

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-4402/1dn

ARG:jld:ch

January 24, 2002

Under existing law, the transfer of a vehicle from an owner to a buyer is not effective until the owner executes the certificate of title and delivers it to the buyer and the buyer thereafter applies to the department of transportation (DOT) for a new certificate of title. While a vehicle transfer is not effective if the buyer fails to apply for a new certificate of title, a vehicle owner who has satisfied his or her legal obligations and transferred possession of the vehicle will not be liable for damage resulting from the buyer's operation of the vehicle. See s. 342.15 (3). There is not a similar provision relating to liability for nonmoving violations, such as parking tickets. Would you like to amend s. 342.15 (3) to also include exemption from liability for nonmoving violations? I also note that the effect of the attached bill is that, under existing s. 342.15 (3), an owner will not be entitled to the statutory exemption from liability until the owner satisfies his or her obligation to notify DOT of the vehicle sale by mailing or delivering the detachable notice of sale.

Also, I have included a delayed effective date to allow DOT time to reformat vehicle titles as required by the bill.

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