

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: 06/22/99

Received By: isagerro

Wanted: Soon

Identical to LRB:

For: Senate Democratic Caucus

By/Representing: Walter

This file may be shown to any legislator: NO

Drafter: isagerro

May Contact:

Alt. Drafters:

Subject: Transportation - mot veh dealers

Extra Copies: PEN
TNF

Pre Topic:

SDC:.....Walter - Am #2142 ,

Topic:

Salvage vehicle titles

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	isagerro 06/25/99	jgeller 06/25/99		_____			
/1			martykr 06/25/99	_____	lrb_docadmin 06/26/99		

FE Sent For:

<END>

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1/?	isagerro	<i>1/25 jg</i>	<i>Am 6/25</i>	<i>25/6/25</i>			

FE Sent For:

<END>

SOC 6/13/1

yes

Agency: Transportation - Motor Vehicles

caucus number 1524

duplicate flag:
duplicate with:

Other reference numbers: Paper 957 and Paper 956, alt. 4	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Reference Paper 956 and 957. Eliminate court ability to suspend driver's license solely for failure to pay fine imposed for violating a local ordinance unrelated to operation of a vehicle. See attached for specifics. Also adopt alt. 4 in Paper 956

other notes

drafting instructions: See above and attached.
more instructions:

caucus number 1833

duplicate flag:
duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Add United Way as a beneficiary of the Packer specialty license plates.

other notes Modification to above: Delete Boys & Girls Clubs add United Way and only if NFL waives licensing fees.
drafting instructions: See above and attached
more instructions:

caucus number 2142

duplicate flag:
duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Titles for salvage vehicles. Allow dealers to transfer ownership of salvage vehicles by submitting a properly assigned certificate of title to DOT instead of requiring dealer to apply for new title.

other notes - \$105,000 PR REV

drafting instructions: See above and attached
more instructions:

caucus number 2608

duplicate flag:
duplicate with:

Other reference numbers: Paper 275	LFB Sum #: page 124
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Require all Wisconsin Dept. of Motor Vehicle stations to forward applications for Children's License Plates to DOT's Special License Plate Unit rather than having the applicants mail applications from outside the station

other notes

drafting instructions: see above
more instructions:

2142

TRANSPORTATION

CN [REDACTED]

Motor Vehicles – Titles for Salvage Vehicles (No Motion Paper)

+ Allow motor vehicles dealers to transfer the ownership of a salvage vehicle by submitting a properly assigned certificate of title to DOT instead of, under current law, requiring the motor vehicle dealer to apply for a new certificate of title. Decrease to transportation fund revenue estimated to be \$45,000 in 1999-00 and \$60,000 in 2000-01. Reflects a reduction in the number of titles issued.

[REDACTED]
BROYDRICK
&
ASSOCIATES
[REDACTED]

Public Affairs

Tuesday, May 25, 1999

Honorable Alice Clausing
State Capitol, Room 319 - South
P.O. Box 7882
Madison, WI 53707-7882

Dear Senator Clausing,

Thank you for taking the time to meet with me last Wednesday, May 19th and for consenting to offer an amendment to the budget relating to salvage vehicle titles. I have attached a copy of the motion for your review and copies of the motion have been reviewed by the following entities:

1. Department of Transportation - Vicki Vandeventer, Motor Vehicle Section Chief (266-0965)
2. Wisconsin Automobile and Truck Dealers Association - Mary Ann Gerrard (251-5577)
3. Wisconsin Auto Collision Technicians Association - Joseph Strohl (251-9605)

The Concerned Auto Recyclers of Wisconsin (CARS) is seeking this change since under current law, motor vehicle dealers are allowed to transfer the ownership of a vehicle (except salvage vehicles) by submitting a properly assigned certificate of title to DOT instead of applying and obtaining an entirely new vehicle title. This motion will allow motor vehicle dealers to transfer ownership of salvage vehicles in the same manner other vehicles are transferred, by submitting an assigned certificate of title to DOT. The motion still requires that motor vehicle dealers initially obtain a new certificate of title upon acquiring the vehicle.

Again, thank you for agreeing to offer this amendment. If you should have any questions regarding this issue, please feel free to contact me at (608) 255-0566.

Sincerely,



Forbes D. McIntosh

TRANSPORTATION -- MOTOR VEHICLES

Vehicle Titles for Salvage Vehicles

Motion:

Move to allow motor vehicle dealers to transfer the ownership of a salvage vehicle by submitting a properly assigned certificate of title to DOT instead of, under current law, requiring the motor vehicle dealer to apply for a new certificate of title upon acquiring the vehicle for sale and then executing a title transfer upon the resale of the vehicle. Specify that a motor vehicle dealer would continue to be required to apply for a new title for a salvage vehicle if the vehicle does not have a salvage vehicle title at the time the vehicle is acquired. Specify that these provisions would first apply to vehicles acquired on the first day of the first month beginning after publication of the bill. Decrease estimated transportation fund revenue by \$45,000 in 1999-00 and \$60,000 in 2001-01 to reflect a reduction in the number of titles issued.

Note:

Under current law, a salvage dealer is required to apply for a new salvage vehicle title upon acquiring a salvage vehicle for resale. When the salvage vehicle is sold, the dealer must execute a title transfer to the buyer of the salvage vehicle. Vehicle dealers are not required to apply for a new title for a vehicle that is not a salvage vehicle, but instead may assign the existing title to a new owner upon the resale of the vehicle. This motion would eliminate the requirement that a motor vehicle dealer apply for a new title for a vehicle upon acquiring the vehicle for resale, if the vehicle already has a salvage vehicle title. In these cases, similar to the sale of vehicles that are not salvage vehicles, the motor vehicle dealer would be allowed to assign the existing title to a new owner upon resale of the vehicle.

[Change to Base: *-\$105,000 SEG-REV*]
[Change to Bill: *-\$105,000 SEG-REV*]

-b W31/1
LRBb0842/2
ISR:jlg:ch
18/ stays
Redraft
maker net
un

SDC

ARC:.....Dake - Am # 15, Salvage vehicle titles

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

seem

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 1340, line 20: after that line insert:
- 3 **"SECTION 2734hdm.** 342.07 (1) of the statutes is renumbered 342.07 (1) (intro.)
- 4 and amended to read:
- 5 342.07 (1) Application for registration of and a new certificate of title for a
- 6 repaired salvage vehicle must be accompanied by the all of the following:
- 7 (a) The required fees, a,
- 8 (b) A properly assigned salvage certificate of title or a properly assigned
- 9 certificate of title by a dealer under s. 342.16 (1) (a) for the vehicle and any,
- 10 (c) Any other transfer document required by law, and by the.

1 (d) The certificate of inspection under sub. (4).

2 **SECTION 2734hdp.** 342.07 (2) (a) of the statutes is amended to read:

3 342.07 (2) (a) To determine whether the vehicle is the same vehicle for which
4 the salvage title ~~is~~ submitted under sub. (1) was issued;”.

5 **2.** Page 1341, line 9: after that line insert:

6 “**SECTION 2734hgd.** 342.15 (2) of the statutes is amended to read:

7 342.15 (2) Except as provided in s. 342.16 ~~with respect to a vehicle which is not~~
8 a salvage vehicle, the transferee shall, promptly after delivery to him or her of the
9 vehicle, execute the application for a new certificate of title in the space provided
10 ~~therefor~~ on the certificate or as the department prescribes, and ~~cause~~ deliver or mail
11 the certificate and application ~~to be mailed or delivered~~ to the department. A salvage
12 vehicle purchaser shall comply with s. 342.065 (1) ~~(b)~~ (a).

13 **SECTION 2734hgf.** 342.15 (3) of the statutes is amended to read:

14 342.15 (3) Except as provided in s. 342.16 ~~with respect to a vehicle which is not~~
15 a salvage vehicle and as between the parties, a transfer by an owner is not effective
16 until the provisions of this section have been complied with. An owner who has
17 delivered possession of the vehicle to the transferee and has complied with the
18 provisions of this section ~~requiring action by him or her~~ is not liable as owner for any
19 damages thereafter resulting from operation of the vehicle.

20 **SECTION 2734hgh.** 342.15 (6) of the statutes is amended to read:

21 342.15 (6) (a) Except as provided in s. 342.16 ~~with respect to a vehicle which~~
22 ~~is not a salvage vehicle~~, any transferee of a vehicle who fails to make application for
23 a new certificate of title immediately upon transfer to him or her of a vehicle may be
24 required to forfeit not more than \$200. A certificate is considered to have been

1 applied for when the application accompanied by the required fee has been delivered
2 to the department or deposited in the mail properly addressed with postage prepaid.

3 (b) Except as provided in s. 342.16 ~~with respect to a vehicle which is not a~~
4 ~~salvage vehicle~~, any transferee of a vehicle who with intent to defraud fails to make
5 application for a new certificate of title immediately upon transfer to him or her of
6 a vehicle may be fined not more than \$1,000 or imprisoned for not more than 30 days
7 or both. A certificate is considered to have been applied for when the application
8 accompanied by the required fee has been delivered to the department or deposited
9 in the mail properly addressed with postage prepaid.

10 **SECTION 2734hgj.** 342.16 (1) (a) of the statutes is amended to read:

11 342.16 (1) (a) Except as provided in par. (c), if a dealer acquires a new or used
12 vehicle that is not a salvage vehicle and holds it for resale, or acquires a salvage
13 vehicle that is currently titled as a salvage vehicle and holds it for resale or accepts
14 a vehicle for sale on consignment, the dealer may not submit to the department the
15 certificate of title or application for certificate of title naming the dealer as owner of
16 the vehicle. Upon transferring the vehicle to another person, the dealer shall
17 immediately give the transferee on a form prescribed by the department a receipt for
18 all title, registration, security interest and sales tax moneys paid to the dealer for
19 transmittal to the department when required. The dealer shall promptly execute the
20 assignment and warranty of title, showing the name and address of the transferee
21 and of any secured party holding a security interest created or reserved at the time
22 of the resale or sale on consignment, in the spaces provided therefor on the certificate
23 or as the department prescribes. Within 7 business days following the sale or
24 transfer, the dealer shall mail or deliver the certificate or application for certificate
25 to the department with the transferee's application for a new certificate. A

1 nonresident who purchases a motor vehicle from a dealer in this state may not,
2 unless otherwise authorized by rule of the department, apply for a certificate of title
3 issued for the vehicle in this state unless the dealer determines that a title is
4 necessary to protect the interests of a secured party. The dealer is responsible for
5 determining whether a title and perfection of security interest is required. The
6 dealer is liable for any damages incurred by the department or any secured party for
7 the dealer's failure to perfect a security interest which the dealer had knowledge of
8 at the time of sale.

9 **SECTION 2734hgm.** 342.16 (1) (c) of the statutes is amended to read:

10 342.16 (1) (c) Except when all available spaces for a dealer's or wholesaler's
11 reassignment on a certificate of title have been completed or as otherwise authorized
12 by rules of the department, a dealer or wholesaler who acquires a new or used vehicle
13 that is not a salvage vehicle and holds it for resale, or acquires a salvage vehicle that
14 is currently titled as a salvage vehicle and holds it for resale or accepts a vehicle for
15 sale on consignment may not apply for a certificate of title naming the dealer or
16 wholesaler as owner of the vehicle. The rules may regulate the frequency of
17 application by a dealer or wholesaler for transfer of registration or credits for
18 registration from a previously registered vehicle to another vehicle that the dealer
19 or wholesaler intends to register in his or her own name.

20 **SECTION 2734hgo.** 342.16 (1) (d) of the statutes is amended to read:

21 342.16 (1) (d) Unless exempted by rule of the department, a dealer or
22 wholesaler who acquires a new or used vehicle that is not a salvage vehicle and holds
23 it for resale or acquires a salvage vehicle currently titled as a salvage vehicle and
24 holds it for resale shall make application for a certificate of title naming the dealer
25 or wholesaler as owner of the vehicle when all of the available spaces for a dealer's

1 or wholesaler's reassignment on the certificate of title for such vehicle have been
2 completed.”.

3 **3.** Page 1602, line 6: after that line insert:

4 “(10d) SALVAGE VEHICLE TITLES. The treatment of sections 342.07 (1) and (2) (a),
5 342.15 (2), (3) and (6) and 342.16 (1) (a), (c) and (d) of the statutes act first applies
6 to salvage vehicles acquired by a dealer on the effective date of this subsection.”.

7 **4.** Page 1615, line 14: after that line insert:

8 “(4c) SALVAGE VEHICLE TITLES. The treatment of sections 342.07 (1) and (2) (a),
9 342.15 (2), (3) and (6) and 342.16 (1) (a), (c) and (d) of the statutes and SECTION 9350
10 (10d) of this act take effect on the first day of the first month beginning after
11 publication.”.

12

(END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1131/1
ISR:jlg:km

SDC:.....Walter - Am #2142 , Salvage vehicle titles

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

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TO 1999 ASSEMBLY BILL 133

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5 342.07 (1) Application for registration of and a new certificate of title for a
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7 (a) The required fees, ~~a.~~

8 (b) A properly assigned salvage certificate of title or a properly assigned
9 certificate of title by a dealer under s. 342.16 (1) (a) for the vehicle ~~and any.~~

10 (c) Any other transfer document required by law, ~~and by the.~~

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10 (10d) of this act take effect on the first day of the first month beginning after
11 publication.”.

12

(END)