

BILL HISTORY FOR SENATE BILL 99 (LRB –1086)

An Act to repeal 218.01 (title); to renumber 218.01 (1) (a), 218.01 (1) (ct), 218.01 (1) (df), 218.01 (1) (e), 218.01 (1) (f), 218.01 (1) (g), 218.01 (1) (gm), 218.01 (1) (h), 218.01 (1) (i), 218.01 (1) (j), 218.01 (1) (je), 218.01 (1) (jf), 218.01 (1) (jg), 218.01 (1) (ji), 218.01 (1) (jj), 218.01 (1) (jk), 218.01 (1) (Lm), 218.01 (1) (m), 218.01 (1) (pt), 218.01 (1) (q), 218.01 (1) (qm), 218.01 (1) (qr), 218.01 (1) (qt), 218.01 (1) (r), 218.01 (1) (s), 218.01 (1) (w), 218.01 (1) (x), 218.01 (1) (xm), 218.01 (1a) (title), 218.01 (2) (title), 218.01 (2) (bd) 1g., 218.01 (2) (bm) 1. b., 218.01 (2) (bm) 1. c., 218.01 (2) (bo) 1., 218.01 (2) (c) 2. a., 218.01 (2) (d) 2., 218.01 (2) (d) 3., 218.01 (2) (d) 5., 218.01 (2) (d) 6., 218.01 (2) (dr), 218.01 (2) (g), 218.01 (2) (k), 218.01 (2a) (title), 218.01 (2a) (a), 218.01 (2f), 218.01 (2g), 218.01 (2w) (title), 218.01 (2w) (b), 218.01 (2w) (d), 218.01 (3) (title), 218.01 (3) (a) (intro.), 218.01 (3) (a) 1., 218.01 (3) (a) 2., 218.01 (3) (a) 3., 218.01 (3) (a) 5., 218.01 (3) (a) 6., 218.01 (3) (a) 7., 218.01 (3) (a) 8., 218.01 (3) (a) 9., 218.01 (3) (a) 12., 218.01 (3) (a) 14., 218.01 (3) (a) 19., 218.01 (3) (a) 25., 218.01 (3) (a) 27., 218.01 (3) (a) 29., 218.01 (3) (a) 30., 218.01 (3) (a) 36. (intro.), 218.01 (3) (a) 43., 218.01 (3) (f) 3., 218.01 (3) (f) 4. b., 218.01 (3) (f) 4. e., 218.01 (3) (fm), 218.01 (3a) (title), 218.01 (3a) (d), 218.01 (3c) (title), 218.01 (3n) (title), 218.01 (3n) (b) 1., 218.01 (3n) (b) 2., 218.01 (3n) (b) 4. (intro.), 218.01 (3n) (b) 4. a., 218.01 (3r) (title), 218.01 (3r) (a) 1., 218.01 (3r) (a) 2., 218.01 (3r) (b) 4., 218.01 (3r) (b) 5., 218.01 (3r) (d) 2., 218.01 (3r) (d) 3., 218.01 (3r) (e) 1. a., 218.01 (3r) (e) 1. b., 218.01 (3r) (e) 1. c., 218.01 (3r) (e) 1. d., 218.01 (3r) (e) 1. f., 218.01 (3x) (title), 218.01 (3x) (c), 218.01 (3x) (d) 1., 218.01 (3x) (d) 3. (intro.), 218.01 (3x) (d) 3. a., 218.01 (3x) (d) 4., 218.01 (5) (title), 218.01 (5m) (title), 218.01 (6) (title), 218.01 (6) (a), 218.01 (6) (bp), 218.01 (7a), 218.01 (7b) (title), 218.01 (7m) (title) and 218.01 (7m) (b); to renumber and amend 218.01 (1) (intro.), 218.01 (1) (b), 218.01 (1) (jm), 218.01 (1) (k), 218.01 (1) (L), 218.01 (1) (n), 218.01 (1) (o), 218.01 (1) (p), 218.01 (1) (t), 218.01 (1) (u), 218.01 (1) (v), 218.01 (1a), 218.01 (1b), 218.01 (2) (a), 218.01 (2) (am), 218.01 (2) (an), 218.01 (2) (b), 218.01 (2) (bb), 218.01 (2) (bc), 218.01 (2) (bd) 1., 218.01 (2) (bd) 1r., 218.01 (2) (bd) 2., 218.01 (2) (bd) 3., 218.01 (2) (bf), 218.01 (2) (bm) 1. (intro.), 218.01 (2) (bm) 1. a., 218.01 (2) (bm) 2., 218.01 (2) (bm) 3., 218.01 (2) (bo) (intro.), 218.01 (2) (bo) 2., 218.01 (2) (bs), 218.01 (2) (c) 1., 218.01 (2) (c) 2. b., 218.01 (2) (cm), 218.01 (2) (d) (intro.), 218.01 (2) (d) 1., 218.01 (2) (d) 4., 218.01 (2) (d) 8., 218.01 (2) (dm), 218.01 (2) (e), 218.01 (2) (f), 218.01 (2) (h) 1., 218.01 (2) (h) 2., 218.01 (2) (h) 3., 218.01 (2) (i), 218.01 (2) (ie), 218.01 (2) (ig), 218.01 (2) (j), 218.01 (2a) (b), 218.01 (2a) (c), 218.01 (2a) (d), 218.01 (2c), 218.01 (2d), 218.01 (2w) (a), 218.01 (2w) (c), 218.01 (2w) (e), 218.01 (2w) (f), 218.01 (2w) (g), 218.01 (2x), 218.01 (3) (a) 4., 218.01 (3) (a) 10. and 11., 218.01 (3) (a) 13., 218.01 (3) (a) 15., 218.01 (3) (a) 16., 218.01 (3) (a) 17., 218.01 (3) (a) 18., 218.01 (3) (a) 20., 218.01 (3) (a) 21., 218.01 (3) (a) 22., 218.01 (3) (a) 23., 218.01 (3) (a) 24., 218.01 (3) (a) 26., 218.01 (3) (a) 28., 218.01 (3) (a) 31., 218.01 (3) (a) 32., 218.01 (3) (a) 35., 218.01 (3) (a) 36. a., 218.01 (3) (a) 36. b., 218.01 (3) (a) 36. c., 218.01 (3) (a) 36. d., 218.01 (3) (a) 37., 218.01 (3) (a) 38., 218.01 (3) (a) 39., 218.01 (3) (a) 40., 218.01 (3) (a) 41., 218.01 (3) (a) 42., 218.01 (3) (ag), 218.01 (3) (am), 218.01 (3) (b), 218.01 (3) (bf), 218.01 (3) (c), 218.01 (3) (d), 218.01 (3) (e), 218.01 (3) (f) 1., 218.01 (3) (f) 2., 218.01 (3) (f) 4. (intro.), 218.01 (3) (f) 4. a., 218.01 (3) (f) 4. c., 218.01 (3) (f) 4. d., 218.01 (3) (g), 218.01 (3) (h), 218.01 (3a) (a), 218.01 (3a) (b), 218.01 (3a) (c), 218.01 (3c) (b), 218.01 (3c) (c), 218.01 (3c) (d), 218.01 (3c) (e), 218.01 (3n) (a), 218.01 (3n) (b) (intro.), 218.01 (3n) (b) 3., 218.01 (3n) (b) 4. b., 218.01 (3n) (b) 4. c., 218.01 (3n) (b) 4. d., 218.01 (3n) (b) 4. e., 218.01 (3r) (a) (intro.), 218.01 (3r) (b) 1., 218.01 (3r) (b) 2., 218.01 (3r) (b) 3., 218.01 (3r) (c), 218.01 (3r) (d) 1., 218.01 (3r) (d) 4., 218.01 (3r) (e) 1. (intro.), 218.01 (3r) (e) 1. e., 218.01 (3r) (e) 2., 218.01 (3r) (e) 3., 218.01 (3r) (e) 4., 218.01 (3r) (f), 218.01 (3x) (a), 218.01 (3x) (b), 218.01 (3x) (d) (intro.), 218.01 (3x) (d) 2., 218.01 (3x) (d) 3. b., 218.01 (3x) (d) 3. c., 218.01 (4), 218.01 (5) (a), 218.01 (5) (b) 1., 218.01 (5) (b) 2., 218.01 (5) (b) 3., 218.01 (5) (c), 218.01 (5m) (a), 218.01 (6) (b), 218.01 (6) (c), 218.01 (6) (d), 218.01 (6) (e), 218.01 (6) (em), 218.01 (6) (f), 218.01 (6) (g), 218.01 (6) (h), 218.01 (6) (k), 218.01 (6m), 218.01 (6x), 218.01 (7), 218.01 (7b), 218.01 (7m) (a), 218.01 (7m) (c), 218.01 (7m) (d), 218.01 (7r), 218.01 (7t), 218.01 (8), 218.01 (8m), 218.01 (9), 218.015 and 218.017; to amend 49.857 (1) (d) 12., 49.857 (1) (d) 15., 73.03 (37), 73.0301 (1) (d) 6., 73.0301 (1) (d) 7., 77.53 (1m) (intro.), 100.45 (1) (ag), 100.45 (1) (ar), 135.07 (1), 138.04, 138.051 (8), 138.052 (11), 138.09 (3) (e) 1. c., 218.12 (5), 218.12 (6), 218.205 (2) (a), 218.21 (1m), 218.21 (4) (a), 218.21 (6), 218.22 (1) (intro.), 218.22 (3) (m), 218.22 (5), 218.40 (3), 218.505, 220.285 (1), 227.43 (1) (bg), 340.01 (11) (d), 340.01 (28e), 340.01 (35e), 340.01 (74t), 341.51 (6), 341.57 (1), 341.57 (2), 342.12 (3) (a), 342.18 (4) (a), 344.572 (2), 345.11 (1g), 345.11 (5), 422.201 (3), 422.202 (3) (c), 425.301 (4), 429.102 (1), 429.102 (2), 429.104 (13m), 429.104 (19), 429.104 (21), 429.104 (21m), 429.301 (2), 553.235 (2) (a), 632.32 (2) (b) 1. and 779.85 (3); and to create 218.0116 (1) (i) 1., 218.0116 (1) (im) 1. and 218.0116 (7) (d) 1d. of the statutes; relating to: certain statutes dealing with motor vehicle dealers, salespersons and sales finance companies (Revision Bill).

1999

03–25. S. Introduced by Law Revision Committee.

03–25. S. Read first time and referred to committee on Economic Development, Housing and Government Operations 109

2000

01–04. S. Public hearing held.

01–12. S. Executive action taken.

01–19. S. Report passage recommended by committee on Economic Development, Housing and Government Operations, Ayes 5, Noes 0 382

01–19. S. Available for scheduling.

02–01. S. Read a second time 412

| | | |
|-----------|--|-----|
| 02-01. S. | Ordered to a third reading | 412 |
| 02-01. S. | Rules suspended | 412 |
| 02-01. S. | Read a third time and passed | 412 |
| 02-01. S. | Ordered immediately messaged | 413 |
| 02-08. A. | Received from Senate | 645 |
| 02-08. A. | Read first time and referred to committee on Transportation | 646 |
| 02-24. A. | Public hearing held. | |
| 02-24. A. | Executive action taken. | |
| 02-29. A. | Report concurrence recommended by committee on Transportation, Ayes 13, Noes 0 | 687 |
| 02-29. A. | Referred to committee on Rules | 687 |
| 03-09. A. | Placed on calendar 3-14-2000 by committee on Rules. | |
| 03-14. A. | Read a second time | 750 |
| 03-14. A. | Ordered to a third reading | 750 |
| 03-14. A. | Rules suspended | 751 |
| 03-14. A. | Read a third time and concurred in | 751 |
| 03-14. A. | Ordered immediately messaged | 751 |
| 03-14. S. | Received from Assembly concurred in. | |

**1999
ENROLLED BILL**

99en SB-99

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

99 - 10861 /

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic

Motor Revision Bill dealing
with motor vehicle dealers,
sales persons and sales finance companies

3/15/00

Date

Patricia J. Ryan

Enrolling Drafter

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1999 SENATE BILL 99

March 25, 1999 – Introduced by LAW REVISION COMMITTEE. Referred to Committee on Economic Development, Housing and Government Operations.

1 **AN ACT to repeal** 218.01 (title); **to renumber** 218.01 (1) (a), 218.01 (1) (ct), 218.01
2 (1) (df), 218.01 (1) (e), 218.01 (1) (f), 218.01 (1) (g), 218.01 (1) (gm), 218.01 (1) (h),
3 218.01 (1) (i), 218.01 (1) (j), 218.01 (1) (je), 218.01 (1) (jf), 218.01 (1) (jg), 218.01
4 (1) (ji), 218.01 (1) (jj), 218.01 (1) (jk), 218.01 (1) (Lm), 218.01 (1) (m), 218.01 (1)
5 (pt), 218.01 (1) (q), 218.01 (1) (qm), 218.01 (1) (qr), 218.01 (1) (qt), 218.01 (1) (r),
6 218.01 (1) (s), 218.01 (1) (w), 218.01 (1) (x), 218.01 (1) (xm), 218.01 (1a) (title),
7 218.01 (2) (title), 218.01 (2) (bd) 1g., 218.01 (2) (bm) 1. b., 218.01 (2) (bm) 1. c.,
8 218.01 (2) (bo) 1., 218.01 (2) (c) 2. a., 218.01 (2) (d) 2., 218.01 (2) (d) 3., 218.01
9 (2) (d) 5., 218.01 (2) (d) 6., 218.01 (2) (dr), 218.01 (2) (g), 218.01 (2) (k), 218.01
10 (2a) (title), 218.01 (2a) (a), 218.01 (2f), 218.01 (2g), 218.01 (2w) (title), 218.01
11 (2w) (b), 218.01 (2w) (d), 218.01 (3) (title), 218.01 (3) (a) (intro.), 218.01 (3) (a)
12 1., 218.01 (3) (a) 2., 218.01 (3) (a) 3., 218.01 (3) (a) 5., 218.01 (3) (a) 6., 218.01
13 (3) (a) 7., 218.01 (3) (a) 8., 218.01 (3) (a) 9., 218.01 (3) (a) 12., 218.01 (3) (a) 14.,
14 218.01 (3) (a) 19., 218.01 (3) (a) 25., 218.01 (3) (a) 27., 218.01 (3) (a) 29., 218.01

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1 (3) (a) 30., 218.01 (3) (a) 36. (intro.), 218.01 (3) (a) 43., 218.01 (3) (f) 3., 218.01
2 (3) (f) 4. b., 218.01 (3) (f) 4. e., 218.01 (3) (fm), 218.01 (3a) (title), 218.01 (3a) (d),
3 218.01 (3c) (title), 218.01 (3n) (title), 218.01 (3n) (b) 1., 218.01 (3n) (b) 2., 218.01
4 (3n) (b) 4. (intro.), 218.01 (3n) (b) 4. a., 218.01 (3r) (title), 218.01 (3r) (a) 1.,
5 218.01 (3r) (a) 2., 218.01 (3r) (b) 4., 218.01 (3r) (b) 5., 218.01 (3r) (d) 2., 218.01
6 (3r) (d) 3., 218.01 (3r) (e) 1. a., 218.01 (3r) (e) 1. b., 218.01 (3r) (e) 1. c., 218.01
7 (3r) (e) 1. d., 218.01 (3r) (e) 1. f., 218.01 (3x) (title), 218.01 (3x) (c), 218.01 (3x)
8 (d) 1., 218.01 (3x) (d) 3. (intro.), 218.01 (3x) (d) 3. a., 218.01 (3x) (d) 4., 218.01
9 (5) (title), 218.01 (5m) (title), 218.01 (6) (title), 218.01 (6) (a), 218.01 (6) (bp),
10 218.01 (7a), 218.01 (7b) (title), 218.01 (7m) (title) and 218.01 (7m) (b); **to**
11 **renumber and amend** 218.01 (1) (intro.), 218.01 (1) (b), 218.01 (1) (jm), 218.01
12 (1) (k), 218.01 (1) (L), 218.01 (1) (n), 218.01 (1) (o), 218.01 (1) (p), 218.01 (1) (t),
13 218.01 (1) (u), 218.01 (1) (v), 218.01 (1a), 218.01 (1b), 218.01 (2) (a), 218.01 (2)
14 (am), 218.01 (2) (an), 218.01 (2) (b), 218.01 (2) (bb), 218.01 (2) (bc), 218.01 (2) (bd)
15 1., 218.01 (2) (bd) 1r., 218.01 (2) (bd) 2., 218.01 (2) (bd) 3., 218.01 (2) (bf), 218.01
16 (2) (bm) 1. (intro.), 218.01 (2) (bm) 1. a., 218.01 (2) (bm) 2., 218.01 (2) (bm) 3.,
17 218.01 (2) (bo) (intro.), 218.01 (2) (bo) 2., 218.01 (2) (bs), 218.01 (2) (c) 1., 218.01
18 (2) (c) 2. b., 218.01 (2) (cm), 218.01 (2) (d) (intro.), 218.01 (2) (d) 1., 218.01 (2) (d)
19 4., 218.01 (2) (d) 8., 218.01 (2) (dm), 218.01 (2) (e), 218.01 (2) (f), 218.01 (2) (h)
20 1., 218.01 (2) (h) 2., 218.01 (2) (h) 3., 218.01 (2) (i), 218.01 (2) (ie), 218.01 (2) (ig),
21 218.01 (2) (j), 218.01 (2a) (b), 218.01 (2a) (c), 218.01 (2a) (d), 218.01 (2c), 218.01
22 (2d), 218.01 (2w) (a), 218.01 (2w) (c), 218.01 (2w) (e), 218.01 (2w) (f), 218.01 (2w)
23 (g), 218.01 (2x), 218.01 (3) (a) 4., 218.01 (3) (a) 10. and 11., 218.01 (3) (a) 13.,
24 218.01 (3) (a) 15., 218.01 (3) (a) 16., 218.01 (3) (a) 17., 218.01 (3) (a) 18., 218.01
25 (3) (a) 20., 218.01 (3) (a) 21., 218.01 (3) (a) 22., 218.01 (3) (a) 23., 218.01 (3) (a)

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1 24., 218.01 (3) (a) 26., 218.01 (3) (a) 28., 218.01 (3) (a) 31., 218.01 (3) (a) 32.,
2 218.01 (3) (a) 35., 218.01 (3) (a) 36. a., 218.01 (3) (a) 36. b., 218.01 (3) (a) 36. c.,
3 218.01 (3) (a) 36. d., 218.01 (3) (a) 37., 218.01 (3) (a) 38., 218.01 (3) (a) 39., 218.01
4 (3) (a) 40., 218.01 (3) (a) 41., 218.01 (3) (a) 42., 218.01 (3) (ag), 218.01 (3) (am),
5 218.01 (3) (b), 218.01 (3) (bf), 218.01 (3) (c), 218.01 (3) (d), 218.01 (3) (e), 218.01
6 (3) (f) 1., 218.01 (3) (f) 2., 218.01 (3) (f) 4. (intro.), 218.01 (3) (f) 4. a., 218.01 (3)
7 (f) 4. c., 218.01 (3) (f) 4. d., 218.01 (3) (g), 218.01 (3) (h), 218.01 (3a) (a), 218.01
8 (3a) (b), 218.01 (3a) (c), 218.01 (3c) (b), 218.01 (3c) (c), 218.01 (3c) (d), 218.01 (3c)
9 (e), 218.01 (3n) (a), 218.01 (3n) (b) (intro.), 218.01 (3n) (b) 3., 218.01 (3n) (b) 4.
10 b., 218.01 (3n) (b) 4. c., 218.01 (3n) (b) 4. d., 218.01 (3n) (b) 4. e., 218.01 (3r) (a)
11 (intro.), 218.01 (3r) (b) 1., 218.01 (3r) (b) 2., 218.01 (3r) (b) 3., 218.01 (3r) (c),
12 218.01 (3r) (d) 1., 218.01 (3r) (d) 4., 218.01 (3r) (e) 1. (intro.), 218.01 (3r) (e) 1.
13 e., 218.01 (3r) (e) 2., 218.01 (3r) (e) 3., 218.01 (3r) (e) 4., 218.01 (3r) (f), 218.01
14 (3x) (a), 218.01 (3x) (b), 218.01 (3x) (d) (intro.), 218.01 (3x) (d) 2., 218.01 (3x) (d)
15 3. b., 218.01 (3x) (d) 3. c., 218.01 (4), 218.01 (5) (a), 218.01 (5) (b) 1., 218.01 (5)
16 (b) 2., 218.01 (5) (b) 3., 218.01 (5) (c), 218.01 (5m) (a), 218.01 (6) (b), 218.01 (6)
17 (c), 218.01 (6) (d), 218.01 (6) (e), 218.01 (6) (em), 218.01 (6) (f), 218.01 (6) (g),
18 218.01 (6) (h), 218.01 (6) (k), 218.01 (6m), 218.01 (6x), 218.01 (7), 218.01 (7b),
19 218.01 (7m) (a), 218.01 (7m) (c), 218.01 (7m) (d), 218.01 (7r), 218.01 (7t), 218.01
20 (8), 218.01 (8m), 218.01 (9), 218.015 and 218.017; **to amend** 49.857 (1) (d) 12.,
21 49.857 (1) (d) 15., 73.03 (37), 73.0301 (1) (d) 6., 73.0301 (1) (d) 7., 77.53 (1m)
22 (intro.), 100.45 (1) (ag), 100.45 (1) (ar), 135.07 (1), 138.04, 138.051 (8), 138.052
23 (11), 138.09(3) (e) 1. c., 218.12 (5), 218.12 (6), 218.205 (2) (a), 218.21 (1m), 218.21
24 (4) (a), 218.21 (6), 218.22 (1) (intro.), 218.22 (3) (m), 218.22 (5), 218.40 (3),
25 218.505, 220.285 (1), 227.43 (1) (bg), 340.01 (11) (d), 340.01 (28e), 340.01 (35e),

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1 340.01 (74t), 341.51 (6), 341.57 (1), 341.57 (2), 342.12 (3) (a), 342.18 (4) (a),
 2 344.572 (2), 345.11 (1g), 345.11 (5), 422.201 (3), 422.202 (3) (c), 425.301 (4),
 3 429.102 (1), 429.102 (2), 429.104 (13m), 429.104 (19), 429.104 (21), 429.104
 4 (21m), 429.301 (2), 553.235 (2) (a), 632.32 (2) (b) 1. and 779.85 (3); and *to create*
 5 218.0116 (1) (i) 1., 218.0116 (1) (im) 1. and 218.0116 (7) (d) 1d. of the statutes;
 6 **relating to:** certain statutes dealing with motor vehicle dealers, salespersons
 7 and sales finance companies (Revision Bill).

Analysis by the Legislative Reference Bureau

This bill, drafted pursuant to s. 13.93 (2) (j), restructures section 218.01, the statute dealing with motor vehicle dealers, salespersons and sales finance companies, to divide that statute into more workable sections. Cross-references are changed accordingly. Language is modified to increase conformity with current drafting style, particularly to replace nonspecific references with specific references. Certain specific changes are further explained by NOTES inserted by the Revisor. *No substantive changes are intended.* A table showing the relationship between the new statutory numbering and the old statutory numbering follows:

| NEW NUMBER | TITLE | OLD NUMBER |
|-----------------------|--------------------|-----------------------|
| | DEFINITIONS | |
| 218.0101 | Definitions. | 218.01 (1) |
| (1) | | (a) |
| (3) | | (b) |
| (4) | | (ct) |
| (5) (a) | | (df) 1. |
| (b) | | 2. |
| (c) | | 3. |
| (d) | | 4. |
| (e) | | 5. |
| (f) | | 6. |
| (6) | | (e) |
| (7) | | (f) |

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| | | |
|-------|-------|--------|
| (8) | | (g) |
| (9) | | (gm) |
| (10) | | (h) |
| (11) | | (i) |
| (12) | | (j) |
| (13) | | (je) |
| (13m) | | (jf) |
| (14) | | (jg) |
| (15) | | (ji) |
| (16) | | (jj) |
| (17) | | (jk) |
| (18) | | (jm) |
| (19) | | (k) |
| (20) | | (L) |
| (21) | | (Lm) |
| (22) | | (m) |
| (23) | (a)1. | (n) 1. |
| | (a)2. | 2. |
| | (b)1. | (o) 1. |
| | (b)2. | 2. |
| | (b)3. | 3. |
| | (b)4. | 4. |
| | (b)5. | 5. |
| (24) | | (p) |
| (25) | | (pt) |
| (26) | | (q) |
| (27) | | (qm) |
| (28) | | (qr) |
| (29) | | (qt) |
| (30) | | (r) |
| (31) | | (s) |
| (32) | | (t) |
| (33) | | (u) |
| (34) | | (v) |

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| (35) | | (w) |
| (36) | | (x) |
| (37) | | (xm) |
| | LICENSING AND REPORTING | |
| 218.0111 | Authority of licensors. | 218.01 (1a) |
| 218.0113 | Licenses for dealers, distributors, manufacturers or transporters of semitrailers and trailers. | 218.01 (1b) |
| 218.0114 | Licenses, how granted; agreements, filing. | 218.01 (2) |
| (1) | | (a) |
| (2) | | (am) |
| (2m) | | (bd) 3. |
| (3) | | (an) |
| (4) | | (b) |
| (5) (a) | | (bb) 1. |
| (b) | | 2. |
| (6) | | (bc) |
| (7) (a) | | (bd) 1. |
| (b) | | 1g. |
| (c) | | 1r. |
| (d) | | 2. |
| (8) | | (bf) |
| (9) (a) (int.) | | (bm)1.(int.) |
| (a)1. | | 1.a. |
| (a)2. | | 1.b. |
| (a)3. | | 1.c. |
| (b)1. | | 2.a. |
| (b)2. | | 2.b. |
| (c) | | 3. |
| (10) (int.) | | (bo) (int.) |
| (a) | | 1. |
| (b) | | 2. |

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| (11) | | (bs) |
| (12) (a) | | (c) 1. |
| (b)1. | | 2.a. |
| (b)2. | | 2.b. |
| (13) (a) | | (cm) 1. |
| (b) | | 2. |
| (c) | | 3. |
| (d) | | 4. |
| (e) | | 5. |
| (14) (int.) | | (d) (int.) |
| (a) | | 1. |
| (b) | | 2. |
| (c) | | 3. |
| (d) | | 4. |
| (e) | | 5. |
| (f) | | 6. |
| (g)1. | | 8.a. |
| (g)2. | | 8.b. |
| (15) (a) | | (dm) 1. |
| (b) | | 2. |
| (16) | | (dr) |
| (17) | | (e) |
| (18) | | (f) |
| (19) | | (g) |
| (20) (a) | | (h) 1. |
| (b) | | 2. |
| (c) | | 3. |
| (21) | | (i) |
| (21e) | | (ie) |
| (21g) | | (ig) |
| (22) | | (j) |
| (23) (int.) | | (k) (int.) |
| (a) | | 1. |
| (b) | | 2. |

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| (c) | | 3. |
| (d) | | 4. |
| (e) | | 5. |
| (f) | | 6. |
| 218.0116 | Licenses, how denied, suspended or revoked. | 218.01 (3) |
| (1) (int.) | | (a) (int.) |
| (a) | | 1. |
| (am) | | 2. |
| (b) | | 3. |
| (bm) | | 4. |
| (c) | | 5. |
| (cm) | | 6. |
| (d) | | 7. |
| (dm) | | 8. |
| (e) | | 9. |
| (em) | | 10. |
| (f) | | 11. |
| (fm) | | 12. |
| (g) | | 13. |
| (gm) | | 14. |
| (h) | | 15. |
| (hm) | | 16. |
| (i) | | 17. |
| (im) | | 18. |
| (j) | | 19. |
| (jm) | | 20. |
| (k) | | 21. |
| (km) | | 22. |
| (L) | | 23. |
| (Lm) | | 24. |
| (m) | | 25. |
| (mm) | | 26. |
| (n) | | 27. |

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| (nm) | | 28. |
| (o) | | 29. |
| (om) | | 30. |
| (p) | | 31. |
| (pm) | | 32. |
| (q) | | 35. |
| (qm) (intro.) | | 36. (intro.) |
| (qm)1. | | 36.a. |
| (qm)2. | | 36.b. |
| (qm)3. | | 36.c. |
| (qm)4. | | 36.d. |
| (r) | | 37. |
| (rm) | | 38. |
| (s) | | 39. |
| (sm) | | 40. |
| (t) | | 41. |
| (tm) | | 42. |
| (u) | | 43. |
| (1g) | | (ag) |
| (1m) | | (am) |
| (2) | | (b) |
| (3) (a)1. | | (bf) 1.a. |
| (a)2. | | 1.b. |
| (b) | | 2. |
| (c) | | 3. |
| (4) (a) | | (c) 1. |
| (b) | | 2. |
| (c) | | 3. |
| (5) | | (d) |
| (6) | | (e) |
| (7) (a) | | (f) 1. |
| (b)1. | | 2.a. |
| (b)2. | | 2.b. |

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| (b)3. | | 2.c. |
| (b)4. | | 2.d. |
| (b)5. | | 2.e. |
| (b)6. | | 2.f. |
| (b)7. | | 2.g. |
| (b)8. | | 2.h. |
| (c) | | 3. |
| (d) (intro.) | | 4. (intro.) |
| (d)1. | | 4.a |
| (d)2. | | 4.b. |
| (d)3. | | 4.c. |
| (d)4. | | 4.d. |
| (d)5. | | 4.e. |
| (8) (a) | | (fm) 1. |
| (b) (intro.) | | 2. (intro.) |
| (b)1. | | 2.a. |
| (b)2. | | 2.b. |
| (b)3. | | 2.c. |
| (b)4. | | 2.d. |
| (b)5. | | 2.e. |
| (b)6. | | 2.f. |
| (c) | | 3. |
| (9) | | (g) |
| (10) | | (h) |
| 218.0117 | Revocation of license of dealer, distributor, manufacturer, or transporter. | 218.01 (3a) |
| (1) | | (a) |
| (2) | | (b) |
| (3) | | (c) |
| (4) | | (d) |
| 218.0119 | Changes in places of business to be reported. | 218.01 (2a) |

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| (1) | | (a) |
| (2) | | (b) |
| (3) | | (c) |
| (4) | | (d) |
| | MANUFACTURERS, IMPORTERS AND DISTRIBUTORS | |
| 218.0121 | Factory stores. | 218.01 (2c) |
| (intro.) | | (intro.) |
| (1) | | (a) |
| (2) | | (b) |
| (3) | | (c) |
| 218.0122 | Damages to delivered vehicles. | 218.01 (2d) |
| (1) | | (a) |
| (2) | | (b) |
| (3) | | (c) |
| 218.0123 | Vehicle allocations. | 218.01 (2f) |
| 218.0124 | Performance standards. | 218.01 (2g) |
| 218.0125 | Warranty reimbursement. | 218.01 (2w) |
| (1) | | (a) |
| (2) | | (b) |
| (3) | | (c) |
| (4) | | (d) |
| (5) | | (e) |
| (6) | | (f) |
| (7) | | (g) |
| 218.0126 | Promotional allowances. | 218.01 (2x) |
| | FRANCHISE AGREEMENTS AND LICENSEE DISPUTES | |
| 218.0131 | Family member's right to succeed deceased or incapacitated dealer under existing franchise agreement. | 218.01 (3c) |
| (1) | | (b) |

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| (2) | | (c) |
| (3) | | (d) |
| (4) | | (e) |
| 218.0132 | Termination provisions. | 218.01 (3n) |
| (1) | | (a) |
| (2) (int.) (a) | | (b) (int.) 1. |
| (b) | | 2. |
| (c) | | 3. |
| (d) | | 4. |
| (intro.) | | (intro.) |
| (d) 1. | | 4.a. |
| (d) 2. | | 4.b. |
| (d) 3. | | 4.c. |
| (d) 4. | | 4.d. |
| (d) 5. | | 4.e. |
| 218.0133 | Agreement termination benefits. | 218.01 (3r) |
| (1) (int.) | | (a) (int.) |
| (a) | | 1. |
| (b) | | 2. |
| (2) (a) | | (b) 1. |
| (b) | | 2. |
| (c) | | 3. |
| (d) | | 4. |
| (e) | | 5. |
| (3) (a) | | (c) 1. |
| (b) | | 2. |
| (4) (a) | | (d) 1. |
| (b) | | 2. |
| (c) | | 3. |
| (d) | | 4. |
| (5) (a) (int.) | | (e) 1. (int.) |
| (a)1. | | 1.a. |
| (a)2. | | 1.b. |
| (a)3. | | 1.c. |

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| (a)4. | | 1.d. |
| (a)5. | | 1.e. |
| (a)6. | | 1.f. |
| (b) | | 2. |
| (c) | | 3. |
| (d) | | 4. |
| (6) (a) | | (f) 1. |
| (b) | | 2. |
| 218.0134 | Dealership changes. | 218.01 (3x) |
| (1) | | (a) |
| (2) (a) | | (b) 1. |
| (b) | | 2. |
| (c) | | 3. |
| (3) (a) (int.) | | (c) 1. (int.) |
| (a)1. | | 1.a. |
| (a)2. | | 1.b. |
| (a)3. | | 1.c. |
| (a)4. | | 1.d. |
| (a)5. | | 1.e. |
| (a)6. | | 1.f. |
| (b) | | 2. |
| (4) (int.) | | (d) (int.) |
| (a) | | 1. |
| (b) | | 2. |
| (c) | | 3. |
| (intro.) | | (intro.) |
| (c)1. | | 3.a. |
| (c)2. | | 3.b. |
| (c)3. | | 3.c. |
| (d) | | 4. |
| 218.0136 | Mediation of disputes between licensees. | 218.01 (7m) |
| (1) | | (a) |
| (2) | | (b) |
| (3) | | (c) |

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| (4) | | (d) |
| 218.0137 | Arbitration of disputes between licensees. | 218.01 (7r) |
| 218.0138 | Immunity and presumption of good faith. | 218.01 (7t) |
| | RETAIL SALES AND LEASE | |
| 218.0141 | Contract provisions. | 218.01 (5m)(a) |
| 218.0142 | Instalment sales. | 218.01 (6) |
| (1) | | (a) |
| (2) | | (b) |
| (3) | | (bp) |
| (4) | | (c) |
| (5) | | (d) |
| (6) | | (e) |
| (7) | | (em) |
| (8) | | (f) |
| (9) | | (g) |
| (10) | | (h) |
| (11) | | (k) |
| 218.0143 | Notice of insurance to buyer under instalment sales contract. | 218.01 (6m) |
| 218.0144 | Prelease agreements. | 218.01 (6x) |
| (1) | | (a) |
| (2) (int.) | | (b) (int.) |
| (a) | | (a) |
| (b) | | 2. |
| (3) | | (c) |
| (4) | | (d) |
| (5) | | (e) |
| 218.0145 | Prohibited acts. | 218.01 (7) |
| (1) (int.) | | (a) (int.) |
| (a) | | 1. |
| (b) | | 2. |

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| (c) | | 3. |
| (d) | | 4. |
| (2) | | (b) |
| (3) (int.) | | (c) (int.) |
| (a) | | 1. |
| (b) | | 2. |
| (c) | | 3. |
| (4) | | (d) |
| (5) | | (e) |
| (6) | | (f) |
| 218.0146 | Motor vehicles. | 218.01 (7a) |
| (1) | | (a) |
| (2) | | (b) |
| (3) (int.) | | (c) (int.) |
| (a) | | 1. |
| (b) | | 2. |
| (c) | | 3. |
| (d) | | 4. |
| 218.0147 | Purchase or lease of motor vehicle by minor. | 218.01 (7b) |
| | POWERS OF REGULATORS | |
| 218.0151 | Advisory committee. | 218.01 (4) |
| 218.0152 | Rules and regulations. | 218.01 (5) |
| (1) | | (a) |
| (2) (a) | | (b) 1. |
| (b) | | 2. |
| (c) | | 3. |
| (3) | | (c) |
| | REMEDIES | |
| 218.0161 | Penalties. | 218.01 (8) |
| 218.0162 | Commencement of action. | 218.01 (8m) |

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| 218.0163 | Civil damages. | 218.01 (9) |
| (1) (int.) | | (a) (int.) |
| (a) | | 1. |
| (b) | | 2. |
| (1m) | | (am) |
| (2) | | (b) |
| REPAIRS AND WARRANTIES | | |
| 218.0171 | Repair, replacement and refund under new motor vehicle warranties. | 218.015 |
| 218.0172 | Motor vehicle adjustment programs. | 218.017 |

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

- 1 **SECTION 1.** 49.857 (1) (d) 12. of the statutes is amended to read:
- 2 49.857 (1) (d) 12. A license or certificate of registration issued under ~~s. ss.~~
- 3 138.09, 138.12, 217.06, ~~218.01~~ 218.0101 to 218.0163, 218.02, 218.04, 218.05 or
- 4 224.72 or subch. III of ch. 551.
- 5 **SECTION 2.** 49.857 (1) (d) 15. of the statutes is amended to read:
- 6 49.857 (1) (d) 15. A license, permit or registration issued under ~~s. 218.01~~ ss.
- 7 218.0101 to 218.0163, 218.11, 218.12, 218.22, 218.32, 218.41, 218.51, 341.51, 343.305
- 8 (6), 343.61 or 343.62.
- 9 **SECTION 3.** 73.03 (37) of the statutes is amended to read:
- 10 73.03 (37) To make refunds in connection with motor vehicles returned to the
- 11 manufacturers by a consumer, as provided under s. ~~218.015~~ 218.0171 (2) (e) and (f).
- 12 **SECTION 4.** 73.0301 (1) (d) 6. of the statutes is amended to read:
- 13 73.0301 (1) (d) 6. A license or certificate of registration issued by the
- 14 department of financial institutions, or a division of it, under ~~s. ss.~~ 138.09, 138.12,

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1 217.06, ~~218.01~~ 218.0101 to 218.0163, 218.02, 218.04, 218.05 or 224.72 or under
2 subch. III of ch. 551.

3 **SECTION 5.** 73.0301 (1) (d) 7. of the statutes is amended to read:

4 73.0301 (1) (d) 7. A license described in s. ~~218.01 (2) (d) 1. and 8.~~ 218.0114 (14)
5 (a) and (g), a license described in s. ~~218.01 (2) (d) 2., 3. or 5.~~ 218.0114 (14) (b), (c) or
6 (e), a license issued under s. 218.11, 218.12, 218.22, 218.32, 218.41, 343.61 or 343.62,
7 a buyer identification card issued under s. 218.51 or a certificate of registration
8 issued under s. 341.51.

9 **SECTION 6.** 77.53 (1m) (intro.) of the statutes is amended to read:

10 77.53 (1m) (intro.) For motor vehicles that are used for a purpose in addition
11 to retention, demonstration or display while held for sale in the regular course of
12 business by a dealer who is licensed under s. ~~218.01~~ ss. 218.0101 to 218.0163, the
13 base for the tax imposed under sub. (1) is the following:

14 **SECTION 7.** 100.45 (1) (ag) of the statutes is amended to read:

15 100.45 (1) (ag) “Distributor” has the meaning given in s. ~~218.01 (1) (e)~~ 218.0101
16 (6).

17 **SECTION 8.** 100.45 (1) (ar) of the statutes is amended to read:

18 100.45 (1) (ar) “Manufacturer” has the meaning given in s. ~~218.01 (1) (L)~~
19 218.0101 (20), except that, if more than one person satisfies the definition in s. ~~218.01~~
20 (1) (L) 218.0101 (20) with respect to a motor vehicle, “manufacturer” means the
21 person who installs the mobile air conditioner that is in the motor vehicle when the
22 motor vehicle is distributed for sale in this state.

23 **SECTION 9.** 135.07 (1) of the statutes is amended to read:

SENATE BILL 99**SECTION 9**

1 135.07 (1) To a dealership to which a motor vehicle dealer or motor vehicle
2 distributor or wholesaler as defined in s. ~~218.01~~ (1) 218.0101 is a party in such
3 capacity.

4 **SECTION 10.** 138.04 of the statutes is amended to read:

5 **138.04 Legal rate.** The rate of interest upon the loan or forbearance of any
6 money, goods or things in action shall be \$5 upon the \$100 for one year and according
7 to that rate for a greater or less sum or for a longer or a shorter time; but parties may
8 contract for the payment and receipt of a rate of interest not exceeding the rate
9 allowed in ss. 138.041 to 138.056, 138.09 to 138.12, ~~218.01~~ 218.0101 to 218.0163, or
10 422.201, in which case such rate shall be clearly expressed in writing.

11 **SECTION 11.** 138.051 (8) of the statutes is amended to read:

12 138.051 (8) The contract rate is not subject to rate limitations imposed under
13 this chapter or s. ~~218.01~~ ss. 218.0101 to 218.0163 or under s. 422.201.

14 **SECTION 12.** 138.052 (11) of the statutes is amended to read:

15 138.052 (11) The contract rate is not subject to rate limitations imposed under
16 this chapter or s. ~~218.01~~ ss. 218.0101 to 218.0163 or under s. 422.201.

17 **SECTION 13.** 138.09 (3) (e) 1. c. of the statutes is amended to read:

18 138.09 (3) (e) 1. c. A loan, finance or discount business under s. ~~218.01~~ ss.
19 218.0101 to 218.0163.

20 **SECTION 14.** 218.01 (title) of the statutes is repealed.

NOTE: The title of s. 218.01 is repealed to reflect the division of s. 218.01 into a
number of different sections.

21 **SECTION 15.** 218.01 (1) (intro.) of the statutes is renumbered 218.0101 (intro.)
22 and amended to read:

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1 **218.0101 Definitions.** (intro.) In ~~this section ss. 218.0101 to 218.0163~~, unless
2 the context requires otherwise ~~requires, the following words and terms shall have~~
3 ~~the following meanings:~~

4 **SECTION 16.** 218.01 (1) (a) of the statutes is renumbered 218.0101 (1).

5 **SECTION 17.** 218.01 (1) (b) of the statutes is renumbered 218.0101 (3) and
6 amended to read:

7 218.0101 (3) “Cash price” means the retail seller’s price in dollars for the sale
8 of the goods, and the transfer of unqualified title ~~thereto to those goods~~, upon
9 payment of ~~such~~ the retail seller’s price in cash or the a cash equivalent thereof.

10 **SECTION 18.** 218.01 (1) (ct) of the statutes is renumbered 218.0101 (4).

11 **SECTION 19.** 218.01 (1) (df) of the statutes is renumbered 218.0101 (5).

12 **SECTION 20.** 218.01 (1) (e) of the statutes is renumbered 218.0101 (6).

13 **SECTION 21.** 218.01 (1) (f) of the statutes is renumbered 218.0101 (7).

14 **SECTION 22.** 218.01 (1) (g) of the statutes is renumbered 218.0101 (8).

15 **SECTION 23.** 218.01 (1) (gm) of the statutes is renumbered 218.0101 (9).

16 **SECTION 24.** 218.01 (1) (h) of the statutes is renumbered 218.0101 (10).

17 **SECTION 25.** 218.01 (1) (i) of the statutes is renumbered 218.0101 (11).

18 **SECTION 26.** 218.01 (1) (j) of the statutes is renumbered 218.0101 (12).

19 **SECTION 27.** 218.01 (1) (je) of the statutes is renumbered 218.0101 (13).

20 **SECTION 28.** 218.01 (1) (jf) of the statutes is renumbered 218.0101 (13m).

21 **SECTION 29.** 218.01 (1) (jg) of the statutes is renumbered 218.0101 (14).

22 **SECTION 30.** 218.01 (1) (ji) of the statutes is renumbered 218.0101 (15).

23 **SECTION 31.** 218.01 (1) (jj) of the statutes is renumbered 218.0101 (16).

24 **SECTION 32.** 218.01 (1) (jk) of the statutes is renumbered 218.0101 (17).

SENATE BILL 99**SECTION 33**

1 **SECTION 33.** 218.01 (1) (jm) of the statutes is renumbered 218.0101 (18) and
2 amended to read:

3 218.0101 (18) “License period” means the period during which a particular
4 type of license described in ~~sub. (2) (d) s. 218.0114 (14)~~ is effective, as established by
5 the department of transportation or division of banking under ~~sub. (2) (em) 2. or 4.~~
6 s. 218.0114 (13) (b) or (d).

7 **SECTION 34.** 218.01 (1) (k) of the statutes is renumbered 218.0101 (19) and
8 amended to read:

9 218.0101 (19) “Licensor” means the body, either the division of banking or the
10 department of transportation or both, issuing a license ~~hereunder~~ under ss. 218.0101
11 to 218.0163.

12 **SECTION 35.** 218.01 (1) (L) of the statutes is renumbered 218.0101 (20) (intro.)
13 and amended to read:

14 218.0101 (20) (intro.) “Manufacturer” means any person, resident or
15 nonresident, ~~who manufactures~~ does any of the following:

16 (a) Manufactures or assembles motor vehicles ~~or who manufactures.~~

17 (b) Manufactures or installs on previously assembled truck chassis, special
18 bodies or equipment which when installed form an integral part of the motor vehicle
19 and which constitutes a major manufacturing alteration and which completed unit
20 is owned by ~~such~~ the manufacturer.

21 **SECTION 36.** 218.01 (1) (Lm) of the statutes is renumbered 218.0101 (21).

22 **SECTION 37.** 218.01 (1) (m) of the statutes is renumbered 218.0101 (22).

23 **SECTION 38.** 218.01 (1) (n) of the statutes is renumbered 218.0101 (23) (a), and
24 218.0101 (23) (a) (intro.) and 2., as renumbered, are amended to read:

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1 218.0101 (23) (a) (intro.) “Motor vehicle dealer” means any person, firm or
2 corporation, not excluded by par. (a) (b) who:

3 2. Is engaged wholly or in part in the business of selling or leasing motor
4 vehicles, including motorcycles, whether or not ~~such~~ the motor vehicles are owned
5 by ~~such~~ that person, firm or corporation.

6 **SECTION 39.** 218.01 (1) (o) of the statutes is renumbered 218.0101 (23) (b), and
7 218.0101 (23) (b) 1. to 4., as renumbered, are amended to read:

8 218.0101 (23) (b) 1. Receivers, trustees, administrators, executors, guardians
9 or other persons appointed by or acting under the judgment or order of any court; ~~or,~~

10 2. Public officers while performing their official duties; ~~or,~~

11 3. Employees of persons, corporations or associations enumerated in subds. 1.
12 and 2., when engaged in the specific performance of their duties as ~~such~~ employes
13 of the enumerated persons, corporations or associations.

14 4. Sales finance companies or other loan agencies who sell or offer for sale motor
15 vehicles repossessed or foreclosed on by them those sales finance companies or other
16 loan agencies under terms of an instalment contract, or motor vehicles taken in trade
17 on such repossessions.

18 **SECTION 40.** 218.01 (1) (p) of the statutes is renumbered 218.0101 (24) and
19 amended to read:

20 218.0101 (24) “Motor vehicle salesperson” means sales representative, sales
21 manager, general manager or other person who is employed by a motor vehicle dealer
22 for the purpose of selling or approving retail sales, or leasing or approving consumer
23 leases, of motor vehicles. Any motor vehicle salesperson licensed ~~hereunder~~ under
24 ss. 218.0101 to 218.0163 shall be licensed to sell or lease ~~only~~ for only one dealer at
25 a time.

SENATE BILL 99**SECTION 41**

1 **SECTION 41.** 218.01 (1) (pt) of the statutes is renumbered 218.0101 (25).

2 **SECTION 42.** 218.01 (1) (q) of the statutes is renumbered 218.0101 (26).

3 **SECTION 43.** 218.01 (1) (qm) of the statutes is renumbered 218.0101 (27).

4 **SECTION 44.** 218.01 (1) (qr) of the statutes is renumbered 218.0101 (28).

5 **SECTION 45.** 218.01 (1) (qt) of the statutes is renumbered 218.0101 (29).

6 **SECTION 46.** 218.01 (1) (r) of the statutes is renumbered 218.0101 (30).

7 **SECTION 47.** 218.01 (1) (s) of the statutes is renumbered 218.0101 (31).

8 **SECTION 48.** 218.01 (1) (t) of the statutes is renumbered 218.0101 (32) and
9 amended to read:

10 218.0101 (32) “Retail instalment contract” or “instalment contract” means and
11 includes every contract to sell one or more motor vehicles at retail, in which the price
12 thereof of the motor vehicle is payable in one or more instalments over a period of
13 time and in which the seller has either retained title to the goods or has taken or
14 retained a security interest in the goods under a form of contract designated either
15 as a conditional sale, chattel mortgage or otherwise.

16 **SECTION 49.** 218.01 (1) (u) of the statutes is renumbered 218.0101 (33) and
17 amended to read:

18 218.0101 (33) “Retail seller” means a person, firm or corporation selling or
19 agreeing to sell one or more motor vehicles under a retail instalment contract to a
20 buyer for the latter’s buyer’s personal use or consumption thereof.

21 **SECTION 50.** 218.01 (1) (v) of the statutes is renumbered 218.0101 (34) (a) and
22 amended to read:

23 218.0101 (34) (a) “Sales finance company” means ~~and includes~~ any person, firm
24 or corporation engaging in the business, in whole or in part, of acquiring by purchase

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1 or by loan on the security thereof, or otherwise, retail instalment contracts or
2 consumer leases from retail sellers or lessors in this state, ~~including.~~

3 (b) “Sales finance company” includes any motor vehicle dealer who sells or
4 leases any motor vehicle on an instalment contract or consumer lease or acquires any
5 retail instalment contracts in the dealer’s retail sales or leases of motor vehicles.

6 **SECTION 51.** 218.01 (1) (w) of the statutes is renumbered 218.0101 (35).

7 **SECTION 52.** 218.01 (1) (x) of the statutes is renumbered 218.0101 (36).

8 **SECTION 53.** 218.01 (1) (xm) of the statutes is renumbered 218.0101 (37).

9 **SECTION 54.** 218.01 (1a) (title) of the statutes is renumbered 218.0111 (title).

10 **SECTION 55.** 218.01 (1a) of the statutes is renumbered 218.0111 (1) (intro.) and
11 amended to read:

12 218.0111 (1) (intro.) The department of transportation shall issue the licenses
13 provided for in ~~sub. (2) (d) 1. to 6. s. 218.0114 (14) (a) to (f)~~ and have supervision over
14 the licensees ~~thereunder~~ in respect to all of the provisions of ~~this section~~ ss. 218.0101
15 to 218.0163, except only as to such matters as that the division of banking shall have
16 jurisdiction and control over all of the following:

17 (a) Matters that relate to the sale of motor vehicles on retail instalment
18 contracts and the financing and servicing of ~~such~~ those retail instalment contracts
19 ~~and as to such matters as.~~

20 (b) Matters that relate to prelease agreements under ~~sub. (6x) s. 218.0144~~ and
21 consumer leases under chs. 421 to 427 and 429, ~~over which matter~~ the division of
22 ~~banking shall have jurisdiction and control, and the division of banking shall issue~~
23 ~~the.~~

24 (c) The issuance of licenses to sales finance companies.

SENATE BILL 99**SECTION 55**

1 (2) Either licensor ~~hereunder~~ under sub. (1) shall, upon request, furnish the
2 other licensor with any information it may have in respect to any licensee or
3 applicant for license or any transaction in which such a licensee or applicant may be
4 a party or be interested. No license shall be issued under ~~sub. (2) (d) 1. and 8. s.~~
5 218.0114 (14) (a) and (g) until both licensors have approved the application. The
6 suspension or revocation of either ~~of such licenses~~ the license issued under s.
7 218.0114 (14) (a) or (g) shall automatically ~~likewise~~ suspend or revoke the other
8 license; ~~and such.~~ Any suspension or revocation shall be certified by the licensor
9 ordering it to the other licensor.

NOTE: Text order is changed for improved readability.

10 **SECTION 56.** 218.01 (1b) of the statutes is renumbered 218.0113 and amended
11 to read:

12 **218.0113 Licenses for dealers, distributors, manufacturers or**
13 **transporters of semitrailers and trailers.** Subject to ch. 180 where applicable,
14 any dealer, distributor, manufacturer or transporter of semitrailers or trailers
15 designed for use in combination with a truck or truck tractor is ~~deemed~~ considered
16 licensed under ~~this section~~ ss. 218.0101 to 218.0163 where for purposes of chs. 341
17 and 342 a license under ~~this section~~ ss. 218.0101 to 218.0163 is required. This
18 ~~subsection~~ section is enacted to remove an undue burden on interstate commerce
19 from a class of commercial transactions in which the business character of the parties
20 does not require the protection provided by ~~this section~~ ss. 218.0101 to 218.0163 and
21 to promote the expansion of credit for truck operators who require banking and
22 financing facilities throughout the United States.

23 **SECTION 57.** 218.01 (2) (title) of the statutes is renumbered 218.0114 (title).

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1 **SECTION 58.** 218.01 (2) (a) of the statutes is renumbered 218.0114 (1) and
2 amended to read:

3 218.0114 (1) No motor vehicle dealer, motor vehicle salesperson or sales
4 finance company ~~shall~~ may engage in business as ~~such a motor vehicle dealer, motor~~
5 vehicle salesperson or sales finance company in this state without a license therefor
6 as provided in ~~this section~~ ss. 218.0101 to 218.0163. If any motor vehicle dealer acts
7 as a motor vehicle salesperson, he or she shall secure a motor vehicle salesperson's
8 license in addition to a ~~license for motor vehicle dealer~~ license. Every motor vehicle
9 dealer shall be responsible for the licensing of every motor vehicle salesperson in his
10 or her employ. Any person violating this ~~paragraph~~ subsection may be fined not less
11 than \$500 nor more than \$5,000.

12 **SECTION 59.** 218.01 (2) (am) of the statutes is renumbered 218.0114 (2) and
13 amended to read:

14 218.0114 (2) No manufacturer, importer or distributor ~~shall~~ may engage in
15 business as ~~such a manufacturer, importer or distributor~~ in this state without a
16 license therefor as provided in ~~this section~~ ss. 218.0101 to 218.0163.

17 **SECTION 60.** 218.01 (2) (an) of the statutes is renumbered 218.0114 (3) and
18 amended to read:

19 218.0114 (3) No factory representative or distributor representative ~~shall~~ may
20 engage in business as ~~such a factory representative or distributor representative~~ in
21 this state without a license therefor as provided in ~~this section~~ ss. 218.0101 to
22 218.0163.

23 **SECTION 61.** 218.01 (2) (b) of the statutes is renumbered 218.0114 (4) and
24 amended to read:

SENATE BILL 99**SECTION 61**

1 218.0114 (4) Application for a license under this section shall be made to the
2 licensor, at such time, in such form and with such information as the licensor shall
3 require and shall be accompanied by the required fees. An applicant for a sales
4 finance company license, other than a motor vehicle dealer, shall pay to the division
5 of banking a nonrefundable \$300 investigation fee in addition to the license fee under
6 ~~par. (d)~~ sub. (16). If the cost of an investigation exceeds \$300, the applicant shall,
7 upon demand of the division of banking, pay the amount by which the cost of the
8 investigation exceeds the nonrefundable fee. A licensee is not required to pay an
9 investigation fee for the renewal of a license. The licensor may require the applicant
10 to provide information relating to any pertinent matter that is commensurate with
11 the safeguarding of the public interest in the locality in which the applicant proposes
12 to engage in business, except that information relating to the applicant's solvency
13 and financial standing may not be required for motor vehicle dealers except as
14 provided in ~~par. (h) 1.~~ sub. (20) (a). The information provided may be considered by
15 the licensor in determining the fitness of the applicant to engage in business as set
16 forth in ~~this section~~ ss. 218.0101 to 218.0163.

17 **SECTION 62.** 218.01 (2) (bb) of the statutes is renumbered 218.0114 (5) and
18 amended to read:

19 218.0114 (5) (a) A motor vehicle dealer or an applicant for a motor vehicle
20 dealer license shall provide and maintain in force a bond or irrevocable letter of credit
21 of not less than \$25,000 or, if the dealer or applicant sells or proposes to sell
22 motorcycles and not other types of motor vehicles, a bond or irrevocable letter of
23 credit of not less than \$5,000. The bond or letter of credit shall be executed in the
24 name of the department of transportation for the benefit of any person who sustains

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1 a loss because of an act of a motor vehicle dealer that constitutes grounds for the
2 suspension or revocation of a license under ~~this section~~ ss. 218.0101 to 218.0163.

3 (b) A sales finance company or an applicant for a sales finance company license
4 shall provide and maintain in force a bond or irrevocable letter of credit of not less
5 than \$25,000 issued by a surety company licensed to do business in this state or a
6 federally insured financial institution, as defined in s. 705.01 (3). The bond or letter
7 of credit shall be payable to the state of Wisconsin for the use of the state and of any
8 person who sustains a loss because of an act of a sales finance company that
9 constitutes grounds for the suspension or revocation of a license under ~~this section~~
10 ss. 218.0101 to 218.0163.

11 **SECTION 63.** 218.01 (2) (bc) of the statutes is renumbered 218.0114 (6) and
12 amended to read:

13 218.0114 (6) Except as provided in this subsection ~~section~~ every dealer and
14 distributor of new motor vehicles shall, at the time of application for a license, file
15 with the department of transportation a certified copy of the applicant's written
16 agreement and a certificate of appointment as dealer or distributor, respectively. The
17 certificate of appointment shall be signed by an authorized agent of the
18 manufacturer of domestic vehicles on direct manufacturer–dealer agreements; or,
19 where the manufacturer is wholesaling through an appointed distributorship, by an
20 authorized agent of the distributor on indirect distributor–dealer agreements. The
21 certificate shall be signed by an authorized agent of the importer on direct
22 importer–dealer agreements of foreign–made vehicles; or by an authorized agent of
23 the distributor on indirect distributor–dealer agreements. The distributor's
24 certificate of appointment shall be signed by an authorized agent of the

SENATE BILL 99**SECTION 63**

1 manufacturer; or by an agent of the manufacturer or importer of foreign
2 manufactured vehicles.

3 **SECTION 64.** 218.01 (2) (bd) 1. of the statutes is renumbered 218.0114 (7) (a) 1.
4 (intro.) and amended to read:

5 218.0114 (7) (a) 1. (intro.) A written agreement need not be filed for each dealer
6 or distributor if the manufacturer ~~on~~ or importer, for direct dealerships, or
7 distributor ~~on, for~~ indirect dealerships ~~or importer on direct dealerships,~~ utilizes the
8 identical basic agreement for all its dealers or distributors in Wisconsin and certifies
9 all of the following in the certificate of appointment ~~that such:~~

10 a. That the blanket agreement is on file and such written with the department
11 of transportation.

12 b. That the manufacturer's, distributor's or importer's agreement with such
13 dealer each of its dealers or distributor distributors, respectively, is identical ~~with to~~
14 the filed blanket agreement, ~~and,~~

15 c. That the manufacturer, distributor or importer has filed with the department
16 of transportation one such basic agreement together with a list of its authorized
17 dealers or distributors. Such with the department of transportation.

18 2. A manufacturer, distributor or importer shall notify the department of
19 transportation immediately of any of the following:

20 a. The appointment of any additional dealers or distributors, of any not
21 included in the list filed under subd. 1. c.

22 b. Any revisions of or additions to the basic agreement on file, or of any under
23 subd. 1. a.

24 c. Any individual dealer or distributor supplements to such the basic
25 agreement on file under subd. 1. a.

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1 3. Except as provided in ~~subd. 1g., the par. (b), a~~ manufacturer, distributor or
2 importer shall notify ~~the a~~ dealer or distributor ~~and forward,~~ forwarding a copy of
3 such the notice to the department of transportation, of the discontinuation or
4 cancellation of the agreement of any of its dealers or distributors at least 60 days
5 before the effective date ~~thereof of the discontinuation or cancellation~~ together with
6 the specific grounds for discontinuation or cancellation of the agreement, ~~if~~
7 ~~discontinued or canceled.~~

8 (e) Agreements and certificates of appointment are ~~deemed~~ considered to be
9 continuing unless the manufacturer, distributor or importer has notified the
10 department of transportation of the discontinuation or cancellation of the agreement
11 of any of its dealers or distributors, and annual renewal of certifications filed as
12 provided in this ~~subsection~~ section is not necessary.

13 **SECTION 65.** 218.01 (2) (bd) 1g. of the statutes is renumbered 218.0114 (7) (b).

14 **SECTION 66.** 218.01 (2) (bd) 1r. of the statutes is renumbered 218.0114 (7) (c),
15 and 218.0114 (7) (c) (intro.), as renumbered, is amended to read:

16 218.0114 (7) (c) (intro) The notice served upon a motor vehicle dealer under
17 ~~subs. 1. and 1g. pars. (a) 3. and (b)~~ is not effective unless it conspicuously displays
18 the following statement:

19 **SECTION 67.** 218.01 (2) (bd) 2. of the statutes is renumbered 218.0114 (7) (d) and
20 amended to read:

21 218.0114 (7) (d) Any dealer or distributor discontinued or canceled may, on or
22 before the date on which the discontinuation or cancellation becomes effective, file
23 with the department of transportation and division of hearings and appeals and
24 serve upon the respondent manufacturer, distributor or importer a complaint for a
25 determination of unfair discontinuation or cancellation under ~~sub. (3) (a) 17. s.~~

SENATE BILL 99**SECTION 67**

1 218.0116 (1) (i). Allowing opportunity for an answer, the division of hearings and
2 appeals shall ~~thereafter~~ schedule a hearing on and decide the matter. Agreements
3 and certificates of appointment shall continue in effect until final determination of
4 the issues raised in ~~such~~ the complaint. If the complainant prevails ~~he or she~~ the
5 complainant shall have a cause of action against the ~~defendant~~ respondent for
6 reasonable expenses and attorney fees incurred by ~~him or her~~ the complainant in
7 ~~such~~ the matter.

8 **SECTION 68.** 218.01 (2) (bd) 3. of the statutes is renumbered 218.0114 (2m) and
9 amended to read:

10 218.0114 (2m) No manufacturers', distributors' or importers' vehicles shall be
11 sold in this state unless either the manufacturer on direct dealerships of domestic
12 vehicles, the importer of foreign manufactured vehicles on direct dealerships or the
13 distributor on indirect dealerships of either domestic or foreign vehicles are licensed
14 under s. ~~218.01~~ ss. 218.0101 to 218.0163. The obtaining of a license under s. ~~218.01~~
15 ss. 218.0101 to 218.0163 shall conclusively establish that ~~such~~ a manufacturer,
16 distributor or importer is doing business in this state and shall subject the licensee
17 to all provisions of the Wisconsin statutes regulating manufacturers, importers and
18 distributors.

19 **SECTION 69.** 218.01 (2) (bf) of the statutes is renumbered 218.0114 (8) and
20 amended to read:

21 218.0114 (8) Within 60 days after the department of transportation issues a
22 declaratory ruling under s. 227.41 that an agreement is inconsistent with ~~par. (bm)~~
23 sub. (9), a manufacturer, distributor or importer shall remove or revise any provision
24 of the agreement declared to be inconsistent with ~~par. (bm)~~ sub. (9).

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1 **SECTION 70.** 218.01 (2) (bm) 1. (intro.) of the statutes is renumbered 218.0114
2 (9) (a) (intro.) and amended to read:

3 218.0114 (9) (a) (intro.) Except as provided in ~~par. (b)~~ sub. (10), provisions of
4 an agreement which do any of the following are void and prohibited:

5 **SECTION 71.** 218.01 (2) (bm) 1. a. of the statutes is renumbered 218.0114 (9) (a)
6 1. and amended to read:

7 218.0114 (9) (a) 1. Waive a remedy or defense available to a distributor or dealer
8 or other provision protecting the interests of a distributor or dealer under ~~this section~~
9 ss. 218.0101 to 218.0163 or under rules promulgated by the department of
10 transportation under ~~this section~~ ss. 218.0101 to 218.0163.

11 **SECTION 72.** 218.01 (2) (bm) 1. b. of the statutes is renumbered 218.0114 (9) (a)
12 2.

13 **SECTION 73.** 218.01 (2) (bm) 1. c. of the statutes is renumbered 218.0114 (9) (a)
14 3.

15 **SECTION 74.** 218.01 (2) (bm) 2. of the statutes is renumbered 218.0114 (9) (b)
16 and amended to read:

17 218.0114 (9) (b) 1. Notwithstanding ~~subd. 1. b. par. (a) 2.~~ and subject to ~~sub. (3)~~
18 ~~(a) 36. d. s. 218.0116 (1) (qm) 4.~~, an agreement may provide for the resolution of
19 disputes by arbitration, including binding arbitration, if both parties to the
20 agreement voluntarily agree to an arbitration provision. An arbitrator acting under
21 this ~~subd. 2. a. subdivision~~ shall be bound by the laws of this state, including ~~par. (b)~~
22 ~~2. sub. (7) (d)~~ and other provisions of ~~this section~~ ss. 218.0101 to 218.0163.

23 2. No finding of an arbitrator is binding upon any person who is not a party to
24 the agreement. A finding of an arbitrator does not bind the department of
25 transportation with respect to enforcement of ~~this section~~ ss. 218.0101 to 218.0163.

SENATE BILL 99**SECTION 75**

1 **SECTION 75.** 218.01 (2) (bm) 3. of the statutes is renumbered 218.0114 (9) (c)
2 and amended to read:

3 218.0114 (9) (c) Notwithstanding ~~subd. 1. b. par. (a) 2.~~, an agreement may
4 require a dealer or distributor to submit disputes to a nonbinding and reasonably
5 prompt dispute resolution procedure before bringing an action in another forum.

6 **SECTION 76.** 218.01 (2) (bo) (intro.) of the statutes is renumbered 218.0114 (10)
7 (intro.) and amended to read:

8 218.0114 (10) (intro.) ~~Paragraph (bm)~~ Subsection (9) does not apply to any of
9 the following:

10 **SECTION 77.** 218.01 (2) (bo) 1. of the statutes is renumbered 218.0114 (10) (a).

11 **SECTION 78.** 218.01 (2) (bo) 2. of the statutes is renumbered 218.0114 (10) (b)
12 and amended to read:

13 218.0114 (10) (b) An agreement, made after a dealer receives notice under ~~sub.~~
14 ~~(3) (f) 1. s. 218.0116 (7) (a)~~, which waives the dealer's right to file a complaint
15 protesting the establishment or relocation of a dealership proposed in the notice.

16 **SECTION 79.** 218.01 (2) (bs) of the statutes is renumbered 218.0114 (11) and
17 amended to read:

18 218.0114 (11) A manufacturer, distributor or importer shall designate in
19 writing the area of sales responsibility assigned to a motor vehicle dealer. A
20 manufacturer, distributor or importer may not modify the area of sales responsibility
21 to avoid the requirements of ~~sub. (3) (f) s. 218.0116 (7)~~.

22 **SECTION 80.** 218.01 (2) (c) 1. of the statutes is renumbered 218.0114 (12) (a) and
23 amended to read:

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1 218.0114 (12) (a) Except as provided in ~~subd. 2. par. (b)~~, all licenses shall be
2 granted or refused within 60 days after the licensor receives the application for the
3 license.

4 **SECTION 81.** 218.01 (2) (c) 2. a. of the statutes is renumbered 218.0114 (12) (b)
5 1.

6 **SECTION 82.** 218.01 (2) (c) 2. b. of the statutes is renumbered 218.0114 (12) (b)
7 2. and amended to read:

8 218.0114 (12) (b) 2. In cases where a complaint has been filed under ~~sub. (3)~~
9 ~~(f) s. 218.0116 (7)~~ protesting the proposed establishment or relocation of a dealership
10 in a relevant market area, no license may be issued until the division of hearings and
11 appeals has rendered a decision permitting the issuance of the license.

12 **SECTION 83.** 218.01 (2) (cm) of the statutes is renumbered 218.0114 (13) and
13 amended to read:

14 218.0114 (13) (a) Licenses described in ~~par. (d) sub. (16)~~ expire on December
15 31 of the calendar year for which the licenses are granted.

16 (b) The department of transportation shall promulgate rules establishing the
17 license period for each type of license described in ~~par. (d) 1. to 6. sub. (14) (a) to (f).~~

18 (c) The department of transportation may promulgate rules establishing
19 expiration dates for the various types of licenses described in ~~par. (d) 1. to 6. sub. (14)~~
20 ~~(a) to (f).~~

21 (d) The division of banking shall promulgate rules establishing the license
22 period for the license described in ~~par. (d) 8. sub. (14) (g).~~

23 (e) The division of banking may promulgate rules establishing expiration dates
24 for licenses issued under ~~par. (d) 8. sub. (14) (g).~~

SENATE BILL 99**SECTION 84**

1 **SECTION 84.** 218.01 (2) (d) (intro.) of the statutes is renumbered 218.0114 (14)
2 (intro.) and amended to read:

3 218.0114 (14) (intro.) Subject to ~~par. (dm)~~ sub. (15), the fee for licenses
4 described in this ~~paragraph~~ subsection equals the number of years in a license period
5 multiplied by whichever of the following applies:

6 **SECTION 85.** 218.01 (2) (d) 1. of the statutes is renumbered 218.0114 (14) (a) and
7 amended to read:

8 218.0114 (14) (a) For motor vehicle dealers, to the department of
9 transportation, \$20 for each office or branch ~~thereof of the motor vehicle dealer~~, plus
10 \$1 for a supplemental license for each used motor vehicle lot within the same
11 municipality, but not immediately adjacent to the office or to a branch.

12 **SECTION 86.** 218.01 (2) (d) 2. of the statutes is renumbered 218.0114 (14) (b).

13 **SECTION 87.** 218.01 (2) (d) 3. of the statutes is renumbered 218.0114 (14) (c).

14 **SECTION 88.** 218.01 (2) (d) 4. of the statutes is renumbered 218.0114 (14) (d) and
15 amended to read:

16 218.0114 (14) (d) Any person licensed under ~~subd. 2. or 3. next preceding, par.~~
17 (b) or (c) may also operate as a motor vehicle dealer, without any additional fee.

18 **SECTION 89.** 218.01 (2) (d) 5. of the statutes is renumbered 218.0114 (14) (e).

19 **SECTION 90.** 218.01 (2) (d) 6. of the statutes is renumbered 218.0114 (14) (f).

20 **SECTION 91.** 218.01 (2) (d) 8. of the statutes is renumbered 218.0114 (14) (g) and
21 amended to read:

22 218.0114 (14) (g) 1. Except as provided in subd. ~~8. b. 2.~~, for motor vehicle
23 dealers, to the division of banking, \$10.

24 2. For motor vehicle dealers that operate as a sales finance company or that
25 carry or retain retail instalment contracts or consumer leases for more than 30 days,

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1 to the division of banking, the same as for sales finance companies under ~~par. (d)~~
2 sub. (16).

3 **SECTION 92.** 218.01 (2) (dm) of the statutes is renumbered 218.0114 (15) and
4 amended to read:

5 218.0114 (15) (a) If the department of transportation or division of banking
6 establishes a license period that is not evenly divisible into years, the department of
7 transportation or division of banking shall prorate the remainder when determining
8 the license fee under ~~par. (d)~~ sub. (14).

9 (b) If the department of transportation or division of banking grants a license
10 described under ~~par. (d)~~ sub. (14) during the license period, the fee for the license
11 shall equal the applicable dollar amount under ~~par. (d) 1. to 8.~~ sub. (14) (a) to (g)
12 multiplied by the number of calendar years, including parts of calendar years, during
13 which the license remains in effect. A fee determined under this subdivision
14 paragraph may not exceed the license fee for an entire license period under ~~par. (d)~~
15 sub. (14).

16 **SECTION 93.** 218.01 (2) (dr) of the statutes is renumbered 218.0114 (16).

17 **SECTION 94.** 218.01 (2) (e) of the statutes is renumbered 218.0114 (17) and
18 amended to read:

19 218.0114 (17) The licenses of dealers, manufacturers, factory branches,
20 distributors, distributor branches and sales finance companies shall specify the
21 location of the office or branch and must be conspicuously displayed ~~there~~ at that
22 location. In case such ~~the~~ the location ~~be~~ of the office or branch is changed, the licensor
23 shall indorse the change of location on the license, without charge, ~~if it be~~ the new
24 location is within the same municipality as the previous location. A change of

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1 location to another municipality shall require a new license, except for sales finance
2 companies.

3 **SECTION 95.** 218.01 (2) (f) of the statutes is renumbered 218.0114 (18) and
4 amended to read:

5 218.0114 (18) Every salesperson, factory representative or distributor
6 representative shall carry his or her license when engaged in business, and display
7 the license upon request. The license shall name ~~his or her~~ the licensee's employer;
8 ~~and in case of.~~ Upon leaving an employer, the ~~salesperson~~ licensee shall immediately
9 surrender the license to his or her employer who shall mail the license to the licensor.
10 If during the license period the ~~individual~~ licensee again is employed or acts as a
11 salesperson, he or she shall make application for reissue of a salesperson's license.
12 There shall be no fee in connection with ~~such~~ the subsequent applications.

13 **SECTION 96.** 218.01 (2) (g) of the statutes is renumbered 218.0114 (19).

14 **SECTION 97.** 218.01 (2) (h) 1. of the statutes is renumbered 218.0114 (20) (a) and
15 amended to read:

16 218.0114 (20) (a) If the licensor has reasonable cause to doubt the financial
17 responsibility of the applicant or licensee or the compliance by the applicant or
18 licensee with ~~this section~~ ss. 218.0101 to 218.0163, the licensor may require the
19 applicant or licensee to furnish information relating to the applicant's or licensee's
20 solvency and financial standing.

21 **SECTION 98.** 218.01 (2) (h) 2. of the statutes is renumbered 218.0114 (20) (b) and
22 amended to read:

23 218.0114 (20) (b) ~~Provided~~ If the licensor has reasonable cause to doubt the
24 financial responsibility of the applicant or licensee or the compliance by the
25 applicant or licensee with ~~this section~~ ss. 218.0101 to 218.0163, the licensor may

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1 require the applicant or licensee to furnish and maintain a bond in the form, amount
2 and with the sureties it approves, but not less than \$5,000, nor more than \$100,000,
3 conditioned upon the applicant or licensee complying with the statutes applicable to
4 the licensee and as indemnity for any loss sustained by any person by reason of any
5 acts of the licensee constituting grounds for suspension or revocation of the license
6 under ~~this section~~ ss. 218.0101 to 218.0163. The bonds shall be executed in the name
7 of the department of transportation for the benefit of any aggrieved parties;
8 ~~provided, except~~ that the aggregate liability of the surety to all such aggrieved
9 parties shall, in no event, exceed the amount of the bond. The bonding requirements
10 in this ~~subdivision~~ paragraph shall not apply to manufacturers, factory branches,
11 and their agents and is in addition to the bond or letter of credit required of a motor
12 vehicle dealer under ~~par. (bb) 1.~~ sub. (5) (a).

13 **SECTION 99.** 218.01 (2) (h) 3. of the statutes is renumbered 218.0114 (20) (c) and
14 amended to read:

15 218.0114 (20) (c) An applicant or licensee furnishing information under ~~subd.~~
16 ~~1. par. (a)~~ may designate the information as a trade secret, as defined in s. 134.90 (1)
17 (c), or as confidential business information. The licensor shall notify the applicant
18 or licensee providing the information 15 days before any information designated as
19 a trade secret or as confidential business information is disclosed to the legislature,
20 a state agency, as defined in s. 13.62 (2), a local governmental unit, as defined in s.
21 605.01 (1), or any other person. The applicant or licensee furnishing the information
22 may seek a court order limiting or prohibiting the disclosure. ~~In such cases, in which~~
23 case the court shall weigh the need for confidentiality of the information against the
24 public interest in the disclosure. A designation under this ~~subdivision~~ paragraph
25 does not prohibit the disclosure of a person's name or address, of the name or address

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1 of a person's employer or of financial information that relates to a person when
2 requested under s. 49.22 (2m) by the department of workforce development or a
3 county child support agency under s. 59.53 (5).

4 **SECTION 100.** 218.01 (2) (i) of the statutes is renumbered 218.0114 (21) and
5 amended to read:

6 218.0114 (21) Application for dealers' licenses shall be submitted to the
7 department of transportation in duplicate and shall contain such information as the
8 licensors require. Application for sales finance company licenses shall contain such
9 information as the division of banking requires. No motor vehicle dealer or sales
10 finance company, unless so licensed, shall be permitted to register or receive or use
11 registration plates under ss. 341.47 to 341.57. The department of transportation
12 shall transmit the duplicate copy of each application for a dealer's license to the
13 division of banking with the fee required under ~~par. (d) 8. sub. (14) (g)~~. The division
14 of banking may not refund the fee required under ~~par. (d) 8. sub. (14) (g)~~. The division
15 of banking shall approve a sales finance company license for a dealer if no prior sales
16 finance company license has been suspended or revoked, and if the applicant meets
17 the requirements of ~~this section~~ ss. 218.0101 to 218.0163 relating to sales finance
18 companies.

19 **SECTION 101.** 218.01 (2) (ie) of the statutes is renumbered 218.0114 (21e) and
20 amended to read:

21 218.0114 (21e) (a) In addition to any other information required under this
22 ~~subsection~~ section, an application by an individual for the issuance or renewal of a
23 license described in ~~par. (d) sub. (14)~~ shall include the individual's social security
24 number and an application by a person who is not an individual for the issuance or
25 renewal of a license described in ~~par. (d) 1., 2., 3. or 5. sub. (14) (a), (b), (c) or (e)~~ shall

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1 include the person's federal employer identification number. The licensor may not
2 disclose any information received under this ~~subdivision~~ paragraph to any person
3 except the department of ~~industry, labor and job development~~ workforce
4 development for purposes of administering s. 49.22 or the department of revenue for
5 the sole purpose of requesting certifications under s. 73.0301.

6 (b) The licensor shall deny an application for the issuance or renewal of a
7 license if the information required under ~~subd. 1. par. (a)~~ is not included in the
8 application.

9 **SECTION 102.** 218.01 (2) (ig) of the statutes is renumbered 218.0114 (21g), and
10 218.0114 (21g) (a) (intro.) and (b), as renumbered, are amended to read:

11 218.0114 **(21g)** (a) (intro.) In addition to any other information required under
12 this ~~subsection~~ section, an application for a license described in ~~par. (d)~~ sub. (16)
13 shall include the following:

14 (b) The licensor may not disclose any information received under ~~subd. 1. par.~~
15 (a) to any person except as follows:

16 1. The licensor may disclose information under ~~subd. 1. par. (a)~~ to the
17 department of revenue for the sole purpose of requesting certifications under s.
18 73.0301.

19 2. The licensor may disclose information under ~~subd. 1. a. par. (a) 1.~~ to the
20 department of ~~industry, labor and job development~~ workforce development in
21 accordance with a memorandum of understanding under s. 49.857.

22 **SECTION 103.** 218.01 (2) (j) of the statutes is renumbered 218.0114 (22) and
23 amended to read:

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1 218.0114 **(22)** A motor vehicle dealer licensed in accordance with the provisions
2 of ~~this section~~ ss. 218.0101 to 218.0163 shall make reports to the licensor at such
3 intervals and showing such information as the licensor may require.

4 **SECTION 104.** 218.01 (2) (k) of the statutes is renumbered 218.0114 (23).

5 **SECTION 105.** 218.01 (2a) (title) of the statutes is renumbered 218.0119 (title).

6 **SECTION 106.** 218.01 (2a) (a) of the statutes is renumbered 218.0119 (1).

7 **SECTION 107.** 218.01 (2a) (b) of the statutes is renumbered 218.0119 (2) and
8 amended to read:

9 218.0119 (2) Whenever a licensed dealer, distributor, manufacturer or
10 transporter opens a new place of business, the licensee shall promptly report ~~such~~
11 that fact, including the address thereof of the new place of business, to the
12 department of transportation.

13 **SECTION 108.** 218.01 (2a) (c) of the statutes is renumbered 218.0119 (3) and
14 amended to read:

15 218.0119 (3) Whenever a licensed dealer, distributor or manufacturer
16 discontinues or disposes of his or her business, ~~such person~~ that dealer, distributor
17 or manufacturer shall promptly report ~~such~~ that fact to the department of
18 transportation and return the license and registration plates issued. Whenever a
19 licensed dealer, distributor or manufacturer discontinues business due to license
20 suspension or revocation, ~~such person~~ that dealer, distributor or manufacturer shall
21 surrender the licenses and registration plates to the department of transportation
22 for ~~such~~ the suspension or revocation period.

23 **SECTION 109.** 218.01 (2a) (d) of the statutes is renumbered 218.0119 (4) and
24 amended to read:

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1 218.0119 (4) Any dealer, distributor, manufacturer or transporter who fails to
2 comply with the requirements of this ~~subsection~~ section may be fined not more than
3 \$200 or imprisoned for not more than 6 months or both.

4 **SECTION 110.** 218.01 (2c) of the statutes is renumbered 218.0121 and amended
5 to read:

6 **218.0121 Factory stores.** A manufacturer, importer or distributor, or a
7 subsidiary ~~thereof~~ of a manufacturer, importer or distributor, shall not own, operate
8 or control a motor vehicle dealership in this state. This ~~subsection~~ section does not
9 prohibit any of the following:

10 (1) The ownership and operation by a manufacturer, importer or distributor,
11 or a subsidiary ~~thereof~~ of a manufacturer, importer or distributor, of a dealership for
12 a temporary period, not to exceed one year, during the transition from one owner or
13 operator to another.

14 (2) The ownership or control of a dealership by a manufacturer, importer or
15 distributor, or a subsidiary ~~thereof~~ of a manufacturer, importer or distributor, if the
16 dealership is being sold under a bona fide contract or purchase option to the operator
17 of the dealership, or a contract exists under which the operator of the dealership can
18 expect to acquire full ownership of or a controlling interest in the dealership, and
19 after the transfer of ownership is completed the dealership will no longer be owned,
20 operated or controlled by the manufacturer, importer or distributor, or a subsidiary
21 thereof of the manufacturer, importer or distributor.

22 (3) The ownership, operation or control of a dealership by a manufacturer,
23 importer or distributor, or subsidiary ~~thereof~~ of a manufacturer, importer or
24 distributor, which does not meet the conditions under ~~par. (a) or (b)~~ sub. (1) or (2), if
25 the division of hearings and appeals determines, after a hearing on the matter at the

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1 request of any party, that there is no prospective independent dealer available to own
2 and operate the dealership in a manner consistent with the public interest and that
3 meets the reasonable standard and uniformly applied qualifications of the
4 manufacturer, importer or distributor.

5 **SECTION 111.** 218.01 (2d) of the statutes is renumbered 218.0122 and amended
6 to read:

7 **218.0122 Damages to delivered vehicles.** (1) A manufacturer, importer or
8 distributor shall disclose in writing to a motor vehicle dealer, at or before delivery to
9 the dealer, any damage and repair to a new motor vehicle occurring after the
10 manufacturing process is complete but before delivery to the dealer, if the cost of the
11 repair exceeds 6% of the manufacturer's suggested retail price, as measured by retail
12 repair costs. Replacement of glass, tires, bumpers, fenders, moldings, audio
13 equipment, instrument panels, hoods and deck lids with identical manufacturer's
14 original equipment is not considered damage and repair under this ~~paragraph~~
15 subsection. If a manufacturer, importer or distributor fails to make a disclosure of
16 damage and repair under this ~~paragraph~~ subsection, it shall be liable to the dealer
17 for any liability imposed on the dealer for a failure on the part of the dealer to disclose
18 that damage and repair.

19 (2) If the cost of repairing damage to a new motor vehicle that occurs before
20 delivery to the dealer's location exceeds 6% of the manufacturer's suggested retail
21 price, as measured by retail repair costs, the dealer may reject or, if title has passed
22 to the dealer, require the manufacturer, importer or distributor who delivered the
23 vehicle to repurchase the vehicle within 10 business days after delivery, unless the
24 damage occurred during shipment and the method of transportation, carrier or
25 transporter of the motor vehicle was designated by the motor vehicle dealer. Upon

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1 repurchase, the manufacturer, importer or distributor shall be subrogated to all of
2 the dealer's rights against the carrier or transporter of the motor vehicle regarding
3 damage. The cost of repairing glass, tires, bumpers, moldings and audio equipment
4 with identical manufacturer's original equipment shall not be included in
5 determining the cost of repairing damage under this ~~paragraph~~ subsection.

6 (3) This ~~subsection~~ section does not apply to motorcycles that are delivered in
7 a crated, disassembled condition to the dealer or the dealer's agent.

8 **SECTION 112.** 218.01 (2f) of the statutes is renumbered 218.0123.

9 **SECTION 113.** 218.01 (2g) of the statutes is renumbered 218.0124.

10 **SECTION 114.** 218.01 (2w) (title) of the statutes is renumbered 218.0125 (title).

11 **SECTION 115.** 218.01 (2w) (a) of the statutes is renumbered 218.0125 (1) and
12 amended to read:

13 218.0125 (1) In this ~~subsection~~ section, "dealer cost" means the wholesale cost
14 for a part as listed in the manufacturer's, importer's or distributor's current price
15 schedules or, if the part is not so listed, the dealer's original invoice cost for the part.

16 **SECTION 116.** 218.01 (2w) (b) of the statutes is renumbered 218.0125 (2).

17 **SECTION 117.** 218.01 (2w) (c) of the statutes is renumbered 218.0125 (3) and
18 amended to read:

19 218.0125 (3) To be eligible for compensation for parts under ~~par. (b)~~ sub. (2),
20 a dealer shall notify the manufacturer, importer or distributor in writing of the
21 amounts that the dealer charges its other retail service customers for parts and
22 request that it be paid for parts in accordance with this ~~subsection~~ section. The notice
23 may be limited to the dealer's average markup over dealer cost that the dealer
24 charges its other retail service customers for parts used to perform similar work. The
25 notice shall be served upon the manufacturer, importer or distributor not less than

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1 30 days before the date on which the dealer requests that the manufacturer, importer
2 or distributor begin paying the dealer for parts at the stated amounts. The
3 manufacturer, importer or distributor shall pay the dealer, as provided in this
4 ~~subsection~~ section, at the amounts stated in the dealer notice for parts used in work
5 performed on and after the beginning date stated in the notice.

6 **SECTION 118.** 218.01 (2w) (d) of the statutes is renumbered 218.0125 (4).

7 **SECTION 119.** 218.01 (2w) (e) of the statutes is renumbered 218.0125 (5) and
8 amended to read:

9 218.0125 (5) A manufacturer, importer or distributor who fails to compensate
10 a dealer for parts at an amount not less than the amount the dealer charges its other
11 retail service customers for parts used to perform similar work shall not be found to
12 have violated this ~~subsection~~ section if the manufacturer, importer or distributor
13 shows that the amount is not reasonably competitive to the amounts charged to retail
14 service customers by other similarly situated franchised motor vehicle dealers in this
15 state for the same parts when used by those dealers to perform similar work.

16 **SECTION 120.** 218.01 (2w) (f) of the statutes is renumbered 218.0125 (6) and
17 amended to read:

18 218.0125 (6) If a manufacturer, importer or distributor furnishes a part to a
19 dealer at no cost for use by the dealer in performing work for which the manufacturer,
20 importer or distributor is required to compensate the dealer under this ~~subsection~~
21 section, the manufacturer, importer or distributor shall compensate the dealer for
22 the part at an amount not less than the amount the dealer charges its other retail
23 customers for parts when used to perform similar work less the wholesale cost for
24 ~~such~~ the furnished part as listed in the manufacturer's current price schedules. A
25 manufacturer, importer or distributor may pay the dealer a reasonable handling fee

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1 instead of the compensation otherwise required by this ~~subsection~~ section for special
2 high-performance complete engine assemblies furnished to the dealer at no cost,
3 provided that the manufacturer, importer or distributor excludes special
4 high-performance complete engine assemblies in determining whether the amounts
5 requested in the dealer's notice are consistent with the amounts that the dealer
6 charges its other retail service customers for parts used by the dealer to perform
7 similar work.

8 **SECTION 121.** 218.01 (2w) (g) of the statutes is renumbered 218.0125 (7) and
9 amended to read:

10 218.0125 (7) A claim made by a franchised motor vehicle dealer for
11 compensation under this ~~subsection~~ section shall be either approved or disapproved
12 within 30 days after the claim is submitted to the manufacturer, importer or
13 distributor in the manner and on the forms the manufacturer, importer or distributor
14 reasonably prescribes. An approved claim shall be paid within 30 days after its
15 approval; ~~and, if,~~ If a claim is not specifically disapproved in writing or by electronic
16 transmission within 30 days after the date on which the manufacturer, importer or
17 distributor receives it, the claim shall be considered to be approved and payment
18 shall follow within 30 days. A manufacturer, importer or distributor retains the right
19 to audit claims for a period of one year after the date on which the claim is paid and
20 to charge back any amounts paid on claims that are false or unsubstantiated. If there
21 is evidence of fraud, this ~~paragraph~~ subsection does not limit the right of the
22 manufacturer to audit for longer periods and charge back for any fraudulent claim,
23 subject to the limitations period under s. 893.93 (1) (b).

24 **SECTION 122.** 218.01 (2x) of the statutes is renumbered 218.0126 and amended
25 to read: