

2017 DRAFTING REQUEST

Bill

For: Jerry Petrowski (608) 266-2502

Drafter: mpfotenh

By: Derek

Secondary Drafters:

Date: 1/25/2017

May Contact:

Same as LRB: -2993

Submit via email: YES
Requester's email: Sen.Petrowski@legis.wisconsin.gov
Carbon copy (CC) to: mary.pfotenhauer@legis.wisconsin.gov
konrad.paczuski@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Scrap metal and vehicle salvage dealers

Instructions:

Same as 2015 SB 751. See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mpfotenh 1/25/2017	aernstr 1/25/2017			
/P1	mpfotenh 4/12/2017	kfollett 4/12/2017	mbarman 1/25/2017		
/1			mbarman 4/12/2017	mbarman 4/12/2017	

FE Sent For:

<END>

Not Needed

Pfotenhauer, Mary

From: Punches, Derek
Sent: Tuesday, January 24, 2017 3:26 PM
To: Pfotenhauer, Mary
Subject: Draft Request: Scrap Metal and Motor Vehicle Salvage Dealers

Follow Up Flag: FollowUp
Due By: Tuesday, January 24, 2017 3:31 PM
Flag Status: Flagged

Mary –

Our office would like to have 2015 Senate Bill 751 (LRB-3658/1) redrafted for the current session as a preliminary draft.

Please let me know if you have any questions.

Best regards,
Derek

Derek Punches
Clerk, Senate Committee on Transportation and Veterans Affairs
Office of Senator Jerry Petrowski
29th Senate District
(608) 266-2502



State of Wisconsin
2015 - 2016 LEGISLATURE

1798/PI

LRB-3658/1
MCP:amw&wlj

In 1/25

ahc

Redraft

2015 SENATE BILL 751

February 17, 2016 - Introduced by Senator PETROWSKI, cosponsored by Representative SCHRAA. Referred to Committee on Transportation and Veterans Affairs.

sq ✓

921

1 **AN ACT to repeal** 134.405 (3m), 134.405 (5) (a) (intro.) and 134.405 (5) (am); **to**
2 **renumber** 134.405 (5) (a) 1., 134.405 (5) (a) 2. and 134.405 (5) (a) 3.; **to amend**
3 134.405 (2), 134.405 (3) (a) (intro.), 218.20 (1r) and 218.23 (1r); and **to create**
4 218.20 (1v) of the statutes; **relating to:** acquisition of a motor vehicle by scrap
5 metal dealers and motor vehicle salvage dealers.

Analysis by the Legislative Reference Bureau

This bill requires scrap metal processors and dealers who acquire a motor vehicle for scrap or salvage to comply with the same requirements as motor vehicle salvage dealers, and changes certain requirements that apply before a motor vehicle salvage dealer may acquire a motor vehicle in which another person holds a security interest.

This bill changes the definition of a "motor vehicle salvage dealer" to include a scrap metal processor or scrap metal dealer who acquires a motor vehicle for scrap or salvage. Under current law, a motor vehicle salvage dealer must be licensed by the Department of Transportation and comply with certain requirements. Under current law, a "scrap metal processor" is a person who processes or scraps motor vehicles but does not sell motor vehicles or vehicle parts and whose business is limited to a fixed location where scrap metal is processed into prepared grades for sale for remelting. A "scrap metal dealer" is a person engaged in the business of buying or selling scrap metal. The bill also eliminates certain requirements under current law that apply to scrap metal dealers who acquire a motor vehicle, relating

SENATE BILL 751

to the acquisition of a motor vehicle whose certificate of title identifies a holder of a security interest, that are the same as requirements that apply to motor vehicle salvage dealers under current law.

In addition, the bill allows a licensed motor vehicle salvage dealer to acquire a motor vehicle whose certificate of title identifies a holder of a security interest, for the purpose of wrecking or junking the vehicle, if the dealer pays the amount of the outstanding obligation represented by the security interest in full to the security interest holder when the dealer obtains the title for the vehicle. Current law prohibits a motor vehicle salvage dealer from acquiring such a motor vehicle.

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

① SECTION 1. 134.405 (2) of the statutes, as affected by 2015 Wisconsin Act 55,
2 is amended to read:

③ 134.405 (2) PURCHASES OF FERROUS SCRAP. ~~Except as provided in sub. (3m), a~~ A
4 scrap metal dealer may purchase scrap metal other than nonferrous scrap, a metal
5 article, or a proprietary article from any person over the age of 18.

⑥ SECTION 2. 134.405 (3) (a) (intro.) of the statutes, as affected by Wisconsin Act
7 55, is amended to read:

8 134.405 (3) (a) (intro.) Subject to par. (b) and ~~except as provided in sub. (3m),~~
9 a scrap dealer may purchase nonferrous scrap, metal articles, or proprietary articles
10 from any person who is over the age of 18 if all of the following apply:

⑪ SECTION 3. 134.405 (3m) of the statutes, as created by 2015 Wisconsin Act 55,
12 is repealed.

⑬ SECTION 4. 134.405 (5) (a) (intro.) of the statutes, as created by 2015 Wisconsin
14 Act 55, is repealed.

15 SECTION 5. 134.405 (5) (a) 1. of the statutes is renumbered 134.405 (5) (ad).

16 SECTION 6. 134.405 (5) (a) 2. of the statutes is renumbered 134.405 (5) (ah).

17 SECTION 7. 134.405 (5) (a) 3. of the statutes is renumbered 134.405 (5) (ap).

SENATE BILL 751

1 SECTION 8. 134.405 (5) (am) of the statutes, as created by 2015 Wisconsin Act
2 55, is repealed.

3 SECTION 9. 218.20 (1r) of the statutes, as affected by 2015 Wisconsin Act 55, is
4 amended to read:

5 218.20 (1r) "Motor vehicle salvage dealer" means a person who purchases and
6 resells motor vehicles for wrecking, processing, scrapping, recycling, or dismantling
7 purposes or who carries on or conducts the business of wrecking, processing,
8 scrapping, or dismantling motor vehicles or selling parts of motor vehicles so
9 processed. Motor vehicle salvage dealer includes a motor vehicle scavenger and a
10 scrap metal processor or scrap metal dealer who acquires a motor vehicle for scrap
11 or salvage.

12 SECTION 10. 218.20 (1v) of the statutes is created to read:

13 218.20 (1v) "Scrap metal dealer" has the meaning given in s. 134.405 (1) (h).

14 SECTION 11. 218.23 (1r) of the statutes, as created by 2015 Wisconsin Act 55,
15 is amended to read:

16 218.23 (1r) No licensed motor vehicle salvage dealer may acquire a motor
17 vehicle for the purpose of wrecking or junking the motor vehicle if the certificate of
18 title for the motor vehicle identifies a holder of a security interest in the motor
19 vehicle, unless the dealer, when obtaining the certificate of title for the vehicle, pays
20 the outstanding amount of the obligation represented by the security interest in full
21 to the holder of the security interest.

22

(END)

Pfotenhauer, Mary

From: Punches, Derek
Sent: Wednesday, April 12, 2017 9:31 AM
To: Pfotenhauer, Mary
Cc: Palmer, Linda
Subject: LRB -1798
Attachments: 17-1798_P1.pdf

Mary –

Can you have LRB -1798/P1 drafted as an introducible /1 and sent over to our office?

Representative Schraa will be introducing the Assembly companion to this bill. Could you have a /1 drafted for them as well? His staff, Linda Palmer, is Cc'd to this message should you have any questions.

Best regards,
Derek

Derek Punches
Clerk, Senate Committee on Transportation and Veterans Affairs
Office of Senator Jerry Petrowski
29th Senate District
(608) 266-2502



State of Wisconsin
2017 - 2018 LEGISLATURE

11
LRB-1798/P1
MCP:ahc

Jacket for
Senate

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT to repeal** 134.405 (3m), 134.405 (5) (a) (intro.) and 134.405 (5) (am); **to**
2 **renumber** 134.405 (5) (a) 1., 134.405 (5) (a) 2. and 134.405 (5) (a) 3.; **to amend**
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to the acquisition of a motor vehicle whose certificate of title identifies a holder of a security interest, that are the same as requirements that apply to motor vehicle salvage dealers under current law.

In addition, the bill allows a licensed motor vehicle salvage dealer to acquire a motor vehicle whose certificate of title identifies a holder of a security interest, for the purpose of wrecking or junking the vehicle, if the dealer pays the amount of the outstanding obligation represented by the security interest in full to the security interest holder when the dealer obtains the title for the vehicle. Current law prohibits a motor vehicle salvage dealer from acquiring such a motor vehicle.

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

1 **SECTION 1.** 134.405 (2) of the statutes is amended to read:

2 134.405 (2) PURCHASES OF FERROUS SCRAP. ~~Except as provided in sub. (3m), a~~
3 A scrap metal dealer may purchase scrap metal other than nonferrous scrap, a metal
4 article, or a proprietary article from any person over the age of 18.

5 **SECTION 2.** 134.405 (3) (a) (intro.) of the statutes is amended to read:

6 134.405 (3) (a) (intro.) Subject to par. (b) and ~~except as provided in sub. (3m),~~
7 a scrap dealer may purchase nonferrous scrap, metal articles, or proprietary articles
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10 **SECTION 4.** 134.405 (5) (a) (intro.) of the statutes is repealed.

11 **SECTION 5.** 134.405 (5) (a) 1. of the statutes is renumbered 134.405 (5) (ad).

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9 218.23 (1r) No licensed motor vehicle salvage dealer may acquire a motor
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11 title for the motor vehicle identifies a holder of a security interest in the motor
12 vehicle, unless the dealer, when obtaining the certificate of title for the vehicle, pays
13 the outstanding amount of the obligation represented by the security interest in full
14 to the holder of the security interest.

15

(END)

Barman, Mike

From: LRB.Legal
To: Sen.Petrowski
Subject: Draft review: LRB -1798/1
Attachments: 17-1798/1

State of Wisconsin - Legislative Reference Bureau
One East Main Street - Suite 200 - Madison

The attached draft was prepared at your request. Please review it carefully to ensure that it satisfies your intent. If you have any questions concerning the draft or would like to have it redrafted, please contact Mary Pfothenhauer, Legislative Attorney, at (608) 266-6778, at mary.pfothenhauer@legis.wisconsin.gov, or at One East Main Street, Suite 200.

We will jacket this draft for introduction in the Senate.
(per Mary Pfothenhauer, Legislative Attorney)

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will submit a request to DOA when the draft is introduced. You may obtain a fiscal estimate on the draft prior to introduction by contacting our program assistants at LRB.Legal@legis.wisconsin.gov or at (608) 266-3561. If you requested a fiscal estimate on an earlier version of this draft and would like to obtain a fiscal estimate on the current version before it is introduced, you will need to request a revised fiscal estimate from our program assistants.

Please call our program assistants at (608) 266-3561 if you have any questions regarding this email.