



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-3294/1
CMH:amn

2019 SENATE BILL 320

1 **AN ACT** *to create* 342.065 (1m) of the statutes; **relating to:** evidence of
2 ownership for purposes of obtaining certain motor vehicle certificates of title.

Analysis by the Legislative Reference Bureau

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

3 **SECTION 1.** 342.065 (1m) of the statutes is created to read:

4 342.065 (1m) An insurer taking delivery in this state of a salvage vehicle that
5 is not currently titled as a salvage vehicle upon payment of an insurance claim that,
6 including any deductible amounts, exceeds 70 percent of the fair market value of the
7 vehicle, provides other evidence of ownership under sub. (1) (a), if all of the following
8 apply:

9 (a) The insurer provides notice to the previous owner of the requirement under
10 s. 342.15 (1) (c) to execute an assignment and warranty of title for the vehicle to the

SENATE BILL 320**SECTION 1**

1 insurer. Notice under this paragraph shall be provided concurrently with the
2 payment of the claim or by certified mail or electronic means, including electronic
3 mail or posting on an electronic network or site that is accessible via the Internet by
4 using a mobile application, computer, mobile device, tablet, or any other electronic
5 device.

6 (b) The previous owner does not execute an assignment and warranty of title
7 for the vehicle to the insurer within 30 days of receiving the notice under par. (a).

8 (c) The insurer provides the department with evidence of all of the following:

9 1. That the insurer has paid to the previous owner or secured party a total loss
10 claim on the vehicle. An electronic image of a screen or other representation showing
11 payment of the claim via electronic funds transfer or other electronic means shall be
12 sufficient evidence of payment.

13 2. That the insurer on at least 2 occasions requested in writing addressed to
14 the previous owner and secured parties that the previous owner execute an
15 assignment and warranty of title for the vehicle to the insurer. Evidence under this
16 subdivision may include an affidavit from the insurer or its authorized agent stating
17 that it has on at least 2 occasions requested in writing that the previous owner
18 execute an assignment and warranty of title for the vehicle to the insurer and that
19 these requests were addressed to the previous owner and secured parties and were
20 sent by certified mail or electronic means, including electronic mail or posting on an
21 electronic network or site that is accessible via the Internet by using a mobile
22 application, computer, mobile device, tablet, or any other electronic device.

23 **SECTION 2m. Effective date.**

