



## 2009 SENATE BILL 488

1     **AN ACT** *to repeal* 344.15 (2) (b) and 344.32 (1) (a); *to consolidate, renumber*  
2             *and amend* 344.15 (2) (intro.) and (a) and 344.32 (1) (intro.) and (b); and *to*  
3             *amend* 344.15 (3) of the statutes; **relating to:** policies and bonds issued by  
4             out-of-state insurers offered as proof of financial responsibility after a motor  
5             vehicle accident (suggested as remedial legislation by the Department of  
6             Transportation).

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*Analysis by the Legislative Reference Bureau*

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

7             **SECTION 1.** 344.15 (2) (intro.) and (a) of the statutes are consolidated,  
8             renumbered 344.15 (2) and amended to read:  
9             344.15 **(2)** A policy or bond with respect to a vehicle which was not registered  
10            in this state or was registered elsewhere at the time of the effective date of the policy

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1 or bond or the most recent renewal thereof may be effective under s. 344.14 even  
2 though not issued by an insurer authorized to do an automobile liability or surety  
3 business in this state if the ~~following conditions are complied with:~~ (a) The policy  
4 or bond either meets the liability limits specified in sub. (1) or meets the liability  
5 limits of the equivalent law of the state in which issued and such limits are, in the  
6 judgment of the secretary, adequate to cover any damage or injury involved in the  
7 accident in question.

8 **SECTION 2.** 344.15 (2) (b) of the statutes is repealed.

9 **SECTION 3.** 344.15 (3) of the statutes is amended to read:

10 344.15 (3) Where service of process is made on the secretary ~~under a power of~~  
11 ~~attorney filed in accordance with sub. (2),~~ the secretary shall forthwith mail by  
12 registered mail a copy of the process papers to the insurer at the address given ~~in the~~  
13 ~~filed power of attorney.~~ In all cases of such service, there shall be served 2  
14 authenticated copies for the secretary and such additional number of authenticated  
15 copies as there are defendants so served in the action. One of the secretary's copies  
16 shall be retained for the secretary's record of service and the other copy shall be  
17 returned with proper certificate of service attached for filing in court as proof of  
18 service of the copies by having mailed them by registered mail to the defendants  
19 named therein. The service fee shall be \$4 for each defendant so served.

20 **SECTION 4.** 344.32 (1) (intro.) and (b) of the statutes are consolidated,  
21 renumbered 344.32 (1) and amended to read:

22 344.32 (1) A nonresident may give proof of financial responsibility by filing  
23 with the secretary a written certification of an insurer authorized to transact an  
24 automobile liability or surety business in the state in which the person resides or by  
25 transmitting such certification to the secretary by another means approved by the

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1 secretary, provided the certification otherwise conforms to this chapter. The  
2 secretary shall accept the certification if the insurer ~~complies with the following with~~  
3 ~~respect to the policies so certified:~~ (b) ~~Such insurer shall agree~~ agrees in writing that  
4 ~~such~~ the policies so certified shall be deemed to conform with the laws of this state  
5 relating to the terms of motor vehicle liability policies issued herein.

6 **SECTION 5.** 344.32 (1) (a) of the statutes is repealed.

7 **SECTION 6. Initial applicability.**

8 (1) This act first applies with respect to accidents occurring on the effective date  
9 of this subsection.

10 (END)