

**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 154.12 (4) (c), relating to Vehicle Odometer Disclosure Requirements.

ANALYSIS

Statutes interpreted:

Sections 218.0146, 218.33, 218.52, 341.10, 342.01, 342.05, 342.06, 342.10, 342.11, 342.14, 342.15, 342.155, 342.156, 342.157, 342.16, 342.18, 342.23, 342.25, 342.255, 342.32, and 347.415, Stats.

Statute authority:

Section 347.415 (5), Stats.

Explanation of the agency's authority: Section 347.415 (5), Stats. does not limit the requirements for repairing or replacing odometers and are not limited to vehicles less than 10 years old.

Related statute or rule: Section 347.415 (5), Stats.

Plain language analysis: Trans 154.12 (4) (c) requires Salvage Dealers keep information on odometers and electronic odometers chips sold or exchanged, but only when they are removed from a vehicle less than 10 years old. Section 347.415 (5), Stats. does not limit this record keeping requirement to vehicles less than 10 years old.

Agency contact person:

Reed McGinn
Wisconsin Department of Transportation
Division of Motor Vehicles
4822 Madison Yards Way
Madison, WI 53705
(608) 266-7857
reed.mcgin@dot.wi.gov

PROPOSED RULE

SECTION 1. TRANS 154.12 (4) (c) is amended to read:

Trans 154.12 (4) (c) Required information on odometers and electronic odometer chips must be recorded at the time of sale or exchange and retained for 5 years following the date of sale or exchange. ~~These records are required only when the part is removed from a vehicle less than 10 years old and sold or exchanged as a separate part.~~

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 The rules repealed in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.)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