

CR 88-182

CERTIFICATE

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MAR 17 1989

3:50 pm
Revisor of Statutes
Bureau

STATE OF WISCONSIN)
) ss.
DEPARTMENT OF TRANSPORTATION)

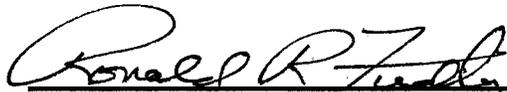
TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, RONALD R. FIEDLER, Secretary of the Wisconsin Department of Transportation and custodian of the official records do hereby certify that the annexed rule Trans 147, relating to motor vehicle salvage pools and buyer identification numbers and cards was duly approved and adopted by this department on March _____, 1989.

I further certify that the annexed copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Transportation, in the City of Madison, this 17th day of March, 1989.



RONALD R. FIEDLER, P.E.
Secretary

5-1-89

PART 2

TEXT OF PROPOSED RULE

Pursuant to the authority vested in the Wisconsin Department of Transportation by s. 218.51 (3), Stats., the Department of Transportation hereby proposes to create rules interpreting s. 218.51 (3), Stats., as follows:

SECTION 1. Chapter Trans 147 is created to read:

CHAPTER TRANS 147

BUYER IDENTIFICATION CARDS

FOR MOTOR VEHICLE SALVAGE POOL PARTICIPANTS

Trans 147.01 PURPOSE AND SCOPE. (1) STATUTORY AUTHORITY. As authorized by s. 218.51(3), Stats., the purpose of this chapter is to establish the department's administrative interpretation of ss. 218.51 and 218.52, Stats., relating to the issuance and use of buyer identification cards for the purpose of purchasing or submitting bids for the purchase of damaged motor vehicles from a motor vehicle salvage pool.

(2) APPLICABILITY. This chapter applies to any cardholder or qualified applicant wishing to obtain a buyer identification card

to purchase or submit bids for the purchase of damaged motor vehicles from a motor vehicle salvage pool.

Trans 147.02 DEFINITIONS. (1) Words and phrases defined in s. 218.50, Stats., have the same meaning in this chapter unless a different definition is specified.

(2) In this chapter, "licensed in another jurisdiction" means having verifiable authorization in the form specified by the regulating authority in that jurisdiction to do business in that jurisdiction.

Trans 147.03 APPLICATION FORM. (1) APPLICATIONS BY WISCONSIN LICENSEES. This section applies to qualified applicants licensed under ch. 218, Stats. Each application for a buyer identification card shall be on the form provided by the department, and shall contain the following information:

- (a) The full name of the qualified applicant.
- (b) The residence address of the qualified applicant.
- (c) The business address of the qualified applicant.
- (d) The motor vehicle dealer, wholesaler or salvage dealer license number of the business.
- (e) The physical description of the qualified applicant including:

1. Height.
2. Weight.
3. Date of birth.
4. Hair color.
5. Eye color.
6. Race.
7. Sex.

(f) The signature of the qualified applicant.

(g) The signature of an officer of the company or duly authorized agent.

(h) The identification number assigned to a driver's license or other official government issued photo identification card belonging to the qualified applicant.

(i) An indication that the application is for an original card or replacement card.

(j) Additional information required by s. TRANS 147.08(3) if the application is for a replacement card.

(2) APPLICATIONS BY LICENSEES OF ANOTHER STATE. This section applies to qualified applicants licensed in another jurisdiction. Each application for a buyer identification card shall be on the form provided by the department, and shall contain the following information:

(a) The information required in sub. (1).

(b) Evidence that the business is licensed in another jurisdiction by providing a copy of the credential verifying the authority of the entity to do business which is issued to the motor vehicle dealer, wholesaler or salvage dealer by the regulating authority in the jurisdiction.

Trans 147.04 FEE. An annual fee of \$6.00 shall be charged for the issuance of a buyer identification card. This fee shall apply whether the issuance is for an original card, a replacement card, or a renewal. The fee may be reviewed annually by the department and adjusted to cover actual costs for issuance of the buyer identification card.

Trans 147.05 BUYER IDENTIFICATION CARD. The buyer identification card shall contain:

(1) The full name and residence address of the cardholder.

(2) The signature of the cardholder or a facsimile of the signature.

(3) The buyer identification card number assigned to the cardholder by the department.

(4) The expiration date of the buyer identification card.

(5) The employer's name and business address.

(6) The identification number assigned to a driver's license or other official government issued photo identification card belonging to the cardholder.

(7) A brief physical description of the cardholder including height, weight, hair color, eye color, race, sex and date of birth.

Trans 147.06 ISSUANCE OF A BUYER IDENTIFICATION CARD. (1)
LICENSE VERIFICATION. A buyer identification card shall be issued to a qualified applicant if the individual or the employer can be certified as being properly licensed.

(a) A Wisconsin licensee must provide the dealer, wholesaler or salvage dealer license number issued under ch. 218, Stats., for verification in department records.

(b) The licensee of another state must provide a copy of the credentials issued by the regulating authority in that jurisdiction which verifies the authority of the entity to do business.

(2) No employe of a motor vehicle dealer, wholesaler or salvage dealer may be issued a buyer identification card without sponsorship from the employer as indicated by the signature on the application of an officer of the company or duly authorized agent.

(3) The expiration date for a buyer identification card shall be December 31 of the calendar year for which it was issued.

(4) No person shall hold more than one valid buyer identification card at a time unless the person is employed by more than one dealer and each employer sponsors the employe's application for the buyer identification card as indicated by the signature on the application of an officer of the company or duly authorized agent.

(5) The department may deny, suspend or revoke a buyer identification card as authorized by s. 218.51(4), Stats.

(6)(a) The department may without notice deny the application for a buyer identification card as authorized by s. 218.51(5)(a), Stats.

(b) Notice of suspensions and revocations shall be made as authorized by s. 218.51(5)(b), Stats.

Trans 147.07 USE OF A BUYER IDENTIFICATION CARD. (1) DISPLAY.

(a) Before a bid can be submitted, the cardholder shall display the buyer identification card to the salvage pool operator. The

photo identification card from which the assigned identification number appears on the buyer identification card shall also be displayed to verify the identity of the cardholder.

(b) The buyer identification number shall be displayed on each sheet of any bid submitted to a motor vehicle salvage pool for the purchase of a motor vehicle or other document evidencing the purchase of a motor vehicle from a motor vehicle salvage pool.

(2) RESTRICTIONS AND LIMITATIONS. (a) No person may duplicate, reproduce or copy any buyer identification card.

(b) No person may lend a buyer identification card to another person.

(c) When a cardholder can no longer make proper use of the card, the card shall be returned to the department for cancellation.

Trans 147.08 REPLACEMENT OF A BUYER IDENTIFICATION CARD. (1)
LOST, STOLEN, OR MUTILATED IDENTIFICATION CARD. If a buyer identification card is lost, stolen, mutilated, destroyed or becomes illegible, the cardholder may request a replacement identification card.

(2) CHANGE OF ADDRESS OR NAME. When the address or name of a cardholder changes, the cardholder shall, within 30 days, request a replacement buyer identification card showing the correct address and name.

(3) APPLICATION FOR REPLACEMENT. The qualified applicant seeking a replacement buyer identification card shall use the forms prescribed in s. Trans 147.03 to provide:

(a) The information required in s. Trans 147.03.

(b) The former name, if changed from that shown on the original application and original buyer identification card issued.

(c) The former address, if changed from that shown on the original application and original buyer identification card issued.

(d) One of the following words or phrases to describe the reason a replacement card is required:

1. Lost.

2. Stolen.

3. Destroyed.

4. Mutilated or illegible.

5. Name change.

6. Address change.

7. Name and address change.

(4) RETURN OF ORIGINAL BUYER IDENTIFICATION CARD. (a) The original buyer identification card shall be returned to the department with a request for a replacement buyer identification card when the reason a replacement is required is covered by any one of sub. (3)(d) 4 to 7.

(b) A person recovering a buyer identification card for which a replacement has been issued for the reasons covered by sub. (3)(d) 1 or 2, shall immediately return the recovered card to the department.

Trans 147.09 CANCELLATION OF A BUYER IDENTIFICATION CARD. (1) Upon termination of the cardholder as an employe, the employer shall return the buyer identification card to the department within 10 business days for cancellation.

(2) The employer may authorize the department to cancel the buyer identification card of an employe when the dealer no longer wishes the employe to be a cardholder by returning the buyer identification card to the department.

Trans 147.10 SURRENDERING A BUYER IDENTIFICATION CARD. (1) Upon suspension or revocation of a motor vehicle dealer license, wholesaler license or salvage dealer license issued under ch. 218, Stats., or authority to do business in another jurisdiction, the dealer shall surrender the buyer identification cards of all dealers, dealer principals and employes to the department.

(2) Whenever a licensed motor vehicle dealer, wholesaler, or salvage dealer discontinues or disposes of the business, such person shall surrender the buyer identification cards of all dealers, dealer principals and employes.

Trans 147.11 RECORDKEEPING. The motor vehicle dealer, wholesaler and salvage dealer shall hold or have access to all pertinent books, records, letters and contracts of its cardholder employes according to recordkeeping requirements in ch. Trans 136 and 138.

(END)

This rule shall take effect on the first day of the month following publication in accordance with s. 227.22 (2), Stats.

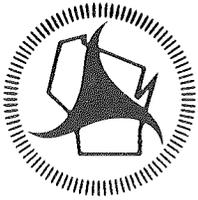
Signed at Madison, Wisconsin this
17th day of March, 1988.



RONALD R. FIELDER, P.E.

SECRETARY

WISCONSIN DEPARTMENT OF TRANSPORTATION



Wisconsin Department of Transportation

DIVISION OF MOTOR VEHICLES
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MAR 17 1989

Mr. Gary Poulson
Assistant Revisor of Statutes
30 On The Square
Suite 702
Madison, Wisconsin 53702

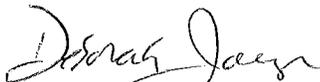
Revisor of Statutes
Bureau

Re: Clearinghouse Rule 88-182
Relating to motor vehicle salvage pools and buyer identification numbers
and cards;
TRANS 147.

Dear Mr. Poulson:

Enclosed for filing, pursuant to sec. 227.20, Wis. Stats., is a certified copy of CR 88-182, an administrative rule relating to motor vehicle salvage pools and establishing a program to identify participants with buyer identification numbers and cards. An additional, uncertified copy of CR 88-182 is enclosed to be used as a printer's copy. This rule is submitted by the Wisconsin Department of Transportation.

Sincerely,


Deborah Jaeger
Policy Analyst

Enclosures

cc: Thomas Walker
Office of Public Affairs
Marianne Haag