

1993 Senate Bill 743

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1993 WISCONSIN ACT 475

AN ACT *to amend* 342.13 (1); and *to create* 346.65 (6) (a) 2m of the statutes, **relating to**: surrender of a certificate of title, information required on a certificate of title for a motor vehicle and providing a penalty.

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

SECTION 1. 342.13 (1) of the statutes is amended to read:

342.13 (1) If a certificate of title is lost, stolen, mutilated or destroyed or becomes illegible, the owner or legal representative of the owner named in the certificate, as shown by the records of the department, shall promptly make application for and may obtain a replacement upon furnishing information satisfactory to the department. The replacement certificate of title shall contain the legend "This is a replacement certificate and may be subject to the rights of a person under the original certificate". If applicable under s. 346.65 (6), the replacement certificate of title shall include the notation "Per section 346.65 (6) of the Wisconsin statutes, ownership of this motor vehicle may not be transferred without prior court approval".

SECTION 2. 346.65 (6) (a) 2m of the statutes is created to read:

346.65 (6) (a) 2m. A person who owns a motor vehicle subject to seizure, equipping with an ignition interlock device or immobilization under this paragraph shall surrender to the clerk of circuit court the certificate of title issued under ch. 342 for every motor vehicle owned by the person. The person shall comply with this subdivision within 5 working days after receiving noti-

fication of this requirement from the district attorney. When a district attorney receives a copy of a notice of intent to revoke the operating privilege under s. 343.305 (9) (a) of a person who has 2 or more convictions, suspensions or revocations within a 5-year period, as counted under s. 343.307 (1), or when a district attorney notifies the department of the filing of a criminal complaint against a person under s. 342.12 (4) (a), the district attorney shall notify the person of the requirement to surrender all certificates of title to the clerk of circuit court. The notification shall include the time limits for that surrender, the penalty for failure to comply with the requirement and the address of the clerk of circuit court. The clerk of circuit court shall promptly return each certificate of title surrendered to the clerk of circuit court under this subdivision after stamping the certificate of title with the notation "Per section 346.65 (6) of the Wisconsin statutes, ownership of this motor vehicle may not be transferred without prior court approval". Any person failing to surrender a certificate of title as required under this subdivision shall forfeit not more than \$500.

SECTION 3. Initial applicability. This act first applies to offenses committed on the effective date of this SECTION, but does not preclude the counting of prior convictions, suspensions or revocations when determining if a vehicle should be seized, equipped with an ignition interlock device or immobilized.