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## MEMORANDUM

April 29, 2002

TO: Senate Committee on Insurance, Tourism and Transportation  
FR: Senator Roger Breske, Chair  
RE: Proposed Clearinghouse Rule 02-029; *relating to vehicle odometer disclosure requirements.*

Clearinghouse Rule 02-029 was recently referred to the Senate Committee on Insurance, Tourism and Transportation. For your reference, I have included the analysis by the Department of Transportation below. If you would like to request a hearing on this proposed rule, please contact Beth in my office before *Friday, May 17<sup>th</sup>, 2002.*

### *Analysis by the Department of Transportation*

Chapter Trans 154 establishes the Department of Transportation's interpretation of statutes relating to the implementation of the provisions of the federal odometer law, as they affect regulation of vehicle odometer disclosure. When reassigning ownership of a new motor vehicle which has not been previously titled or registered, ch. Trans 154 currently requires the dealer to complete an odometer disclosure on a "conforming" odometer disclosure statement. This rule making will amend s. Trans 154.03(2)(a) by replacing the existing requirement with the requirement that the odometer disclosure shall be recorded in the designated spaces provided on the manufacturer's document of origin when disclosing mileage that is actual. When the odometer reading is not "actual," a separate conforming document will be required. The odometer reading is not "actual" if that odometer reading differs from the vehicle's mileage. An odometer reading can be not actual for a variety of reasons, including an odometer calibration error, mileage in excess of the designed mechanical odometer limit, accident, fire, fraud, etc. However, most of these reasons for a not actual reading are uncommon to new cars. The manufacturer's document of origin was specifically designed to facilitate ownership and odometer tracking in an effective and consistent manner. Adopting the policy of disclosing mileage on the manufacturer's document of origin, without requiring an additional "conforming" document, will increase interstate and intrastate consistency, will decrease redundancies created by recording the mileage on the manufacturer's document of origin and on a separate conforming document, will align the state law more closely with the federal law, 49 CFR 580.17, and will promote goodwill and efficiency.