

2001 DRAFTING REQUEST

Senate Amendment (SA-SSA1-AB1)

Received: **04/03/2002**

Received By: **phurley**

Wanted: **As time permits**

Identical to LRB:

For: **Senate Democratic Caucus**

By/Representing: **Engel**

This file may be shown to any legislator: **NO**

Drafter: **phurley**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**

Extra Copies: **TNF, ARG**

Submit via email: **NO**

Pre Topic:

SCC:.....Engel - CN5560,

Topic:

Hail damaged vehicles

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

<END>

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FE Sent For:

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CN 5560

Transportation

Include the provisions of ASA 1 to AB 458, related to hail damage to vehicles. See attached Leg. Council memo.

-2630

PJH



WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO

2001 Assembly Bill 458

Assembly Substitute
Amendment 1

Memo published: February 6, 2002

Contact: Richard Sweet, Senior Staff Attorney (266-2982)

Current law provides that a salvage vehicle may not be registered or be issued a new certificate of title until an inspector authorized by the Department of Transportation (DOT) examines it for the following: (1) to determine whether the vehicle is the same vehicle for which the title was issued; (2) to verify the source and ownership of the major parts and components used to recondition the vehicle; and (3) to determine whether the vehicle is in compliance with safety equipment requirements. The term "salvage vehicle" is defined in current s. 340.01 (55g), Stats., as follows:

340.01 (55g) "Salvage vehicle" means a vehicle less than 7 years old that is not precluded from subsequent registration and titling and which is damaged by collision or other occurrence to the extent that the estimated or actual cost, whichever is greater, of repairing the vehicle exceeds 70% of its fair market value.

An applicant for a new certificate of title for a repaired salvage vehicle must pay a fee of \$80 to DOT for the above examination. If the examination is conducted by an inspector employed by a city, village, town, or county, 75% of this fee is used to reimburse the city, village, town, or county.

Assembly Bill 458 removes from the definition of "salvage vehicle" vehicles that are considered hail-damaged vehicles. The bill defines the term "hail-damaged vehicle" as follows:

340.01 (20m) "Hail-damaged vehicle" means a vehicle that is not precluded from subsequent registration and titling and that is damaged by hail to the extent that the estimated or actual cost, whichever is greater, of repairing the vehicle exceeds 70% of its fair market value.

Since a hail-damaged vehicle would not be considered a "salvage vehicle," the current statutory provision dealing with inspection of salvage vehicles would not be applicable to hail-damaged vehicles.

2001

Date (time)
needed _____

LRB b 2966 1.1

CAUCUS BUDGET AMENDMENT
[CAUCUS AMDTS. ONLY]

PYH : cjs : _____

See form **AMENDMENTS — COMPONENTS & ITEMS.**

CAUCUS AMENDMENT
TO SENATE SUBSTITUTE AMENDMENT 1
TO 2001 SPECIAL SESSION ASSEMBLY BILL 1

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated; amend the substitute amendment as follows:

#. Page 209, line 22: after that line insert: Insert A

#. Page 210, line 11: after that line insert: Insert B

#. Page 448, line 19: after that line insert: Insert C

(END)

#. Page, line:

#. Page, line:

#. Page, line:

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2001 ASSEMBLY BILL 458**

January 8, 2002 - Offered by Representatives STONE and ZIEGELBAUER.

1 **AN ACT to amend** 340.01 (55g); and **to create** 340.01 (20m) and 342.10 (3) (h)
2 of the statutes; **relating to:** hail-damaged vehicles and salvage vehicles,
3 granting rule-making authority, and making an appropriation.

4 → **SECTION 1.** 340.01 (20m) of the statutes is created to read: ✓

✓ 5432p 340.01 (20m) "Hail-damaged vehicle" means a vehicle less than 7 years old
6 that is not precluded from subsequent registration and titling and which is damaged
7 solely by hail to the extent that the estimated or actual cost, whichever is greater, of
8 repairing the vehicle exceeds 70% of its fair market value.

9 432s **SECTION 2.** 340.01 (55g) of the statutes is amended to read: ✓

10 340.01 (55g) "Salvage vehicle" means a vehicle less than 7 years old that is not
11 precluded from subsequent registration and titling and which is damaged by
12 collision or other occurrence to the extent that the estimated or actual cost,
13 whichever is greater, of repairing the vehicle exceeds 70% of its fair market value.

Insert A, cont.

1 The term does not include a hail-damaged vehicle unless the vehicle is repaired with
2 any replacement part, as defined in s. 632.38 (1) (e). " , ←

3 → " SECTION 4. 342.10 (3) (h) of the statutes is created to read:

Insert B

4 435m 342.10 (3) (h) That the vehicle was a hail-damaged vehicle. This paragraph
5 does not apply to a hail-damaged vehicle that was repaired with any replacement
6 part, as defined in s. 632.38 (1) (e). " , ←

7 SECTION 4. Effective date.

Insert C

8 → ~~SECTION 4.~~ takes effect on the first day of the 4th month beginning after
9 publication. " , ←

10 (29) HAIL-DAMAGED VEHICLES. The treatment of sections
340.01(55g) ~~of the statutes and the creation of~~
~~sections 340.02(20m)~~ and 342.10 (3)(h) of the statutes

EFF
DATE

(20m) and



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb2966/1
PJH:cjs:jf

SCC:.....Engel – CN5560, Hail damaged vehicles

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT ,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 ASSEMBLY BILL 1

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 209, line 22: after that line insert:

3 **“SECTION 432p.** 340.01 (20m) of the statutes is created to read:

4 340.01 (20m) “Hail-damaged vehicle” means a vehicle less than 7 years old
5 that is not precluded from subsequent registration and titling and which is damaged
6 solely by hail to the extent that the estimated or actual cost, whichever is greater, of
7 repairing the vehicle exceeds 70% of its fair market value.

8 **SECTION 432s.** 340.01 (55g) of the statutes is amended to read:

9 340.01 (55g) “Salvage vehicle” means a vehicle less than 7 years old that is not
10 precluded from subsequent registration and titling and which is damaged by

1 collision or other occurrence to the extent that the estimated or actual cost,
2 whichever is greater, of repairing the vehicle exceeds 70% of its fair market value.
3 The term does not include a hail-damaged vehicle unless the vehicle is repaired with
4 any replacement part, as defined in s. 632.38 (1) (e).".

5 **2.** Page 210, line 11: after that line insert:

6 “**SECTION 435m.** 342.10 (3) (h) of the statutes is created to read:

7 342.10 (3) (h) That the vehicle was a hail-damaged vehicle. This paragraph
8 does not apply to a hail-damaged vehicle that was repaired with any replacement
9 part, as defined in s. 632.38 (1) (e).”.

10 **3.** Page 448, line 19: after that line insert:

11 “(2q) **HAIL-DAMAGED VEHICLES.** The treatment of sections 340.01 (20m) and (55g)
12 and 342.10 (3) (h) of the statutes takes effect on the first day of the 4th month
13 beginning after publication.”.

14 (END)