

1983 Senate Bill 147

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1983 Wisconsin Act 217

AN ACT to amend 344.14 (2) (h) and 880.26 (3) of the statutes, relating to accepting releases from liability and appointing guardians of the estate.

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

SECTION 1. 344.14 (2) (h) of the statutes is amended to read:

344.14 (2) (h) To any person who would otherwise have to deposit security if, prior to the date the secretary would otherwise suspend ~~such the~~ person's operating privilege and registrations under sub. (1) or order the impoundment of the motor vehicle under sub. (1m), there is filed with the secretary evidence satisfactory to the secretary that ~~such the~~ person has been released from liability or has been finally adjudicated not to be liable or has executed a duly acknowledged written agreement providing for the payment of an

agreed amount in instalments with respect to all claims for injuries or damage resulting from the accident. The secretary may accept a release from liability executed by a parent as natural guardian on behalf of a minor child with respect to property damage or personal injuries sustained by ~~such~~ the minor, provided that the total damages, including the cost of medical care, ~~does do~~ not exceed ~~\$1,500~~ \$5,000 and that, in case of personal injury, the doctor's certificate of injury filed with the department certifies that ~~such~~ the minor received no permanent injury.

NOTE: Under current law, a person is not required to provide proof of liability insurance or financial responsibility when registering a motor vehicle. After an accident occurs, a person may be required to meet the requirements of the safety responsibility law through liability insurance or deposit of security. Failure to meet the requirements may result in suspension of the person's license or the vehicle's registration or in impoundment of motor vehicles.

The financial responsibility requirements do not apply if a release from liability is filed with the secretary of transportation. The secretary may accept a release from liability on behalf of minor children if the damages do not exceed \$1,500. If the damage figure is above that amount and a release is desired, a guardian ad litem must be appointed. Subsection (2) (h) is amended by increasing the limit to \$5,000. This conforms to the change made in s. 880.04 (2) by chapter 50, laws of 1977.

SECTION 2. 880.26 (3) of the statutes is amended to read:

880.26 (3) DEPLETED GUARDIANSHIPS. When the court determines that the estate of the ward is below ~~\$1,500~~ \$5,000 and reduced to a point where it is to the advantage of the ward to dispense with the guardianship, the court may terminate the guardianship and authorize disposition of the remaining assets as provided by s. 880.04 (2); and the court as a part of ~~such~~ the disposition may order a suitable amount paid to the county treasurer under order of the court or reserved in the guardianship to assure the ward a decent burial, a marker, and perpetual care for the grave; and in case of an insolvent guardianship the court may order an amount not exceeding \$400 reserved in the guardianship or paid to the county treasurer under order of the court to assure ~~such~~ the ward a decent burial.

NOTE: Subsection (3) is amended by increasing from \$1,500 to \$5,000 the amount at which the guardianship may terminate. This conforms to the change made in s. 880.04 (2) by chapter 50, laws of 1977.
