

# ***Oneida Tribe of Indians of Wisconsin***



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.



UGWA DEMOLUM YATEHE  
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

## **BC Resolution 04-22-15-C**

### **Amendments to the Motor Vehicle Registration Law – Chapter 51**

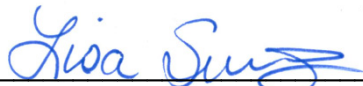
- WHEREAS,** the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Business Committee adopted the Motor Vehicle Reciprocal Agreement with the State of Wisconsin on March 27, 1996, for the exclusive registration of motor vehicles by Tribal Members who reside within the exterior boundaries of the Reservation; and
- WHEREAS,** to implement the Reciprocal Agreement, a law was needed to implement a regulatory system for those Tribal members who reside within the exterior boundaries of the Reservation to register their motor vehicles with the Tribe for issuance of Tribal license plates to qualified applicants; and
- WHEREAS,** the Oneida Business Committee originally adopted the Oneida Nation Motor Vehicle Registration Ordinance on April 2, 1997; and
- WHEREAS,** the Oneida Business Committee adopted the Oneida Reciprocal Agreement and Oneida Motor Vehicle Registration Ordinance on July 29, 1998 which was approved by the Wisconsin State Joint Committee on Finance on September 24, 1998; and
- WHEREAS,** the Oneida Business Committee amended the Oneida Motor Vehicle Registration Ordinance on January 27, 1999; and
- WHEREAS,** the Oneida Licensing Department has sought amendments to the Oneida Motor Vehicle Registration Ordinance; and
- WHEREAS,** amendments include changing name of the Oneida Motor Vehicle Registration Ordinance to the Motor Vehicle Law (Law) and;
- WHEREAS,** amendments to the Law remove specific fees and instead authorize the Oneida Business Committee to adopt the motor vehicle registration fee schedule which allows the fees to change without requiring the Law to change; and
- WHEREAS,** amendments to the Law no longer require Tribal members that live within the exterior boundaries of the Reservation to register their vehicles with the Tribe; and
- WHEREAS,** a public meeting on these amendments was held on February 19, 2015, in accordance with the Legislative Procedures Act

**NOW THEREFORE BE IT RESOLVED**, that effective June 1, 2015, the attached amendments to the Motor Vehicle Law are hereby adopted.

**NOW THEREFORE BE IT FUTHER RESOLVED**, that the Oneida Licensing Department shall place a public notice in the Tribal newspaper for at least three issues identifying that amendments to the Law have been adopted and where the amended Law can be obtained.

#### **CERTIFICATION**

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 6 members were present at a meeting duly called, noticed and held on the 22<sup>nd</sup> day of April, 2015; that the forgoing resolution was duly adopted at such meeting by a vote of 5 members for, 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.



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Lisa Summers, Tribal Secretary  
Oneida Business Committee

\*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."

**Chapter 51**  
**MOTOR VEHICLE REGISTRATION**  
Tehalahtátst ká:sleht olihwá:ke  
matters concerning operating a vehicle

51.1. Purpose and Policy  
51.2. Adoption, Amendment, Repeal  
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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 BC-04-22-15-C.

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.

- (d) "Highway" means all public ways and thoroughfares and bridges on the same. It includes the entire width between the boundary lines of every way open to the use of the public as a matter of right for the purposes of vehicular travel.
- (e) "Identification number" means the numbers, letters or combination of numbers and letters assigned by the manufacturer of a vehicle or vehicle part or by the Department and stamped upon or affixed to a vehicle or vehicle part for the purpose of identification.
- (f) "Moped" means any of the following motor vehicles capable of speeds of not more than thirty (30) miles per hour with a one hundred fifty (150) pound rider on a dry, level hard surface with no wind, excluding a tractor, a power source as an integral part of the vehicle and a seat for the operator:
- (1) A bicycle-type vehicle with fully operative pedals for propulsion by human power and an engine certified by the manufacturer at not more than one hundred thirty (130) cubic centimeters or an equivalent power unit.
  - (2) A Type 1 motorcycle with an automatic transmission and an engine certified by the manufacturer at not more than fifty (50) cubic centimeters or an equivalent power unit.
- (g) "Motor home" means a motor vehicle designed to be operated upon a highway for use as a temporary or recreational dwelling and having the same internal characteristics and equipment as a mobile home.
- (h) "Motor vehicle" means every device in, upon or which any person or property is or may be transported or drawn upon a highway, except railroad trains. A snowmobile shall not be considered a motor vehicle.
- (i) "Motorcycle" means a motor vehicle, excluding a tractor, all-terrain vehicle or a utility terrain vehicle, which is capable of speeds in excess of thirty (30) miles per hour with a one hundred fifty (150) pound rider on a dry, level, hard surface with no wind, with a power source as an integral part of the vehicle, and which meets any of the following conditions:
- (1) Type 1 is a motor vehicle which meets either of the following conditions:
    - (A) Is designed and built with two (2) wheels in tandem and a seat for the operator, and may be modified to have no more than three (3) wheels by attaching a sidecar to one of the side the wheels in tandem without changing the location of the power source.
    - (B) Is designed and built to have no more than three (3) wheels, seating for the operator and no more than three (3) passengers, and does not have the operator area enclosed.
  - (2) Type 2 is a motor vehicle designed and built to have at least three (3) wheels in contact with the ground, a curb weight of less than 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.
- (j) "Nonmoving traffic violation" means a citation for parking a motor vehicle in violation of a statute, ordinance or resolution of the Tribe or the state of Wisconsin.
- (k) "Nonresident" means a person who is not a resident of the Reservation.
- (l) "Other jurisdiction" or "another jurisdiction" means territory other than the Reservation, including the State of Wisconsin and any State other than Wisconsin.
- (m) "Owner" means a person who holds the legal title of a motor vehicle, except that if legal title is held by a secured party with the immediate right of possession of the motor vehicle vested in the debtor, the debtor is the owner for the purposes of this Law.

- (n) “Person with a disability that limits or impairs the ability to walk” means any person with a disability as defined by the Americans with Disabilities Act of 1990, 42 USC 12101 et. seq., so far as applicable, or any persons who meet the following conditions:
- (1) Cannot walk two hundred feet (200’) or more without stopping to rest.
  - (2) Cannot walk without the use of, or assistance from, another person or brace, cane, crutch, prosthetic device, wheelchair or other assistive device.
  - (3) Is restricted by lung disease.
  - (4) Uses portable oxygen.
  - (5) Has cardiac condition to the extent that functional limitations are present.
  - (6) Is severely limited in the ability to walk due to an arthritic, neurological or orthopedic condition.
  - (7) Has a degree of disability equal to that specified in (1) to (6) above.
- (o) “Personal identifier” means a name, street address, post office box number or nine (9) digit extended zip code.
- (p) “Personalized registration plates” means registration plates for a motor vehicle registered under this Law which display a registration composed of letters or numbers, or both, requested by the applicant.
- (q) “Registrant” means a person who has applied for and received registration plates for a motor vehicle under this Law.
- (r) “Reservation” means all land within the exterior boundaries of the Reservation of the Oneida Tribe of Indians of Wisconsin, as created pursuant to the 1838 Treaty with the Oneida, 7 Stat. 566, and any lands added thereto pursuant to federal law.
- (s) “Special interest vehicle” means a motor vehicle of any age which has not been altered or modified from original manufacturing specifications and, because of its historic interest, is being preserved by hobbyists.
- (t) “Tribal member” means an enrolled member of the Oneida Tribe of Indians of Wisconsin.
- (u) “Tribe” means the Oneida Tribe of Indians of Wisconsin.
- (v) “Truck” means every motor vehicle ten thousand (10,000) pounds or less designed, used or maintained primarily for the transportation of property.

#### **51.4. Department Authority and Responsibilities**

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

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

- (a) The type of motor vehicle being registered.
- (b) The maximum gross weight of the motor vehicle. Upon payment of the fee, a motor 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.
- (c) Whether the motor vehicle’s registration was previously suspended under this Law.

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

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

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

(1) The Oneida Police Department.

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

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

(1) To perform a legally authorized function;

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

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

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

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

## **51.5. Registration of Motor Vehicles**

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

(a) 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 Sections 341.05 (22) and 341.409, Wis. Stats; and

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

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

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

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

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

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

51.5-4. *Original Registration.*

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

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

51.5-5. *Registration Renewal.*

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

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

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

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

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

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

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

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

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

51.5-9. *Vehicles Exempt From Registration.* A motor vehicle operated on a highway is exempt from registration when such vehicle:

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

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

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

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

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

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

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

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

(i) Is a piece of road machinery.

## **51.6. Grounds For Refusing Registration**

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

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

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

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



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

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

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

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

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

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

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

51.7-5. *Special Plates.*

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

- (1) *Disabled Person Plates.* If a registrant submits a statement once every four (4) years, from a physician licensed to practice medicine in any state, or from a chiropractor licensed to practice chiropractic in any state, that the registrant is a person with a disability that limits or impairs the ability to walk, the Department shall issue or renew plates of a special design in lieu of plates which ordinarily would be issued for the motor vehicle. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the motor vehicle is owned by a disabled person and is entitled to parking privileges specified in other laws. No charge in addition to the registration fee shall be made for the issuance or renewal of such plates.
- (2) *Veterans Plates.* The Department shall issue special veteran plates for veterans of the various branches of the military, specific wars or military conflicts.
- (3) *Other Special Plates.* The Department may issue additional special plates if the Department determines the demand for such special plates would justify the

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

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

- (1) Dispose of the special plates in a manner prescribed by the Department; and
- (2) Submit an application and registration fee for plates he or she qualifies for and pay a fee for the issuance of replacement plates.

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

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

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

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

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

(b) Each collector applying for special interest vehicle registration plates will be issued a collector's identification number which will appear on each plate.

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

- (1) Motor vehicles may not transport passengers for hire.
- (2) Trucks may not haul material weighing more than five hundred (500) pounds.
- (3) No special interest vehicle may be operated upon any highway during the month of January unless the owner of the vehicle re-registers the vehicle with regular registration plates or transfers regular registration plates to the vehicle.

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

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

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

- (1) The request is accompanied by the proper fee and paperwork as required by the Department; and
- (2) The requested combination of numbers or letters has not already been issued.

(b) The 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 Department with respect to personalized registration plate applications shall be final and not subject to judicial review.

(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 or if the recipient does not specifically request re-issuance of the personalized registration plate by the end of the month in which the plate expires, the Department may reissue the personalized registration plate to another applicant.

(d) The 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 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 Law. A person who fails to return personalized registration plates upon request of the Department may be required forfeit not more than two hundred dollars (\$200.00).

#### 51.7-9. *Replacement Plates.*

(a) **Lost or Destroyed Plates.** 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 Department for a replacement. Except as further provided in this Law, upon satisfactory proof of the loss or destruction of each plate and upon payment of a fee for each plate, the Department shall issue a replacement.

(b) **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 Department for a replacement. Upon receipt of satisfactory proof of illegibility, and upon payment of a fee for each plate, the Department shall issue a replacement. Upon receipt of a replacement plate, the applicant shall return the illegible plate to the Department for recycling.

(c) When issuing replacement plates, the 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 Department for recycling.

### **51.8. 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 Department shall be placed on the rear registration plate of the vehicle in the manner directed by the Department.

51.8-2. 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 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.

## **51.9. 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).

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

*End.*

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Permanent Adoption - BC-4-2-97-D  
Reciprocal Agreement with WI DOT: - BC-07-29-98-C  
Amendment - BC-1-27-99-E  
Related Resolutions - BC-1-27-99-D (Fee Schedule)  
Amendment BC-04-22-15-C