

2007 DRAFTING REQUEST

Bill

Received: **11/16/2006**

Received By: **bbalinsk**

Wanted: **As time permits**

Identical to LRB: **05-2692**

For: **Legislative Council - LRC 266-0292**

By/Representing: **Don Dyke**

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

Drafter: **bbalinsk**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**

Extra Copies: **ARG**

Submit via email: **YES**

Requester's email: **don.dyke@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Hail damage brand/notation on title of motor vehicles (R 0709-01)

Instructions:

See attached - redraft 05-2692

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>
/P1	bbalinsk 01/02/2007	jdyer 01/04/2007	rschlue 01/04/2007	_____	sbasford 01/04/2007		
/1	bbalinsk 11/15/2007	jdyer 11/16/2007	pgreensl 11/16/2007	_____	cduerst 11/16/2007	cduerst 11/19/2007	

FE Sent For:

N/A

<END>

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/P1	bbalinsk	P1 1/4 jld	8	5			

FE Sent For:

<END>

RESEARCH APPENDIX - Draft Transfer/Copy Request Form

- Atty's please complete this form and give to Mike Barman

(Request Made By: BARB) (Date: 12/18/06)



Please transfer the drafting file for

2005 LRB 2692 to the drafting file

for 2007 LRB 0796

Leg. Council

The final version of the 2005 draft and the final Request Sheet will be copied on yellow paper, and returned to the original 2005 drafting file. A new cover sheet will be created/included listing the new location of the drafting file's "guts".

For research purposes, because the 2005 draft was incorporated into a 2007 draft, the complete drafting file will be transferred, as a separate appendix, to the new 2007 drafting file. This request form will be inserted into the "guts" of the 2007 draft. If introduced, the appendix will be scanned/added to the electronic drafting file folder.

--- OR ---

Please copy the drafting file for

2007 LRB / _____ (include the version) and place it in the

drafting file for 2007 LRB _____

For research purposes, because the original 2007 draft was incorporated into another 2007 draft, the original drafting file will be copied on yellow paper (darkened/auto centered/reduced to 90%) and added, as a separate appendix, to the new 2007 drafting file. This request form will be inserted into the "guts" of the new 2007 draft. If introduced the appendix will be scanned/added to the electronic drafting file folder.

The original drafting file will then be returned, intact, to its folder and filed. For future reference, a copy of the transfer/copy request form will also be added to the "guts" of the original draft.

2007-2008

2005-2006 LEGISLATURE

0796/PI

LRB-2692/1

PJH/ldrs

PAB stays

RMNR

2007 BILL

2005 BILL

IN 1/2/07

LPS-PWF
please

Regen

- 1 AN ACT *to amend* 342.06 (1) (em) of the statutes; **relating to:** certificates of title
- 2 for vehicles that have been damaged by hail (suggested as remedial legislation
- 3 by the Department of Transportation). ✓

Analysis by the Legislative Reference Bureau

Under current law, if a vehicle has been damaged by hail, the Department of Transportation (DOT) ✓ is required to note the damage on the vehicle's certificate of title. This bill requires the applicant for a certificate of title to provide evidence that is required by ✓ DOT to determine whether the vehicle had been damaged by hail.

For further information, see the NOTES ✓ provided by the Law Revision Committee of the Joint Legislative Council.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill ✓ is a remedial legislation proposal, requested by the Department of Transportation ✓ and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

- 4 SECTION 1. 342.06 (1) (em) ✓ of the statutes is amended to read:

REMEDIAL LEGISLATIVE PROPOSAL

Wisconsin Department of Transportation

DT1605 2/2003 s.13.83(1)(c)4 Wis. Stats.

Instructions: Complete this form for **Law Revision Committee Remedial Legislative proposal(s)** for which a Division requests Secretary's Office (SO) approval. This form must be signed by the Division Administrator.

Short Title of Issue Hail Damage Brand Drafting Oversight DOT Remedial Legislation Proposal Number: R 0709-01		DOT Remedial Legislation Proposal Number
Date Submitted August 7, 2006	Division Motor Vehicles	
Lead Division Contact Person Carson P. Frazier	Area Code - Telephone Number 608-266-7857	
Specific Statutory Change Amend s.342.06 to read:342.06(1)(em) Any further evidence which may reasonably be required by the department to enable it to determine whether any of the information specified in s. 342.10(3)(c) to (g) (h) may be applicable to the vehicle. The suggested change is technical and non-controversial. No opposition is anticipated.		
Administrative Problem with Current Statute A new title brand for hail-damaged vehicles was created as part of the 2001-2003 Budget Repair Bill (Act 109). In the implementation process, we discovered that while s.342.10(3)(h) was created to require DOT to place the hail damage notation on the title, no provision was made to require an applicant for title to tell DOT that the notation applies. The result is that DOT is required to place a notation which DOT does not know about - a logical inconsistency.		
Justification/Need for Change As currently written, the statute requires DOT to place a notation on a title, which DOT does not know about - a logical inconsistency.		
Fiscal Effect, If Any None		

(Division Administrator Signature)

(Date)

RMR

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

FN 11/15/07
SOON

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4 SECTION 1. 342.06 (1) (em) ✓ of the statutes is amended to read:

lrc notes 2

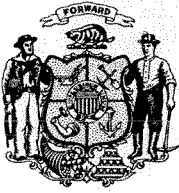
INS 2A

1

~~INSERT 2A to LRB-0796/P1~~

note:
std

NOTE: The newly referenced paragraph, s. 342.10 (3) (h), stats., requires the Department of Transportation (DOT), before issuing a new or duplicate certificate of title for a motor vehicle to permanently record on the certificate, if applicable, that the vehicle was a hail-damaged vehicle. (The requirement does not apply to a hail-damaged vehicle that was repaired with a replacement part, as defined in s. 632.38 (1) (e), stats.) The requirement was created by 2001 Wisconsin Act 109. Due to an apparent oversight, there was no requirement that a title applicant inform DOT concerning whether the vehicle was hail damaged.



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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4 **SECTION 1.** 342.06 (1) (em) of the statutes is amended to read:

Duerst, Christina

From: Dyke, Don
Sent: Monday, November 19, 2007 1:51 PM
To: LRB.Legal
Subject: Draft Review: LRB 07-0796/1 Topic: Hail damage brand/notation on title of motor vehicles (R 0709-01)

Please Jacket LRB 07-0796/1 for the ASSEMBLY.
Thanks