

**2009 DRAFTING REQUEST**

**Bill**

Received: **10/12/2009**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Council - LRC**

By/Representing: **Laura Rose**

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

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**  
**Transportation - other**

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Laura.Rose@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

**Pre Topic:**

No specific pre topic given

**Topic:**

Power of attorney for out-of-state insurance companies

**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>
/?	agary 10/13/2009	bkraft 10/15/2009		_____			
/P1			phenry 10/15/2009	_____	mbarman 10/15/2009		
/1	agary 01/19/2010	bkraft 01/19/2010	rschluet 01/20/2010	_____	lparisi 01/20/2010	lparisi 01/20/2010	

FE Sent For:

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↳ Not  
Needed

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for senate.  
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**Instructions:**

See attached

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/?	agary	/P1bjk 10/15	12/16 ph	10/15 kjf			
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FE Sent For:

<END>

# REMEDIAL LEGISLATIVE PROPOSAL

Wisconsin Department of Transportation

DT1605 10/2006 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 Power-of-attorney for out-of-state insurance companies	
Date Submitted September 15, 2008	Division Division of Motor Vehicles
Lead Division Contact Person Mitch Warren	Area Code - Telephone Number 608-266-1449
Specific Statutory Change 344.15(2)(b)	
Administrative Problem with Current Statute DOT cannot enter out-of-state insurance company information on accident database where there is no power of attorney on file for that company. In that situation DMV contacts the driver who in turn must contact his or her insurance company to complete a POA form. This is confusing and inconvenient for these drivers and causes extra work for DMV staff	
Justification/Need for Change Change will result in improved public policy, convenience for the driver, and improved efficiency for DMV.	
Fiscal Effect, If Any None	

*Lynne B. Judd*

(Division Administrator Signature – Brush Script Font If Computer Filled)

September 15, 2008

(Date)

OPBF Completes: DOT Remedial Legislation Proposal Number  
R 0911-04

2007 - 2009 LEGISLATURE

soon

- 3667/P1

LRB-1238/D

ARG:pg

in 10/13

FROM 2007 1238/1

RMNR

bjk

Inserts Please PWF

2007 BILL

SA xref

polices and bonds issued by out-of-state insurers offered as proof of

- regen.

1 AN ACT *to repeal* 344.04 (2), 344.15 (2) (b) and 344.32; *to consolidate,*  
 2 *renumber and amend* 344.15 (2) (intro.) and (a); and *to amend* 343.39 (1) (a),  
 3 344.04 (1), 344.14 (2) (h), 344.15 (3), 344.18 (1) (b), 344.18 (1m) (a), 344.18 (3m)  
 4 (a), 344.26 (1), 344.27 (2), 344.30 (1), 344.33 (1), 344.34, 344.42 and 631.37 (4)  
 5 (e) of the statutes; **relating to:** financial responsibility <sup>after a</sup> ~~for the operation of~~  
 6 motor vehicles; **accident** **INSERT 1-6**

**Analysis by the Legislative Reference Bureau**

~~Under current law, if a motor vehicle accident results in injury, death, or property damage of \$1,000 or more, the Department of Transportation (DOT) is required to notify the operator and owner of the vehicle involved in the accident that the person must deposit with DOT security for the accident in an amount specified by DOT, which DOT has determined is sufficient to satisfy any judgment for damages resulting from the accident. Unless an exception applies, if a person fails to timely deposit security after this notice is given, DOT must suspend the person's operating privilege if the person was the vehicle operator and suspend all vehicle registrations of the person if the person was the vehicle owner, and DOT may also order certain vehicles impounded. Under one exception, security is not required to be deposited if the person can provide proof of financial responsibility (including that an applicable motor vehicle liability insurance policy or bond was in effect at the time of the accident providing not less than the following amounts for any single accident:~~

**BILL**

The Department of Transportation (DOT)

~~\$25,000 for one person, \$50,000 for more than one person, and \$10,000 for property damage). Under another exception, security is not required to be deposited if, prior to suspension of the person's operating privilege or vehicle registration, satisfactory evidence is filed with DOT that the person has been released from liability, has been adjudicated as not liable, or has executed an agreement to pay an agreed amount of damages to settle all claims. DOT may accept a liability release executed by a parent as natural guardian on behalf of a minor child only if the total damages do not exceed \$5,000 and a doctor certifies that the minor received no permanent injury.~~

~~Under this bill, DOT may, without limitation, accept a liability release executed by a parent as natural guardian or by a guardian ad litem on behalf of a minor child.~~

~~Under current law, upon receiving notice from DOT of its intent to suspend a person's vehicle registration or impound a person's vehicle, the person may file a petition in court seeking an order to enjoin DOT from suspending the vehicle registration or impounding the vehicle. Upon the filing of the petition, the court must restrain DOT until the petition is finally determined. If the person shows that suspending the vehicle registration or impounding the vehicle would result in undue hardship to the person, the court must issue an order restraining DOT from suspending the registration or impounding the vehicle.~~

~~This bill eliminates this provision that allows a person to seek a court restraining order prior to an administrative hearing on DOT's suspension of a vehicle registration or impoundment of a vehicle. The bill does not affect any remedies available to a person under current law during court review following the administrative hearing and decision.~~

Under current law, a motor vehicle liability insurance policy or bond, offered as proof of financial responsibility to avoid the deposit of security after an accident or following entry of judgment arising from an accident, must generally be issued by an insurer authorized to do an automobile liability or surety business in this state. However, if the vehicle involved in the accident was not registered in this state when the most recent policy or bond period commenced or the judgment is entered against a nonresident, the policy or bond covering the vehicle is acceptable proof of financial responsibility, even if it is not issued by an insurer authorized to do an automobile liability or surety business in this state, if it meets certain liability limits generally

~~those described above and the insurer that issued the policy or bond executes a power of attorney authorizing DOT to accept service of process in any action upon the policy or bond arising out of the accident or another accident in this state.~~

This bill eliminates the requirement that, for a policy or bond issued by an insurer not authorized to do an automobile liability or surety business in this state to be acceptable proof of financial responsibility, the insurer execute a power of attorney authorizing DOT to accept service of process. The bill does not affect current law provisions providing that a nonresident's operation of a motor vehicle on the state's highways constitutes an authorization for DOT to receive service of process for the nonresident or his or her personal representative in any action relating to damage resulting from the vehicle operation.

~~Under current law, any person whose operating privilege or vehicle registration has been suspended for failure to deposit security or demonstrate financial~~

\*  
\*  
\*

**BILL**

responsibility after an accident or judgment arising from an accident must provide (and maintain in effect) proof of financial responsibility as a condition of reinstatement of the operating privilege or vehicle registration unless at least three years have elapsed since the person became eligible for reinstatement of the operating privilege or vehicle registration. (This applies to any resident or nonresident operator or owner of a motor vehicle involved in an accident in this state.) DOT may also require proof of financial responsibility in other circumstances, including for issuance of an operator's license after revocation by this state of a person's operating privilege. A nonresident may give proof of financial responsibility by furnishing certification of a motor vehicle liability insurance policy in effect for the benefit of the nonresident, issued by an insurer that satisfies specified requirements, which requirements are specific to nonresidents.

This bill eliminates any requirement that nonresidents provide proof of financial responsibility with respect to reinstatement of a suspended operating privilege or registration in this state, and repeals the provision specifying the form of, and requirements related to, proof of financial responsibility provided by nonresidents.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

Insert ANAC

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

Insert 3-1

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**SECTION 1.** 343.39 (1) (a) of the statutes is amended to read:

343.39 (1) (a) When, in the case of a suspended operating privilege, the period of suspension has terminated, the reinstatement fee specified in s. 343.21 (1) (j) has been paid to the department and, for reinstatement of an the operating privilege of a resident suspended under ch. 344, the person files with the department proof of financial responsibility, if required, in the amount, form and manner specified under ch. 344.

**SECTION 2.** 344.04 (1) of the statutes is amended to read:

344.04 (1) Notwithstanding any other provision of this chapter, the secretary shall not suspend the registration of a vehicle when ordered not to do so by the court wherein the judgment for damages was had or, in a case not involving a judgment,



**BILL**

1 ~~when ordered not to do so by a court under petition of the registrant in accordance~~  
2 ~~with sub. (2).~~

3 ~~SECTION 3. 344.04 (2) of the statutes is repealed.~~

4 ~~SECTION 4. 344.14 (2) (h) of the statutes is amended to read:~~

5 ~~344.14 (2) (h) To any person who would otherwise have to deposit security if,~~  
6 ~~prior to the date the secretary would otherwise suspend the person's operating~~  
7 ~~privilege and registrations under sub. (1) or order the impoundment of the motor~~  
8 ~~vehicle under sub. (1m), there is filed with the secretary evidence satisfactory to the~~  
9 ~~secretary that the person has been released from liability or has been finally~~  
10 ~~adjudicated not to be liable or has executed a duly acknowledged written agreement~~  
11 ~~providing for the payment of an agreed amount in installments with respect to all~~  
12 ~~claims for injuries or damage resulting from the accident. The secretary may accept~~  
13 ~~a release from liability executed by a parent as natural guardian or by a guardian~~  
14 ~~ad litem on behalf of a minor child with respect to property damage or personal~~  
15 ~~injuries sustained by the minor, provided that the total damages, including the cost~~  
16 ~~of medical care, do not exceed \$5,000 and that, in case of personal injury, the doctor's~~  
17 ~~certificate of injury filed with the department certifies that the minor received no~~  
18 ~~permanent injury.~~

19 SECTION 5. 344.15 (2) (intro.) and (a) of the statutes are consolidated,  
20 renumbered 344.15 (2) and amended to read:

21 344.15 (2) A policy or bond with respect to a vehicle which was not registered  
22 in this state or was registered elsewhere at the time of the effective date of the policy  
23 or bond or the most recent renewal thereof may be effective under s. 344.14 even  
24 though not issued by an insurer authorized to do an automobile liability or surety  
25 business in this state if ~~the following conditions are complied with: (a) The the policy~~

**BILL**

1 or bond either meets the liability limits specified in sub. (1) or meets the liability  
2 limits of the equivalent law of the state in which issued and such limits are, in the  
3 judgment of the secretary, adequate to cover any damage or injury involved in the  
4 accident in question.

5 **SECTION 6.** 344.15 (2) (b) of the statutes is repealed.

6 **SECTION 7.** 344.15 (3) of the statutes is amended to read:

7 344.15 (3) Where service of process is made on the secretary ~~under a power of~~  
8 ~~attorney filed in accordance with sub. (2),~~ the secretary shall forthwith mail by  
9 registered mail a copy of the process papers to the insurer at the address given in the  
10 ~~filed power of attorney.~~ In all cases of such service, there shall be served 2  
11 authenticated copies for the secretary and such additional number of authenticated  
12 copies as there are defendants so served in the action. One of the secretary's copies  
13 shall be retained for the secretary's record of service and the other copy shall be  
14 returned with proper certificate of service attached for filing in court as proof of  
15 service of the copies by having mailed them by registered mail to the defendants  
16 named therein. The service fee shall be \$4 for each defendant so served.

Insert  
5-17

17 **SECTION 8.** 344.18 (1) (b) of the statutes is amended to read:

18 344.18 (1) (b) There is filed with the secretary evidence satisfactory to the  
19 secretary that the person whose operating privilege or registration was suspended  
20 or revoked has been released from liability or has been finally adjudicated not to be  
21 liable. The secretary may accept a release executed by a parent on behalf of a minor  
22 child only if the release satisfies the requirements specified in as provided under s.  
23 344.14 (2) (h).

24 **SECTION 9.** 344.18 (1m) (a) of the statutes is amended to read:

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344.18 (1m) (a) Unless 3 years have elapsed since the date that a requirement under sub. (1) (a), (b), (c) or (d) has been met or unless the person is a nonresident, the person whose operating privilege or registration was suspended or revoked under s. 344.14 shall file with the department and maintain in effect proof of financial responsibility in the amount, form and manner specified in this chapter.

**SECTION 10.** 344.18 (3m) (a) of the statutes is amended to read:

344.18 (3m) (a) Unless 3 years have elapsed since the date that a requirement under sub. (3) (a) or (b) has been met or unless the person is a nonresident, the person whose operating privilege or registration was suspended or revoked under sub. (3) shall file with the department and maintain in effect proof of financial responsibility in the amount, form and manner specified in this chapter.

**SECTION 11.** 344.26 (1) of the statutes is amended to read:

344.26 (1) Subject to the exceptions stated in ss. 344.25 (2) and 344.27 (2), any operating privilege or registration suspended or revoked under s. 344.25 shall remain suspended or revoked until every judgment mentioned in s. 344.25 is stayed, satisfied, or discharged and, unless 3 years have elapsed since the date on which the judgment was stayed, satisfied, or discharged or unless the person is a nonresident, until the person whose operating privilege and registration was suspended or revoked furnishes and maintains in effect proof of financial responsibility for the future.

**SECTION 12.** 344.27 (2) of the statutes is amended to read:

344.27 (2) The secretary shall not suspend the operating privilege or registration and shall restore any operating privilege or registration suspended following nonpayment of a judgment when the judgment debtor obtains such order permitting the payment of the judgment in installments and, unless 3 years have

**BILL**

1 elapsed since the date on which the order permitting the payment of the judgment  
2 in installments is filed with the secretary or unless the judgment debtor is a  
3 nonresident, furnishes and maintains proof of financial responsibility for the future.

4 **SECTION 13.** 344.30 (1) of the statutes is amended to read:

5 **344.30 (1)** Certification of insurance as provided in s. 344.31 ~~or 344.32~~; or

6 **SECTION 14.** 344.32 of the statutes is repealed.

7 **SECTION 15.** 344.33 (1) of the statutes is amended to read:

8 **344.33 (1) CERTIFICATION.** In this chapter, "motor vehicle liability policy" means  
9 a motor vehicle policy of liability insurance, certified as provided in s. 344.31 ~~or~~  
10 ~~344.32~~ as proof of financial responsibility for the future, and issued, ~~except as~~  
11 ~~otherwise provided in s. 344.32~~, by an insurer authorized to do an automobile  
12 liability business in this state to or for the benefit of the person named in the policy  
13 as the insured.

14 **SECTION 16.** 344.34 of the statutes is amended to read:

15 **344.34 Notice of cancellation or termination of certified policy.** When  
16 an insurer has certified a motor vehicle liability policy under s. 344.31, ~~a policy under~~  
17 ~~s. 344.32~~ or a bond under s. 344.36, the insurance so certified shall not be canceled  
18 or terminated until at least 10 days after a notice of cancellation or termination of  
19 the insurance so certified has been filed in the office of the secretary. No insurance  
20 so certified may be canceled or terminated by the insurer prior to the expiration of  
21 90 days from the effective date of the certification on the grounds of failure to pay a  
22 premium when due. Such a certified policy or bond subsequently procured shall, on  
23 the effective date of its certification, terminate the insurance previously certified.  
24 Any certification or recertification filed by the same insurer following cancellation  
25 shall be accompanied by a fee of \$3 payable by the insurer.

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**SECTION 17.** 344.42 of the statutes is amended to read:

**344.42 Submission of certifications and recertifications by insurers.**

If the sum of certifications and recertifications under ss. 344.31, 344.32 and 344.34 that are submitted by an insurer to the department in any year exceeds 1,000, the insurer shall pay to the department a transaction fee of \$1.50 per certification or recertification that is not transmitted electronically to the department. The department shall promulgate rules establishing procedures for the collection of transaction fees under this section.

**SECTION 18.** 631.37 (4) (e) of the statutes is amended to read:

631.37 (4) (e) *Motor vehicle liability policy.* Section 344.34 applies to motor vehicle liability policies certified under s. 344.31 and to policies certified under s. 344.32.

**SECTION 19. Initial applicability.**

(1) <sup>This act</sup> The treatment of sections 344.30 (1), 344.32, 344.33 (1), 344.34, 344.42, and 631.37 (4) (e) of the statutes first applies to proof of financial responsibility filed with the secretary of transportation on the effective date of this subsection.

(2) The treatment of sections 344.14 (2) (h), 344.15 (2) (intro.), (a), and (b), 344.15 (3), and 344.18 (1) (b) of the statutes first applies with respect to accidents occurring on the effective date of this subsection.

(3) The repeal of section 344.04 (2) of the statutes first applies with respect to notices from the secretary of transportation described in section 344.04 (2) of the statutes issued on the effective date of this subsection.

(END)

1

2 **INSERT 1-6:**

3 <sup>NO</sup><sub>4</sub> (suggested as remedial legislation by the Department of Transportation)

4 **INSERT ANAL:**

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

5

6 **INSERT 3-1:**

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. and 5., 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.

7

8 **INSERT 5-17:**

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

11 344.32 (1) A nonresident may give proof of financial responsibility by filing  
12 with the secretary a written certification of an insurer authorized to transact an  
13 automobile liability or surety business in the state in which the person resides or by  
14 transmitting such certification to the secretary by another means approved by the  
15 secretary, provided the certification otherwise conforms to this chapter. The  
16 secretary shall accept the certification if the insurer ~~complies with the following with~~  
17 ~~respect to the policies so certified:~~ (b) Such insurer shall ~~agree~~ agrees in writing that  
18 such the policies so certified shall be deemed to conform with the laws of this state  
19 relating to the terms of motor vehicle liability policies issued herein.

1           **SECTION 2.** 344.32 (1) (a) of the statutes is repealed.

## Gary, Aaron

---

**From:** Rose, Laura  
**Sent:** Monday, January 18, 2010 11:55 AM  
**To:** Gary, Aaron; Mueller, Eric  
**Subject:** DOT law revision drafts

**Attachments:** SECTION Notes to LRB 3666.doc; SECTION Notes lrb 3717.doc; SECTION NOTES LRB 3685.doc; SECTION NOTES LRB 3667.doc; SECTION NOTES.3670.doc; SECTION NOTES 3665.doc

Hi Aaron and Eric,

I'm attaching the SECTION notes that should be included in the DOT remedial drafts approved for introduction by the Law Revision Committee (LRBs 3666, 3717, 3685, 3667, 3670, and 3665).

Could you please draft these drafts as Senate bills, for introduction by the Law Revision Committee, and include the notes? Please give me a call if you have any questions.

Thank you!

Laura



SECTION Notes to LRB 3666.doc ... SECTION Notes lrb 3717.doc (23... SECTION NOTES LRB 3685.doc (23... SECTION NOTES LRB 3667.doc (24... SECTION NOTES.3670.doc (23 KB) SECTION NOTES 3665.doc (24 KB)...

*Laura D. Rose, Deputy Director*  
Wisconsin Legislative Council  
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Madison, WI 53701-2536  
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State of Wisconsin  
2009 - 2010 LEGISLATURE

in  
1/19

LRB-3667/24

ARG:bjk:ph

stays

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

LPSs: I have the LC Note in Word.  
Let me know if you want it. Thx. Aaron

SA Insert

regen.

1 AN ACT <sup>regen.</sup> 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).

**Analysis by the Legislative Reference Bureau**

Under current law, a motor vehicle liability insurance policy or bond, offered as proof of financial responsibility to avoid the deposit of security after an accident or following entry of judgment arising from an accident, must generally be issued by an insurer authorized to do an automobile liability or surety business in this state. However, if the vehicle involved in the accident was not registered in this state when the most recent policy or bond period commenced or the judgment is entered against a nonresident, the policy or bond covering the vehicle is acceptable proof of financial responsibility, even if it is not issued by an insurer authorized to do an automobile liability or surety business in this state, if it meets certain liability limits and the insurer that issued the policy or bond executes a power of attorney authorizing the Department of Transportation (DOT) to accept service of process in any action upon the policy or bond arising out of the accident or another accident in this state.

This bill eliminates the requirement that, for a policy or bond issued by an insurer not authorized to do an automobile liability or surety business in this state

to be acceptable proof of financial responsibility, the insurer execute a power of attorney authorizing DOT to accept service of process. The bill does not affect current law provisions providing that a nonresident's operation of a motor vehicle on the state's highways constitutes an authorization for DOT to receive service of process for the nonresident or his or her personal representative in any action relating to damage resulting from the vehicle operation.

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. and 5., 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.

1           **SECTION 1.** 344.15 (2) (intro.) and (a) of the statutes are consolidated,  
2           renumbered 344.15 (2) and amended to read:

3           344.15 (2) A policy or bond with respect to a vehicle which was not registered  
4           in this state or was registered elsewhere at the time of the effective date of the policy  
5           or bond or the most recent renewal thereof may be effective under s. 344.14 even  
6           though not issued by an insurer authorized to do an automobile liability or surety  
7           business in this state if <sup>plain</sup> the following conditions are complied with: (a) The <sup>e</sup> policy  
8           or bond either meets the liability limits specified in sub. (1) or meets the liability  
9           limits of the equivalent law of the state in which issued and such limits are, in the  
10          judgment of the secretary, adequate to cover any damage or injury involved in the  
11          accident in question.

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

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

14          344.15 (3) Where service of process is made on the secretary ~~under a power of~~  
15          ~~attorney filed in accordance with sub. (2),~~ the secretary shall forthwith mail by

1 registered mail a copy of the process papers to the insurer at the address given in the  
2 filed ~~power of attorney~~. In all cases of such service, there shall be served 2  
3 authenticated copies for the secretary and such additional number of authenticated  
4 copies as there are defendants so served in the action. One of the secretary's copies  
5 shall be retained for the secretary's record of service and the other copy shall be  
6 returned with proper certificate of service attached for filing in court as proof of  
7 service of the copies by having mailed them by registered mail to the defendants  
8 named therein. The service fee shall be \$4 for each defendant so served.

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

11 344.32 (1) A nonresident may give proof of financial responsibility by filing  
12 with the secretary a written certification of an insurer authorized to transact an  
13 automobile liability or surety business in the state in which the person resides or by  
14 transmitting such certification to the secretary by another means approved by the  
15 secretary, provided the certification otherwise conforms to this chapter. The  
16 secretary shall accept the certification if the insurer ~~complies with the following with~~  
17 ~~respect to the policies so certified:~~ (b) ~~Such insurer shall agree~~ agrees in writing that  
18 ~~such~~ the policies so certified shall be deemed to conform with the laws of this state  
19 relating to the terms of motor vehicle liability policies issued herein.

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

21 **SECTION 6. Initial applicability.**

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

24 (END)

Insert  
3-20 →

Received from LC

SECTION NOTES: LRB 3667/P1

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Place after SECTION 5: This ~~draft~~ repeals a requirement in current law that out-of-state insurers execute a power of attorney authorizing the secretary of transportation to accept service, on ~~its~~ behalf, of notice or process in any action arising out of a motor vehicle accident in this state. According to the department of transportation, this change will allow it to enter an out-of-state insurance company's information on the accident database even when there is no power of attorney on file for that company. In addition, the department states that this change will eliminate the need for the department to contact the out-of-state driver who was involved in the accident, and request that the driver contact his or her insurance company to complete the power of attorney form.

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Insert 3-20

Please use note: std components.