



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2015 Wisconsin Act 133
[2015 Assembly Bill 223]

**Statutes of Limitations for Actions
Involving Motor Vehicle Accidents**

2015 Wisconsin Act 133 shortens the statutes of limitations for actions on a motor vehicle insurance policy and for actions to recover for property damage or death arising from a motor vehicle accident.

MOTOR VEHICLE INSURANCE POLICY

Under Wisconsin law, the statute of limitations in an action on any contract is generally **six years** after the cause of action accrues.

The Act shortens the statute of limitations in an action on a **motor vehicle insurance policy to three years** after the cause of action accrues. In addition, the Act provides that a cause of action involving underinsured or uninsured motorist coverage accrues on the date there is final resolution of the underlying cause of action by the injured party against the tortfeasor.

PROPERTY DAMAGE OR DEATH

Under Wisconsin law, the statute of limitations in an action to recover for property damage is generally **six years** after the cause of action accrues. In addition, the statute of limitations in an action to recover damages for an injury to a person, or for death caused by the wrongful act, neglect, or default of another, is generally **three years**.

The Act shortens the statute of limitations in an action to recover for property damage **arising from a motor vehicle accident to three years** after the cause of action accrues.

In addition, the Act shortens the statute of limitations in an action to recover damages for death to **two years** after the cause of action accrues if the death **arises from a motor vehicle accident**. The Act retains the three-year statute of limitations in an action to recover damages

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

for death not arising from a motor vehicle accident or to recover damages for an injury to a person.

Effective date: February 6, 2016. The Act first applies to accidents that occur on February 6, 2016.

Prepared by: Jessica Karls-Ruplinger, Deputy Director

February 5, 2016

JKR:mcm;ty