

State of Wisconsin



2009 Senate Bill 488

Date of enactment: **May 5, 2010**
Date of publication*: **May 19, 2010**

2009 WISCONSIN ACT 244

AN ACT *to repeal* 344.15 (2) (b) and 344.32 (1) (a); *to consolidate, renumber and amend* 344.15 (2) (intro.) and (a) and 344.32 (1) (intro.) and (b); and *to amend* 344.15 (3) of the statutes; **relating to:** policies and bonds issued by out-of-state insurers offered as proof of financial responsibility after a motor vehicle accident (suggested as remedial legislation by the Department of Transportation).

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

SECTION 1. 344.15 (2) (intro.) and (a) of the statutes are consolidated, renumbered 344.15 (2) and amended to read:

344.15 (2) A policy or bond with respect to a vehicle which was not registered in this state or was registered elsewhere at the time of the effective date of the policy or bond or the most recent renewal thereof may be effective under s. 344.14 even though not issued by an insurer authorized to do an automobile liability or surety business in this state if the following conditions are complied with: (a) The policy or bond either meets the liability limits specified in sub. (1) or meets the liability limits of the equivalent law of the state in which issued and such limits are, in the judgment of the secretary, adequate to cover any damage or injury involved in the accident in question.

SECTION 2. 344.15 (2) (b) of the statutes is repealed.

SECTION 3. 344.15 (3) of the statutes is amended to read:

344.15 (3) Where service of process is made on the secretary under a power of attorney filed in accordance with sub. (2), the secretary shall forthwith mail by registered mail a copy of the process papers to the insurer at

the address given in the filed power of attorney. In all cases of such service, there shall be served 2 authenticated copies for the secretary and such additional number of authenticated copies as there are defendants so served in the action. One of the secretary's copies shall be retained for the secretary's record of service and the other copy shall be returned with proper certificate of service attached for filing in court as proof of service of the copies by having mailed them by registered mail to the defendants named therein. The service fee shall be \$4 for each defendant so served.

SECTION 4. 344.32 (1) (intro.) and (b) of the statutes are consolidated, renumbered 344.32 (1) and amended to read:

344.32 (1) A nonresident may give proof of financial responsibility by filing with the secretary a written certification of an insurer authorized to transact an automobile liability or surety business in the state in which the person resides or by transmitting such certification to the secretary by another means approved by the secretary, provided the certification otherwise conforms to this chapter. The secretary shall accept the certification if the insurer complies with the following with respect to the policies so certified: (b) Such insurer shall agree agrees in writing that such the policies so certified shall be

* Section 991.11, WISCONSIN STATUTES 2007-08 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

deemed to conform with the laws of this state relating to the terms of motor vehicle liability policies issued herein.

SECTION 5. 344.32 (1) (a) of the statutes is repealed.

SECTION 6. Initial applicability.

(1) This act first applies with respect to accidents occurring on the effective date of this subsection.
