

State of Misconsin 2011 - 2012 LEGISLATURE



2011 ASSEMBLY BILL 484

January 24, 2012 – Introduced by Representatives Litjens, Kestell and Spanbauer, cosponsored by Senators Cowles, Galloway and Holperin. Referred to Committee on Transportation.

AN ACT to repeal 218.50 (1), (1m), (2), (3), and (6), 218.51, 218.52 (1) and (2), 340.01 (25j) (b) and 342.34 (3m); to consolidate, renumber and amend 340.01 (25j) (intro.) and (a); and to amend 49.857 (1) (d) 15., 73.0301 (1) (d) 7., subchapter X (title) of chapter 218 [precedes 218.50], 227.43 (1) (bg) and 321.60 (1) (a) 15. of the statutes; relating to: buyer identification cards and the definition of junk vehicles.

Analysis by the Legislative Reference Bureau

Under current law, a person may not purchase or bid on a motor vehicle from a motor vehicle salvage pool unless the person holds a valid buyer identification (BID) card issued by the Department of Transportation (DOT), the person displays the BID card to the salvage pool, and the person includes the BID card number on any bid submitted to the salvage pool. A motor vehicle salvage pool sells or distributes damaged motor vehicles at wholesale, generally by auction. BID cards are available only to motor vehicle dealers, wholesalers, and salvage dealers licensed in this state or another state and to their employees. BID cards must contain the full name, business and residence address, and a brief description of the card holder, as well as the card holder's buyer identification number. The motor vehicle salvage pool may not accept a bid or complete a sales transaction unless the bidder satisfies the foregoing requirements. The motor vehicle salvage pool must also establish and maintain, in compliance with standards established by DOT, a record of each motor

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vehicle sold. DOT may also inspect the books and records of BID card holders, at the cost of the card holder. This bill eliminates BID cards and all associated requirements and restrictions specific to the purchase of motor vehicles from a salvage pool.

Also under current law, a "junk vehicle" is defined as a vehicle that is incapable of highway operation and has no resale value except as a source of parts or scrap or that an insurance company has taken possession of or title to because the cost of repairing the vehicle exceeds its value. This bill changes the definition of "junk vehicle" to mean a vehicle that has no resale value except as a source of parts or scrap and that has been designated by the owner as a source of parts or scrap.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1	SECTION 1. 49.857 (1) (d) 15. of the statutes is amended to read:
2	49.857 (1) (d) 15. A license, permit or registration issued under ss. 218.0101
3	to 218.0163, 218.11, 218.12, 218.22, 218.32, 218.41, 218.51, 341.51, 343.305 (6),
4	343.61 or 343.62.
5	Section 2. 73.0301 (1) (d) 7. of the statutes is amended to read:
6	73.0301 (1) (d) 7. A license described in s. 218.0114 (14) (a) and (g), a license
7	described in s. 218.0114 (14) (b), (c) or (e), a license issued under s. 218.11, 218.12,
8	218.22, 218.32, 218.41, 343.61 or 343.62, a buyer identification card issued under
9	s. 218.51 or a certificate of registration issued under s. 341.51.
10	Section 3. Subchapter X (title) of chapter 218 [precedes 218.50] of the statutes
11	is amended to read:
12	CHAPTER 218
13	SUBCHAPTER X
14	MOTOR VEHICLE SALVAGE POOLS

AND BUYER IDENTIFICATION

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- **SECTION 4.** 218.50 (1), (1m), (2), (3), and (6) of the statutes are repealed.
- 2 **Section 5.** 218.51 of the statutes is repealed.
- 3 **Section 6.** 218.52 (1) and (2) of the statutes are repealed.
- **SECTION 7.** 227.43 (1) (bg) of the statutes is amended to read:
- 5 227.43 (1) (bg) Assign a hearing examiner to preside over any hearing or review
- 6 under ss. 84.30 (18), 84.305, 84.31 (6) (a), 85.013 (1), 86.073 (3), 86.16 (5), 86.195 (9)
- 7 (b), 86.32 (1), 101.935 (2) (b), 101.951 (7) (a) and (b), 114.134 (4) (b), 114.135 (9),
- 8 114.20 (19), 175.05 (4) (b), 194.145 (1), 194.46, 218.0114 (7) (d) and (12) (b), 218.0116
- 9 (2), (4), (7) (a), (8) (a) and (10), 218.0131 (3), 218.11 (7) (a) and (b), 218.22 (4) (a) and
- 10 (b), 218.32 (4) (a) and (b), 218.41 (4), 218.51 (5) (a) and (b), 341.09 (2m) (d), 342.26,
- 11 343.69 and 348.25 (9).
- 12 **Section 8.** 321.60 (1) (a) 15. of the statutes is amended to read:
- 13 321.60 (1) (a) 15. A license, permit, or registration issued under ss. 218.0101
- to 218.0163, 218.11, 218.12, 218.22, 218.32, 218.41, 218.51, 341.51, 343.305 (6),
- 15 343.61, or 343.62.
- **SECTION 9.** 340.01 (25j) (intro.) and (a) of the statutes are consolidated,
- 17 renumbered 340.01 (25j) and amended to read:
- 18 340.01 (25i) "Junk vehicle" means any of the following: (a) A a vehicle which
- is incapable of operation or use upon a highway and which that has no resale value
- except as a source of parts or scrap and that has been designated by the owner as a
- 21 <u>source of parts or scrap</u>.
- **Section 10.** 340.01 (25j) (b) of the statutes is repealed.
- 23 **Section 11.** 342.34 (3m) of the statutes is repealed.
- 24 Section 12. Initial applicability.

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$(1) \ \ The \ treatment \ of \ section \ 340.01 \ (25j) \ (intro.), \ (a), \ and \ (b) \ of \ the \ statutes \ first$
applies to a motor vehicle that is first determined to be a junk vehicle or that is junked
or destroyed on the effective date of this subsection.

4 (END)