

Wisconsin Legislative Council

AMENDMENT MEMO



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2019 Senate Bill 320

**Senate
Amendment 1**

2019 SENATE BILL 320

A salvage vehicle is “a vehicle less than 7 years old that is not precluded from subsequent registration and titling and that is damaged by collision or other occurrence to the extent that the estimated or actual cost, whichever is greater, of repairing the vehicle exceeds 70 percent of its fair market value.” Under current law, a purchaser of a salvage vehicle that is not currently titled as a salvage vehicle must apply for a salvage vehicle title by submitting to the Department of Transportation (DOT) certain information, including the properly assigned certificate of title or other evidence of ownership.

Under Senate Bill 320 an insurer taking delivery 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, for the purposes of retitling the vehicle as a salvage vehicle, if all of the following apply:

- The insurer provides notice to the previous owner of the requirement to execute an assignment and warranty of title for the vehicle.
- The previous owner does not execute an assignment and warranty of title for the vehicle within 30 days of receiving the notice.
- The insurer provides DOT with evidence that the insurer has paid to the previous owner or secured party a total loss claim on the vehicle and the insurer on at least two 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.

SENATE AMENDMENT 1

Senate Amendment 1 modifies the provisions, under the bill, relating to the notice an insurer must provide to the owner to allow notice to be given in various electronic forms. The amendment also specifies that, with respect to the proof of a claim payment an insurer must provide to DOT, 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.

BILL HISTORY

Senator Petrowski offered Senate Amendment 1 on September 20, 2019. On September 25, 2019, the Senate Committee on Transportation and Veterans Affairs unanimously voted to recommend adoption of Senate Amendment 1 and passage of Senate Bill 320, as amended.

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