

Vote Record
Committee on Transportation and Information Infrastructure

Date: 2/18

Moved by: MEYER

Seconded by: BRESKE

AB _____ SB 419 _____ Clearinghouse Rule _____
 AJR _____ SJR _____ Appointment _____
 AR _____ SR _____ Other _____

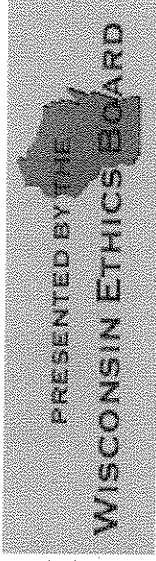
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- Be recommended for:
- Passage Adoption Confirmation Concurrence Indefinite Postponement
 - Introduction Rejection Tabling Nonconcurrency

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator Joseph Leibham, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ted Kanavas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Neal Kedzie	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Roger Breske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Mark Meyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>5</u>	<u>0</u>	<u>0</u>	<u>0</u>

Motion Carried Motion Failed

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- ▶ Lobbying in Wisconsin
- ▶ Organizations employing lobbyists
- ▶ Lobbyists



as of Tuesday, February 10, 2004

2003-2004 legislative session

Legislative bills and resolutions

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- Text, Sponsors and Analysis
- Status and Fiscal Estimate
- Lobbying Effort on this item

Senate Bill 419

unlicensed motor vehicle dealers, motor vehicle salespersons, and sales finance companies, and providing a penalty.

Organization	Interests	Date Notified	Position	Comments
These organizations have reported lobbying on this proposal:		2/9/2004	↔	
Wisconsin Financial Services Association				

Place pointer on icon to display comments.
click icon to display prior comments

Select a legislative proposal and click "go"

House
Proposal Type
Proposal Number (enter proposal number)
Legislative Session



WISCONSIN STATE LEGISLATURE

ASSEMBLY BILL 777 / SENATE BILL 419

TESTIMONY OF CO-AUTHORS
STATE REPRESENTATIVE JOHN AINSWORTH AND STATE SENATOR JOE LEIBHAM

- Wednesday, February 11, 2004 -

Good morning Committee members.

Thank you for your time and attention as Chairman Ainsworth and I testify on Assembly Bill (AB) 777 and the Senate companion legislation Senate Bill (SB) 419, which are designed to bring common sense to our criminal justice system by providing the Wisconsin Department of Transportation (WisDOT) with the tools they need to prosecute those individuals willing to break laws related to motor vehicle dealers.

Under current Wisconsin law, no person may act as a motor vehicle dealer, motor vehicle salesperson or sales finance company without being licensed by the WisDOT. A person who violates this requirement may be fined not less than \$500 nor more than \$5,000. In addition, current law requires a motor vehicle dealer, distributor, manufacturer, or transporter to report to the WisDOT any change in its place of business and to surrender its dealer's license and dealer registration plates to the WisDOT when the entity involved discontinues business or is subject to license revocation or suspension. A dealer, distributor, manufacturer or transporter who fails to do so is subject to a fine of not more than \$200 or imprisonment for not more than six months or both.

The problem with our current system is that district attorneys are reluctant to file criminal complaints against these violators, because such violations are considered "low priority" among the other crimes they must deal with. Therefore, the WisDOT has reported that it is difficult to stop the criminal activity using current law.

AB 777 and SB 419 make two specific changes to current law:

- Changes the fine to a forfeiture of \$500-\$5,000 for motor vehicle dealers, salespersons, or sales finance companies operating without a motor vehicle dealer license.
- Changes the fine to a forfeiture of \$100-\$200 for dealers, distributors, manufacturers, or transporters who fail to report to the WisDOT any place of business changes, or fail to surrender license and dealer registration plates to the WisDOT upon discontinuation of business, license revocation or license suspension. The bill also eliminates the possibility of imprisonment.

This legislation will also allow the State Patrol, at the request of the Wisconsin Department of Motor Vehicles (DMV), to issue a citation using the Uniform Traffic Citation for a non-criminal violation. This new system provides an expedient and effective enforcement tool, which will assist the WisDOT in protecting the public from those individuals willing to violate the law. These common sense changes to the penalty structure, which were recommended by the WisDOT and are supported by the Wisconsin Automobile and Truck Dealers Association, will no doubt bring more people into compliance with the law.

Thank you again Committee members for your time. We are happy to answer any questions that you may have.

Thank you.