

# State of Wisconsin



2019 Senate Bill 320

Date of enactment: **November 22, 2019**

Date of publication\*: **November 23, 2019**

## 2019 WISCONSIN ACT 53

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

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

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

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

(a) The insurer provides notice to the previous owner of the requirement under s. 342.15 (1) (c) to execute an assignment and warranty of title for the vehicle to the insurer. Notice under this paragraph shall be provided concurrently with the payment of the claim or by certified mail or electronic means, including electronic mail or posting on an electronic network or site that is accessible via the Internet by using a mobile application, computer, mobile device, tablet, or any other electronic device.

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

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

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

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

**SECTION 2m. Effective date.**

(1) This act takes effect on the first day of the 3rd month beginning after publication.

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\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."