2017 ASSEMBLY BILL 18

January 12, 2017 - Introduced by Representative Ott, by request of Department of Transportation. Referred to Committee on Judiciary.

AN ACT to amend 342.155 (4) (b) of the statutes; relating to: penalties for violations of motor vehicle mileage disclosure requirements and providing a criminal penalty (suggested as remedial legislation by the Department of Transportation).

Analysis by the Legislative Reference Bureau

This bill eliminates inconsistent language in a penalty provision for certain violations of motor vehicle mileage reporting requirements.

Current law imposes certain requirements related to reporting a motor vehicle’s mileage upon transfer of the vehicle. Specifically, 1) a transferor may not transfer ownership of a motor vehicle without disclosing the vehicle’s mileage in writing to the transferee; 2) a transferor may not knowingly make a false statement in disclosing the vehicle’s mileage to a transferee; and 3) no person may alter, erase, or obliterate any information contained on a mileage disclosure statement. Current law provides two inconsistent penalties for a person who violates one of these provisions with intent to defraud. Specifically, the current provision provides that a person who violates one of the above provisions with intent to defraud 1) may be fined not more than $5,000 or imprisoned for not more than seven years and six months or both; and 2) is guilty of a Class H felony, which is punishable by a fine not to exceed $10,000 or imprisonment not to exceed six years or both.

This bill eliminates the reference to a fine of not more than $5,000 or imprisonment for not more than seven years and six months or both. Under this bill,
any person who violates one of the above provisions with intent to defraud is guilty of Class H felony.

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

SECTION 1. 342.155 (4) (b) of the statutes is amended to read:

342.155 (4) (b) Any person who violates this section with intent to defraud may be fined not more than $5,000 or imprisoned for not more than 7 years and 6 months or both is guilty of Class H felony.

SECTION 2. Initial applicability.

(1) This act first applies to offenses committed on the effective date of this subsection.