

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2-9-2000

BILL NO. SB 360

OR

SUBJECT _____

Dan Thompson
(NAME)

202 State St.
(Street Address or Route Number)

Madison, WI 53703
(City and Zip Code)

League of Wisconsin
(Representing) Municipalities

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2/9/00

BILL NO. SB 360

OR

SUBJECT _____

Rep. Marc Duff
(NAME)

1810 S Elm Grove Rd
(Street Address or Route Number)

New Berlin WI 53531
(City and Zip Code)

98th Assembly District
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 02-09-00

BILL NO. 360

OR

SUBJECT _____

ROBERT MAZUREK
(NAME)

3437 South Taylor
(Street Address or Route Number)

Milwaukee WI 53207
(City and Zip Code)

City of Milwaukee
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2/9/2000

BILL NO. 360

OF _____

SUBJECT _____

Brian J. Dunn
(NAME)

2040 W. Wisconsin Ave. #350
(Street Address or Route Number)

Milwaukee WI 53233
(City and Zip Code)

Professional Account Management LLC
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.
Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2/9/2000

BILL NO. SB 360

OF _____

SUBJECT _____

Brian L. Mitchell
(NAME)

660 E. Mason St
(Street Address or Route Number)

Milwaukee WI 53202
(City and Zip Code)

Wis. Car Rental Alliance
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.
Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2/8/00

BILL NO. SB 360

OF _____

SUBJECT _____

Ed Hick
(NAME)

17 W. Main
(Street Address or Route Number)

MADISON, WI
(City and Zip Code)

WI Alliance of Cities
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.
Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: February 9, 2000

BILL NO. SB 360

OR

SUBJECT _____

Bruce
Bill Wallischlaeger / Werschem

(NAME) Wisconsin Car Rental Alliance

1611 E. Amelia St

(Street Address or Route Number)

Appleton, WI 54912

(City and Zip Code)

AvisRentACar / NationalCarRental

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O.Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2/9/00

BILL NO. _____

OR

SUBJECT SB 360

Sen. Bob Wirth

22nd Sen. District

(NAME)

(Street Address or Route Number)

(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:


Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O.Box 7882
Madison, WI 53707-7882


ROBERT W. WIRCH
STATE SENATOR TWENTY-SECOND DISTRICT

TO: Members, Committee on Economic Development, Housing and
Government Operations

FROM: Senator Bob Wirsch, Chair

DATE: March 8, 2000

RE: Paper Ballot – Senate Bill 360

Please find enclosed a copy of a memo from Legislative Council regarding the substitute amendment for Senate Bill 360, which had a hearing on February 9th.

PLEASE RETURN YOUR BALLOTS BY 5:00 P.M. TODAY.

Motion by ~~Senator~~ Wirsch, for introduction and adoption of LRB s0319.

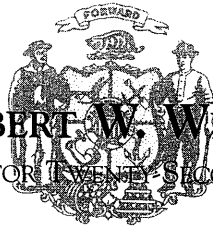
Aye _____ No _____

Motion by ~~Senator~~ Wirsch, for passage of Senate Bill 360 as amended.

Aye _____ No _____

Signature: _____

Date: _____


ROBERT W. WIRCH
STATE SENATOR TWENTY SECOND DISTRICT

TO: Members, Committee on Economic Development, Housing and
Government Operations

FROM: Senator Bob Wirch, Chair

DATE: March 8, 2000

RE: Paper Ballot – Senate Bill 360

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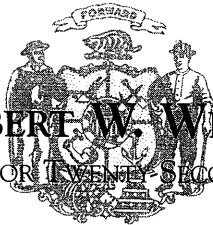
Aye _____ No _____

Motion by Senator Wirch, for passage of Senate Bill 360 as amended.

Aye _____ No _____

Signature:  _____

Date: 3-8-2000



ROBERT W. WIRCH
STATE SENATOR TWENTY-SECOND DISTRICT

TO: Members, Committee on Economic Development, Housing and
Government Operations

FROM: Senator Bob Wirch, Chair

DATE: March 8, 2000

RE: Paper Ballot – Senate Bill 360

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PLEASE RETURN YOUR BALLOTS BY 5:00 P.M. TODAY.

Motion by Senator Wirch, for introduction and adoption of LRB s0319.

Aye _____ No _____

Motion by Senator Wirch, for passage of Senate Bill 360 as amended.

Aye _____ No _____

Signature: Mary F. Dagwiccki

Date: 3.8.2000


ROBERT W. WIRCH
STATE SENATOR TWENTY-SECOND DISTRICT

TO: Members, Committee on Economic Development, Housing and
Government Operations

FROM: Senator Bob Wirch, Chair

DATE: March 8, 2000

RE: Paper Ballot – Senate Bill 360

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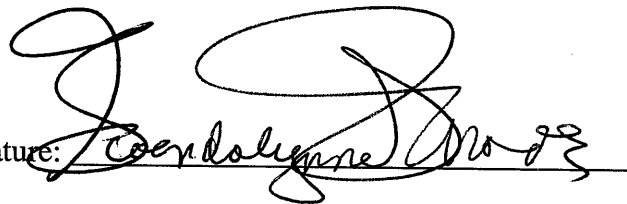
PLEASE RETURN YOUR BALLOTS BY 5:00 P.M. TODAY.

Motion by Senator Wirch, for introduction and adoption of LRB s0319.


Aye X No _____

Motion by Senator Wirch, for passage of Senate Bill 360 as amended.

Aye X No _____

Signature: 

Date: March 8, 2000


ROBERT W. WIRCH
STATE SENATOR TWENTY-SECOND DISTRICT

TO: Members, Committee on Economic Development, Housing and
Government Operations

FROM: Senator Bob Wirch, Chair

DATE: March 8, 2000

RE: Paper Ballot – Senate Bill 360

Please find enclosed a copy of a memo from Legislative Council regarding the substitute amendment for Senate Bill 360, which had a hearing on February 9th.

PLEASE RETURN YOUR BALLOTS BY 5:00 P.M. TODAY.

Motion by Senator Wirch, for introduction and adoption of LRB s0319.

Aye No

Motion by Senator Wirch, for passage of Senate Bill 360 as amended.

Aye No

Signature: Robert Wirch

Date: 3-8-00



WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

One East Main Street, Suite 401; P.O. Box 2536; Madison, WI 53701-2536

Telephone: (608) 266-1304

Fax: (608) 266-3830

Email: leg.council@legis.state.wi.us

DATE: March 6, 2000

TO: SENATOR ROBERT WIRCH

FROM: Dan Fernbach, Senior Staff Attorney

SUBJECT: Senate Substitute Amendment __ (LRBs0319/1) to 1999 Senate Bill 360,
Relating to Nonmoving Traffic Violations Involving Rented or Leased Motor
Vehicles

1999 Senate Bill 360 was introduced by you, and cosponsored by Representative Duff, on February 2, 2000. The bill was referred to the Senate Committee on Economic Development, Housing and Government Operations, which conducted a public hearing on the bill on February 9, 2000.

A. PRESENT LAW

Under present s. 345.28 (4) (a), Stats., a local authority that issues parking tickets may notify the Department of Transportation (DOT) if a person fails to pay a parking ticket or fails to appear in court in response to the citation. In such cases, the authority may require the DOT to *suspend the registration* of the offending vehicle *or refuse to register* any vehicle owned by the offender, or both, which shall continue until the offender appears in court or pays the full amount of the parking ticket, plus any related costs.

A *business that rents or leases motor vehicles*, such as a car rental company (hereafter, "the lessor"), *is generally responsible* for the payment of any parking tickets issued to its vehicles. However, under s. 345.28 (5m) (a), Stats., the local authority may *not* notify the DOT to suspend or refuse registration if:

1. The vehicle receiving the parking ticket is owned by a lessor and was rented or leased to another when the parking ticket was issued;
2. The lessor timely identifies the renter or lessee to the local authority; and
3. After receiving notice from the local authority, the renter or lessee timely pays the parking ticket or appears in court in response thereto.

Pursuant to s. 345.28 (5m) (b) and (c), Stats., *if the renter or lessee fails to pay the parking ticket or appear in court, the lessor must pay 50% of the forfeiture and costs* applicable to the parking ticket. Subsequently, if the ticket is paid in full by the renter or lessee, the lessor's 50% payment is refunded. If the *lessor fails to pay 50%* of the forfeiture and related costs, the local authority may require the DOT to *suspend the registration* of the vehicle involved with the parking ticket.

B. PROVISIONS OF SENATE BILL 360

As under current law, the *lessor is generally liable* for payment of a parking ticket unless the lessor identifies the offending renter or lessee. The bill continues to require a local authority *to reimburse a lessor who pays any part* (rather than the current 50%) of the forfeiture or costs of a parking ticket that is later paid in full by the offending renter or lessee. However, if the lessor identifies the renter or lessee to the local authority, the bill *relieves the lessor from liability* for a parking ticket and eliminates the requirement that the lessor pay any portion of the ticket or related costs.

Finally, the bill amends s. 345.285, Stats., relating to the DOT's Alternative Traffic Violation and Registration Pilot Program, to prohibit the *City of Milwaukee* from suspending a rented or leased vehicle's registration or taking other action under certain circumstances. Currently, under the program *the DOT may permit the city to suspend the registration of any vehicle* for unpaid parking tickets. The bill *would exempt rented or leased vehicles from such action* under the program if the vehicle was being rented or leased when the parking violation occurred and the *lessor timely identifies* the renter or lessee to the city.

The bill, if enacted, would take effect on the first day of the fourth month beginning after publication and applies to parking tickets issued on or after that date.

C. PROVISIONS OF SENATE SUBSTITUTE AMENDMENT (LRBs0319/1)

Proposed Senate Substitute Amendment __ (LRBs0319/1) to Senate Bill 360, amends present s. 345.28 (4) and (5m), Stats., as follows:

1. The substitute amendment *limits the liability* of a lessor who timely notifies a local authority of the identity of the offending lessee of a vehicle issued a parking ticket to *not more than 50% of the amount of the original parking ticket* [SECTIONS 1, 2, 7 and 8 of the draft]; and
2. The substitute amendment *limits the time* during which a local authority may attempt to collect a parking forfeiture from a lessor who provides timely notice of the offending lessee's identity to *one year* from the date the parking citation was issued [SECTIONS 3 and 6 of the draft].

The substitute amendment, if enacted, would take effect on the first day of the fourth month beginning after publication and applies to parking tickets issued on or after that date.



Wisconsin Car Rental Alliance

Testimony on SB 360

OFFICERS

President
William J. Wallschlaeger
Avis
Appleton

Senate Economic Development, Housing & Government Operations Committee

February 9, 2000

Vice President
Daniel T. Ewald
Mayfair
Milwaukee

Good morning, Mr. Chairman and members of the Committee. I'm Bill Wallschlaeger of Midwestern Wheels, an Avis franchise based in Appleton, appearing in support of Senate Bill 360. I am also the current president of the Wisconsin Car Rental Alliance, our state trade association.

Secretary
John G. Nottoli, Jr.
Hertz
Madison

First, I'd like to give you a little background on why this bill is needed:

Treasurer
Nancy J. Umland
Avis
Appleton

- Under a provision going back to the early 1980's, current law in Wisconsin allows the Department of Transportation to suspend the registration of a vehicle when there are unpaid nonmoving traffic citations.
- This law was intended to give municipalities additional leverage in collecting unpaid parking fines from vehicle owners who would habitually ignore citations. These persons knew they could accumulate many unpaid tickets before a warrant was ever issued for them in some jurisdictions.
- There is one feature of this law that we believe is fundamentally unfair. If a parking ticket is issued to someone driving a rental car, the car rental agency would be unaware of this. The ticket is placed on the rental vehicle and the renter either pays the ticket (in most cases) or occasionally, if the renter is from out-of-state, discards it.
- The car rental agency first becomes aware of a parking violation only if the ticket has gone unpaid. The rental company then receives notice from the local police department that there is an outstanding citation. The rental agency is required to provide the local authority with the renter's name, address, and driver's license information from its records.

DIRECTORS
Herb Cuene
Hertz
Green Bay

Larry Lanham
Budget
Madison

James R. Loomer
Enterprise
Milwaukee

Terry McCaughey
Campus Car Rental
Madison

Sherry Rogers
Avis
Appleton

Bruce Werschem
National
Kaukauna

*660 East Mason Street
Milwaukee, Wisconsin 53202
(414) 271-5900*

- What happens next is where we believe the procedure should in fairness be changed. Currently, if the renter does not respond to another notice within 30 days of it being mailed, the car rental agency becomes responsible for payment of 50% of the now escalated ticket or its vehicle registration can be suspended. The bill before you would authorize these penalties only if the required information has not been supplied.

- This change is consistent with the way other states handle this problem. (I have copies of the laws in Minnesota and Ohio for the Committee's information.) I don't know of any other circumstances under which a third party (the car rental firm) is held financially responsible for a situation over which they have no control, especially when they have cooperated and provided the required information. It just isn't fair to be put in the position of a payer of last resort, particularly when the amount due is a multiple of the original fine.

With me today is Bruce Werschem of National Car Rental, who will go into some of his personal experiences with this law.

MN.

s 9; 1982 c 424 s 130; 1984 c 549 s 19,20; 1984 c 654 art 3 s 59,60; 1985 c 63 s 6,7; 1985 c 186 s 1-4; 1985 c 291 s 14; 1986 c 444; 1986 c 454 s 14-16; 1Sp1986 c 3 art 1 s 24; 1987 c 383 s 3; 1988 c 496 s 1-10; 1988 c 634 s 1-8; 1989 c 323 s 2-4; 1989 c 342 s 12; 1990 c 497 s 7; 1991 c 333 s 8,9; 1992 c 367 s 1; 1993 c 259 s 1; 1994 c 465 art 3 s 14; 1994 c 500 s 1; 1994 c 536 s 11-16; 1994 c 587 art 2 s 21; 1995 c 128 art 1 s 4

168.2701 LIABILITY OF LESSORS FOR UNPAID TRAFFIC VIOLATIONS.

When a motor vehicle lessor, licensed under section 168.27, subdivision 2, 3, or 4, is issued a traffic violation citation for a violation committed by a lessee while operating the leased or rented vehicle, the lessor shall convey to the issuing authority within 15 days of the lessor receiving knowledge of the traffic violation, information to the extent available, including the driver's full name, home address, local address, if any, license number, employer's name and address, post office box, and form of payment. Upon compliance with this section, the lessor is not liable for the amount of fine, penalty assessment, late payment penalty, or cost of warrants issued in connection with the violation. However, action on the part of the issuing authority relieving the lessor of liability does not absolve the person incurring the violation of responsibility for the infraction.

History: 1986 c 332 s 1

168.2702 MOTOR VEHICLE LEASES: INDEMNITY AGREEMENTS.

Notwithstanding other law to the contrary, a provision in a motor vehicle lease agreement that indemnifies the lessor against any claims or liabilities arising out of the use, operation, or maintenance of the vehicle by the lessee includes the right to indemnity for traffic violations, penalties, and punitive damages caused by the lessee and is enforceable in accordance with its terms. This section does not relieve the lessor of any liability, penalty, or damages arising out of its own acts or omissions.

History: 1991 c 280 s 1

168.271 INFORMATIONAL LABELS ON PICKUP TRUCKS; PENALTY.

Subdivision 1. Every manufacturer of new trucks having a gross vehicle weight of 9,000 pounds or less which are sold or offered for sale for use upon the public streets or highways within this state shall, prior to the delivery of the new truck to a Minnesota dealer, or at or prior to the introduction date of new models delivered to a Minnesota dealer prior to introduction date, securely affix to the windshield or side window of the truck a label upon which the manufacturer shall endorse clearly, distinctly and legibly true and correct entries disclosing information identical to and in the same manner as required on new automobiles. The label shall remain affixed to the truck until delivery of the truck to the ultimate purchaser. Any manufacturer who shall willfully fail to affix a proper label required by this section or any person who shall willfully remove, alter or mutilate a label prior to delivery of the truck to the ultimate purchaser is guilty of a misdemeanor. This section shall not apply to trucks for which the annual sales in Minnesota of the previous model year were less than 200.

Subd. 2. This section shall apply to new trucks having a gross vehicle weight of 9,000 pounds or less built after December 31, 1978.

History: 1977 c 385 s 1,2

168.274 DEFINITIONS.

The following definitions shall apply for the words or terms used in sections 168.274 to 168.276 unless other meaning is clearly apparent from the language or context.

"Motor vehicle" means and includes all vehicles propelled otherwise than by muscular power, excepting such vehicles as run only upon rails or tracks.

"New motor vehicle" means only newly manufactured motor vehicles and includes but is not limited to motorcycles, trailers, trucks, passenger cars and tractors.

"Used motor vehicle" means every motor vehicle, title to, or possession of, which has been transferred from the person who first acquired it from the manufacturer or dealer and has been so used as to become or is commonly known as secondhand within the ordinary

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Ohio Revised Code

Section 4511.071

General Assembly: 114

Bill Number: Amended Sub. House Bill 707 / S 257 Eff 6-25-80

Effective Date: 1-1-1983

(A) Except as provided in division (C) of this section, the owner of a vehicle shall be entitled to establish nonliability for prosecution for violation of an ordinance, resolution, or regulation enacted under division (A) of section 4511.07 of the Revised Code by proving the vehicle was in the care, custody, or control of a person other than the owner at the time of the violation pursuant to a written rental or lease agreement or affidavit providing that except for such agreement, no other business relationship with respect to the vehicle in question exists between the operator and owner

(B) Proof that the vehicle was in the care, custody, or control of a person other than the owner shall be established by sending a copy of such written rental or lease agreement or affidavit to the prosecuting authority within thirty days from the date of receipt by the owner of the notice of violation. The furnishing of a copy of a written rental or lease agreement or affidavit shall be prima-facie evidence that a vehicle was in the care, custody, or control of a person other than the owner

(C) This section does not apply to a violation of an ordinance, resolution, or regulation enacted under division (A) of section 4511.07 of the Revised Code if the ordinance, resolution, or regulation is one that is required to be enforced in compliance with Chapter 4521. of the Revised Code

Section 4521.09

General Assembly: 117

Bill Number: Amended Sub. House Bill 373 / HB 707 Eff 1-1-83

Effective Date: 10/09/89

(A) An owner of a vehicle is not jointly liable with an operator of the vehicle whose act or omission resulted in a parking infraction for the parking infraction or any fine, penalty, or processing fee arising out of the parking infraction under this chapter if either of the following apply:

(1) The owner answers the charge of the parking infraction under section 4521.06 or 4521.07 of the Revised Code, the answer denies that he committed the infraction and requests a hearing concerning the infraction, the owner additionally asserts and provides reasonable evidence at that time to prove that the vehicle, at the time of the commission of the parking infraction, was being used by the operator without the owner's express or implied consent, and the parking violations bureau, joint parking violations bureau, or traffic violations bureau, or the juvenile court, that has jurisdiction over the parking infraction determines that the vehicle was being used without the owner's express or implied consent at that time. If the bureau or juvenile court does not so determine, it shall conduct the hearing concerning the infraction according to section 4521.08 of the Revised Code

(2) The owner answers the charge of the parking infraction under section 4521.06 or 4521.07 of the Revised Code, the answer denies that he committed the parking infraction, the owner additionally submits evidence at that time that proves that, at the time of the alleged commission of the infraction, the owner was engaged in the business of renting or leasing vehicles under written rental or lease agreements, and the owner additionally submits evidence that proves that, at the time of the alleged commission of the parking infraction, the vehicle in question was in the care, custody, or control of a person other than the owner pursuant to a written rental or lease

agreement.

If the owner does not so prove, the parking violations bureau, joint parking violations bureau, or traffic violations bureau, or the juvenile court, shall conduct a hearing relative to the infraction according to section 4521.08 of the Revised Code

(3) The owner, at a hearing concerning the parking infraction conducted in accordance with section 4521.08 of the Revised Code, proves that the vehicle, at the time of the parking infraction, was being used by the operator without the owner's express or implied consent or proves the facts described in division (A)(2) of this section

(B) An owner of a vehicle who is engaged in the business of renting or leasing vehicles under written rental or lease agreements, but who does not satisfy the additional requirements of division (A)(2) of this section is not liable for any penalties or processing fees arising out of a parking infraction involving the vehicle if at the time of the commission of the parking infraction, the vehicle was in the care, custody, or control of a person other than the owner pursuant to a written rental or lease agreement, and if the owner answers the charge of the parking infraction by denying that he committed the parking infraction or by paying the fine arising out of the parking infraction within thirty days after actual receipt of the parking ticket charging the infraction or, if the owner did not receive the parking ticket, within thirty days after receipt of the notification of infraction.

Proof that the vehicle was in the care, custody, or control of a person other than the owner pursuant to a written rental or lease agreement at the time of the alleged parking infraction shall be established by sending a true copy of the rental or lease agreement or an affidavit to that effect to the parking violations bureau, joint parking violations bureau, or traffic violations bureau, or the juvenile court that has jurisdiction over the alleged parking infraction within thirty days after the date of receipt by the owner of the parking ticket charging the infraction or, if the owner did not receive the parking ticket, within thirty days after receipt of the notification of infraction. The submission of a true copy of a written rental or lease agreement or affidavit shall be prima-facie evidence that a vehicle was in the care, custody, or control of a person other than the owner. The affidavit authorized by this section shall be accompanied by a postage-paid, self-addressed envelope, shall be in a form the registrar of motor vehicles shall prescribe, and shall include space for the parking violations bureau, joint parking violations bureau, or traffic violations bureau, or the juvenile court that has jurisdiction over the alleged parking infraction to indicate receipt of the affidavit. Within thirty days of receipt of the affidavit, the bureau or court shall return a receipted copy of the affidavit to the rental or lease company. In addition, any information required by division (A)(2) of this section may be provided on magnetic tape or another computer readable media in a format acceptable to the particular local authority.



**OHIO BUREAU OF MOTOR VEHICLES
AFFIDAVIT
Of Non-Liability For Parking Infractions**

Re: TICKET NUMBER	DATE AFFIDAVIT MAILED
DATE ISSUED	MAILED RECEIPT NUMBER

TO: (NAME)			
ADDRESS (STREET)	CITY	STATE	ZIP CODE

FROM: (NAME)			
ADDRESS (STREET)	CITY	STATE	ZIP CODE

Pursuant to Ohio Revised Code Chapter 4521 and/or Ohio Revised Code Chapter 4511.071
I, _____, as a duly authorized agent of _____, owner of the motor
vehicle identified in the above referenced ticket as having vehicle license number _____
hereby swear and affirm that to the best of my knowledge said motor vehicle was not in the care, custody and
control of the owner but was in the care, custody and control of the following lessee or renter

LESSEE/RENTER:			
ADDRESS (STREET)	CITY	STATE	ZIP CODE

pursuant to a written contract on the date the referenced ticket was issued.

STATE OF OHIO	SOCIAL SECURITY NUMBER
COUNTY OF:	

The undersigned _____, being sworn, says that the statements and
allegations contained in the foregoing Affidavit are true as he/she verily believes.

X

(AFFIANT'S SIGNATURE)

Sworn to before me and signed in
my presence this _____ day of
_____, 19__

(Notary)

Received By:

Name of Parking, Joint, or Traffic
Violations Bureau or Juvenile Court

Date

A self-addressed stamped envelope must be enclosed with the affidavit(s).

- White - Lessor/Rentor Copy (Return Recipted by Bureau/Court)
- Yellow - Violations Bureau/Court Copy
- Pink - Lessor/Rentor Copy (File Copy When Mailed to Bureau/Court)

BMV 0018 2/95

Fax Recorders To:

The Ohio Alliance of Car Renting Agencies or
The Ohio Vehicle Leasing Association
☎: 614.895.0526 or BMV.622.3071

PARKING CITATIONS REPORT

NUMBER	DATE	LICENSE	STATE	NAME	FINE	FINE PLUS	PAID	DUE
122304830	4/28/94	ASAT88	WI	MIDWEST CAR CORPORATION	5.00	25.00	.00	25.00
171012752	8/6/98	BA7783	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
148022016	8/13/97	CJ7636	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
108111032	8/17/93	EA3276	WI	MIDWEST CAR CORPORATION	50.00	70.00	.00	70.00
154909871	3/26/98	EY8396	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
(A) 112957094	3/5/93	FDN275	WI	MIDWEST CAR CORPORATION	40.00	60.00	.00	60.00
128155563	1/14/95	GFV105	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
138444435	6/20/96	GWJ469	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
083420480	5/11/92	HG3782	WI	MIDWEST CAR CORPORATION	5.00	25.00	.00	25.00
003420686	6/12/92	HG3782	WI	MIDWEST CAR CORPORATION	5.00	25.00	.00	25.00
00425402	5/15/92	HG3782	WI	MIDWEST CAR CORPORATION	5.00	25.00	.00	25.00
(B) 122154362	4/18/94	JFR924	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
127746225	12/27/94	JRG228	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
(C) 116488686	7/28/93	KWZ149	WI	MIDWEST CAR CORPORATION	5.00	25.00	.00	25.00
138857220	1/22/98	KVF387	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
164213511	3/9/98	KVF377	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
13283373	6/18/98	KVF306	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
275138956	3/22/99	KZZ718	WI	MIDWEST CAR CORPORATION	30.00	30.00	.00	30.00
147883163	5/28/97	KZZ730	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
(D) 118453438	10/14/93	LBD176	WI	MIDWEST CAR CORPORATION	30.00	50.00	.00	50.00
151888185	3/24/98	LBD180	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
133861202	8/16/95	LBD183	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00

Balances Shown As Of: 3/26/99

SB-360

110.00

1870

NUMBER	DATE	LICENSE	STATE	MADE	FINE	FINE PLUS	PAID	DUE
138733711	4/13/98	LB0183	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
138828236	5/21/98	LB0183	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
213884880	9/11/88	LB0282	WI	MIDWEST CAR CORPORATION	30.00	35.00	.00	35.00
128215342	10/27/84	LB0284	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
147448285	5/11/87	LB0282	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
117080661	8/21/93	LB0445	WI	MIDWEST CAR CORPORATION	5.00	25.00	.00	25.00
132573324	8/21/85	LB0976	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
287501734	5/5/88	LB0982	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
287503451	5/7/88	LB0982	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
272802370	5/7/88	LCH172	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
144388425	1/9/87	MRM144	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
142988881	8/28/88	MRM602	WI	MIDWEST CAR CORPORATION	30.00	50.00	.00	50.00
134353133	9/18/85	MRM652	WI	MIDWEST CAR CORPORATION	25.00	45.00	.00	45.00
172884932	3/11/88	MTT776	WI	MIDWEST CAR CORPORATION	10.00	15.00	.00	15.00
130383855	3/24/85	MTT283	WI	MIDWEST CAR CORPORATION	40.00	80.00	.00	80.00
137420043	2/27/86	NRB955	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
137633183	3/78/88	MCX372	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
152781775	12/15/87	MCX390	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
135853888	1/20/88	NRH228	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
135858041	2/18/88	NRH228	WI	MIDWEST CAR CORPORATION	40.00	80.00	.00	80.00
138514615	2/13/88	NRH228	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
138517181	2/9/86	NRH228	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
138584851	2/27/88	NRH228	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
160189203	3/9/88	NRH589	WI	MIDWEST CAR CORPORATION	10.00	15.00	.00	15.00

(E) 287503451 5/7/88 30.00 - 4/50 =

NUMBER	DATE	LICENSE	STATE	NAME	FINE	FINE PLUS	PAID	DUE
14738774	5/9/97	MXV458	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
282816240	3/12/99	MXV473	WI	MIDWEST CAR CORPORATION	10.00	15.00	.00	15.00
182821272	3/11/99	PAF818	WI	MIDWEST CAR CORPORATION	10.00	15.00	.00	15.00
144541983	1/27/97	PAF826	WI	MIDWEST CAR CORPORATION	15.00	36.00	.00	35.00
147504936	5/17/97	PAV189	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
155721171	4/28/98	PTB437	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
154210545	3/9/98	PIG967	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
217623125	3/8/98	ROX146	WI	MIDWEST CAR CORPORATION	10.00	15.00	.00	15.00
155294823	4/15/98	RYX515	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
154758584	3/25/98	RYG300	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
210000178	5/1/98	RYX707	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
172789236	3/17/98	RYX711	WI	MIDWEST CAR CORPORATION	10.00	10.00	.00	10.00
152886112	3/15/98	RYX712	WI	MIDWEST CAR CORPORATION	30.00	50.00	.00	50.00
152384772	12/11/97	RYV983	WI	MIDWEST CAR CORPORATION	20.00	40.00	.00	40.00
287847743	3/16/99	TB6478	WI	MIDWEST CAR CORPORATION	10.00	10.00	.00	10.00
282848453	3/12/99	TEJ389	WI	MIDWEST CAR CORPORATION	10.00	15.00	.00	15.00
275131586	3/10/99	TEJ376	WI	MIDWEST CAR CORPORATION	10.00	15.00	.00	15.00
155828212	4/23/98	TEJ516	WI	MIDWEST CAR CORPORATION	10.00	30.00	.00	30.00
TOTALS					970.00	2,070.00	.00	2,070.00

29/64

3 OF 3

Balances Shown As Of:

3/25/99

PO BOX 2080
MILWAUKEE WI 53201-2080

PROFESSIONAL ACCOUNT MANAGEMENT
PO BOX 2080
MILWAUKEE WI 53201-2080
(414)-483-2147

(A)

NOVEMBER 22, 1999

PROFESSIONAL ACCOUNT MANAGEMENT
PO BOX 2080
MILWAUKEE WI 53201-2080

00181838-002 32182
CAR CORPORATIO MIDWEST
222 LAWE ST PO BOX 560
KAUKAUNA WI 54130-0560

**no other notices ever received*

RE: CITY OF MILWAUKEE VIOLATIONS
ACCOUNT #: 00181838
REFERENCE #: 112957084
AMOUNT DUE: \$870.00 *issued 3-5-93*

*** DETACH UPPER PORTION AND RETURN WITH PAYMENT ***

ACCOUNT #: 00181838

REFERENCE #: 112957084

We expected to receive the balance of your account by now. Your inattention to your obligation will probably be very costly to you.

The bad debt you have incurred has been computerized and can become available to credit grantors such as banks, department stores, medical facilities, utilities and mortgage companies.

Wouldn't it be wise to clear up this debt now in order to save money and problems later on?

Mail your payment today or call us at 414-483-2147 now to avoid future problems.

If you feel you have received this notice in error, call us at 414-483-2147 or send us your explanation in writing at the address shown below. Our staff will promptly get in touch with you to resolve this issue.

This is an attempt to collect a debt. Any information obtained will be used for that purpose. This collection agency is licensed by the Office of the Administrator of the Division of Banking, P.O.Box 7876, Madison, WI 53707.

**** VISA AND MASTERCARD GLADLY ACCEPTED****

Instructions for making payment...

1. Tear off the top portion of this letter along with your check or money order payable to the **City of Milwaukee**, and mail in the envelope provided. Do not send cash. Write the reference number shown above on your check or money order.
2. Payment can be made by credit card. (Master Card or VISA only) at any City of Milwaukee Violations Bureau Payment Center or by phone at 414-483-2147.
3. Mail payments to:

Professional Account Management, Inc.,
Collection Services Division
P.O. Box 2080
Milwaukee, WI 53201-2080
Customer Service Phone: 414 483-2147
SE HABLA ESPANOL

B

Ticket Information

Citation No: 122154362 Date: 04/19/1994 Time: 06:48 AM Fine: \$20.00
 License: JFR924 State: WI Plate Type: AUT Late Fees: \$20.00
 Exp: Make: CHEV Body Type: TR NSF Fees: \$0.00
 VIN: Corrected: \$0.00
 Violation: 730 PARKING PROHIBITED BY OFFICIAL SIGN Dismissed: \$0.00
 Payments: \$0.00
 Current Due Date: 06/18/1994 Balance Due: \$40.00

Amount Due Within 10 Days: \$20.00 Mail Date Due Date
 Late Fee After 10 Days: \$5.00 Late Notice 1: // 05/15/1994
 Late Fee After 28 Days: \$5.00 Late Notice 2: // //
 Late Fee After 58 Days: \$10.00 DMV Hold: //
 Scheduled Review: // : AM DMV Hold Case No:

Officer Name: Payroll No: 61577 Work Loc: 07
 Dist: Meter:
 Location: 5635 W CAPITOL
 Remarks:

Private Notes:

Citation Source Information

Form and Revision Creation Date Batch ID Unit Serial #
 05/06/1998 LEGACY

Responsible Party Information

Name: MIDWEST CAR CORPORATION Home Phone:
 Address 1: PO BX 800 222 LAWE ST Work Phone:
 Address 2: SSN:
 City: KAUKAUNA State: WI ZIP: 54130 Other ID:

Type / Last Update: LCW //

Lessor / Rental Company Information

Name: Phone 1:
 Address 1: Phone 2:
 Address 2:
 City: State: ZIP: Type / Last Update: XX //

(2) Citations Related by [X]Vehicle [O]Responsible Party [O]Permit Total Due: \$40.00

NOT for GA use

Ticket No 122154362

Date	Citation No.	Violation Description	Violation Code	Amount Due	Vio Location
12/08/1997	152519290	NIGHT PARKING	660	\$0.00	2836 N 35
04/19/1994	122154362	PARKING PROHIBITED BY OFFICIAL SIGN	730	\$40.00	5635 W CAPITOL

PO BOX 2080
MILWAUKEE WI 53201-2080

PROFESSIONAL ACCOUNT MANAGEMENT
PO BOX 2080
MILWAUKEE WI 53201-2080
(414)-483-2147

(C)

DECEMBER 20, 1999

PROFESSIONAL ACCOUNT MANAGEMENT
PO BOX 2080
MILWAUKEE WI 53201-2080

00213604-002 19542
CAR CORPORATIO MIDWEST
PO BX 800 222 LAWE ST
KAUKAUNA WI 54130-2114

*No notices
ever
received*

RE: CITY OF MILWAUKEE VIOLATIONS
ACCOUNT #: 00213604
REFERENCE #: 116468660
AMOUNT DUE: \$110.00

issued 7-29-93

KNZ149

*** DETACH UPPER PORTION AND RETURN WITH PAYMENT ***

ACCOUNT #: 00213604

REFERENCE #: 116468660

We expected to receive the balance of your account by now. Your inattention to your obligation will probably be very costly to you.

The bad debt you have incurred has been computerized and can become available to credit grantors such as banks, department stores, medical facilities, utilities and mortgage companies.

Wouldn't it be wise to clear up this debt now in order to save money and problems later on?

Mail your payment today or call us at 414-483-2147 now to avoid future problems.

If you feel you have received this notice in error, call us at 414-483-2147 or send us your explanation in writing at the address shown below. Our staff will promptly get in touch with you to resolve this issue.

This is an attempt to collect a debt. Any information obtained will be used for that purpose. This collection agency is licensed by the Office of the Administrator of the Division of Banking, P.O.Box 7876, Madison, WI 53707.

**** VISA AND MASTERCARD GLADLY ACCEPTED****

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2. Payment can be made by credit card. (Master Card or VISA only) at any City of Milwaukee Violations Bureau Payment Center or by phone at 414-483-2147.
3. Mail payments to:

Professional Account Management, Inc.,
Collection Services Division
P.O. Box 2080
Milwaukee, WI 53201-2080
Customer Service Phone: 414 483-2147
SE HABLA ESPANOL

(D)

Ticket Information

Citation No: 118453436 Date: 10/18/1993 Time: 04:10 AM Fine: \$30.00
 License: LBD176 State: WI Plate Type: AUT Late Fees: \$20.00
 Exp: VIN: Make: PLYM Body Type: 2D NSF Fees: \$0.00
 Violation: 762 Corrected: \$0.00
 Dismissed: \$0.00
 Payments: \$0.00

Current Due Date: 06/14/1998 Balance Due: \$50.00

Amount Due Within 10 Days: \$30.00
 Late Fee After 10 Days: \$5.00
 Late Fee After 28 Days: \$5.00
 Late Fee After 58 Days: \$10.00

Mail Date Due Date
 Late Notice 1: // 03/15/1998
 Late Notice 2: // //
 DMV Hold: //

Scheduled Review: // : AM

DMV Hold Case No:

Officer Name: Payroll No: 61202 Work Loc: 05

Dist: Meter:

Location: 2518 N MLK

Remarks:

Private Notes:

Citation Source Information

Form and Revision Creation Date Batch ID Unit Serial #
 05/06/1998 LEGACY

Responsible Party Information

Name: MIDWEST CAR CORPORATION Home Phone:
 Address 1: 222 LAWE ST PO BOX 560 Work Phone:
 Address 2: SSN:
 City: KAUKAUNA State: WI ZIP: 541300560 Other ID:

Type / Last Update: ROG //

Lessor / Rental Company Information

Name: Phone 1:
 Address 1: Phone 2:
 Address 2: Type / Last Update:
 City: State: ZIP: XX //

(1) Citations Related by (X)Vehicle (0)Responsible Party (0)Permit Total Due: \$50.00

Ticket No 118453436

Date	Citation No.	Violation Description	Violation Code	Amount Due	Vio Location
10/18/1993	118453436	PARKED POSTED PRIVATE PROPERTY	762	\$50.00	2518 N MLK

Not for C/A USE

PO BOX 2080
MILWAUKEE WI 53201-2080

PROFESSIONAL ACCOUNT MANAGEMENT
PO BOX 2080
MILWAUKEE WI 53201-2080
(414)-483-2147

(E)

NOVEMBER 11, 1999

Issued 5/15/98

Sent info: 6/26/98

PROFESSIONAL ACCOUNT MANAGEMENT
PO BOX 2080
MILWAUKEE WI 53201-2080

only received
one notice

00068779-002 40762
CAR CORPORATIO MIDWEST
222 LAWE ST PO BOX 560
KAUKAUNA WI 54130-0560

No payment issued

because second notice never received

RE: CITY OF MILWAUKEE VIOLATIONS
ACCOUNT #: 00068779
REFERENCE #: 287501734
AMOUNT DUE: \$150.00

*** DETACH UPPER PORTION AND RETURN WITH PAYMENT ***

ACCOUNT #: 00068779

REFERENCE #: 287501734

We expected to receive the balance of your account by now. Your inattention to your obligation will probably be very costly to you.

The bad debt you have incurred has been computerized and can become available to credit grantors such as banks, department stores, medical facilities, utilities and mortgage companies.

Wouldn't it be wise to clear up this debt now in order to save money and problems later on?

Mail your payment today or call us at 414-483-2147 now to avoid future problems.

If you feel you have received this notice in error, call us at 414-483-2147 or send us your explanation in writing at the address shown below. Our staff will promptly get in touch with you to resolve this issue.

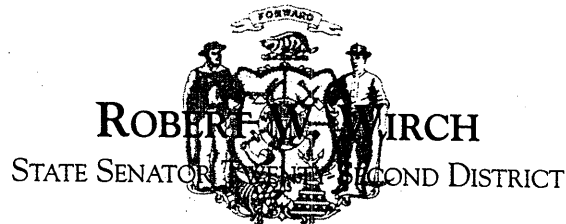
This is an attempt to collect a debt. Any information obtained will be used for that purpose. This collection agency is licensed by the Office of the Administrator of the Division of Banking, P.O.Box 7876, Madison, WI 53707.

**** VISA AND MASTERCARD GLADLY ACCEPTED****

Instructions for making payment...

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2. Payment can be made by credit card. (Master Card or VISA only) at any City of Milwaukee Violations Bureau Payment Center or by phone at 414-483-2147.
3. Mail payments to:

Professional Account Management, Inc.,
Collection Services Division
P.O. Box 2080
Milwaukee, WI 53201-2080
Customer Service Phone: 414 483-2147
SE HABLA ESPANOL



**Testimony before the Senate Committee on Economic Development, Housing, and
Government Operations**

by
Senator Robert Wirch
Senate Bill 360
February 9, 2000

Current Wisconsin law allows the Department of Transportation to suspend the vehicle registration of individuals with unpaid nonmoving citations such as parking tickets. The problem is that the rental agency first becomes aware of a citation only after the ticket has gone unpaid. Only then does the car rental agency receive the notice, and is then required to provide the local authority with the renter's name, address and driver's license information from its records.

If the renter does not respond to another notice within 30 days of it being mailed, the car rental firm is responsible for payment of 50% of the now-escalated ticket, or its vehicle registration can be suspended.

Senate Bill 360 would change this so that car rental companies would only be responsible if the required information has not been supplied. This change is consistent with the way other states handle the situation and would not unfairly penalize a third party for something over which they have no control.

State Capitol, P.O. Box 7882, Madison, Wisconsin 53707-7882 • 608-267-8979

Toll-Free Office Hotline: 1-888-769-4724

Email: Sen.Wirch@legis.state.wi.us • Website: www.legis.state.wi.us/senate/sen22/sen22.html • Fax: (608) 267-0984

Home: 3007 Springbrook Road, Pleasant Prairie, Wisconsin 53158 • (262) 694-7379

The car rental company should not face the possibility of losing its vehicle registration for a problem of which they are unaware. This change is consistent with policies in other states.

Thank you for your time. I would be happy to answer any questions.

**TESTIMONY REGARDING
SENATE BILL ~~336~~ 360**

**PRESENTED BY
CITY OF MILWAUKEE DEPARTMENT OF PUBLIC WORKS
AND
PROFESSIONAL ACCOUNT MANAGEMENT LLC**

**TO
THE HONORABLE MEMBERS OF
THE SENATE ECONOMIC DEVELOPMENT COMMITTEE
FEBRUARY 9, 2000**

TESTIMONY REGARDING SB 630
CITY OF MILWAUKEE DPW AND PAM LLC
FEBRUARY 9, 2000

The City of Milwaukee Department of Public Works and Professional Account Management LLC present this testimony regarding Senate Bill 630. The City of Milwaukee Department of Public Works administers parking enforcement and the processing of parking citations for the City. The City of Milwaukee issues more parking citations than any other issuing authority in the state of Wisconsin. In 1999 some 900,000 parking citations were issued in the City. Professional Account Management LLC is under contract to the Department of Public Works to operate the City of Milwaukee Violations Bureau and provide parking citation processing services. These services include the preparation and mailing of overdue notices for unpaid citations and collection of all parking citation revenue. On February 6, 2000, the Department of Public Works also became responsible for the 45 parking checkers employed by the City.

The changes proposed in SB 630 affect the sections of the Wisconsin State Statutes governing the responsibility of companies which lease or rent motor vehicles for parking citations issued to these vehicles, and the rules that issuing authorities must follow when processing and attempting to collect the fines or forfeitures for these parking citations. It appears that the leasing/rental companies want to have the legislature excuse them of any responsibility for these citations. We believe that this is a bad idea on several grounds.

Current law holds that if the leasing/rental company notifies the issuing authority of the name and address of the person in possession of the vehicle at the time of the citation, then the issuing authority must first attempt to collect the fine/forfeiture from such person. If the issuing authority is unable to collect from the renter or lessor, or the company does not provide notice of the renter/lessee's name and address, then the lease/rental company must pay 50% of the original fine/forfeiture to avoid having the registration of the vehicle in question suspended. Under current law the issuing authority also has the ability to ask the Department of Motor Vehicles (the department) to refuse registration for all vehicles registered in the state of Wisconsin to the renter/lessee.

If this sounds complex and difficult to administer, that's because it is. However, the solution posed in SB 630 is worse. The analysis of this proposal provided by the Legislative Reference Bureau indicates that "As under current law, the lessor is liable for the parking ticket, unless the lessor identifies the renter or lessee." We disagree with their analysis and firmly believe that these changes are designed to create a situation where the lessor (leasing/rental company) bears no practical liability for the parking ticket.

This proposed legislation does allow the issuing authority to request refusal of registration for any other vehicles owned by a renter/lessee if the leasing/rental company provides notice of name and address. This is identical, in practice, to the current rules. However, since many people who lease vehicles in Wisconsin, and most people who rent vehicles in Milwaukee, do not have other vehicles registered in the state, the effectiveness of this section is limited. Under current law if the renter/lessee does not pay the forfeiture within a specified period of time, the issuing authority can hold the leasing/rental company responsible for the citation. If the company does not pay 50% of

TESTIMONY REGARDING SB 630
CITY OF MILWAUKEE DPW AND PAM LLC
FEBRUARY 9, 2000

the forfeiture, then the authority may ask the department to suspend the registration of the leased/rented vehicle. This mechanism was intended to give the authority leverage to collect forfeitures that would not be collectible from the renter/lessee.

The logic of holding the leasing/rental company responsible is consistent with the general rules of liability for parking citations. If you lend your vehicle to a friend and your friend receives a parking ticket while using your vehicle, you, as owner of the vehicle, are liable for the parking fine. If your friend does not tell you about the ticket and you first become aware of it when the overdue notice arrives in the mail, you are not only liable for the fine, but also for the late fees. The legislature has deemed it appropriate to mitigate liability for leasing/rental companies by requiring them to pay at least 50% of the forfeiture if the authority cannot collect from the renter/lessee. Now you are being asked to repeal section 345.28(5m)(c) and in effect absolve them of all responsibility.

Section 345(5m)(c) is the section of the law that allows the authority to request that the department suspend the registration of the leased/rented vehicle if the authority is unable to collect from the renter/lessee or the leasing/rental company. The leasing/rental company may then pay 50% of the forfeiture to effect a release of the registration suspension. Please note that this proposed legislation does not ask to amend this section so that it cannot be called into play if the leasing/rental company provides the name and address of the renter/lessee. Instead it calls for complete repeal of the entire section.

The proposed bill also amends the section of the current law that that mandates a payment of 50% of the original forfeiture by the lease/rental company to effect a release of a registration suspension. The 50% of the forfeiture requirement is amended to "some Part" of the forfeiture. To us this means that if 345(5m)(c) is not repealed but this language is amended, then a payment of 1 penny on a \$50 forfeiture would be enough to get the registration hold released. You can be sure that the many private residents of Wisconsin who will have to pay their entire forfeitures to get their registration holds released would like a similar deal.

When one analyzes the practical effect of this proposed legislation it is easy to see that the proposal effectively absolves the leasing/rental companies from any liability for parking tickets issued to vehicles they own. If the leasing/rental company provides notice of the name and address of the renter/lessee, then the authority may take action against the renter/lessee. But, as is often the case, if the leasing/rental company does not provide the notice or if the authority is not able to collect from the renter/lessee, then under these new rules the authority has no recourse against the leasing/rental company. And if 345(5m)(c) is not repealed but the language in 345.28(4)(e) is amended from 50% of the forfeiture to "some part" of the forfeiture you can be assured that authorities will be releasing registration suspensions for payments of \$0.01.

In 1999 the City of Milwaukee Violations Bureau collected \$375,000 on parking citations issued to leased or rented vehicles. There is also \$113,000 still owing from parking tickets issued in 1999 to leased or rented vehicles. Our experience indicates that about 50% of the payments received on parking tickets issued to leased or rented vehicles are

TESTIMONY REGARDING SB 630
CITY OF MILWAUKEE DPW AND PAM LLC
FEBRUARY 9, 2000

collected from leasing/rental companies. In most of these cases the renter or lessee of the vehicle does not live in Wisconsin or does not have any vehicles, other than a leased vehicle, registered in the state. Adoption of SB 630 would severely limit, if not completely eliminate the ability of the City to collect on these citations. In addition the City would have to spend up to \$5000 to modify its citation processing software to comply with the new rules.

Yes, the system is complicated and difficult to administer and one could argue that rule changes to simplify the process are desirable. However, one could also argue that the easiest way to accomplish this would be to treat the leasing/rental companies the same way regular citizens are treated. That is, hold them liable for all the parking citations issued to vehicles that they own. The companies could then recover the forfeitures and an appropriate handling charge from the renter or lessee of the vehicle. Language could be inserted in the lease/rental contracts to allow this process, if it's not already there. The resulting system would be fair, simple and easy to administer.

We ask the committee to consider this testimony and the practical effects of the proposed Senate Bill 630 and vote No when asked to approve or recommend this measure.