

Assembly Hearing Slip

(Please print plainly)

Date: 2/16/2000

Bill No. AB 639

Subject: Parking tickets

(Name) Reg. Marc Duffin

(Street Address or Route Number)

(City & Zip Code)

(Representing)

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: February 16, 2000

Bill No. AB 639

Subject: Bill

(Name) Bill Wallschlaeger

(Street Address or Route Number) 1611 E. Amelia St

(City & Zip Code) Appleton, WI 54912

(Representing) Avis Rent A Car / Wisconsin Car Rental Alliance

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2-16-00

Bill No. AB 639

Subject: Bruce Werschem

(Name) Bruce Werschem

(Street Address or Route Number) 1905 Hendricks Ave

(City & Zip Code) Kaukauna, WI 54130

(Representing) National Car Rental Wisconsin Car Rental All

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/16/60

Bill No. AB 639

Subject

(Name) SCOTT MEULEMANS

(Street Address or Route Number) 11801 W. MITCHELL ST.

(City & Zip Code) WEST ALLIS, WI 53214

(Representing) E. MARSHALL ROBT A CRIC

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms:
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/16/2000

Bill No. AB 639

Subject

(Name) Brian L. Mitchell

(Street Address or Route Number) 650 E. Mason St

(City & Zip Code) Milwaukee 53202

(Representing) Ws. Car Rental Alliance

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms:
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 02-16-00

Bill No. AB 639

Subject

(Name) Bob Brazzante
Cary Smith

(Street Address or Route Number) 841 N. Broadway

(City & Zip Code) Milwaukee, WI 53202

(Representing) City of Milwaukee

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms:
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2-16-00

Bill No. AB 639

Or Subject _____

(Name) Senator Wind

(Street Address or Route Number) 310-South

(City & Zip Code) _____

(Representing) _____

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2-16-00

Bill No. AB 639

Or Subject _____

(Name) Cory Mason

(Street Address or Route Number) _____

(City & Zip Code) _____

(Representing) State Bar-Criminal Law Section

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2-16-2000

Bill No. AB 639

Or Subject _____

(Name) Dan Thompson

(Street Address or Route Number) 202 State St

(City & Zip Code) Madison, WI 53703

(Representing) League of Wisconsin Municipalities

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2-14-00

Bill No. AB 639

Of _____

Subject S.P. Huck

(Name) J. L. M. Sullivan

(Street Address or Route Number) MADISON, VT

(City & Zip Code) VT Alliance of Cities

(Representing) _____

Speaking in favor:

Speaking against:

Registering in favor:

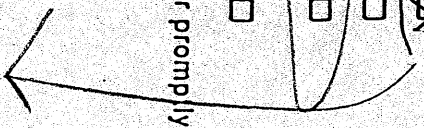
Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, VT 53702



LEFT
RETURN
SPACE.



**STATE BAR
of WISCONSIN**

5302 Eastpark Blvd.
P.O. Box 7158
Madison, WI 53707-7158

MEMORANDUM

To: Assembly Highway Safety Committee
From: State Bar of Wisconsin Criminal Law Section
Date: February 16, 2000
Re: AB639—traffic violations in rented cars.

The State Bar of Wisconsin Criminal Law Section **supports AB639**—relating to traffic violations in rented or leased vehicles.

The bill holds individuals who rent or lease vehicles accountable for their actions while they are the controlling authority of the vehicle.

It also requires the owner of the vehicle to disclose to the DOT who the individual who incurred the traffic violation.

If you would like more information on the Criminal Law Section's position on AB639, please contact Cory Mason, State Bar of Wisconsin Government Relations Coordinator at 608/250-6128 or email him at cmason@wisbar.org.



PARKING CITATIONS REPORT

NUMBER	DATE	LICENSE	STATE	NAME	TIME	FINE PLUS	PAID	DUE
122304830	4/28/94	ASA188	WI	MIDWEST CAR CORPORATION	5.00	25.00	.00	25.00
174012752	8/6/98	B47793	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
148022016	8/13/97	CJT836	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
108111032	8/17/93	EK3278	WI	MIDWEST CAR CORPORATION	50.00	70.00	.00	70.00
154908871	3/28/98	ER8366	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
112957094	3/6/93	FDH275	WI	MIDWEST CAR CORPORATION	40.00	60.00	.00	60.00
128155583	1/11/96	GF1105	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
138444435	8/20/98	GW469	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
083420480	8/11/92	HG3782	WI	MIDWEST CAR CORPORATION	5.00	25.00	.00	25.00
003420686	8/7/92	HG3782	WI	MIDWEST CAR CORPORATION	5.00	25.00	.00	25.00
003425402	8/15/92	HG3782	WI	MIDWEST CAR CORPORATION	5.00	25.00	.00	25.00
122154362	4/18/94	JF824	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
127748225	12/27/94	JRG228	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
116488880	7/28/93	KKZ148	WI	MIDWEST CAR CORPORATION	5.00	25.00	.00	25.00
138957220	1/22/98	KVF367	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
164213511	3/8/98	KVF377	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
132833373	8/18/98	KVF306	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
275138858	3/22/99	KZZ719	WI	MIDWEST CAR CORPORATION	30.00	30.00	.00	30.00
147883183	5/28/97	KZZ730	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
118453438	10/14/93	LD0776	WI	MIDWEST CAR CORPORATION	30.00	50.00	.00	50.00
151898185	3/24/98	LD0180	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
138691202	8/18/95	LD0183	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00

1 of 3

Balances Show As Of: 3/26/99

110

1870

NUMBER	DATE	LICENSE	STATE	BALE	FINE	FINE PLUS	PAID	DUE
138733711	4/13/98	LD0183	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
138828235	5/21/98	LD0183	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
212884080	9/11/98	LD0282	WI	MIDWEST CAR CORPORATION	30.00	35.00	.00	35.00
128215342	10/27/94	LD0284	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
147448265	5/11/97	LD0282	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
117080661	8/21/93	LD0445	WI	MIDWEST CAR CORPORATION	5.00	25.00	.00	25.00
132573324	8/21/95	LD0976	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
287501734	5/5/98	LD0982	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
287503451	5/7/98	LD0982	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
272802370	5/7/98	LCH172	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
144388425	1/9/97	MRI144	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
142368881	8/26/98	MRI102	WI	MIDWEST CAR CORPORATION	30.00	50.00	.00	50.00
134353133	9/18/95	MRI162	WI	MIDWEST CAR CORPORATION	25.00	45.00	.00	45.00
172884932	9/11/98	MTT776	WI	MIDWEST CAR CORPORATION	10.00	15.00	.00	15.00
130083955	3/24/95	MTT283	WI	MIDWEST CAR CORPORATION	40.00	80.00	.00	80.00
137420043	2/27/96	NR1955	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
137633183	3/78/96	MCX372	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
152781775	12/15/87	MCX390	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
135853888	1/22/98	NR1228	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
135858041	2/18/98	NR1228	WI	MIDWEST CAR CORPORATION	40.00	80.00	.00	80.00
138514615	2/13/98	NR1228	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
138517181	2/9/98	NR1228	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
138514451	2/22/98	NR1228	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
180189203	3/9/98	NR1589	WI	MIDWEST CAR CORPORATION	10.00	15.00	.00	15.00

2 OF 3

Balances Shown As Of: 3/26/99

30.00 - 1.50 =

29/64

NUMBER	DATE	LICENSE	STATE	NAME	FINI	FINI PLUS	PAID	DUE
147338774	5/3/97	MXV458	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
292816240	3/12/98	MXV473	WI	MIDWEST CAR CORPORATION	10.00	15.00	.00	15.00
182821272	3/11/99	PAF818	WI	MIDWEST CAR CORPORATION	10.00	15.00	.00	15.00
144541983	1/27/97	PAF928	WI	MIDWEST CAR CORPORATION	15.00	35.00	.00	35.00
147504838	5/17/97	PAV189	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
158721171	4/28/98	PTB437	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
154210546	3/8/98	PVG987	WA	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
217823125	3/8/99	RCX146	WI	MIDWEST CAR CORPORATION	10.00	15.00	.00	15.00
155294823	4/15/98	RVY515	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
154758584	3/25/98	RVX830	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
210000179	5/1/98	RVX707	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
172789298	3/17/98	RVX711	WI	MIDWEST CAR CORPORATION	10.00	10.00	.00	10.00
152868112	3/15/98	RVX712	WI	MIDWEST CAR CORPORATION	30.00	50.00	.00	50.00
152384772	12/11/97	RWY983	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
287847743	3/16/99	TBG478	WI	MIDWEST CAR CORPORATION	10.00	10.00	.00	10.00
282648463	3/12/99	TEJ389	WI	MIDWEST CAR CORPORATION	10.00	15.00	.00	15.00
275131586	3/10/99	TEJ376	WI	MIDWEST CAR CORPORATION	10.00	15.00	.00	15.00
155828212	4/23/98	TFL516	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
TOTALS					970.00	2,070.00	.00	2,070.00

Balances Shown As Of: 3/26/99

PO BOX 2080
MILWAUKEE WI 53201-2080

PROFESSIONAL ACCOUNT MANAGEMENT
PO BOX 2080
MILWAUKEE WI 53201-2080
(414)-483-2147

(A)

NOVEMBER 22, 1999

PROFESSIONAL ACCOUNT MANAGEMENT
PO BOX 2080
MILWAUKEE WI 53201-2080

00181838-002 32182
CAR CORPORATIO MIDWEST
222 LAWE ST PO BOX 560
KAUKAUNA WI 54130-0560

** no other notices ever received*

RE: CITY OF MILWAUKEE VIOLATIONS
ACCOUNT #: 00181838
REFERENCE #: 112957084
AMOUNT DUE: \$870.00 *issued 3-5-93*

*** DETACH UPPER PORTION AND RETURN WITH PAYMENT ***

ACCOUNT #: 00181838

REFERENCE #: 112957084

We expected to receive the balance of your account by now. Your inattention to your obligation will probably be very costly to you.

The bad debt you have incurred has been computerized and can become available to credit grantors such as banks, department stores, medical facilities, utilities and mortgage companies.

Wouldn't it be wise to clear up this debt now in order to save money and problems later on?

Mail your payment today or call us at 414-483-2147 now to avoid future problems.

If you feel you have received this notice in error, call us at 414-483-2147 or send us your explanation in writing at the address shown below. Our staff will promptly get in touch with you to resolve this issue.

This is an attempt to collect a debt. Any information obtained will be used for that purpose. This collection agency is licensed by the Office of the Administrator of the Division of Banking, P.O.Box 7876, Madison, WI 53707.

**** VISA AND MASTERCARD GLADLY ACCEPTED****

Instructions for making payment...

1. Tear off the top portion of this letter along with your check or money order payable to the City of Milwaukee, and mail in the envelope provided. Do not send cash. Write the reference number shown above on your check or money order.
2. Payment can be made by credit card. (Master Card or VISA only) at any City of Milwaukee Violations Bureau Payment Center or by phone at 414-483-2147.
3. Mail payments to:

Professional Account Management, Inc.,
Collection Services Division
P.O. Box 2080
Milwaukee, WI 53201-2080
Customer Service Phone: 414 483-2147
SE HABLA ESPANOL

PO BOX 2080
MILWAUKEE WI 53201-2080

PROFESSIONAL ACCOUNT MANAGEMENT
PO BOX 2080
MILWAUKEE WI 53201-2080
(414)-483-2147

(C)

DECEMBER 20, 1999

PROFESSIONAL ACCOUNT MANAGEMENT
PO BOX 2080
MILWAUKEE WI 53201-2080

00213604-002 19542
CAR CORPORATIO MIDWEST
PO BX 800 222 LAWE ST
KAUKAUNA WI 54130-2114

*NO notices
ever
received*

RE: CITY OF MILWAUKEE VIOLATIONS
ACCOUNT #: 00213604
REFERENCE #: 116468660
AMOUNT DUE: \$110.00

issued 7-29-93

KNZ149

*** DETACH UPPER PORTION AND RETURN WITH PAYMENT ***

ACCOUNT #: 00213604

REFERENCE #: 116468660

We expected to receive the balance of your account by now. Your inattention to your obligation will probably be very costly to you.

The bad debt you have incurred has been computerized and can become available to credit grantors such as banks, department stores, medical facilities, utilities and mortgage companies.

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2. Payment can be made by credit card. (Master Card or VISA only) at any City of Milwaukee Violations Bureau Payment Center or by phone at 414-483-2147.
3. Mail payments to:

Professional Account Management, Inc.,
Collection Services Division
P.O. Box 2080
Milwaukee, WI 53201-2080
Customer Service Phone: 414 483-2147
SE HABLA ESPANOL



Ticket Information

Citation No: 118453436 Date: 10/18/1993 Time: 04:10 AM Fine: \$30.00
 License: LBD176 State: WI Plate Type: AUT Late Fees: \$20.00
 Exp: VIN: Make: PLYM Body Type: 2D NSF Fees: \$0.00
 Violation: 762 Corrected: \$0.00
 Dismissed: \$0.00
 Payments: \$0.00

PARKED POSTED PRIVATE PROPERTY

Current Due Date: 06/14/1998 Balance Due: \$50.00

Amount Due Within 10 Days: \$30.00
 Late Fee After 10 Days: \$5.00
 Late Fee After 28 Days: \$5.00
 Late Fee After 58 Days: \$10.00

Mail Date Due Date
 Late Notice 1: // 03/15/1998
 Late Notice 2: // //
 DMV Hold: //
 DMV Hold Case No:

Scheduled Review: // : AM

Officer Name: Payroll No: 61202 Work Loc: 05

Dist: Meter:

Location: 2518 N MLK

Remarks:

Private Notes:

Citation Source Information

Form and Revision Creation Date Batch ID Unit Serial #
 05/06/1998 LEGACY

Responsible Party Information

Name: MIDWEST CAR CORPORATION Home Phone:
 Address 1: 222 LAWE ST PO BOX 560 Work Phone:
 Address 2: SSN:
 City: KAUKAUNA State: WI ZIP: 541300560 Other ID:

Type / Last Update: ROG //

Lessor / Rental Company Information

Name: Phone 1:
 Address 1: Phone 2:
 Address 2: Type / Last Update:
 City: State: ZIP: XX //

(1) Citations Related by [X]Vehicle [0]Responsible Party [0]Permit Total Due: \$50.00

Ticket No 118453436

Date	Citation No.	Violation Description	Violation Code	Amount Due	Vio Location
10/18/1993	118453436	PARKED POSTED PRIVATE PROPERTY	762	\$50.00	2518 N MLK

Not for C/A USE

PO BOX 2080
MILWAUKEE WI 53201-2080

PROFESSIONAL ACCOUNT MANAGEMENT
PO BOX 2080
MILWAUKEE WI 53201-2080
(414)-483-2147

(E)

NOVEMBER 11, 1999

Issued 5/5/98

Sent info: 6/26/98

PROFESSIONAL ACCOUNT MANAGEMENT
PO BOX 2080
MILWAUKEE WI 53201-2080

only received
one notice

00068779-002 40762
CAR CORPORATIO MIDWEST
222 LAWE ST PO BOX 560
KAUKAUNA WI 54130-0560

No payment issued

because second notice never

received

RE: CITY OF MILWAUKEE VIOLATIONS
ACCOUNT #: 00068779
REFERENCE #: 287501734
AMOUNT DUE: \$150.00

*** DETACH UPPER PORTION AND RETURN WITH PAYMENT ***

ACCOUNT #: 00068779

REFERENCE #: 287501734

We expected to receive the balance of your account by now. Your inattention to your obligation will probably be very costly to you.

The bad debt you have incurred has been computerized and can become available to credit grantors such as banks, department stores, medical facilities, utilities and mortgage companies.

Wouldn't it be wise to clear up this debt now in order to save money and problems later on?

Mail your payment today or call us at 414-483-2147 now to avoid future problems.

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3. Mail payments to:

Professional Account Management, Inc.,
Collection Services Division
P.O. Box 2080
Milwaukee, WI 53201-2080
Customer Service Phone: 414 483-2147
SE HABLA ESPANOL

M I L W A U K E E
JOURNAL SENTINE

FRIDAY, JANUARY 21, 2000 — FINAL EDITION — WWW.JSONLINE.COM

**10,000 notices
for overdue
parking fines
don't add up****City's bill collector
says flawed database led
to misdirected letters**By **JESSE GARZA**
of the Journal Sentinel staff

About 10,000 dunning notices threatening alleged city parking violators with everything from a bad credit report to vehicle confiscation may have been sent in the last month to the wrong people, officials said Thursday.

Professional Account Management, a collection agency the city hired in January 1998, to pursue delinquent citations, is blaming the misdirected notices on data inherited from a previous vendor.

"There were errors in license plate numbers, vehicle registration numbers and registration information that were inherent in this database we had to bring on from the previous vendor," company Vice President Brian Dunn said Thursday.

"The only way to weed through these was to send people letters telling them to call us and straighten it out if there was a problem," Dunn said.

Kim Stiever, 30, of Cedarburg called as soon as her grandmother in Milwaukee forwarded her a notice from the agency.

"I was shocked," said Stiever, who with her husband, John, lived upstairs from her grandparents five or six years ago.

"I couldn't recall the ticket, and it was the wrong car," she said. "They said it was a two-door Oldsmobile, and I never had a two-door Oldsmobile."

About 2 million letters have been mailed by the company in the two years it has collected parking fines for the city; of those, about 20,000 went to the wrong people, Dunn said.

Please see TICKETS page 12

Tickets/Bad data blamed in sending of collection notes

From page 1

But when the collection agency sent out a batch of 50,000 letters between mid-December and mid-January targeting violations before 1996, it became inundated with calls from recipients disputing the notices, Dunn said.

"We knew that batch contained bad data — we just didn't know which ones," Dunn said. "We estimated one in five contained an error."

"The problem was that even when we put extra people on and increased our phone capacity, it still was not enough to handle the volume of calls we were receiving," he said. "That's what started people to panic."

The problem came to the attention of the city last month when officials began receiving calls from people who couldn't get through to the agency, said Roseann St. Aubin, spokeswoman for the Department of Public Works, which oversees city parking.

"These are very old parking tickets," she said Thursday. "But the overwhelming majority of these are legitimately past due. People should call (the collection agency), and whoever they get on the phone will listen to them."

Dunn estimated his agency took on about \$35 million in delinquent tickets in 1998 and since then has collected about \$20 million for the city.

It no longer refers to credit bureau reports or vehicle confiscation in its notices, Dunn said,

pointing out that information is forwarded to credit bureaus only at the behest of clients.

"The city has said, 'No credit bureau reporting,'" he said.

The city has also directed his agency to dismiss any citations 5 years old or older that have data that do not match, Dunn said.

After calling the collection agency, Kim Stiever was told to call another number, where she was directed to write a letter to the city attorney, explaining the discrepancies. Any record of the citation would be deleted after the letter is received, she said.

"That's my mistake," she said. "What got him was why do we have to go out of our way and send a letter that was their mistake?"



**MARC
DUFF**
STATE REPRESENTATIVE

Member:
Joint Committee on Finance

TO: Rep. Jeff Stone, Chair
Members, Committee on Highway Safety

FROM: Rep. Marc Duff

DATE: February 16, 2000

RE: Assembly Bill 639

Thank you for giving me the opportunity to testify on Assembly Bill 639, which relieves auto rental agencies from having to pay parking fines assessed on drivers of rental vehicles.

Currently, state law allows the Department of Transportation (DOT) to suspend the vehicle registration of individuals with unpaid nonmoving citations (such as parking tickets).

If the driver of a rental vehicle receives a ticket, the vehicle rental firm first becomes aware of the citation when no payment has been made. The rental firm is notified of the nonpayment, and must then provide the local authority with the rental driver's name, address and driver license information from its records. If the renter fails to pay the ticket after an additional 30 days, the rental firm is required to pay 50% of the now-escalated ticket, or its vehicle registration can be suspended.

This bill releases vehicle rental firms from the obligation of paying parking fines assessed on drivers of rental vehicles as long as the firm provides the required driver information to the local government. Car rental firms would no longer be penalized for the parking tickets of persons who rent from the firm. . .the driver who illegally parked the rental vehicle would be liable for the ticket. This change is consistent with policies in other states.

Thank you.

CAPITOL OFFICE: P.O. Box 8952
Madison, WI 53708-8952
(608) 266-1190

HOME: 1811 South Elm Grove Road
New Berlin, WI 53151
(262) 782-0763

TOLL-FREE: (888) 534-0098

FAX: (608) 282-3698

E-MAIL: Rep.Duff@legis.state.wi.us

WEB SITE: <http://www.legis.state.wi.us/assembly/asm98/news/index.html>



Rep Jeff Stone
PO BOX 8953
MADISON WI 53708

February 10, 2000

Jeff, I want to get this in the mail and am running out of time so will make it quite informal. If there is something more you would like I will prepare it in a more professional manner.

This is in response to a request made to me after phone conversations with Zien ,etc. the afternoon of Feb 9,2000

Note that the Postal Inspection Service has entered into it. So there is not confusion - my initial contact with them was a copy of my letter to the City of Milwaukee which I sent to the Inspection Service in Milwaukee. They forwarded it to their headquarters in Chicago.

It may be wise to make contact with them in Chicago either by mail or at (312) 669-5663 if this goes very far. Am sure they would appreciate it and may prevent someone from stumbling over the other.

I think it a shame that this has been let go for so long by Milwaukee when it seems to be common knowledge that there was a glitch somewhere. Makes one wonder how many have been intimidated into making payment, particularly some elderly.

Thanks,



Steve P. Govin
7255 30th Ave
Eau Claire WI 54703-6898

Tele: 715-874-5792

City of Milwaukee Violations Bureau
PO Box 346
MILWAUKEE WI 53201-0346

I am again in receipt of a letter from PROFESSIONAL ACCOUNT MANAGEMENT at PO BOX 2080, Milwaukee WI wherein I am falsely accused of having overdue parking tickets supposedly in, I believe they stated over the telephone, the years 1994, 1995 and 1996. This is the third such letter and after calls to Professional Management I refuse to deal with them directly again. I received a similar letter the year before and I turned it over to Senator Dave Zien and the Postal Inspection Service in Minneapolis MN (the responsible Inspection Service Headquarters for this area). I was told by Consumer Protection in Eau Claire that PROFESSIONAL ACCOUNT MANAGEMENT has been "red flagged". I assume this would be for some form of abuse or infraction. I was told by Consumer Protection in Milwaukee that PROFESSIONAL ACCOUNT MANAGEMENT has been aware of a supposed computer problem that caused these mix-ups. They are still allowed to continue in this manner. Why?

The citation as listed in the letter is #130571442. The license plate, # AH29307, was issued to me for and was affixed to my 1984 Ford Ranger pick-up. At the time Sesquicentennial plates were issued I switched. I have owned this vehicle since 1992 and it has not been further than three surrounding counties from my home. If dates are correct at least one of the citations must have been issued after issuance of the Sesquicentennial. I was told by Professional Management and the Milwaukee Violations Bureau that at the time the citations were written the plate was affixed to a Dodge vehicle. I have never owned a Dodge in my life.

I don't know what the hell is going on but when I called the Department of Transportation office here in Eau Claire in May I was told that they didn't know what was happening either and that in the hour prior to my calling they had been practically inundated with calls of the same nature by many others.

I have not personally been in Milwaukee in over fifteen years and was driving a government vehicle at that time to attend a meeting at the Main Post Office and with the Inspection Service.

Is it a scam? I don't know but there were sufficient letters to warrant a mailing at Presorted First Class rate of 27 cents. That many letters coming to the 547 ZIP area?

I ask that the citation or citations be voided.

Sincerely,

Steven P. Govin
7255 30th Ave, Eau Claire WI 54703-6898

CC: Senator David Zien
Postal Inspection Service Milwaukee
Eau Claire Leader-Telegram
Professional Acct Management
1encl: Ltr Professional Acct Management

PO BOX 2080
MILWAUKEE WI 53201-2080

PROFESSIONAL ACCOUNT MANAGEMENT
PO BOX 2080
MILWAUKEE WI 53201-2080
(414)-483-2147

DECEMBER 6, 1999

PROFESSIONAL ACCOUNT MANAGEMENT
PO BOX 2080
MILWAUKEE WI 53201-2080

00350294-002 19589
STEVEN P GOVIN
RR 2 BOX 190
EAU CLAIRE WI 54703-9802

RE: CITY OF MILWAUKEE VIOLATIONS
ACCOUNT #: 00350294
REFERENCE #: 122549081
AMOUNT DUE: \$85.00

*** DETACH UPPER PORTION AND RETURN WITH PAYMENT ***

ACCOUNT #: 00350294

REFERENCE #: 122549081

We expected to receive the balance of your account by now. Your inattention to your obligation will probably be very costly to you.

The bad debt you have incurred has been computerized and can become available to credit grantors such as banks, department stores, medical facilities, utilities and mortgage companies.

Wouldn't it be wise to clear up this debt now in order to save money and problems later on?

Mail your payment today or call us at 414-483-2147 now to avoid future problems.

If you feel you have received this notice in error, call us at 414-483-2147 or send us your explanation in writing at the address shown below. Our staff will promptly get in touch with you to resolve this issue.

This is an attempt to collect a debt. Any information obtained will be used for that purpose. This collection agency is licensed by the Office of the Administrator of the Division of Banking, P.O.Box 7876, Madison, WI 53707.

**** VISA AND MASTERCARD GLADLY ACCEPTED****

Instructions for making payment.

1. Tear off the top portion of this letter along with your check or money order payable to the City of Milwaukee, and mail in the envelope provided. Do not send cash. Write the reference number shown above on your check or money order.
2. Payment can be made by credit card. (Master Card or VISA only) at any City of Milwaukee Violations Bureau Payment Center or by phone at 414-483-2147.
3. Mail payments to:

Professional Account Management, Inc.
Collection Services Division
P.O. Box 2080
Milwaukee, WI 53201-2080
Customer Service Phone: 414 483-2147
SE HABLA ESPANOL

P.O. BOX 346
MILWAUKEE, WI 53201-0346

CITY OF MILWAUKEE VIOLATIONS BUREAU
P.O. BOX 346
MILWAUKEE, WI 53201-0346
(414)-342-7735

344-0840

MAY 13, 1999

PROFESSIONAL ACCOUNT MANAGEMENT
P.O. BOX 2080
MILWAUKEE, WI 53201-2080

WI AH29307-006 23643
GOVIN STEVEN P
RR 2 BOX 190
EAU CLAIRE WI 54703-9802

CITATION #: 130571442
PLATE #: WI AH29307
AMOUNT OWING: \$30

*** DETACH UPPER PORTION AND RETURN WITH PAYMENT ***

UNPAID PARKING CITATIONS

Please be advised that this collection agency is representing the City of Milwaukee for the above referenced unpaid citation(s). Our records show that the City of Milwaukee Violations Bureau has notified you on several occasions that you have outstanding fine(s). For some reason, you have chosen to disregard the notices. We must at this time demand that you make payment. Failure to make payment immediately may result in the following actions being taken.

**SUSPEND THE REGISTRATION OF ALL VEHICLES IN YOUR NAME
LISTING OF THIS ACCOUNT WITH THE CREDIT BUREAU
SEIZE YOUR VEHICLE**

If you feel you have received this notice in error, contact the service number listed below or you can fill in your phone number on the bottom of this form and return it in the enclosed envelope. Our staff will promptly get in touch with you to resolve this issue.

Instructions for making payment....

1. Tear off the top portion of this letter along with your check or money order payable to the City of Milwaukee, place in the envelope provided. Do not remit cash. Write the citation number on your check or money order.
2. Payment can be made by credit card. (Master Card and VISA only). Complete and tear off the bottom portion of this letter and mail in the enclosed envelope.
3. Mail payment or credit card information to:

Professional Account Management, Inc., Collection Services Division
P.O. Box 2080 Milwaukee, WI 53201-2080 414-483-2147

PLEASE CHARGE MY MASTERCARD VISA USE THE INFORMATION PROVIDED BELOW. PLEASE PRINT

NAME ON CARD: _____ AMOUNT OF PMT: \$ _____

CARD NUMBER: _____ EXPIRATION DATE: _____

SIGNATURE: _____ CITATION NUMBER: _____

13D5992005/13/99PROF4006

P.O. BOX 2080
MILWAUKEE, WI 53201-2080

PROFESSIONAL ACCOUNT MANAGEMENT
P.O. BOX 2080
MILWAUKEE, WI 53201-2080
(414)-483-2147

OCTOBER 26, 1998

PROFESSIONAL ACCOUNT MANAGEMENT
P.O. BOX 2080
MILWAUKEE, WI 53201-2080

WI AH29307-003 30686
GOVIN STEVEN P
RR 2 BOX 190
EAU CLAIRE WI 54703-9802

CITATION #: 130571442 AND OTHERS
PLATE #: WI AH29307
AMOUNT OWING: \$60

*** DETACH UPPER PORTION AND RETURN WITH PAYMENT ***

CITATION #: 130571442 AND OTHERS
PLATE #: WI AH29307
AMOUNT OWING: \$60

UNPAID PARKING CITATIONS

Never had rec'd anything before

Please be advised that this collection agency is representing the City of Milwaukee for the above referenced unpaid citation(s). The City of Milwaukee Violations Bureau has notified you on several occasions that you have outstanding fine(s). For some reason you have chosen to disregard the notices. We must at this time demand that you make payment. Failure to make payment immediately may result in the following actions being taken.

SUSPENSION OF REGISTRATION OF ALL VEHICLES IN YOUR NAME
LISTING OF THIS ACCOUNT WITH THE CREDIT BUREAU
SEIZE YOUR VEHICLE

Instructions for making payment...

1. Tear off top portion of letter and along with your check or money order payable to the **City of Milwaukee**, place in the envelope provided. Do not remit cash. Write the citation number on your check or money order.
2. Payment can be made by credit card. (MasterCard and Visa Only) Complete and tear off the bottom portion of this letter and mail in the enclosed envelope.
3. Mail payment or credit card information to:

Professional Account Management, Inc.,
Collection Services Division
P.O. Box 2080
Milwaukee, WI 53201-2080
414 483-2147

PLEASE CHARGE MY MASTERCARD _____ VISA _____ USE THE INFORMATION PROVIDED BELOW. PLEASE PRINT

NAME ON CARD: _____ AMOUNT OF PMT: \$ _____

CARD NUMBER: _____ EXPIRATION DATE: _____

SIGNATURE: _____ CITATION NUMBER: _____



FOR BILLING INQUIRIES CALL 1(715)664-9953

GOVIN STEVE & GRACE
(715)874-5792 2594 A RA
BILLING DATE 07/01/1999

INDICATOR LEGEND

TC TYPE OF CALL DD DIRECT DIAL - DAY RATE

WEST WISCONSIN LD DETAIL OF ITEMIZED CALLS

Table with columns: DATE, CONT, TC, TO PLACE AND NUMBER, MIN, AMOUNT. Lists call details from 05-17 to 06-14.

20 MESSAGE(S) FOR 62.3 MINUTE(S)

WEST WISCONSIN LD SUBTOTAL EXCLUDING TAX 7.52

TAX- FED .23 STATE .38 COUNTY .04 .65

PRINTED ON RECYCLABLE PAPER

This is the only bill that I have right now these were made in an effort to reconcile the damn thing (to no avail) Many more calls were made. Note call to 414-344-0840 that is the city of Milw and was automatically being transfered to Pro Reet Mary



OPERATIONS SUPPORT GROUP

January 28, 2000



Steven P Govin
RR 2 BOX 190
EAU CLAIRE, WI 54703-9802

Dear Steven P Govin:

This concerns your complaint against:

Professional Account Management
PO BOX 2080
MILWAUKEE, WI 53201-2080

We have reviewed the information you provided and determined that your complaint would be most appropriately handled through our Consumer Protection Program. Under this program, we have notified the subject of this unsettled mail order transaction and requested that they contact you. A copy of our letter is enclosed. It is requested that you allow 45 days from the date of this letter for this matter to be resolved.

We would appreciate your taking the time to complete the enclosed questionnaire. A return envelope is provided for this purpose.

Thank you for making us aware of this situation.

Sincerely,

D. M. Harris

D.M. Harris, Manager
U.S. Postal Inspection Service
Operations Support Group
222 S. RIVERSIDE PLZ, STE. 1250
CHICAGO, IL 60606-6100
312-669-5663

Ref: C|VSH|034|S1002761|C1005381

Enclosures

OPERATIONS SUPPORT GROUP

January 28, 2000

Steven P Govin
RR 2 BOX 190
EAU CLAIRE, WI 54703-9802

Ref: C|VSH|034|S1002761|C1005381

In an effort to improve service to our customers, we would appreciate a few minutes of your time to complete the following.

Please return this form to us AFTER 45 DAYS from the date of this letter. If the form is returned prior to 45 days from the date of our letter, it cannot be used to contact the subject.

MY COMPLAINT WAS RESOLVED ON (DATE)_____ BY THE
FOLLOWING METHOD:

MY MONEY WAS REFUNDED ON (DATE)_____ \$_____

MY PRODUCT/SERVICE WAS RECEIVED ON (DATE)_____

OTHER – EXPLAIN

MY COMPLAINT HAS NOT BEEN RESOLVED AND IT HAS BEEN 45
DAYS.

COMMENTS:

Thank you in advance for your help and cooperation. A preaddressed, postage paid envelope is enclosed for your convenience.



OPERATIONS SUPPORT GROUP

January 28, 2000

Professional Account Management
PO BOX 2080
MILWAUKEE, WI 53201-2080

Re:

Steven P Govin
RR 2 BOX 190
EAU CLAIRE, WI 54703-9802

Category: Taxes
Dollar Loss: \$0.00
Date of Payment:

Dear Postal Customer:

This office has been notified of an unsettled mail-order transaction concerning you and the person named above.

As an investigative agency, it is our responsibility to gather facts and evidence to determine if the mails are being used in violation of the mail fraud or false representation statutes. Evidence of this sort is based largely on the number and pattern of complaints received concerning a particular mailer. If sufficient evidence is developed, the matter may be referred to the appropriate United States Attorney for consideration of prosecution and/or forwarded to our Law Department so that administrative action can be taken to deprive the violator of the receipt of mail.

The information provided by our customer has been entered into our national mail fraud complaint tracking system. This system enables us to identify business practices that may result in unresolved consumer complaints.

In an attempt to assist our postal customer, we ask that you examine your records and contact the complainant within the next 30 days to resolve this matter. Any questions that you might have or any additional information that you may require relating to this transaction should be directed to the customer at the address shown above.

A copy of this letter has been sent to the person named above along with our request that they notify us when this matter has been satisfactorily resolved at which time this matter will be closed in our tracking system.

Your prompt attention to resolving this complaint will be appreciated. Thank you for your cooperation.

Sincerely,

D. M. Harris

**D.M. Harris, Manager
U.S. Postal Inspection Service
Operations Support Group
222 S. RIVERSIDE PLZ, STE. 1250
CHICAGO, IL 60606-6100
312-669-5663**

Ref: C|VSH|035|S1002761|C1005381



PROFESSIONAL
ACCOUNT
MANAGEMENT, L.L.C.
SPECIALIZING IN RECEIVABLES MANAGEMENT

Mr. Steven P. Govin
RR2 Box 190
Eau Claire, WI 54703-9802

Dear Mr. Govin,

I have been notified by the United States Postal Inspection Service of a complaint you have made against Professional Account Management. I assume that this complaint is in regards to several City of Milwaukee parking citations, which we notified you were overdue.

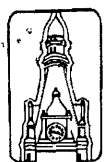
Based on that assumption, I have looked into the parking citations and have found that the City of Milwaukee released the citations after a review by the City Attorney's office. The City of Milwaukee notified Professional Account Management of the release on December 23, 1999 and we have closed the records in our system. No further collection action will be taken and no negative entries have been entered on your credit record.

Please allow me to apologize for any inconvenience this matter has caused you. If your inquiry related to a matter other than the City of Milwaukee parking citations or if you would like to discuss this matter further please contact me by phone at (414) 342-4267, or email gsmith@pamllc.com or by mail at: Professional Account Management, 2040 W. Wisconsin Ave, Suite 556, Milwaukee, WI 53233.

Yours truly,

Gary Smith
Director of Operations

Cc
D.M. Harris, US Postal Inspection Service



**City
of
Milwaukee**

Violations Bureau

12/23/99

GOVIN STEVEN P
RR 2 BOX 190
EAU CLAIRE WI 547039528

This is in response to your inquiry concerning the citation *122549081*. Please be advised that we have verified your claim with the City Attorney and/or Municipal Court and adjusted our records accordingly. Therefore, no further payment is necessary.

If you have any additional questions or need further assistance, please call our customer service center at (414) 344-0840.

The City of Milwaukee Violations Bureau

P.O. Box 346 • Milwaukee, WI 53201-0346
(414) 344-0840 Fax (414) 342-1655



Violations Bureau

12/23/99

GOVIN STEVEN P
RR 2 BOX 190
EAU CLAIRE WI 547039528

This is in response to your inquiry concerning the citation *170118082*. Please be advised that we have verified your claim with the City Attorney and/or Municipal Court and adjusted our records accordingly. Therefore, no further payment is necessary.

If you have any additional questions or need further assistance, please call our customer service center at (414) 344-0840.

The City of Milwaukee Violations Bureau

P.O. Box 346 • Milwaukee, WI 53201-0346
(414) 344-0840 Fax (414) 342-1655



Violations Bureau

12/23/99

GOVIN STEVEN P
RR 2 BOX 190
EAU CLAIRE WI 547039528

This is in response to your inquiry concerning the citation *130571442*. Please be advised that we have verified your claim with the City Attorney and/or Municipal Court and adjusted our records accordingly. Therefore, no further payment is necessary.

If you have any additional questions or need further assistance, please call our customer service center at (414) 344-0840.

The City of Milwaukee Violations Bureau

P.O. Box 346 • Milwaukee, WI 53201-0346
(414) 344-0840 Fax (414) 342-1655



Violations Bureau

12/23/99

GOVIN STEVEN P
RR 2 BOX 190
EAU CLAIRE WI 547039528

This is in response to your inquiry concerning the citation *135127635*. Please be advised that we have verified your claim with the City Attorney and/or Municipal Court and adjusted our records accordingly. Therefore, no further payment is necessary.

If you have any additional questions or need further assistance, please call our customer service center at (414) 344-0840.

The City of Milwaukee Violations Bureau

P.O. Box 346 • Milwaukee, WI 53201-0346
(414) 344-0840 Fax (414) 342-1655

**CITY OF MILWAUKEE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL RELATIONS DIVISION**

Phone: 414-286-3747

Fax: 414-286-8547



FAX COVER SHEET

To: Representative Jeffrey Stone *306 N*
Representative John Townsend
Representative David Brandemuehl
Representative Donald Hasenohrl
Representative John Ryba
Representative Frank Urban
Representative David Ward
Representative Leon Young

From: Dorinda Floyd, Legislative Fiscal Manager
City of Milwaukee

Phone: 414-286-5582

Date: February 18, 2000

No. of Pages 3



Department of Public Works

February 18, 2000

James C. Kaminski
Commissioner of Public WorksMariano A. Schifalacqua
Deputy Commissioner of Public Works

To: Assembly Highway Safety Committee

From: James C. Kaminski
Commissioner

Re: City of Milwaukee Parking Citation Collection Practices

During a recent public hearing in the Assembly Highway Safety Committee, proponents of AB 639 referred to a Milwaukee Journal Sentinel article on the city's parking citation collection practices as reason to support the proposed legislation. At this time we feel it is necessary to set the record straight.

The article that appeared in the Milwaukee Journal Sentinel on January 24, 2000, contained a number of errors of fact and errors of omission that suggested the City of Milwaukee deliberately sent thousands of past-due collection notices to the wrong people. This article has been used by proponents of AB 639 to show why vehicle rental and leasing companies should not be responsible for parking citations issued to vehicles they own. We fail to see the connection.

Prior to 1998, the City of Milwaukee did not use a professional secondary collection effort to collect parking fines. The decision to more aggressively pursue parking scofflaws came as a result of a 1996 City study group that found the City had more than \$25 million in unpaid parking citations.

Since 1998, City of Milwaukee collection efforts have focused on reducing the percentage of new citations that become past due, as well as on the collection of citations that were past due under the previous contractor. To this end, the database of citations that were outstanding under the past vendor was transferred to the new contractor when it assumed its responsibilities in 1998.

The "errors" or "flaws" in the City database that the Journal Sentinel article refers to are what are more properly called Make/Match discrepancies. A Make/Match discrepancy occurs when the Division of Motor Vehicle's record shows a license plate to

Assembly Highway Safety Committee
February 18, 2000
Page 2

be issued to a different vehicle type than the make shown on the ticket. A Make/Match discrepancy does not mean that a ticket is issued incorrectly. These Make/Match discrepancies can occur under the following situations:

- A seller leaves his/her plate on the sold vehicle and does not cancel the plate.
- The plate owner transfers the plate to a new vehicle and either does not register the new vehicle until the current plate expires or the ticket is issued before the new registration is recorded by the State.
- The parking checker or police officer enters incorrect information on the ticket.

Until 1997, the previous vendor did not send normal late notices for unpaid citations when there was a Make/Match discrepancy. Because Make/Match discrepancies were not checked under the previous vendor, tickets that were actually issued in error or had vehicle information incorrectly entered were not "weeded" out through the normal mailing process. There is no way to identify whether a Make/Match discrepancy represents a true error without mailing the notice and having a citizen inform us of the error.

Between November 1999 and January 2000, collection notices were sent to approximately 100,000 people. Outstanding tickets have been released for 1,335 license plates (approximately 1%) because the tickets were found to be in error. Based on our experience, we believe that City collection efforts for past-due citation collection are appropriate and, contrary to what the article implies, the vast majority of notices are properly sent. Also contrary to what the article implies, the majority of disputes regarding past-due notices have been resolved by a single telephone call to the collection telephone number - this includes tickets disputed by vehicle rental or leasing companies.

We hope this clarifies any misunderstanding you may have regarding the city's parking citation processing system. The debate on AB 639 is a separate issue and we encourage you to judge this legislation on its own merits. Thank you for your consideration.



Wisconsin Car Rental Alliance Testimony on AB 639

Assembly Highway Safety Committee

February 16, 2000

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Appleton

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Madison

Sherry Rogers
Avis
Appleton

Bruce Werschem
National
Kaukauna

Good morning, Mr. Chairman and members of the Committee. I'm Bill Wallschlaeger of Midwestern Wheels, an Avis franchise based in Appleton, appearing in support of Assembly Bill 639. I am also the current president of the Wisconsin Car Rental Alliance, our state trade association.

First, I'd like to give you a little background on why this bill is needed:

- Under a provision going back to the early 1980's, current law in Wisconsin allows the Department of Transportation to suspend the registration of a vehicle when there are unpaid nonmoving traffic citations.
- This law was intended to give municipalities additional leverage in collecting unpaid parking fines from vehicle owners who would habitually ignore citations. These persons knew they could accumulate many unpaid tickets before a warrant was ever issued for them in some jurisdictions.
- There is one feature of this law that we believe is fundamentally unfair. If a parking ticket is issued to someone driving a rental car, the car rental agency would be unaware of this. The ticket is placed on the rental vehicle and the renter either pays the ticket (in most cases) or occasionally, the renter discards it without our knowledge.
- The car rental agency first becomes aware of a parking violation only if the ticket has gone unpaid. The rental company then receives notice from the local police department that there is an outstanding citation. The rental agency is required to provide the local authority with the renter's name, address, and driver's license information from its records.

*660 East Mason Street
Milwaukee, Wisconsin 53202
(414) 271-5900*

- What happens next is where we believe the procedure should in fairness be changed. Currently, if the renter does not respond to another notice within 30 days of it being mailed, the car rental agency becomes responsible for payment of 50% of the now escalated ticket or its vehicle registration can be suspended. The bill before you would authorize these penalties only if the required information has not been supplied.
- A point of clarification on the amount due on a ticket. I will quote a portion of the current law on the car rental agency's responsibility: "If the renter or lessee does not pay the forfeiture or appear in court in response to the citation for a nonmoving traffic violation within 30 days after the 2nd notice from the authority is mailed to the renter or lessee, the owner shall pay the authority 50% of the forfeiture applicable to the nonmoving traffic violation. The authority shall notify the owner in writing of its responsibility for this payment."

It has been argued that the car rental agency is only responsible for 50% of the original cost of the ticket and not the escalated ticket value. It has been our experience that most municipalities including the City of Milwaukee charge the rental car agency 50% of the overdue escalated ticket value. I have attached some recent citations from the City of Milwaukee to document this.

- AB 639 is consistent with the way other states handle this problem. (I have copies of the laws in Minnesota and Ohio for the Committee's information.) I don't know of any other circumstances under which a third party (the car rental firm) is held financially responsible for a situation over which they have no control, especially when they have cooperated and provided the required information. It just isn't fair to be put in the position of a payer of last resort, particularly when the amount due is a multiple of the original fine.

P.O. BOX 346
 MILWAUKEE, WI 53201-0346
 FORWARDING SERVICE REQUESTED



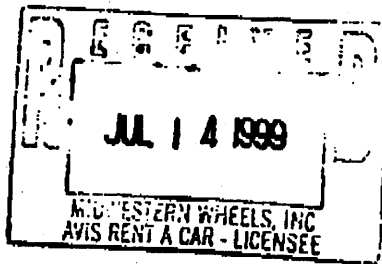
CITY OF
 MILWAUKEE

NOTICE OF PAST DUE VIOLATION

JULY 9, 1999

CITY OF MILWAUKEE VIOLATIONS BUREAU
 P.O. BOX 346
 MILWAUKEE, WI 53201-0346

212748001 001 08895
 MIDWESTERN WHEELS INC
 1611 E AMELIA ST
 APPLETON WI 54911-4006



KEEP THIS PORTION FOR YOUR RECORDS - RETURN THE BOTTOM PORTION WITH YOUR PAYMENT

FORFEITURE SCHEDULE			
ORIGINAL FINE	AFTER 10 DAYS	AFTER 28 DAYS	AFTER 58 DAYS
\$ 10	\$ 15	\$ 20	\$ 30
\$ 20	\$ 25	\$ 30	\$ 40
\$ 25	\$ 30	\$ 35	\$ 45
\$ 30	\$ 35	\$ 40	\$ 50
\$ 40	\$ 45	\$ 50	\$ 60
\$ 50	\$ 55	\$ 60	\$ 70

- PAYMENT PROCEDURE**
- Return the bottom portion of this notice with your payment. Make check or money order payable to the City of Milwaukee. Mail in the return envelope provided, OR
 - Pay in person at one of the following citation payment centers:
 Northside: 6223 N. Teutonia;
 Southside: 2980 S. Chase Ave.;
 Downtown: 749 West State St. Room 204J; OR
 - Place check or money order payable to the City of Milwaukee, in envelope provided and drop it off at any Milwaukee Police station.

CITATION #	DUE
212748001	\$15
TOTAL DUE	\$15

APPEAL PROCEDURE
 Call (414) 344-0840 if you have questions concerning this violation or if you want to schedule a review of this violation by the City Attorney. Walk in hearings will not be allowed. At the time of your review bring this notice and any other pertinent information.

IMPORTANT IMPORTANT IMPORTANT
 The State Department of Transportation will suspend your vehicle Registration and refuse renewal of any of your vehicles if you fail to pay or contest this citation within 58 days from the citation issue date. Vehicles illegally parked having two or more unpaid citations may be towed. Pay citation promptly or arrange for a hearing to avoid increases in the forfeiture cost.

NOTICE OF PAST DUE VIOLATION

VEHICLE REGISTRATION: WI LBD106

NOTICE DATE: 07/08/99

CITATION NUMBER	CITATION DATE	LOCATION	TIME OF VIOLATION	VIOLATION	FINE	PAYMENT RECEIVED	AMOUNT DUE
212748001	06/26/99	946 N. 19 S	05:30	AM NIGHT PARKING	\$10		\$15

You have been charged with violating an ordinance of the City of Milwaukee. Payment has not been received and the forfeiture has been increased as provided by law. The amount due per citation will increase by an additional \$5.00 if not paid within 28 days from the citation date.

TWO OR MORE UNPAID CITATIONS MAY SUBJECT YOU TO TOWING.

TOTAL AMOUNT DUE: **\$15**

MAIL PAYMENT TO:
 CITY OF MILWAUKEE VIOLATIONS BUREAU
 P.O. BOX 346
 MILWAUKEE, WI 53201-0346

TOTAL AMOUNT ENCLOSED:

TELEPHONE: (414) 344-0840

P.O. BOX 346
MILWAUKEE, WI 53201-0346
FORWARDING SERVICE REQUESTED



CITY OF MILWAUKEE
NOTICE OF IMPENDING REGISTRATION
SUSPENSION

MARCH 18, 1999

CITY OF MILWAUKEE VIOLATIONS BUREAU
P.O. BOX 346
MILWAUKEE, WI 53201-0346

282637180 002 12743
MIDWESTERN WHEELS INC
1611 E AMELIA ST
APPLETON WI 54911-4006

KEEP THIS PORTION FOR YOUR RECORDS - RETURN THE BOTTOM PORTION WITH YOUR PAYMENT

FORFEITURE SCHEDULE			
ORIGINAL FINE	AFTER 10 DAYS	AFTER 28 DAYS	AFTER 58 DAYS
\$ 10	\$ 15	\$ 20	\$ 30
\$ 20	\$ 25	\$ 30	\$ 40
\$ 25	\$ 30	\$ 35	\$ 45
\$ 30	\$ 35	\$ 40	\$ 50
\$ 40	\$ 45	\$ 50	\$ 60
\$ 50	\$ 55	\$ 60	\$ 70

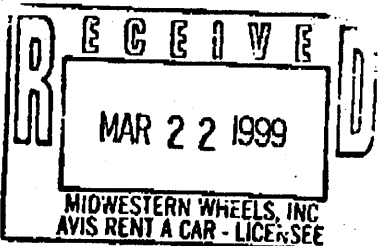
PAYMENT PROCEDURE

- Return the bottom portion of this notice with your payment. Make check or money order payable to the City of Milwaukee. Mail in the return envelope provided, OR
- Pay in person at one of the following citation payment centers:
Northside: 6223 N. Teutonia;
Southside: 2980 S. Chase Ave.;
Downtown: 749 West State St., Room 204J; OR
- Place check or money order payable to the City of Milwaukee, in envelope provided and drop it off at any Milwaukee Police station.

CITATION #	DUE
282637180	\$40
TOTAL DUE	\$40

APPEAL PROCEDURE
Call (414) 344-0840 if you have questions concerning this violation or if you want to schedule a review of this violation by the City Attorney. Walk in hearings will not be allowed. At the time of your review bring this notice and any other pertinent information.

IMPORTANT IMPORTANT IMPORTANT
The State Department of Transportation will suspend your vehicle Registration and refuse renewal of any of your vehicles if you fail to pay or contest this citation within 58 days from the citation issue date. Vehicles illegally parked having two or more unpaid citations may be towed. Pay citation promptly or arrange for a hearing to avoid increases in the forfeiture cost.



TWO OR MORE CITATIONS MAY SUBJECT YOU TO TOWING.

NOTICE OF IMPENDING REGISTRATION SUSPENSION

VEHICLE REGISTRATION: WI THM107

NOTICE DATE: 03/18/99

CITATION NUMBER	CITATION DATE	LOCATION	TIME OF VIOLATION	VIOLATION	FINE	PAYMENT RECEIVED	AMOUNT DUE
282637180	02/15/99	333 W EVERET	11:46	AM PARKED POSTE	\$30		\$40

You have been charged with violating an ordinance of the City of Milwaukee. Payment has not been received and the forfeiture has been increased as provided by law. The amount due per citation will increase by an additional \$10.00 if not paid within 58 days from the citation date.

THIS IS YOUR LAST NOTICE BEFORE SUSPENSION ACTION OCCURS.

TOTAL AMOUNT DUE:

\$40

TOTAL AMOUNT ENCLOSED:

MAIL PAYMENT TO:
CITY OF MILWAUKEE VIOLATIONS BUREAU
P.O. BOX 346
MILWAUKEE WI 53201-0346

TELEPHONE: (414) 344-0840



Wisconsin Department of Transportation

MV2799 1196 (F023) P7313669

MAY 8, 1999

DIVISION OF MOTOR VEHICLES
TRAFFIC VIOLATION AND
REGISTRATION PROGRAM UNIT
4802 SHEBOYGAN AVENUE
P.O. BOX 7909
MADISON WI 53707

MIDWESTERN WHEELS INC
1611 E AMELIA ST
APPLETON WI 54913

ORDER OF SUSPENSION

We have been notified by an authority under S. 345.28(4)(a)1, Wisconsin Statutes, that a parking citation has been issued to you and remains unpaid. The authority has directed the Department to suspend the registration of the vehicle involved, Wisconsin license plate number THM107.

The Department is suspending the above registration pursuant to S. 341.63(1)c, Wisconsin Statutes. Any further operation of a vehicle under this license number is illegal.

If you have non-expiring plates(e.g. collector, hobby, antique), the registration will be cancelled 30 days from the date of this letter.

Also, transfer of ownership of a vehicle under suspension is prohibited when the transfer has the effect of defeating the purpose of the suspension.

To reinstate your registration privileges a Notice of Satisfaction of Unpaid Citation must be mailed or delivered to the Department of Transportation in Madison by the authority.

The Department CANNOT reinstate your registration privileges until directed to do so by the authority. Their telephone number is provided below, and any questions MUST be directed to that agency.

AUTHORITY OR DELEGATED AGENCY:

Name: MILWAUKEE VIOLATIONS BUREAU
Address: PO BOX 346
MILWAUKEE WI 53201
Phone Number: 414 344-0840

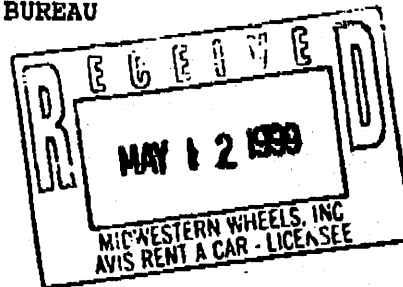
Case Number: 40MI041999278

Citation Number: 28263718

Date Citation Issued: 02/15/99

Amount Due: \$30.00

Payable at: MILWAUKEE VIOLATIONS BUREAU
PO BOX 346
MILWAUKEE WI 53201



*5/12/99
Called & talked to
myrtle at MKE Violations
Bureau - will
Issue & remove suspension
- Mary*

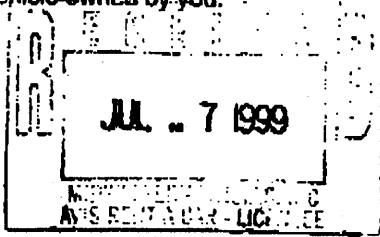
MILWAUKEE COUNTY SHERIFF'S DEPARTMENT
FINAL NOTICE 1 - 1158 R1

License No.	Yr.	Citation No.	Location	Description of Violation	Date Issued	Fine
		400791	MILWAUKEE	PARKING	07/02/1999	\$ 42.00

Statement Date: 07/02/1999 YEAR: 1999 MAKE: CHEV MODEL: 4D
 AMOUNT TO BE PAID INCLUDES LATE CHARGES

Pay this Amount: \$ 42.00

This is your second and final notice that the citation(s) listed above have not been paid. You may pay at the Milwaukee County Sheriff's Department or by mailing a check or money order (NO CASH) for the correct amount, payable to Milwaukee County Sheriff, together with your citation(s) and this notice to: Milwaukee County Sheriff, Traffic Unit, 821 W. State St., Room 164, Milwaukee WI 53233, (414) 278-4725. If you fail to pay or fail to appear in court in response to this notice within 58 days from the issuance date the Milwaukee County Sheriff will notify the Wisconsin State Dept. of Transportation that the citation remains unsatisfied, and advise the department to suspend registration of the vehicle involved and refuse registration of any vehicle owned by you.



MIDWESTERN WHEELS INC
 1611 AMELIA E
 APPLETON WI 54912

**THIS NOTICE MUST
 BE BROUGHT IN
 OR MAILED
 WITH PAYMENT.**

MN.

Minnesota Statute

s 9; 1982 c 424 s 130; 1984 c 549 s 19,20; 1984 c 654 art 3 s 59,60; 1985 c 63 s 6,7; 1985 c 186 s 1-4; 1985 c 291 s 14; 1986 c 444; 1986 c 454 s 14-16; 1Sp1986 c 3 art 1 s 24; 1987 c 383 s 3; 1988 c 496 s 1-10; 1988 c 634 s 1-8; 1989 c 323 s 2-4; 1989 c 342 s 12; 1990 c 497 s 7; 1991 c 333 s 8,9; 1992 c 367 s 1; 1993 c 259 s 1; 1994 c 465 art 3 s 14; 1994 c 500 s 1; 1994 c 536 s 11-16; 1994 c 587 art 2 s 21; 1995 c 128 art 1 s 4

168.2701 LIABILITY OF LESSORS FOR UNPAID TRAFFIC VIOLATIONS.

When a motor vehicle lessor, licensed under section 168.27, subdivision 2, 3, or 4, is issued a traffic violation citation for a violation committed by a lessee while operating the leased or rented vehicle, the lessor shall convey to the issuing authority within 15 days of the lessor receiving knowledge of the traffic violation, information to the extent available, including the driver's full name, home address, local address, if any, license number, employer's name and address, post office box, and form of payment. Upon compliance with this section, the lessor is not liable for the amount of fine, penalty assessment, late payment penalty, or cost of warrants issued in connection with the violation. However, action on the part of the issuing authority relieving the lessor of liability does not absolve the person incurring the violation of responsibility for the infraction.

History: 1986 c 332 s 1

168.2702 MOTOR VEHICLE LEASES: INDEMNITY AGREEMENTS.

Notwithstanding other law to the contrary, a provision in a motor vehicle lease agreement that indemnifies the lessor against any claims or liabilities arising out of the use, operation, or maintenance of the vehicle by the lessee includes the right to indemnity for traffic violations, penalties, and punitive damages caused by the lessee and is enforceable in accordance with its terms. This section does not relieve the lessor of any liability, penalty, or damages arising out of its own acts or omissions.

History: 1991 c 280 s 1

168.271 INFORMATIONAL LABELS ON PICKUP TRUCKS; PENALTY.

Subdivision 1. Every manufacturer of new trucks having a gross vehicle weight of 9,000 pounds or less which are sold or offered for sale for use upon the public streets or highways within this state shall, prior to the delivery of the new truck to a Minnesota dealer, or at or prior to the introduction date of new models delivered to a Minnesota dealer prior to introduction date, securely affix to the windshield or side window of the truck a label upon which the manufacturer shall endorse clearly, distinctly and legibly true and correct entries disclosing information identical to and in the same manner as required on new automobiles. The label shall remain affixed to the truck until delivery of the truck to the ultimate purchaser. Any manufacturer who shall willfully fail to affix a proper label required by this section or any person who shall willfully remove, alter or mutilate a label prior to delivery of the truck to the ultimate purchaser is guilty of a misdemeanor. This section shall not apply to trucks for which the annual sales in Minnesota of the previous model year were less than 200.

Subd. 2. This section shall apply to new trucks having a gross vehicle weight of 9,000 pounds or less built after December 31, 1978.

History: 1977 c 385 s 1,2

168.274 DEFINITIONS.

The following definitions shall apply for the words or terms used in sections 168.274 to 168.276 unless other meaning is clearly apparent from the language or context.

"Motor vehicle" means and includes all vehicles propelled otherwise than by muscular power, excepting such vehicles as run only upon rails or tracks.

"New motor vehicle" means only newly manufactured motor vehicles and includes but is not limited to motorcycles, trailers, trucks, passenger cars and tractors.

"Used motor vehicle" means every motor vehicle, title to, or possession of, which has been transferred from the person who first acquired it from the manufacturer or dealer and has been so used as to become or is commonly known as secondhand within the ordinary

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168.275

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Ohio Revised Code

Section 4511.071

General Assembly: 114

Bill Number: Amended Sub. House Bill 707 / S 257 Eff 6-25-80

Effective Date: 1-1-1983

(A) Except as provided in division (C) of this section, the owner of a vehicle shall be entitled to establish nonliability for prosecution for violation of an ordinance, resolution, or regulation enacted under division (A) of section 4511.07 of the Revised Code by proving the vehicle was in the care, custody, or control of a person other than the owner at the time of the violation pursuant to a written rental or lease agreement or affidavit providing that except for such agreement, no other business relationship with respect to the vehicle in question exists between the operator and owner

(B) Proof that the vehicle was in the care, custody, or control of a person other than the owner shall be established by sending a copy of such written rental or lease agreement or affidavit to the prosecuting authority within thirty days from the date of receipt by the owner of the notice of violation. The furnishing of a copy of a written rental or lease agreement or affidavit shall be prima-facie evidence that a vehicle was in the care, custody, or control of a person other than the owner

(C) This section does not apply to a violation of an ordinance, resolution, or regulation enacted under division (A) of section 4511.07 of the Revised Code if the ordinance, resolution, or regulation is one that is required to be enforced in compliance with Chapter 4521. of the Revised Code

Section 4521.09

General Assembly: 117

Bill Number: Amended Sub. House Bill 373 / HB 707 Eff 1-1-83

Effective Date: 10/09/89

(A) An owner of a vehicle is not jointly liable with an operator of the vehicle whose act or omission resulted in a parking infraction for the parking infraction or any fine, penalty, or processing fee arising out of the parking infraction under this chapter if either of the following apply:

(1) The owner answers the charge of the parking infraction under section 4521.06 or 4521.07 of the Revised Code, the answer denies that he committed the infraction and requests a hearing concerning the infraction, the owner additionally asserts and provides reasonable evidence at that time to prove that the vehicle, at the time of the commission of the parking infraction, was being used by the operator without the owner's express or implied consent, and the parking violations bureau, joint parking violations bureau, or traffic violations bureau, or the juvenile court, that has jurisdiction over the parking infraction determines that the vehicle was being used without the owner's express or implied consent at that time. If the bureau or juvenile court does not so determine, it shall conduct the hearing concerning the infraction according to section 4521.08 of the Revised Code

(2) The owner answers the charge of the parking infraction under section 4521.06 or 4521.07 of the Revised Code, the answer denies that he committed the parking infraction, the owner additionally submits evidence at that time that proves that, at the time of the alleged commission of the infraction, the owner was engaged in the business of renting or leasing vehicles under written rental or lease agreements, and the owner additionally submits evidence that proves that, at the time of the alleged commission of the parking infraction, the vehicle in question was in the care, custody, or control of a person other than the owner pursuant to a written rental or lease

agreement.

If the owner does not so prove, the parking violations bureau, joint parking violations bureau, or traffic violations bureau, or the juvenile court, shall conduct a hearing relative to the infraction according to section 4521.08 of the Revised Code

(3) The owner, at a hearing concerning the parking infraction conducted in accordance with section 4521.08 of the Revised Code, proves that the vehicle, at the time of the parking infraction, was being used by the operator without the owner's express or implied consent or proves the facts described in division (A)(2) of this section

(B) An owner of a vehicle who is engaged in the business of renting or leasing vehicles under written rental or lease agreements, but who does not satisfy the additional requirements of division (A)(2) of this section is not liable for any penalties or processing fees arising out of a parking infraction involving the vehicle if at the time of the commission of the parking infraction, the vehicle was in the care, custody, or control of a person other than the owner pursuant to a written rental or lease agreement, and if the owner answers the charge of the parking infraction by denying that he committed the parking infraction or by paying the fine arising out of the parking infraction within thirty days after actual receipt of the parking ticket charging the infraction or, if the owner did not receive the parking ticket, within thirty days after receipt of the notification of infraction.

Proof that the vehicle was in the care, custody, or control of a person other than the owner pursuant to a written rental or lease agreement at the time of the alleged parking infraction shall be established by sending a true copy of the rental or lease agreement or an affidavit to that effect to the parking violations bureau, joint parking violations bureau, or traffic violations bureau, or the juvenile court that has jurisdiction over the alleged parking infraction within thirty days after the date of receipt by the owner of the parking ticket charging the infraction or, if the owner did not receive the parking ticket, within thirty days after receipt of the notification of infraction. The submission of a true copy of a written rental or lease agreement or affidavit shall be prima-facie evidence that a vehicle was in the care, custody, or control of a person other than the owner. The affidavit authorized by this section shall be accompanied by a postage-paid, self-addressed envelope, shall be in a form the registrar of motor vehicles shall prescribe, and shall include space for the parking violations bureau, joint parking violations bureau, or traffic violations bureau, or the juvenile court that has jurisdiction over the alleged parking infraction to indicate receipt of the affidavit. Within thirty days of receipt of the affidavit, the bureau or court shall return a receipted copy of the affidavit to the rental or lease company. In addition, any information required by division (A)(2) of this section may be provided on magnetic tape or another computer readable media in a format acceptable to the particular local authority.



**OHIO BUREAU OF MOTOR VEHICLES
AFFIDAVIT
Of Non-Liability For Parking Infractions**

Re: TICKET NUMBER	DATE AFFIDAVIT MAILED
DATE ISSUED	MAILED RECEIPT NUMBER

TO: (NAME)			
ADDRESS (STREET)	CITY	STATE	ZIP CODE

FROM: (NAME)			
ADDRESS (STREET)	CITY	STATE	ZIP CODE

Pursuant to Ohio Revised Code Chapter 4521 and/or Ohio Revised Code Chapter 4511.071
I, _____, as a duly authorized agent of _____, owner of the motor
vehicle identified in the above referenced ticket as having vehicle license number _____
hereby swear and affirm that to the best of my knowledge said motor vehicle was not in the care, custody and
control of the owner but was in the care, custody and control of the following lessee or renter

LESSEE/RENTER:			
ADDRESS (STREET)	CITY	STATE	ZIP CODE

pursuant to a written contract on the date the referenced ticket was issued.

STATE OF OHIO	SOCIAL SECURITY NUMBER
COUNTY OF:	

The undersigned _____, being sworn, says that the statements and
allegations contained in the foregoing Affidavit are true as he/she verily believes.

X

(AFFIANT'S SIGNATURE)

Sworn to before me and signed in
my presence this _____ day of
_____ 19__

(Notary)

Received By:

Name of Parking, Joint, or Traffic
Violations Bureau or Juvenile Court

Date

A self-addressed stamped envelope must be enclosed with the affidavit(s).

- White - Lessor/Rentor Copy (Return Receipted by Bureau/Court)
- Yellow - Violations Bureau/Court Copy
- Pink - Lessor/Rentor Copy (File Copy When Mailed to Bureau/Court)

BMV 0018 2/95

Fax Recorders To:

The Ohio Alliance of Car Renting Agencies or
The Ohio Vehicle Leasing Association
e: 614.895.0526 or BW.622.3071

**TESTIMONY REGARDING
ASSEMBLY BILL 639**

**PRESENTED BY
CITY OF MILWAUKEE DEPARTMENT OF PUBLIC WORKS
AND
PROFESSIONAL ACCOUNT MANAGEMENT LLC**

**TO
THE HONORABLE MEMBERS OF
THE ASSEMBLY HIGHWAY SAFETY COMMITTEE
FEBRUARY 16, 2000**

TESTIMONY REGARDING AB 639
CITY OF MILWAUKEE DPW AND PAM LLC
FEBRUARY 9, 2000

The City of Milwaukee Department of Public Works and Professional Account Management LLC present this testimony regarding Assembly Bill 639. The City of Milwaukee Department of Public Works administers parking enforcement and the processing of parking citations for the City. The City of Milwaukee issues more parking citations than any other issuing authority in the state of Wisconsin. In 1999 some 900,000 parking citations were issued in the City. Professional Account Management LLC is under contract to the Department of Public Works to operate the City of Milwaukee Violations Bureau and provide parking citation processing services. These services include the preparation and mailing of overdue notices for unpaid citations and collection of all parking citation revenue. On February 6, 2000, the Department of Public Works also became responsible for the 45 parking checkers employed by the City.

The changes proposed in AB 639 affect the sections of the Wisconsin State Statutes governing the responsibility of companies which lease or rent motor vehicles for parking citations issued to these vehicles, and the rules that issuing authorities must follow when processing and attempting to collect the fines or forfeitures for these parking citations. It appears that the leasing/rental companies want to have the legislature excuse them of any responsibility for these citations. We believe that this is a bad idea on several grounds.

Current law holds that if the leasing/rental company notifies the issuing authority of the name and address of the person in possession of the vehicle at the time of the citation, then the issuing authority must first attempt to collect the fine/forfeiture from such person. If the issuing authority is unable to collect from the renter or lessor, or the company does not provide notice of the renter/lessee's name and address, then the lease/rental company must pay 50% of the fine/forfeiture to avoid having the registration of the vehicle in question suspended. Under current law the issuing authority also has the ability to ask the Department of Motor Vehicles (the department) to refuse registration for all vehicles registered in the state of Wisconsin to the renter/lessee.

If this sounds complex and difficult to administer, that's because it is. However, the solution posed in AB 639 is worse. The analysis of this proposal provided by the Legislative Reference Bureau indicates that "As under current law, the lessor is liable for the parking ticket, unless the lessor identifies the renter or lessee." We disagree with their analysis and firmly believe that these changes are designed to create a situation where the lessor (leasing/rental company) bears no practical liability for the parking ticket.

This proposed legislation does allow the issuing authority to request refusal of registration for any other vehicles owned by a renter/lessee if the leasing/rental company provides notice of name and address. This is identical, in practice, to the current rules. However, since many people who lease vehicles in Wisconsin, and most people who rent vehicles in Milwaukee, do not have other vehicles registered in the state, the effectiveness of this section is limited. Under current law if the renter/lessee does not pay the forfeiture within a specified period of time, the issuing authority can hold the leasing/rental company responsible for the citation. If the company does not pay 50% of

TESTIMONY REGARDING AB 639
CITY OF MILWAUKEE DPW AND PAM LLC
FEBRUARY 9, 2000

the forfeiture, then the authority may ask the department to suspend the registration of the leased/rented vehicle. This mechanism was intended to give the authority leverage to collect forfeitures that would not be collectible from the renter/lessee.

The logic of holding the leasing/rental company responsible is consistent with the general rules of liability for parking citations. If you lend your vehicle to a friend and your friend receives a parking ticket while using your vehicle, you, as owner of the vehicle, are liable for the parking fine. If your friend does not tell you about the ticket and you first become aware of it when the overdue notice arrives in the mail, you are not only liable for the fine, but also for the late fees. The legislature has deemed it appropriate to mitigate liability for leasing/rental companies by requiring them to pay at least 50% of the forfeiture if the authority cannot collect from the renter/lessee. Now you are being asked to repeal section 345.28(5m)(c) and in effect absolve them of all responsibility.

Section 345(5m)(c) is the section of the law that allows the authority to request that the department suspend the registration of the leased/rented vehicle if the authority is unable to collect from the renter/lessee or the leasing/rental company. The leasing/rental company may then pay 50% of the forfeiture to effect a release of the registration suspension. Please note that this proposed legislation does not ask to amend this section so that it cannot be called into play if the leasing/rental company provides the name and address of the renter/lessee. Instead it calls for complete repeal of the entire section.

The proposed bill also amends the section of the current law that that mandates a payment of 50% of the original forfeiture by the lease/rental company to effect a release of a registration suspension. The 50% of the forfeiture requirement is amended to "some Part" of the forfeiture. To us this means that if 345(5m)(c) is not repealed but this language is amended, then a payment of 1 penny on a \$50 forfeiture would be enough to get the registration hold released. You can be sure that the many private residents of Wisconsin who will have to pay their entire forfeitures to get their registration holds released would like a similar deal.

When one analyzes the practical effect of this proposed legislation it is easy to see that the proposal effectively absolves the leasing/rental companies from any liability for parking tickets issued to vehicles they own. If the leasing/rental company provides notice of the name and address of the renter/lessee, then the authority may take action against the renter/lessee. But, as is often the case, if the leasing/rental company does not provide the notice or if the authority is not able to collect from the renter/lessee, than under these new rules the authority has no recourse against the leasing/rental company. And if 345(5m)(c) is not repealed but the language in 345.28(4)(e) is amended from 50% of the forfeiture to "some part" of the forfeiture you can be assured that authorities will be releasing registration suspensions for payments of \$0.01.

In 1999 the City of Milwaukee Violations Bureau collected \$375,000 on parking citations issued to leased or rented vehicles. There is also \$113,000 still owing from parking tickets issued in 1999 to leased or rented vehicles. Our experience indicates that about 50% of the payments received on parking tickets issued to leased or rented vehicles are

TESTIMONY REGARDING AB 639
CITY OF MILWAUKEE DPW AND PAM LLC
FEBRUARY 9, 2000

collected from leasing/rental companies. In most of these cases the renter or lessee of the vehicle does not live in Wisconsin or does not have any vehicles, other than a leased vehicle, registered in the state. Adoption of AB 639 would severely limit, if not completely eliminate the ability of the City to collect on these citations. In addition the City would have to spend up to \$5000 to modify its citation processing software to comply with the new rules.

Yes, the system is complicated and difficult to administer and one could argue that rule changes to simplify the process are desirable. However, one could also argue that the easiest way to accomplish this would be to treat the leasing/rental companies the same way regular citizens are treated. That is, hold them liable for all the parking citations issued to vehicles that they own. The companies could then recover the forfeitures and an appropriate handling charge from the renter or lessee of the vehicle. Language could be inserted in the lease/rental contracts to allow this process, if it's not already there. The resulting system would be fair, simple and easy to administer.

We ask the committee to consider this testimony and the practical effects of the proposed Assembly Bill 639 and vote No when asked to approve or recommend this measure.

**ADDENDUM ONE TO
TESTIMONY REGARDING
ASSEMBLY BILL 639**

**PRESENTED BY
CITY OF MILWAUKEE DEPARTMENT OF PUBLIC WORKS
AND
PROFESSIONAL ACCOUNT MANAGEMENT LLC**

**TO
THE HONORABLE MEMBERS OF
THE ASSEMBLY HIGHWAY SAFETY COMMITTEE
FEBRUARY 16, 2000**

Under the provisions of Wisconsin Statute 345.82 a company owner or lessor which leases or rents a vehicle may satisfy a parking citation issued to the vehicle by paying only 50% of the citation forfeiture. The policies and procedures the Milwaukee Violations Bureau (MVB) uses to collect citation fines from leasing/rental companies are clearly governed by these statutory provisions.

When Professional Account Management, LLC assumed responsibility for the MVB in the Spring of 1998, PAM staff and City representatives designed a set of processing procedures and software rules to satisfy the provisions of Wisconsin Statute 345.82. The agreed upon procedures are identical or similar to those used by many other large issuing authorities throughout Wisconsin, such as Green Bay, Kenosha, Madison and the University of Wisconsin. The procedures are as follows:

1. An initial citation notice is sent by the MVB to a leasing/rental company advising them of the violation. This notice shows the amount due for the fine and any late fees.
2. The initial notice gives the leasing/rental company the opportunity to provide the name and address of the driver to the MVB if they choose to do so.
3. Follow-up notices are sent to the driver if the name and address are provided by the leasing/rental company to the MVB.
4. If after 45 days the citation has not been paid, another notice is sent to the leasing/rental company advising them the citation has not yet been paid.
5. No special processing is completed when a payment is received from a driver for a citation on the lease/rental vehicle. Therefore, if the payment does not satisfy the total amount owed, additional notices may be sent or the citation may be referred to secondary collection.
6. When an inquiry is received from the leasing/rental company regarding an open ticket, the company is advised that if they are paying the citation the amount they should pay is 50% of the forfeiture.

Leasing or rental companies respond to these procedures in several ways:

1. Some companies pay the full citation amount at the first notice and then collect the forfeiture and possibly a processing fee directly from the lessee/renter.
2. Some companies pay 50% of the total due at the first notice and then collect the forfeiture and possibly a processing fee directly from the lessee/renter.
3. Some companies do not pay at the first notice but also do not return the lessee/renter name and address to the MVB. They forward the overdue notice to the lessee/renter and request that the lessee/renter pay the citation.
4. Some companies do not pay at the first notice and immediately return the lessee/renter name and address to the MVB.
5. Some companies collect the citation amount and possibly a processing fee from the lessee/renter and then pay the MVB.

It is important to recognize that these options make it difficult for the MVB to determine whether a leasing/rental company has paid too little, too much or the proper amount to satisfy the citation.

- When the MVB receives a 50% payment from the leasing/rental company, the MVB has no way of knowing whether the company may have collected the full amount from the driver.
- When the MVB receives 100% from the leasing/rental company, the MVB does not know whether this is from the company, the driver or a combination of both.

Under these circumstances, the MVB can only assume that leasing/rental companies understand the law and will pay 100% of a parking fine if they receive the payment from the driver or 50% if they pay the citation fine themselves.

At any time during the process described above, a leasing/rental company may pay 50% of the citation. When checks from leasing/rental companies are processed by the MVB, if the payment is equal to or more than 50% of the original citation the balance of the citation is dismissed. Also, if a registration suspension or hold has been entered for the cited vehicle, it is released. Furthermore, if the MVB discovers the leasing/rental company has paid more than 50% of the original forfeiture and has no outstanding citations, the MVB will refund the balance to the leasing/rental company.

Given the complexity which underpins these policies and procedures and the potential for confusion and misunderstanding, PAM's customer service and collection staff work closely with leasing/rental companies to clarify policies and procedures and make certain the provisions of Wisconsin Statute 345.82 are satisfied. Leasing/rental companies have been given direct telephone numbers to Customer Service and Collection staff, and PAM staff also communicates with these companies via fax on a regular basis to resolve open citations. For example, at the Chase Avenue collection office, MVB Supervisor Ricardo Santiago works with leasing/rental companies to resolve citations that have advanced to secondary collection. Consistent with the policy followed by MVB Customer Service staff, Mr. Santiago informs leasing/rental companies that they must only pay 50% of the forfeiture. Mr. Santiago and his staff have worked with several leasing/rental companies to resolve hundreds of old citations. In some of these cases, PAM has assisted these companies in the dismissal or resolution of citations which were of questionable merit.

In an effort to make certain the provisions of Wisconsin Statute 345.82 are being followed, PAM currently is examining its rules and policies, and under the direction of the Department of Public Works may recommend that further refinement be made in processing procedures.