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RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 99-135

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

2. Form, Style and Placement in Administrative Code

- a. In the list of statutes interpreted, s. 218.01 (7a), Stats., is listed twice and s. 342.16 (1m), Stats., does not exist.
- b. SECTIONS 6 and 7 should be combined and the treatment clause should read: “SECTION 6. Trans 138.04 (1) (b) 1. to 7. are renumbered Trans 138.04 (1) (b) 1. a. to g. and Trans 138.04 (1) (b) 1. g., as renumbered, is amended to read:”.
- c. In s. Trans 139.03 (17), the word “do” should be replaced by the word “does.”
- d. In s. Trans 139.04 (6) (c) (intro.), the word “may” should be replaced by the word “do.”
- e. In s. Trans 139.05 (8r) (a), the notation “sub.” should be inserted before the reference to “(2) (g).”
- f. In s. Trans 139.055 (1) (a) 2., the word “Said” in the second sentence should be replaced by the word “The.” In the third sentence, the word “that” should be inserted after the word “provide.”
- g. In s. Trans 139.07, the word “those” should be replaced by the phrase “the interest,”.

h. In s. Trans 139.08 (1), the word “must” should be replaced by the word “shall.” Also, in the first sentence of sub. (1), the comma should be deleted. In sub. (2) (a), the phrase “has entered” should be replaced by the word “enters.” In sub. (2) (b), the phrase “shall prepare and execute” should be replaced by the phrase “prepares and executes” and a statutory reference should be used instead of the reference to the acronym “U.C.C.” Finally, in sub. (2) (d), the phrase “shall indicate” should be replaced by the word “indicates.”

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In s. Trans 138.02 (10), it would be clearer to replace the phrase “in another jurisdiction” with the phrase “outside of Wisconsin.”

b. Section Trans 139.04 (6) (d) makes use of the term “disclosure labels” and the words “label” and “disclosures.” Either the singular or plural form should be used consistently. Also, in the third sentence, the phrase “making an offer to purchase the vehicle” should be replaced by a phrase such as “who desires to make an offer to purchase the vehicle,” in order to make clear that the disclosure must be signed before a purchase offer is drafted or an offer is delivered.

c. Section Trans 139.05 (1m) includes the phrase “unless no inspection is required under s. Trans 139.04 (6) (c).” The referenced section of the administrative code relates to disclosures and not specifically to inspections.