

Clearinghouse Rule 19-059

**STATE OF WISCONSIN
DEPARTMENT OF TRANSPORTATION**

PETITION AND ORDER TO REPEAL UNAUTHORIZED RULES

The Department of Transportation hereby petitions the Joint Committee for Review of Administrative Rules to repeal rules the department has determined to be unauthorized, using the process under s. 227.26 (4), Stats.

PROPOSED ORDER

The Department of Transportation proposes an order to repeal s. Trans 139.06 (8), relating to the Motor Vehicle Trade Practices.

ANALYSIS

Statutes interpreted:

Sections 218.0116 (1) (cm), (e), (gm), (im) 2., (j), and (km), 218.0141, and 218.0146, Stats.

Statute authority:

Sections 110.06, 218.0152 and 227.11, Stats.

Explanation of the agency's authority: Statutory authority for s. Trans 139.06 (8) is obsolete as a result of 2011 Wisconsin Act 91 and s. 218.0125 (3m), Stats.

Related statute or rule: Section 218.0125 (3m), Stats.

Plain language analysis: Trans 139.06 (8) specifies the method of reimbursement for motor vehicle manufacturers reimbursing motor vehicle dealers for repairs under warranties and service contracts. 2011 Wisconsin Act 91 made a variety of changes to the statutory framework regulating the business relationship between franchised new vehicle dealers and their franchisors.

Agency contact person:

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PROPOSED RULE

SECTION 1. TRANS 139.06 (8) is repealed.

SECTION 2. EFFECTIVE DATE. The rules repealed in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF RULE TEXT)

Signed this ____ day of _____ 2019.

Joel Nilsestuen
Assistant Deputy Secretary
State of Wisconsin Department of Transportation