

1999 DRAFTING REQUEST

Bill

Received: 09/24/98

Received By: nilsepe

Wanted: As time permits

Identical to LRB:

For: **Transportation**

By/Representing: **Lis Gorenstein**

This file may be shown to any legislator: **NO**

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Transportation - mot veh dealers**

Extra Copies: **TNF**

Topic:

Salvage pool dealer plates

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>
/?	nilsepe 11/10/98	gilfokm 11/13/98		_____			State
/1			martykr 11/16/98	_____	lrb_docadmin 11/16/98	lrb_docadmin 11/20/98	

FE Sent For: 1/21/99

<END>

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Rep Brandemuehl (1/1)

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1?	nilsepe	11-13 King	dm 11/16	ds dm 11/16			

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<END>

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-0297

WISCONSIN DEPARTMENT OF TRANSPORTATION
LEGISLATIVE PROPOSAL FORM
BUDGET / NON-BUDGET

Remedial

SHORT TITLE OF ISSUE: Optional dealer plate registration for motor vehicle salvage pools

DIVISION(S): Motor Vehicles, Bureau of Vehicle Services	DIVISION ADMINISTRATORS' SIGNATURES: 
DATE: August 26, 1998	
OPB CONTACT PERSON: Lis Gorenstein	TELEPHONE #: 266-0179
LEAD DIVISION CONTACT PERSON: Carson P. Frazier; Cathy Skaar	TELEPHONE #: 266-7857; 267-3635
OGC CONTACT PERSON: Joe Maassen	TELEPHONE #: 266-7364
DEFINE PROBLEM PRECISELY	
<p>Under s. 218.505, stats, motor vehicle salvage pools are licensed as wholesalers. As wholesalers ^{who are "distributors" as defined in s. 341.51}, they are required by s. 341.51 to purchase two registration plates at \$75 each (this is in addition to their dealer license fee under Ch. 218). Those plates can be used only on a vehicle the wholesaler <i>owns or repossesses</i> (s. 341.55(1)) and that is actually offered for sale (s. 341.47(1)(a)).</p> <p>However, salvage pools sell vehicles on <i>consignment</i> to licensed dealers. Because they do not own the vehicles they sell, they cannot legally use the registration plates they are required to buy. Salvage pools report that the registration requirement places an unnecessary burden on their businesses.</p>	
PROPOSED SOLUTION	
Make distributor plates optional for motor vehicle salvage pools. Amend s. 341.51(6) to include "A motor vehicle salvage pool as defined in s. 218.50(5) may, but need not, apply for registration under this section."	
LEGISLATIVE BACKGROUND	
None.	



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-029714

PEN

King
11

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

D-note

*gen
ch*

two

1 AN ACT relating to: issuing dealer registration plates to motor vehicle salvage
2 pools.

Analysis by the Legislative Reference Bureau

Current law requires a motor vehicle salvage pool (any person who is engaged primarily in the business of selling or distributing damaged motor vehicles at wholesale, whether or not the motor vehicles are owned by that person) to be licensed by the department of transportation as a wholesaler and to obtain at least 2 dealer registration plates at a cost of \$75 each. Dealer registration plates issued to a wholesaler may only be used on motor vehicles that are owned or being repossessed by the wholesaler. Many motor vehicle salvage pools sell motor vehicles only on consignment, and so neither own nor repossess motor vehicles.

This bill eliminates the requirement that motor vehicle salvage pools obtain dealer registration plates, but allows motor vehicle salvage pools to obtain the plates if so desired. This bill does not change current law that generally prohibits the operation upon a highway of any motor vehicle that is not properly registered or displaying dealer registration plates.

FE-S

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

Sec. #. RN; 341.51 (b); 341.51 (b) (a)

3

SECTION 1. 341.51 of the statutes is created to read:

(b) (b)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0297/7dn

PEN: *king*

November 10, 1998

As the analysis to this bill points out, a motor vehicle salvage pool may not operate a motor vehicle upon a highway unless the vehicle is registered or is displaying dealer registration plates. OK?

Paul E. Nilsen
Legislative Attorney
261-6926

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0297/1dn
PEN:kmg:km

November 16, 1998

As the analysis to this bill points out, a motor vehicle salvage pool may not operate a motor vehicle upon a highway unless the vehicle is registered or is displaying dealer registration plates. OK?

Paul E. Nilsen
Legislative Attorney
261-6926

Nilsen, Paul

From: Buckmaster, Carol [carol.buckmaster@dot.state.wi.us]
Sent: Wednesday, November 18, 1998 12:25 PM
To: Nilsen, Paul
Subject: FW: Please send to Paul Nilsen

Paul - Here are comments for you from Carson.

> -----Original Message-----

> From: Frazier, Carson
> Sent: Wednesday, November 18, 1998 12:15 PM
> To: Buckmaster, Carol
> Cc: SUPPLE, JR; Gorenstein, Elisabeth; Niva, Gregory; Skaar, Cathy;
> Skaar, Paul
> Subject: FW: Please send to Paul Nilsen

>

>

> Carol, please send this note to Paul Nilsen at LRB. These are our
> comments on one of two LRB drafts you gave me on November 17. I will
> send comments on the "decking" draft on Monday November 23.

> *****

>

> 1. LRB-0297/1, relating to issuing dealer registration plates to motor
> vehicle salvage pools:

>

> Draft is just fine. Thank you.

>

> Drafting note question: answer is. yes it's ok, it's clear that motor
> salvage pool may not operate a motor vehicle upon a highway unless the
> vehicle is registered or is displaying dealer registration plates.

>

> Paul, could you get the draft to Sheri in Rep Brandemuehl's office? Thank
> you very much.

>

>

Please submit copy of -0297 to
Rep. Brandemuehl.

thanks,

Paul

Please jacket 99-0297/1

for Brandemuhl.

-PEN