the applicable symbol of the authorized~~
709 | ~~special group to which the person belongs and a registration number composed of letters~~
710 | ~~or numbers, or both, not exceeding 6 positions and not less than 1 position, requested by~~
711 | ~~the applicant.~~

712 | ~~51.11-2.)~~ The ~~d~~Department shall issue personalized registration plates only upon request
713 | and if:

714 | ~~(a) The request and alternate thereto is received by the department in writing by mail by~~
715 | ~~the 15th day of the month in which the vehicle is to be registered;~~

716 | ~~(b)(1) The request is accompanied by the proper fee, an application for original or~~
717 | ~~renewal vehicle registration and the proper registration fee; and paperwork as~~
718 | ~~required by the Department; and~~

719 | ~~(e2)~~ The requested combination of numbers or letters has not already been issued.

720 | ~~51.11-3. In addition to the regular application fee provided for in this ordinance, the applicant~~
721 | ~~for a personalized registration plate issued on an annual basis shall pay a fee of \$15 for the~~
722 | ~~issuance of the plate and \$15 in each succeeding year to maintain the plate.~~

723 | ~~51.11-5. If an individual in possession of a personalized registration plate does not maintain the~~
724 | ~~personalized registration plate during a year which is not plate issuance year, the individual shall:~~

725 | ~~(a) Dispose of the personalized plate in a manner prescribed by the department;~~

726 | ~~(b) In addition to the regular application fee, pay a \$4 fee for the issuance of~~
727 | ~~replacements plates; and~~

~~(c) Return the certificate of title to the department for correction.~~

~~51.11-6.(b)~~ The ~~d~~Department may refuse to issue any combination of letters or numbers, or both, which carry connotations offensive to Oneida heritage or traditions, to good taste or decency, or which would be misleading or in conflict with the issuance of any other registration plates. All decisions of the ~~d~~Department with respect to personalized registration plate applications shall be final and not subject to judicial review.

~~51.11-4.(c)~~ Each personalized registration plate issued shall be reserved for the recipient in succeeding registration periods and shall not be duplicated for issuance to any other person if the recipient maintains the plate, unless the recipient authorizes the issuance of the plate to another person. If the recipient does not maintain the plate for two ~~(2)~~ successive years ~~which are not plate issuance years~~ or if the recipient does not specifically request re-issuance of the personalized ~~license-registration~~ plate by the end of the month in which the plate expires ~~in a plate issuance year~~, the ~~d~~Department may reissue the personalized registration plate to another applicant.

~~51.11-7.(d)~~ The ~~d~~Department may cancel and order the return of any personalized registration plates issued which contain any combination of letters or numbers, or both, which the ~~d~~Department determines may carry connotations that are offensive to the Oneida heritage or traditions, good taste and decency or which may be misleading. Any person ordered to return such plate shall either be reimbursed for any additional fees they paid for the plates for the registration year in which they are recalled, or be given at no additional cost replacement personalized registration plates, the issuance of which is in compliance with this ~~ordinance~~Law. A person who fails to return personalized registration plates upon request of the ~~d~~Department may be required forfeit not more than ~~two hundred dollars (\$200.00)~~.

~~51.13-1. Issuance of 7-9. Replacement Plates.~~

~~(a) Lost or Destroyed Plates.~~

~~(a)~~ Whenever a current registration plate is lost or destroyed, the owner of the ~~motor~~ vehicle to which the plate was attached shall immediately apply to the ~~d~~Department for a replacement. Except as further provided in this ~~article~~Law, upon satisfactory proof of the loss or destruction of each plate and upon payment of a fee ~~of \$2~~ for each plate, the ~~d~~Department shall issue a replacement.

~~(b) Upon satisfactory proof of the loss or destruction of a specialized plate or a personalized plate issued under sec.10, and upon payment of a fee of \$5 for each plate, the department shall issue a replacement.~~

~~51.13-2.—~~Illegible Plates. Whenever a current registration plate becomes illegible, the owner of the ~~motor~~ vehicle to which the plate is attached shall apply to the ~~d~~Department for a replacement. Upon receipt of satisfactory proof of illegibility, and upon payment of a fee ~~of \$2~~ for each plate, the ~~d~~Department shall issue a replacement. Upon receipt of a replacement plate, the applicant shall return the illegible plate to the ~~d~~Department for recycling.

~~51.13-3.—Replacement Plates.(c)~~ When issuing ~~a~~replacement plates, the ~~d~~Department may assign a new number and issue a new plate rather than a duplicate of the original if in its judgment that is in the best interests of economy or prevention of fraud. Upon receipt of a replacement plate, the applicant shall return the illegible plate to the ~~d~~Department for recycling.

~~51.13-4.—Any person issued replacement plates who fails to return the original plates to the department as required by this Article may be required to forfeit not more than \$200.~~

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51.12-18. Display of Registration Plates

51.8-1. Placement of Plates or Decals on Motor Vehicles.

(a) Whenever two (2) registration plates are licensed for a motor vehicle, one (1) plate shall be attached to the front and one (1) to the rear of the motor vehicle. Whenever only one (1) registration plate is issued for a motor vehicle, the plate shall be attached to the rear of the motor vehicle.

(b) Any registration decal or tag issued by the dDepartment shall be placed on the rear registration plate of the vehicle in the manner directed by the dDepartment.

~~51.128-2.~~ Registration plates shall be attached firmly and rigidly in a horizontal position and conspicuous place. The plates shall at all times be maintained in a legible condition and shall be so displayed that they can be readily and distinctly read. Any peace law enforcement officer may require the operator of any vehicle on which plates are not properly displayed to display such plates as required by this section.

~~51.12-3. Any of the following may be required to forfeit not more than \$200:~~

~~(a) A person who operates a vehicle for which a current registration plate or insert tag has been issued without such plate or tag being attached to the vehicle.~~

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

~~(c) A person who operates a vehicle with the registration plate in an illegible condition due to the accumulation of dirt or other foreign matter.~~

51.9. Penalties and Appeals

51.9-1. Suspension of Registration

(a) The Department shall suspend the registration of a vehicle when:

(1) The registration was completed through fraud or error and the person who registered the vehicle does not or cannot register the vehicle properly; or

(2) Any applicable test or inspection requirements of the State of Wisconsin under s.110.20(6)Wis. Stats have not been met.

(b) Any registration suspended pursuant to this section continues to be suspended until reinstated by the Department. The Department shall reinstate the registration when the reason for the suspension has been removed.

(c) Whenever the registration of a vehicle is suspended under this section, the Department may order the owner or person in possession of the registration plates to return them to the Department.

(d) No owner may transfer the ownership or registration of any vehicle whose registration is suspended under this section until the registration is reinstated or until the Department is satisfied that such transfer is proposed in good faith and not for the purpose or with the effect of defeating the purposes of 51.12-1(a).

(f) This section does not apply to or affect the registration of any vehicle sold by a person who, pursuant to the terms or conditions of any written instrument giving a right of repossession, has exercised such right and has repossessed such vehicle from a person who registration has been suspended under 51.12-1(a).

51.9-2. Any person who violates a provision of this Law, the violation of which does not have a specified fine may be subject to a fine issued by the Department of not more than five hundred dollars (\$500.00).

822 51.9-3. Appeals. A person issued a fine under this Law may appeal such fine to the Tribe's
823 Judiciary in accordance with applicable rules of appellate procedure.

824
825 ~~51.15-1. Annual Registration Fees; Biennial Motorcycle Fees. Unless a different fee is~~
826 ~~prescribed for a particular vehicle under this ordinance, the following registration fees shall be~~
827 ~~paid to the department for the annual registration of each vehicle not exempted by Article VI of~~
828 ~~this ordinance.~~

Maximum gross weight in pounds	Annual Fee
Not more than 4,500	\$ 45
Not more than 6,000	\$ 57
Not more than 8,000	\$ 72
Not more than 10,000	\$ 111
In excess of 10,000	\$ 150

829
830 Figure 1

- 831 (a) ~~For each automobile or station wagon, a fee of \$40.~~
- 832 (b) ~~For each motorcycle or moped with a curb weight of 1,499 pounds or less, which is~~
833 ~~designed for the transportation of persons rather than property, a biennial fee of \$20.~~
- 834 (1) ~~Registration plates under this article expire on April 30 of even numbered~~
835 ~~years.~~
- 836 (2) ~~One license plate is sent by the department of each cycle registered.~~

837
838 ~~51.15-2. Calculation of Registration Fees Relating to Gross Weight: Trucks:~~

- 839 (a) ~~Unless otherwise noted, for each truck under this article, a yearly registration fee is to~~
840 ~~be determined on the basis of the maximum gross weight of the vehicle. Each vehicle~~
841 ~~registered will receive one license plate. Maximum gross weight shall be determined by~~
842 ~~adding together the weight in pounds of the vehicle when equipped to carry a load as a~~
843 ~~motor truck and the maximum load in pounds which the applicant proposes to carry on~~
844 ~~the vehicle when used as a motor truck.~~
- 845 (b) ~~The following schedule shall be used in determining fees based on gross weight,~~
846 ~~provided that a surcharge of \$18 shall be added to and collected with the fee for each~~
847 ~~truck as listed in Figure 1.~~

848
849 ~~51.15-3. Motor Homes:~~

- 850 (a) ~~For each motor home, including any vehicle which is converted to be used as a motor~~
851 ~~home, an annual fee based on gross weight as set out in Figure 2.~~

Gross weight in pounds:	Annual Fee:
Not more than 5,000	\$ 45

Not more than 8,000	\$ 51
Not more than 12,000	\$ 63
Not more than 16,000	\$ 75
Not more than 20,000	\$ 87
Not more than 26,000	\$ 99
More than 26,000	\$ 111

Figure 2

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~~51.15 4. Upon payment of the fee prescribed by law, a vehicle subject to registration on the basis of gross weight may be registered at a weight in excess of the manufacturer's maximum gross weight rating, but such registration does not exempt such vehicle from compliance with weight limitations imposed by law or by state, local or tribal authorities pursuant to authority of law.~~

~~**51.16-1. Special Registration Fees For Certain Vehicles. Oneida Government Vehicles.**~~

- ~~(a) A fee of \$5 shall be paid to the department for the original issuance of a registration plate for any vehicle owned by the Oneida Nation and operated exclusively in service of the public.~~
- ~~(b) A fee of \$5 shall be paid to the department for the original issuance of a registration plate for vehicles used by the Oneida Police Department exclusively in the performance of their duties.~~

~~**51.19-1. Part Year Fees For Private Automobiles. Calculation of Partial Fees.**~~

- ~~(a) The applicant for registration of an automobile under the monthly series system shall pay in full the annual registration fee prescribed by law, except as otherwise provided in this article.~~
- ~~(b) If the applicant for registration holds current registration plates which were removed from an automobile which the applicant no longer owns or which has been junked, is no longer being used on the highways or has been registered as a special interest vehicle the applicant is exempt from the payment of a registration fee, except in the following cases:
 - ~~(1) If the annual fee prescribed for the automobile being registered is higher than the annual fee prescribed for the automobile from which the plates were removed, the applicant shall pay a fee computed on the basis of one twelfth of the difference between the two annual fees multiplied by the number of months for which the automobile which is the subject of the application is being registered. The start of the new registration, for the purpose of computing the fee, shall be determined in accordance with par. (c).~~~~
- ~~(c) For the purpose of computing the registration fee payable upon registration of an automobile under circumstances described in par. (b) & (c), the beginning of the current registration period shall be determined as follows:
 - ~~(1) If the first operation of an automobile under circumstances making the owner liable for its registration by the Oneida Nation occurs on or before the 15th day of~~~~

888 a given month, the registration period commences on the first day of such month.
889 If the first operation occurs on or after the 16th day of a given month, the
890 registration period commences on the first day of the following month. "First
891 operation" means operation of an automobile for the first time after it was
892 transferred to the applicant or after it was registered in another jurisdiction or after
893 the expiration of 12 months of non-operation since expiration of the last
894 registration by the Oneida Nation or after it was no longer used on the highways.
895 (2) In the case of an automobile which has not previously been registered or
896 which has not been registered by the Oneida Nation by the present owner since
897 the last owner last acquired ownership of the automobile, the department shall
898 assume that the date of first operation within the meaning of sub. (1) is the date of
899 the bill of sale evidencing the transfer of ownership to the applicant unless the
900 applicant files with the department a statement that the automobile was not so
901 operated until a later date, specifying the date of such first operation. In the case
902 of at least 12 months of non-operation of an automobile previously registered by
903 the applicant, the applicant must file with the department a statement that he or
904 she did not operate or consent to the operation of the automobile under
905 circumstances making it subject to registration in this state during such 12 month
906 period and must specify the date following such period when the automobile was
907 first so operated. The department may refuse to accept a statement which projects
908 the date of first operation into the future.

910 **~~51.20-1. Special Registration Period for Vehicles Other Than Private Automobiles. Special~~**
911 **~~Registration Periods.~~**

912 (a) ~~The department shall require that any vehicle other than private automobiles, shall be~~
913 ~~registered according to the monthly series system of registration prescribed by this~~
914 ~~section.~~

915 (b) ~~There are established 12 registration periods, each to be designed by a calendar~~
916 ~~month and to start on the first day of such month and end on the last day of the 12th~~
917 ~~month from the date of commencing. The department shall so administer the monthly~~
918 ~~series system of registration as to distribute the work of registration throughout the~~
919 ~~calendar year.~~

920 (c) ~~All vehicles subject to registration under the monthly series system under this section~~
921 ~~shall be registered by the department for a period of 12 consecutive calendar months~~
922 ~~except as follows:~~

923 (1) ~~If the applicant holds registration plates which were removed from a vehicle~~
924 ~~under section 22 and the plates were issued under the monthly series system, the~~
925 ~~department shall register a replacement vehicle of the same type and gross weight~~
926 ~~which is the subject of the application for the remainder of the unexpired~~
927 ~~registration period.~~

928 (2) ~~If the applicant does not hold current registration plates under the~~
929 ~~circumstances described in par. (1) and the application is an original rather than~~
930 ~~renewal application, the department may register the vehicle which is the subject~~
931 ~~of the application for such period or part of a period as the department determines~~
932 ~~will help to equalized the registration and renewal workload of the department.~~

933 (d) ~~Section 22 applies to any vehicles registered according to the monthly series system~~
934 ~~under this section.~~

936 ~~51.21-1. Biennial Registration.~~ The following vehicles shall be registered on a biennial basis:
937 (a) ~~A motorcycle or moped, as specified in sec. 15-1(b). The registration period for a~~
938 ~~motorcycle or moped begins on May 1 of an even-numbered year and ends on April 30 of~~
939 ~~the next even-numbered year.~~

940
941 ~~51.22-1. When Part-Period Fees Payable for Vehicles Other Than Automobiles;~~
942 ~~Computation of Part-Period Fees.~~ The annual registration fee shall be paid in full on all
943 vehicles registered pursuant to section 20, unless the vehicle comes within one of the following
944 categories, in which event the applicant is liable for the payment of only a part-period fee to be
945 computed in accordance with sec. 22-2(a):

- 946 (a) ~~The vehicle has not previously been registered within this Reservation; or~~
947 (b) ~~The vehicle previously was registered within this Reservation; but~~
948 (1) ~~The vehicle in the meantime has been registered in another jurisdiction and~~
949 ~~such foreign registration was in effect during or subsequent to the expiration of~~
950 ~~the previous registration in this state; or~~
951 (2) ~~The vehicle was transferred to the applicant after the expiration of the last~~
952 ~~registration in this state; or~~
953 (3) ~~At least 12 months have elapsed since the end of the period for which the~~
954 ~~vehicle previously was registered and the applicant files with the department a~~
955 ~~statement that did not, during such 12-month period, operate or consent to the~~
956 ~~operation of the vehicle under circumstances making the vehicle subject to~~
957 ~~registration in this state; or~~
958 (4) ~~The vehicle is a motorcycle which has been transferred to the applicant and~~
959 ~~for which current registration plates had been issued to the previous owner; or~~
960 (5) ~~The vehicle which has been transferred to the applicant is a motor home or a~~
961 ~~truck; or~~
962 (6) ~~The vehicle is subject to the provisions of sub. (5); or~~
963 (c) ~~The vehicle is a replacement for a registered vehicle which has been junked or is no~~
964 ~~longer used on the highway; or~~
965 (d) ~~The vehicle is owned by a person who has been in active military service and less~~
966 ~~than 12 months of non-operation have elapsed since the end of the period for which the~~
967 ~~vehicle was previously registered, provided the applicant files with the department a~~
968 ~~statement of such non-operation.~~

969 ~~51.22-2. Part-period registration fees shall be computed as follows:~~
970 (a) ~~For vehicles registered under the conditions in sec. 22-2(a), (b), or (d), the fee for the~~
971 ~~current registration period shall be computed on the basis of one twelfth of the annual~~
972 ~~registration fee or one twenty-fourth of the biennial registration fee prescribed for the~~
973 ~~vehicle multiplied by the number of months of the current registration period which have~~
974 ~~not fully expired on the date the vehicle first is operated by or with the consent of the~~
975 ~~applicant under circumstances making it subject to registration by the Oneida Nation. In~~
976 ~~the case of a vehicle which has not previously been registered or which has not been~~
977 ~~registered within this Reservation by the present owner since the owner last acquired~~
978 ~~ownership of the vehicle, the department shall assume that the date of first operation bill~~
979 ~~of sales evidencing transfer of ownership to the applicant unless he or she files with the~~
980 ~~department a statement that the vehicle was not so operated until a later date, specifying~~
981 ~~the date of such first operation. The department may refuse to accept any statement~~
982 ~~which projects the date of first operation into the future.~~

983 ~~(b) For the registration of a replacement vehicle under the conditions set forth in sec. 22-~~
984 ~~1(c), or the fee shall be computed as for a vehicle not previously registered in this state~~
985 ~~but a credit shall be allowed for the unused portion of the fee paid for the vehicle being~~
986 ~~replaced. Such credit shall be computed on the basis of one twelfth of the annual~~
987 ~~registration fee or one twenty fourth of the biennial registration fee prescribed for the~~
988 ~~vehicle being replaced multiplied by the number of months of registration which have not~~
989 ~~fully expired at the time the vehicle being replaced was junked, traded, sold or removed~~
990 ~~from jurisdiction of the Oneida Nation. Except for a vehicle registered on a biennial~~
991 ~~basis, it is not necessary that the replacement vehicle be of the same type as the one being~~
992 ~~replaced in order for the applicant to take advantage of the credit but the credit may be~~
993 ~~applied toward registration of the replacement vehicle only up to the date when the~~
994 ~~registration of the vehicle being replaced would have expired.~~

995 ~~51.22 3. Transferred Plates or Plates no Longer in Use.~~

996 ~~(a) The transferee of a vehicle registered as provided in Article XX is not subject to the~~
997 ~~payment of any registration fee for the remainder of the period for which the vehicle is~~
998 ~~registered unless, by reason of his or her status or the use to which the vehicle is put, the~~
999 ~~fee prescribed by law is higher than that paid by the former owner. In such event, the fee~~
1000 ~~shall be computed on the basis of one twelfth of the difference between the two (2)~~
1001 ~~annual fees multiplied by the number of months of the current registration period which~~
1002 ~~have not fully expired on the date, after the vehicle is acquired by the applicant, when~~
1003 ~~such vehicle is first operated by him or her with his or her consent under circumstances~~
1004 ~~making it subject to registration by the Oneida Nation.~~

1005 ~~(b) A person retaining a set of plates removed from a vehicle which was junked or~~
1006 ~~transferred, is no longer used on the highways or has been registered as a special interest~~
1007 ~~vehicle under sec. 18-1(b) may receive credit for the unused portion of the registration~~
1008 ~~fee paid when registering a replacement vehicle of the same type and gross weight.~~

1009 ~~(c) A person retaining a set of plates removed from a motorcycle may receive credit for~~
1010 ~~the unused portion of the registration fee paid when registering a replacement~~
1011 ~~motorcycle.~~

1012 ~~51.22 4. This section does not apply to vehicles registered at a fee of \$5 under Article XVI.~~
1013 ~~Such vehicles, whether registered for a full period or part thereof and whether or not previously~~
1014 ~~registered, shall be registered at the full fee. If a person authorized to register a vehicle at a fee~~
1015 ~~of \$5 under Article XVI transfers the vehicle to a person not so authorized, the fee payable by~~
1016 ~~the transferee shall be computed as for a vehicle not previously registered by the Oneida Nation.~~

1017 ~~51.22 5. The credit or plate transfer provisions authorized under this section do not apply if the~~
1018 ~~applicant has, within the preceding 12 months, transferred or received credit for registration~~
1019 ~~plates removed from the motor vehicle which is the subject of the application.~~

1020
1021 ~~**51.24 1. Refundable Fees. Refundable Fees.**~~

1022 ~~(a) The department shall not refund a fee paid to it except when expressly authorized or~~
1023 ~~directed by this section or some other provision of this ordinance to do so.~~

1024 ~~(b) Upon request, the department shall refund 50 percent of a registration fee paid for a~~
1025 ~~vehicle registered on a biennial basis if the person who registered the vehicle furnishes~~
1026 ~~such proof as the department requires that the person has transferred his or her interest in~~
1027 ~~the vehicle before the beginning of the second year of the period for which the vehicle is~~
1028 ~~registered or that the vehicle will not be operated within the jurisdiction of the Oneida~~
1029 ~~Nation after the beginning of the second year of the period for which the vehicle is~~

1030 registered. The department may require the person to return the certificate of registration
1031 and registration plates for the vehicle to the department.

1032
1033 ~~**51.26-1. Fee to Reinstate Suspended or Revoked Registration.** *Reinstatement of Suspended*~~
1034 ~~*or Revoked Registration.*~~

1035 (a) ~~Except as provided in par. (b), the department shall charge a fee of \$25 to reinstate a~~
1036 ~~registration previously suspended or revoked under this law. The fee under this~~
1037 ~~subsection is in addition to any other fee required to complete the registration of the~~
1038 ~~vehicle.~~

1039 (b) ~~Par. (a) does not apply to the reinstatement of a registration suspended or revoked as~~
1040 ~~a result of an error by the department.~~

1041
1042 ~~**51.27-1. Exemption of Nonresidents And Foreign Registered Vehicles.** Any vehicle which is~~
1043 ~~registered in another jurisdiction is exempt from the Oneida Nation Motor Vehicle Registration~~
1044 ~~Ordinance providing for the registration of such vehicles if:~~

1045 (a) ~~The vehicle carries a registration plate indicating the registration in such other~~
1046 ~~jurisdiction, and~~

1047 (b) ~~The vehicle is owned by a nonresident of the Reservation.~~

1048 ~~51.27-2. If the owner of such vehicle moves within the jurisdiction Oneida Nation or if the~~
1049 ~~vehicle is purchased by an Oneida member, the vehicle immediately becomes subject to the laws~~
1050 ~~of the Oneida Nation providing for registration of vehicles.~~

1051
1052 ~~**51.29-1. Penalties. Fraudulent Applications.** Any person who gives a false or fictitious name,~~
1053 ~~address or location where a vehicle is customarily kept in an application for license or~~
1054 ~~registration or who makes application for license or registration in the name of a person other~~
1055 ~~than the true owner, or true owner and lessee, may be fined not more than \$200.~~

1056 ~~51.29-2. *Improper Use of Evidence of Registration.* Any person who does any of the following~~
1057 ~~may be subject to a fine of not more than \$500:~~

1058 (a) ~~Lends to another a registration plate for display upon a vehicle for which the plate~~
1059 ~~has not been issued.~~

1060 (b) ~~Displays upon a vehicle a registration plate not issued for such vehicle or not~~
1061 ~~otherwise authorized by law to be used thereon.~~

1062 (c) ~~Willfully twists, paints, alters or adds to or cuts off any portion of a registration plate~~
1063 ~~or sticker; or who places or deposits, or causes to be placed or deposited on such plate or~~
1064 ~~sticker any substance to hinder the normal reading of such plate; or who defaces,~~
1065 ~~disfigures, covers, obstruct, changes or attempts to change any letter or figure thereon; or~~
1066 ~~who causes such plate or sticker to appear to be a different color.~~

1067 ~~51.29-3. *Special Registration Plates.* Any person who fraudulently procures or uses special~~
1068 ~~registration plates issued under Article XX of this ordinance shall forfeit not less than \$200, nor~~
1069 ~~more than \$500.~~

1070
1071 ~~**51.30-1. When Registration Is to Be Suspended.** *When Suspended.*~~

1072 (a) ~~The department shall suspend the registration of a vehicle when:~~

1073 (1) ~~The registration was completed through fraud or error and the person who~~
1074 ~~registered the vehicle does not or cannot register the vehicle properly.~~

1075 (2) ~~The required fee has not been paid and the same is not paid upon reasonable~~
1076 ~~notice and demand.~~

1077 (3) ~~Suspension of registration is specified by an authority under section 32.~~

1078 ~~(4) The applicant fails, upon reasonable notice and demand, to furnish proof of~~
1079 ~~payment, in the form prescribed by the U.S. Secretary of Treasury, that the federal~~
1080 ~~heavy vehicle use tax imposed by section 4481 of the Internal Revenue Code has~~
1081 ~~been paid.~~

1082 ~~(5) The licensee of a vehicle registered under section 14 has not been compiled~~
1083 ~~with the test or inspection requirements of the State of Wisconsin under~~
1084 ~~s.110.20(6)Wis. Stats.~~

1085 ~~(b) Any registration suspended pursuant to this section continues to be suspended until~~
1086 ~~reinstated by the department. The department shall reinstate the registration when the~~
1087 ~~reason for the suspension has been removed.~~

1088 ~~(c) Whenever the registration of a vehicle is suspended under this section, the~~
1089 ~~department may order the owner or person in possession of the registration plates to~~
1090 ~~return them to the department. Any person who fails to return the plates when ordered to~~
1091 ~~do so by the department may be required to forfeit not more than \$200.~~

1092
1093 ~~**51.31-1. Transfer Of Vehicle Ownership While Registration Is Suspended.** *Transfer of*~~
1094 ~~*Vehicle Ownership While Registration Suspended.*~~

1095 ~~(a) No owner may transfer the ownership or registration of any vehicle whose~~
1096 ~~registration is suspended under Article XXX until the registration is reinstated under sec.~~
1097 ~~30-1(b) or until the department is satisfied that such transfer is proposed in good faith and~~
1098 ~~not for the purpose or with the effect of defeating the purposes of sec. 30-1(a)(3).~~

1099 ~~(b) An person violating this section may be subject to a fine of not more than \$200.~~

1100 ~~(c) This section does not apply to or affect the registration of any vehicle sold by a~~
1101 ~~person who, pursuant to the terms or conditions of any written instrument giving a right~~
1102 ~~of repossession, has exercised such right and has repossessed such vehicle from a person~~
1103 ~~who registration has been suspended under sec. 30-1(a)(3).~~

1104
1105 ~~**51.32-1. Nonmoving Violations.**~~

1106 ~~*Non Moving Violation.*~~

1107 ~~(a) As used in this section:~~

1108 ~~(a)(1) "Authority" means a Tribal Authority, a local authority, or a state agency.~~

1109 ~~(a)(2) "Forfeiture" includes a fine established under this ordinances.~~

1110 ~~(a)(3) "Nonmoving traffic violation" is any parking of a vehicle in violation of a~~
1111 ~~statute, an ordinance, or a resolution of the Oneida Nation or the state of~~
1112 ~~Wisconsin.~~

1113 ~~(b) If the person does not pay the forfeiture or appear in court in response to the citation~~
1114 ~~for a nonmoving traffic violation on the date specified in the citation or, if no date is~~
1115 ~~specified in the citation, within 28 days after the citation is issued, the authority which~~
1116 ~~issued the citation may issue a summons to the person and, in lieu of or in addition to~~
1117 ~~issuing the summons, may proceed but, except as provided in this section, no warrant~~
1118 ~~may be issued for the person. If the person appears in response to a summons for a~~
1119 ~~nonmoving traffic violation, the procedures under the current Oneida Court rules and~~
1120 ~~regulations shall apply.~~

1121 ~~(c) If the person does not pay the forfeiture or appear in court in response to the citation~~
1122 ~~for a nonmoving traffic violation on the date specified in the citation or, if no date is~~
1123 ~~specified in the citation, within 28 days after the citation is issued, the authority may~~
1124 ~~notify the department in the form and manner prescribed by the department that a citation~~

1125 ~~has been issued to the person and the citation remains unpaid. The authority shall specify~~
1126 ~~whether the department is to suspend the registration of the vehicle involved under~~
1127 ~~Article XXX or refuse registration of any vehicle owned by the person.~~
1128

1129 ~~51.33-1. ***In Reference to All License Fees of the Oneida Nation Motor Vehicle Registration***~~
1130 ~~***Ordinance.*** This Article supersedes all prior references to license fee dollar amounts within the~~
1131 ~~Oneida Motor Vehicle Registration Ordinance. Specifically, sections 4-1, 10-5, 10-6, 11-3, 13-~~
1132 ~~1, 13-2, 15-1, 15-2, 15-3, 16-1, 17-1, 22-4, and 26-1.~~

1133 ~~51.33-2. All license fees of this Ordinance will be reviewed and set by the Department annually.~~

1134 ~~51.33-3. The Department will submit the annualized fees to the Oneida Business Committee for~~
1135 ~~approval.~~

1136 ~~51.33-4. Upon approval, the fees will be placed on the policy and procedures manual of the~~
1137 ~~Department.~~

1138 ~~51.33-5. The approved fees will be published on the Oneida Nation's newspaper.~~
1139

1140 *End.*

1141

1142 Permanent Adoption - BC-4-2-97-D

1143 Reciprocal Agreement with WI DOT: - BC-07-29-98-C

1144 Amendment - BC-1-27-99-E

1145 Related Resolutions - BC-1-27-99-D (Fee Schedule)

Chapter 51
MOTOR VEHICLE REGISTRATION
Tehalaht@tst k@sleht olihw@-ke
matters concerning operating a vehicle

- 51.1. Purpose and Policy
- 51.2. Adoption, Amendment, Repeal
- 51.3. Definitions
- 51.4. Department Authority and Responsibilities
- 51.5. Registration of Motor Vehicles

- 51.6. Grounds For Refusing Registration
- 51.7. Design, Procurement and Issuance of Registration Plates
- 51.8. Display of Registration Plates
- 51.9. Penalties and Appeals

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51.1. Purpose and Policy

51.1-1. The purpose of this Law is to create a system for Tribal members who reside on the Reservation to register their motor vehicles with the Tribe.

51.1-2. It is the policy of this Law to clarify jurisdictional sovereignty and to generate revenue for the Tribe.

51.2. Adoption, Amendment, Repeal

51.2-1. This Law was adopted by the Oneida Business Committee by resolution BC-04-02-97-D and amended by resolutions BC-12-07-99-E and _____.

51.2-2. This Law may be amended or repealed by the Oneida Business Committee pursuant to the procedures set out in the Legislative Procedures Act.

51.2-3. Should a provision of this Law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this Law which are considered to have legal force without the invalid portions.

51.2-4. In the event of a conflict between a provision of this Law and a provision of another Tribal law, the provisions of this Law shall control. Provided that, nothing in this Law is intended to repeal or modify any existing law, ordinance, policy, regulation, rule, resolution or motion.

51.2-5. This Law is adopted under authority of the Constitution of the Oneida Tribe of Indians of Wisconsin.

51.3. Definitions

51.3-1. This section shall govern the definitions of words and phrases used within the Law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Automobile" means any of the following:

(1) A motor vehicle designed and used primarily for carrying persons but which does not come within the definition of a motor bus, motorcycle, or moped.

(2) A motor vehicle capable of speeds in excess of thirty (30) miles per hour on a dry, level, hard surface with no wind, designed and built to have at least three

(3) wheels in contact with the ground, a power source as an integral part of the vehicle, a curb weight of at least one thousand, five hundred (1,500) pounds, and a passenger and operator area with sides permanently enclosed with rigid construction and a top which may be convertible.

(b) "Department" means the Licensing Department, or any other department of the Tribe, with the authority to implement and administer this Law.

(c) "Gross weight" means the weight of the vehicle equipped for service plus the weight which the vehicle is carrying as load.

- 40 (d) “Highway” means all public ways and thoroughfares and bridges on the same. It
41 includes the entire width between the boundary lines of every way open to the use of the
42 public as a matter of right for the purposes of vehicular travel.
- 43 (e) “Identification number” means the numbers, letters or combination of numbers and
44 letters assigned by the manufacturer of a vehicle or vehicle part or by the Department and
45 stamped upon or affixed to a vehicle or vehicle part for the purpose of identification.
- 46 (f) “Moped” means any of the following motor vehicles capable of speeds of not more
47 than thirty (30) miles per hour with a one hundred fifty (150) pound rider on a dry, level
48 hard surface with no wind, excluding a tractor, a power source as an integral part of the
49 vehicle and a seat for the operator:
- 50 (1) A bicycle-type vehicle with fully operative pedals for propulsion by human
51 power and an engine certified by the manufacturer at not more than one hundred
52 thirty (130) cubic centimeters or an equivalent power unit.
- 53 (2) A Type 1 motorcycle with an automatic transmission and an engine certified
54 by the manufacturer at not more than fifty (50) cubic centimeters or an equivalent
55 power unit.
- 56 (g) “Motor home” means a motor vehicle designed to be operated upon a highway for
57 use as a temporary or recreational dwelling and having the same internal characteristics
58 and equipment as a mobile home.
- 59 (h) “Motor vehicle” means every device in, upon or which any person or property is or
60 may be transported or drawn upon a highway, except railroad trains. A snowmobile shall
61 not be considered a motor vehicle.
- 62 (i) “Motorcycle” means a motor vehicle, excluding a tractor, all-terrain vehicle or a
63 utility terrain vehicle, which is capable of speeds in excess of thirty (30) miles per hour
64 with a one hundred fifty (150) pound rider on a dry, level, hard surface with no wind,
65 with a power source as an integral part of the vehicle, and which meets any of the
66 following conditions:
- 67 (1) Type 1 is a motor vehicle which meets either of the following conditions:
- 68 (A) Is designed and built with two (2) wheels in tandem and a seat for the
69 operator, and may be modified to have no more than three (3) wheels by
70 attaching a sidecar to one of the side the wheels in tandem without
71 changing the location of the power source.
- 72 (B) Is designed and built to have no more than three (3) wheels, seating
73 for the operator and no more than three (3) passengers, and does not have
74 the operator area enclosed.
- 75 (2) Type 2 is a motor vehicle designed and built to have at least three (3) wheels
76 in contact with the ground, a curb weight of less than one thousand five hundred
77 (1,500) pounds, and a passenger and operator area with sides permanently
78 enclosed with rigid construction and a top which may be convertible.
- 79 (j) “Nonmoving traffic violation” means a citation for parking a motor vehicle in
80 violation of a statute, ordinance or resolution of the Tribe or the state of Wisconsin.
- 81 (k) “Nonresident” means a person who is not a resident of the Reservation.
- 82 (l) “Other jurisdiction” or “another jurisdiction” means territory other than the
83 Reservation, including the State of Wisconsin and any State other than Wisconsin.
- 84 (m) “Owner” means a person who holds the legal title of a motor vehicle, except that if
85 legal title is held by a secured party with the immediate right of possession of the motor
86 vehicle vested in the debtor, the debtor is the owner for the purposes of this Law.

87 (n) “Person with a disability that limits or impairs the ability to walk” means any person
 88 with a disability as defined by the Americans with Disabilities Act of 1990, 42 USC
 89 12101 et. seq., so far as applicable, or any persons who meet the following conditions:

90 (1) Cannot walk two hundred feet (200’) or more without stopping to rest.

91 (2) Cannot walk without the use of, or assistance from, another person or brace,
 92 cane, crutch, prosthetic device, wheelchair or other assistive device.

93 (3) Is restricted by lung disease.

94 (4) Uses portable oxygen.

95 (5) Has cardiac condition to the extent that functional limitations are present.

96 (6) Is severely limited in the ability to walk due to an arthritic, neurological or
 97 orthopedic condition.

98 (7) Has a degree of disability equal to that specified in (1) to (6) above.

99 (o) “Personal identifier” means a name, street address, post office box number or nine
 100 (9) digit extended zip code.

101 (p) “Personalized registration plates” means registration plates for a motor vehicle
 102 registered under this Law which display a registration composed of letters or numbers, or
 103 both, requested by the applicant.

104 (q) “Registrant” means a person who has applied for and received registration plates for
 105 a motor vehicle under this Law.

106 (r) “Reservation” means all land within the exterior boundaries of the Reservation of the
 107 Oneida Tribe of Indians of Wisconsin, as created pursuant to the 1838 Treaty with the
 108 Oneida, 7 Stat. 566, and any lands added thereto pursuant to federal law.

109 (s) “Special interest vehicle” means a motor vehicle of any age which has not been
 110 altered or modified from original manufacturing specifications and, because of its historic
 111 interest, is being preserved by hobbyists.

112 (t) “Tribal member” means an enrolled member of the Oneida Tribe of Indians of
 113 Wisconsin.

114 (u) “Tribe” means the Oneida Tribe of Indians of Wisconsin.

115 (v) “Truck” means every motor vehicle ten thousand (10,000) pounds or less designed,
 116 used or maintained primarily for the transportation of property.

117 118 **51.4. Department Authority and Responsibilities**

119 51.4-1. The Department shall be responsible for the administration of this Law and is delegated
 120 the authority to create rules to allow for the implementation of this Law.

121 51.4-2. *Fees.* The Oneida Business Committee, upon recommendation of the Department, shall
 122 adopt a motor vehicle registration fee schedule. The fee schedule shall be published in the
 123 Kalihwisaks upon adoption and whenever fees are changed. All registration fees shall be non-
 124 refundable and shall be paid to and retained by the Department. The Department may
 125 recommend separate fees based on any combination of the following:

126 (a) The type of motor vehicle being registered.

127 (b) The maximum gross weight of the motor vehicle. Upon payment of the fee, a motor
 128 vehicle subject to registration on the basis of gross weight may be registered at a weight
 129 in excess of the manufacturer’s maximum gross weight rating, but such registration does
 130 not exempt such vehicle from compliance with weight limitations imposed by law or by
 131 state, local or tribal authorities pursuant to authority of law.

132 (c) Whether the motor vehicle’s registration was previously suspended under this Law.

133 51.4-3. *Records Retention.* All registration applications and renewal requests shall be retained
134 in accordance with the Open Records and Open Meetings Law.

135 51.4-4. *Registration Lists.* The Department shall maintain a list of registrations. The list shall
136 give the name and address of each registrant, the registration number assigned, and other
137 identifying information as the Department deems necessary.

138 (a) Upon request, the Department shall distribute, free of charge, registration lists
139 compiled under this section to the following:

140 (1) The Oneida Police Department.

141 (2) Any other person, agency or public officer that provides, in writing, a
142 reasonable request for the lists.

143 (b) Any person who has received a personal identifier of any person under 51.4-4(a)
144 shall keep the personal identifier confidential and may not disclose it except:

145 (1) To perform a legally authorized function;

146 (2) To issue or renew a property and/or casualty insurance policy and related
147 underwriting, billing, processing or paying a claim; or

148 (3) To conduct a vehicle recall by the manufacturer of a vehicle or his or her
149 agent.

150 (c) Any person who discloses a personal identifier in violation of this section may be
151 subject to a fine of not more than five hundred dollars (\$500.00) for each violation.

152 (d) Any person who requests or obtains a personal identifier from the Department under
153 false pretenses may be required to forfeit not more than five hundred dollars (\$500.00)
154 for each violation.

155

156 **51.5. Registration of Motor Vehicles**

157 51.5-1. The Tribe has the authority to enter into reciprocal agreements regarding:

158 (a) the registration and licensing of any motor vehicle, including but not limited to
159 automobiles, trucks, motorcycles, buses or official vehicles with any governmental
160 jurisdiction and pursuant to Sections 341.05 (22) and 341.409, Wis. Stats; and

161 (b) the exemption from Wisconsin state registration requirements of designated classes
162 of motor vehicles registered by the Department.

163 51.5-2. Except as provided in 51.5-9, all automobiles owned by Tribal members residing on the
164 Reservation shall be registered with the Department in accordance with the registration period
165 determined by the Department.

166 51.5-3. Registration applications and registration renewal requests shall be submitted to the
167 Department upon forms prescribed by the Department and shall be accompanied by the required
168 fee.

169 (a) All information obtained by the Department for purposes of registering a motor
170 vehicle under this Law shall be subject to review or internal audit.

171 (b) If the registrant has an unpaid citation for any non-moving traffic violation, he or she
172 shall be notified that the registration may not be issued or renewed until the citation is
173 paid or the registrant appears in court to respond to the citation.

174 (c) Whenever any person, after applying for and receiving registration plates, has a
175 change of address or of his or her name, the person shall, within ten (10) days of such
176 change, notify the Department in writing of the old and new address or of such former
177 and new names and of all registration plate numbers held.

178 51.5-4. *Original Registration.*

179 (a) Applications for original registration of a motor vehicle shall contain the following
180 information:

- 181 (1) The name of the owner.
- 182 (2) A description of the vehicle, including make, model, identification number
183 and any other information which the Department may reasonably require for
184 proper identification of the vehicle.
- 185 (3) Such further information as the Department may reasonably require to enable
186 it to determine whether the vehicle is by law entitled to registration or to enable it
187 to determine the proper registration fee for the vehicle.
- 188 (b) The Department may accept an application and complete registration of a motor
189 vehicle when the evidence of ownership is held by a nonresident lien holder or for other
190 reasons not immediately available if the Department is satisfied as to ownership of the
191 vehicle.
- 192 (c) *Minors.* If the applicant for registration is under eighteen (18) years of age, the
193 application shall be accompanied by a notarized statement made and signed by a guardian
194 of the applicant, stating that the applicant has the guardian's consent to register the motor
195 vehicle in the applicant's name. The signature on the statement shall not impute any
196 liability for the negligence of misconduct of the applicant while operating such motor
197 vehicle on the highways.

198 51.5-5. *Registration Renewal.*

- 199 (a) At least thirty (30) days prior to the expiration of a motor vehicle's registration, the
200 Department shall mail to the last-known address of the registrant a notice of the date
201 upon which the registration must be renewed and instructions for renewal of registration.
- 202 (b) In order to renew a registration, the registrant shall provide the Department with any
203 updates to information required on the application for registration to ensure the proper
204 registration of the motor vehicle. The Department may require that requests for renewal
205 of registration be accompanied by the certificate of title issued for the motor vehicle if
206 true ownership or proper registration of the motor vehicle is in doubt and cannot be
207 resolved from records maintained by the Department.

208 51.5-6. *Re-registration Required For Motor Vehicles Subject To A Different Fee.* Whenever the
209 construction or the use of a registered motor vehicle is changed in a manner which makes the
210 motor vehicle subject to a different registration fee, the owner shall immediately apply for a new
211 registration. The fee payable upon such re-registration shall be computed as if the motor vehicle
212 was not previously registered by the Tribe, but a credit shall be allowed for the unused portion of
213 the fee paid for the previous registration so long as the registration plates issued upon the
214 previous registration are returned to the Department. The credit shall be computed on the basis
215 of one-twelfth (1/12) of the annual registration fee or one twenty-fourth (1/24) of the biennial
216 registration fee prescribed for the vehicle as previously registered multiplied by the number of
217 months of registration which have not fully expired on the date the motor vehicle became subject
218 to the different fee. The credit may be applied toward the re-registration of the motor vehicle
219 only up to the date when the previous registration would have expired.

220 51.5-7. *Operating Unregistered or Improperly Registered Motor Vehicle.* It is unlawful for any
221 person to operate or for an owner to consent to being operated on the Reservation any motor
222 vehicle, for which a registration fee is specifically prescribed unless at the time of operation the
223 motor vehicle in question either is registered by the Department, or, a complete application for
224 registration, including evidence of any inspection required by the Department, accompanied by
225 the required fee has been delivered to the Department or deposited in the mail properly addressed
226 with postage prepaid, and if the motor vehicle is an automobile or truck having a registered
227 weight of eight thousand (8,000) pounds or less, the motor vehicle displays a temporary
228 operation plate issued by the Department for the motor vehicle unless the operator or owner of

229 the motor vehicle produces proof that operation of the motor vehicle is within two (2) business
230 days of the motor vehicle's sale or transfer, or the motor vehicle in question is exempt from
231 registration.

232 (a) A motor vehicle may be operated after the date of purchase of such vehicle or after
233 the date the owner moved to the Reservation if application for registration and certificate
234 of title has been made.

235 (b) All motor vehicles subject to renewal may be operated provided that registration
236 renewal request has been made.

237 (c) Any person who violates 51.5-7, where the motor vehicle used is an automobile,
238 station wagon, or any other motor vehicle having a gross weight of ten thousand (10,000)
239 pounds or less, may be required to forfeit not more than two hundred dollars (\$200.00).

240 (d) Any person who violates 51.5-7, where the motor vehicle used is not enumerated
241 under 51.5-7(c), may be required to forfeit not more than five hundred dollars (\$500.00).

242 51.5-8. Unless application for re-registration has been made as required by 51.5-6, it is unlawful
243 for any person to operate or for the owner to consent to being operated on any highway of the
244 Reservation any registered motor vehicle the construction or use of which has been changed so
245 as to make the vehicle subject to a higher fee than the fee at which it currently is registered or
246 which is carrying a greater load than that permitted under the current registration.

247 51.5-9. *Vehicles Exempt From Registration.* A motor vehicle operated on a highway of the
248 Reservation, is exempt from registration when such vehicle:

249 (a) Is registered in another jurisdiction and the vehicle has a registration plate indicating
250 it is validly registration in such other jurisdiction.

251 (b) Is operated in accordance with 51.7-6 exempting motor vehicles from registration, or

252 (c) Is a farm tractor used exclusively in agricultural operations or used exclusively to
253 provide power to drive other machinery, or to transport from job to job machinery driven
254 by such tractor; or

255 (d) Is a trailer or semi-trailer used exclusively for the transportation of farm machinery,
256 implements, produce or supplies on a farm or between farms; or

257 (e) Is a fork-lift truck, a specially constructed road or truck tractor used for shunting
258 trailers; or

259 (f) Is a trailer or camping trailer having a gross weight of three thousand (3,000) pounds
260 or less and not used for hire or rental; or

261 (g) Is a trailer not operated in conjunction with a motor vehicle; or

262 (h) Is a new motor vehicle being operated only across a highway from point of
263 manufacture or assembly; or

264 (i) Is a piece of road machinery.

265

266 **51.6. Grounds For Refusing Registration**

267 51.6-1. The Department shall refuse registration of a vehicle under any of the following
268 circumstances:

269 (a) The owner applying for registration is not a Tribal member, does not reside on the
270 Reservation or the motor vehicle is not customarily kept on the Reservation for at least
271 six (6) months out of the year.

272 (b) The required motor vehicle registration fee has not been paid for the specific vehicle,
273 or such fees have not been paid on any other vehicles owned by the applicant.

274 (c) The applicant has failed to furnish any of the following:

- 275 (1) Unless exempted by rule of the document, the mileage disclosure from the
276 most recent titled owner and of all subsequent non-titled owners of the motor
277 vehicle.
- 278 (2) Other information or documents required by law or by the Department
279 pursuant to authority of law.
- 280 (3) Proof of Oneida membership by enrollment card or number.
- 281 (d) The applicant does not hold a valid certificate of title and is not entitled to the
282 issuance of a certificate of title.
- 283 (e) The applicant's registration has been suspended and such suspension is still in effect.
- 284 (f) The applicant has an unpaid citation for any nonmoving traffic violation.
- 285 (g) The vehicle is exempt from registration.
- 286

287 **51.7. Design, Procurement and Issuance of Registration Plates**

288 51.7-1. The Department, upon registering a motor vehicle, shall issue to the applicant two (2)
289 registration plates for an automobile, truck, or motor home, and one (1) plate for other motor
290 vehicles.

291 51.7-2. In lieu of issuing a new plate upon each renewal of registration of a motor vehicle, the
292 Department may issue a tag, decal or other identification per motor vehicle to indicate the period
293 of registration. The tag, decal or other identification shall be used only if the outstanding plate is
294 in suitable condition for further usage.

295 51.7-3. The Department shall determine the size, color and design of registration plates with a
296 view toward making the following visible: the period for which the motor vehicle is registered
297 and the fee class into which the motor vehicle falls. The registration plates shall also be a ready
298 means of identifying the specific motor vehicle or owner for which the plates were issued.

299 51.7-4. All registration plates shall have displayed upon them the following:

- 300 (a) The registration number assigned to the motor vehicle or owner. The registration
301 number may be composed of numbers or letters or both.
- 302 (b) The name "Oneida Nation."
- 303 (c) An indication of the period for which the specific plate is issued or the date of
304 expiration of registration.

305 51.7-5. *Special Plates.*

306 (a) The Department may issue the following special plates:

307 (1) *Disabled Person Plates.* If a registrant submits a statement once every four
308 (4) years, from a physician licensed to practice medicine in any state, or from a
309 chiropractor licensed to practice chiropractic in any state, that the registrant is a
310 person with a disability that limits or impairs the ability to walk, the Department
311 shall issue or renew plates of a special design in lieu of plates which ordinarily
312 would be issued for the motor vehicle. The plates shall be so designed as to
313 readily apprise law enforcement officers of the fact that the motor vehicle is
314 owned by a disabled person and is entitled to parking privileges specified in other
315 laws. No charge in addition to the registration fee shall be made for the issuance
316 or renewal of such plates.

317 (2) *Veterans Plates.* The Department shall issue special veteran plates for
318 veterans of the various branches of the military, specific wars or military
319 conflicts.

320 (3) *Other Special Plates.* The Department may issue additional special plates if
321 the Department determines the demand for such special plates would justify the

322 issuance of such plates and the Department has the ability to determine who is
323 qualified to receive the plates.

324 (b) If an individual in possession of special plates no longer qualifies for the special
325 plates, the individual shall:

326 (1) Dispose of the special plates in a manner prescribed by the Department; and

327 (2) Submit an application and registration fee for plates he or she qualifies for
328 and pay a fee for the issuance of replacement plates.

329 51.7-6. *Antique Motor Vehicle Plates.* A motor vehicle which has a model year of 1945 or
330 earlier and which has not been altered or modified from the original manufacturers'
331 specifications may register the vehicle as an antique motor vehicle upon payment of a fee, and be
332 furnished registration plates of a distinctive design, in lieu of the usual registration plates, which
333 shall show, in addition to the requirements of 51.7-4, that the motor vehicle is an antique. The
334 registration shall be valid while the motor vehicle is owned by the applicant without payment of
335 any additional fee. The motor vehicle shall only be used for special occasions such as display
336 and parade purposes or for necessary testing, maintenance and storage purposes.

337 (a) Any person who registers an antique motor vehicle may furnish and display on the
338 motor vehicle a historical plate from or representing the model year of the motor vehicle
339 if the registration and plates issued by the Department are simultaneously carried in the
340 motor vehicle and are available for inspection.

341 (b) Unless inconsistent with this section, the provisions applicable to other motor
342 vehicles apply to antique motor vehicles.

343 51.7-7. *Special Interest Vehicles.* Any owner who has a motor vehicle registered through the
344 Tribe and uses for regular transportation at least one (1) vehicle that has regular registration
345 plates may apply to register a vehicle he or she owns as a special interest vehicle if the vehicle is
346 at least twenty (20) years old.

347 (a) The Department shall furnish the owner of the vehicle with registrations plates of a
348 distinctive design in lieu of the usual registration plates, and those shall show that the
349 vehicle is a special interest vehicle owned by a collector. Upon application, the owner
350 may re-register the vehicle without the payment of any additional fee.

351 (b) Each collector applying for special interest vehicle registration plates will be issued a
352 collector's identification number which will appear on each plate. Second and all
353 subsequent registrations under this section by the same collector will bear the same
354 collector's identification number followed by a suffix letter for vehicle identification.

355 (c) The vehicle may be used as are other vehicles of the same type except:

356 (1) Motor vehicles may not transport passengers for hire.

357 (2) Trucks may not haul material weighing more than five hundred (500) pounds.

358 (3) No special interest vehicle may be operated upon any highway within the
359 Reservation during the month of January unless the owner of the vehicle re-
360 registers the vehicle with regular registration plates or transfers regular
361 registration plates to the vehicle.

362 (d) Unless inconsistent with this section, the provisions applicable to other vehicles shall
363 apply to special interest vehicles.

364 51.7-8. *Personalized Registration Plates.* Personalized registration plates shall be of the same
365 color and design as regular registration plates and shall consist of numbers or letters, or both.

366 (a) The Department shall issue personalized registration plates only upon request and if:

367 (1) The request is accompanied by the proper fee and paperwork as required by
368 the Department; and

369 (2) The requested combination of numbers or letters has not already been issued.

370 (b) The Department may refuse to issue any combination of letters or numbers, or both,
371 which carry connotations offensive to Oneida heritage or traditions, to good taste or
372 decency, or which would be misleading or in conflict with the issuance of any other
373 registration plates. All decisions of the Department with respect to personalized
374 registration plate applications shall be final and not subject to judicial review.

375 (c) Each personalized registration plate issued shall be reserved for the recipient in
376 succeeding registration periods and shall not be duplicated for issuance to any other
377 person if the recipient maintains the plate, unless the recipient authorizes the issuance of
378 the plate to another person. If the recipient does not maintain the plate for two (2)
379 successive years or if the recipient does not specifically request re-issuance of the
380 personalized registration plate by the end of the month in which the plate expires, the
381 Department may reissue the personalized registration plate to another applicant.

382 (d) The Department may cancel and order the return of any personalized registration
383 plates issued which contain any combination of letters or numbers, or both, which the
384 Department determines may carry connotations that are offensive to the Oneida heritage
385 or traditions, good taste and decency or which may be misleading. Any person ordered to
386 return such plate shall either be reimbursed for any additional fees they paid for the plates
387 for the registration year in which they are recalled, or be given at no additional cost
388 replacement personalized registration plates, the issuance of which is in compliance with
389 this Law. A person who fails to return personalized registration plates upon request of
390 the Department may be required forfeit not more than two hundred dollars (\$200.00).

391 **51.7-9. Replacement Plates.**

392 (a) Lost or Destroyed Plates. Whenever a current registration plate is lost or destroyed,
393 the owner of the motor vehicle to which the plate was attached shall immediately apply to
394 the Department for a replacement. Except as further provided in this Law, upon
395 satisfactory proof of the loss or destruction of each plate and upon payment of a fee for
396 each plate, the Department shall issue a replacement.

397 (b) Illegible Plates. Whenever a current registration plate becomes illegible, the owner
398 of the motor vehicle to which the plate is attached shall apply to the Department for a
399 replacement. Upon receipt of satisfactory proof of illegibility, and upon payment of a fee
400 for each plate, the Department shall issue a replacement. Upon receipt of a replacement
401 plate, the applicant shall return the illegible plate to the Department for recycling.

402 (c) When issuing replacement plates, the Department may assign a new number and
403 issue a new plate rather than a duplicate of the original if in its judgment that is in the
404 best interests of economy or prevention of fraud. Upon receipt of a replacement plate,
405 the applicant shall return the illegible plate to the Department for recycling.

406
407 **51.8. Display of Registration Plates**

408 **51.8-1. Placement of Plates or Decals on Motor Vehicles.**

409 (a) Whenever two (2) registration plates are licensed for a motor vehicle, one (1) plate
410 shall be attached to the front and one (1) to the rear of the motor vehicle. Whenever only
411 one (1) registration plate is issued for a motor vehicle, the plate shall be attached to the
412 rear of the motor vehicle.

413 (b) Any registration decal or tag issued by the Department shall be placed on the rear
414 registration plate of the vehicle in the manner directed by the Department.

415 **51.8-2.** Registration plates shall be attached firmly and rigidly in a horizontal position and
416 conspicuous place. The plates shall at all times be maintained in a legible condition and shall be

417 so displayed that they can be readily and distinctly read. Any law enforcement officer may
418 require the operator of any vehicle on which plates are not properly displayed to display such
419 plates as required by this section.

420

421 **51.9. Penalties and Appeals**

422 51.9-1. *Suspension of Registration*

423 (a) The Department shall suspend the registration of a vehicle when:

424 (1) The registration was completed through fraud or error and the person who
425 registered the vehicle does not or cannot register the vehicle properly; or

426 (2) Any applicable test or inspection requirements of the State of Wisconsin
427 under s.110.20(6)Wis. Stats have not been met.

428 (b) Any registration suspended pursuant to this section continues to be suspended until
429 reinstated by the Department. The Department shall reinstate the registration when the
430 reason for the suspension has been removed.

431 (c) Whenever the registration of a vehicle is suspended under this section, the
432 Department may order the owner or person in possession of the registration plates to
433 return them to the Department.

434 (d) No owner may transfer the ownership or registration of any vehicle whose
435 registration is suspended under this section until the registration is reinstated or until the
436 Department is satisfied that such transfer is proposed in good faith and not for the
437 purpose or with the effect of defeating the purposes of 51.12-1(a).

438 (f) This section does not apply to or affect the registration of any vehicle sold by a
439 person who, pursuant to the terms or conditions of any written instrument giving a right
440 of repossession, has exercised such right and has repossessed such vehicle from a person
441 who registration has been suspended under 51.12-1(a).

442 51.9-2. Any person who violates a provision of this Law, the violation of which does not have a
443 specified fine may be subject to a fine issued by the Department of not more than five hundred
444 dollars (\$500.00).

445 51.9-3. *Appeals.* A person issued a fine under this Law may appeal such fine to the Tribe's
446 Judiciary in accordance with applicable rules of appellate procedure.

447

448 *End.*

449

450

451 Permanent Adoption - BC-4-2-97-D

452 Reciprocal Agreement with WI DOT: - BC-07-29-98-C

453 Amendment - BC-1-27-99-E

454 Related Resolutions - BC-1-27-99-D (Fee Schedule)