

Chapter MVD 10

SAFETY RESPONSIBILITY

10.01 Certificate of insurance coverage

10.01 Certificate of insurance coverage. (1) It shall be the declared rule and policy of the motor vehicle department that all written notices of insurance required under section 344.15 (4), Wis. Stats., to effect the exemption provided under section 344.14 (2) from the deposit of a bond or security as required under section 344.13 (a) ("* * * to satisfy any judgment or judgments for damages resulting from such accident as may be recovered against such operator or owner; * * *") shall be printed in the following approved form, with printing designation SR-21 for standard referral: (See following page.)

(2) Such notice, shall be deemed to certify a policy of coverage equivalent to the security requirement under section 344.13, Wis. Stats., ("* * * to satisfy any judgment or judgments for damages resulting from such accident as may be recovered against such operator or owner; * * *").

(3) All certificates not in conformity with the above rule shall stand rejected as not complying with the standard certificate form or not meeting the purpose and requirements of chapter 344, Wis. Stats., that damages will be paid the public where damages occur through the negligent operation of a motor vehicle.

(4) The requirement of the statutes for either the posting of security 344.13 or the filing of a notice of insurance coverage 344.15 (4) in lieu of the posting of security, "Within 60 days after the receipt of each individual report of a motor vehicle accident * * *" necessitates the further administrative working time procedure that no (SR-21) notice of insurance coverage shall be withdrawn after having been on file with the Motor Vehicle Department for 30 days or more from the filing of such individual report.

History: Am. Eff. 4-1-56; am. (1), (2), (3), and (4), Register, August, 1957, No. 20, eff. 9-1-57.

Note: Subsection (4) of the foregoing provides the department with necessary working time for procedure required under chapter 344 (a), Wis. Stats. This has been the administrative policy followed by the department since the inception of the Safety Responsibility Act. It is published without a hearing pursuant to section 227.02 (1) (a), Wis. Stats., to overcome any question as to validity of the policy under prior statutes and the revision of Chapter 227 of the Statutes of 1955.

STATE COPY

SR 21—NOTICE OF INSURANCE POLICY

[Wis. Statutes Section 344.15 (4)]

Accident No. _____

Date of accident _____ Location of accident _____
Street or Highway City County

**VEHICLE INVOLVED
IN ACCIDENT**

Year of Model	Trade Name	Model	Body Type	Serial No.	Motor No.

(Description not required if an Operator's Policy)

Name of Driver _____ Address _____
First Middle Last Street or R.F.D. Post Office

Name of Owner _____ Address _____
First Middle Last Street or R.F.D. Post Office

The company signatory hereto gives notice that its policy numbered _____ issued on the date of _____ and issued to _____ Address _____ is an automobile liability policy as provided in section 344.15, Wis. Stats., affording limits of \$10,000/\$20,000, bodily injury and \$5,000, property damage, which policy was in effect on the date of the above described accident.

Does this policy apply to the above owner in above accident? Yes No

Does this policy apply to the above operator in above accident? Yes No Claim No. _____

DRIVERS OF OTHER VEHICLES INVOLVED IN THE ACCIDENT:

Driver Vehicle No. 2 _____ Address _____

Driver Vehicle No. 3 _____ Address _____

No. persons injured? _____ No. persons killed? _____ What is estimated property damage to insured vehicle? \$ _____

_____ By _____ Date _____
Full Name of Insurance Co. Signature of Authorized Representative must be signed in ink.

History: MVD 10.02 Repealed, Register, August, 1957, No. 20, eff. 9-1-57.

MVD 10.03 Proof of operating without permission under section 344.14 (2) (g), Wis. Stats. In all motor vehicle accident cases wherein the owner of a motor vehicle involved alleges the vehicle to have been operated or parked without the owner's express or implied permission for the purpose of being exempt from the requirement of depositing security as provided under section 344.14 (2) (g), Wis. Stats., such owner shall produce proof of such operation without express or implied permission as follows:

(1) In the case of a stolen vehicle with the driver unknown, a letter from the law enforcement chief of the municipality where the offense occurred, that the vehicle was immediately reported stolen and investigated by such law enforcement agency and found to be a stolen vehicle with driver unknown; or,

(2) In the case of a claim that the vehicle was operated without express or implied permission by a letter from the district attorney that the owner has shown his good faith and signed a complaint with the district attorney, that a warrant was issued and the driver was convicted and proven to be so operating such vehicle at the time of the accident; or,

(3) In cases where the claim is made that prosecution would be impossible because of it being in the family, a close friend causing a breach in the family or loss of companionship society and immediate friends or other good and sufficient cause, the owner files with the commissioner his sworn affidavit of such operation without express or implied permission;

(a) Upon the filing of such affidavit of operation without permissive use, the commissioner shall give all injured passengers and the owner's of all damaged property involved, a ten-day notice of such claim for exemption and further stating that unless substantiated proof to the contrary is filed within such 10-day period, the owner's claim for exemption will be granted.

(b) Where no proof to the contrary is filed within such 10-day period resulting in the commissioner's granting an exemption to the owner on the basis of the operator's operation of the vehicle without express or implied permission, such exemption shall stand irrespective of proof to the contrary being filed untimely under such notice until a court of competent jurisdiction determines otherwise.

(c) In all cases where substantiated proof by affidavit is furnished within such 10-day notice period, that an investigation by a party in interest has produced facts to prove that a vehicle was operated with either express or implied permission indicating a controversy, either security must be deposited in accordance with law, or an insurance certificate in lieu of such security indicating coverage for the accident; or, one of the other alternatives meeting the statutory requirements filed with the commissioner to comply with the statute.

History: Cr. Register, June, 1956, No. 6, Eff. 7-1-56; am. intro. par., (2), (3), (3a), Register, August, 1957, No. 20, eff. 9-1-57.

MVD 10.04 Time for substantiation of damage. In all cases of requirement of an affidavit of damages (personal or real property or personal injury) under section 344.13 (2), Wis. Stats., such substantiation must be filed within 10 days on the day certain as noticed

Register, August, 1957, No. 20.

such party or considered untimely for the requirement of security. Such time limitation is evident from the fact that section 344.12, Wis. Stats., requires the commissioner to require the security within 60 days of the filing of the accident report, with at least a 10 day notice of the amount of security requirement given within such 60 day period.

History: Cr. Register, June, 1956, No. 6, eff. 7-1-56; am. Register, August, 1957, No. 20, eff. 9-1-57.

MVD 10.05 Notice of subrogation or assignments. In all cases of subrogation claims or assignments under chapter 344, Wis. Stats., a signed duplicate or certified copy of such subrogation or assignment agreement of claim must be filed with the commissioner as notice of such rights. Where the commissioner has acted prior to receipt of such notice the notice shall be considered as untimely.

History: Cr. Register, June, 1956, No. 6, eff. 7-1-56; am. Register, August, 1957, No. 20, eff. 9-1-57.

MVD 10.06 Fees for photostatic and certified copy of public records.

(1) Upon receipt of requests for certified photostatic copies of any application for operators' licenses, motor vehicle registrations, or any other applications or public file records, it shall be the policy of the motor vehicle department to furnish such copies at a fee of one dollar for certifying the record plus a fee of 50 cents for each photographic exposure. If uncertified copies of above public records are requested, then the fee shall be 50 cents for each photographic exposure.

(2) The fee for furnishing and certifying abstract of operator's record upon request as provided in section 85.09 (3), Wis. Stats., shall be \$1.00, excepting law enforcement officers requesting same for use in performing their official duties in which no charge shall be made.

History: Cr. Register, June, 1956, No. 6, eff. 7-1-56; am. Register, August, 1957, No. 20, eff. 9-1-57.