

## **NOTICE OF PROPOSED GUIDANCE DOCUMENT**

PartnerPressJuly2020

Pursuant to Wis. Stat. s. 227.112, the Wisconsin Department of Transportation is hereby seeking comment on PartnerPressJuly2020, a proposed guidance document.

### **PUBLIC COMMENTS AND DEADLINE FOR SUBMISSION**

Comments may be submitted to the Wisconsin Department of Transportation for 21 days by:

1. Department's  
website: <https://trust.dot.state.wi.us/act369/?id=DMV1011&uri=file:PartnerPressJuly2020&division=DMV&tags=DAS>

2. Mailing written comments to:  
Division of Motor Vehicles  
Wisconsin Department of Transportation  
4822 Madison Yards Way  
PO Box 7336  
Madison, WI 53707-7336

### **WEBSITE LOCATION OF FINAL GUIDANCE DOCUMENT**

The final version of this guidance document will be posted at [wisconsin.gov](http://wisconsin.gov) to allow for ongoing comment.

### **AGENCY CONTACT**

[DOTDMVGuidanceDocs@DOT.WI.GOV](mailto:DOTDMVGuidanceDocs@DOT.WI.GOV)

**From:** dealers.dmv@dot.wi.gov  
**Sent:** Tuesday, June 16, 2020 11:25 AM  
**To:** Sirimalla, Arun K - DOT  
**Subject:** PARTNER Press Preview Edition

# PARTNER Press

Your source for titling and processing information  
from DMV's Dealer and Agent Section



July 2020 v. 1, no. 3

## Welcome to the new PARTNER Press!

For decades *Plain Dealing* has provided information to help keep licensed dealers in business by doing business right.

With the introduction of the new PARTNER title and registration processing system, it was time to provide information in two complementary newsletters.

The new *PARTNER Press* will focus on title and registration processing news such as eMV PARTNER and third-party programs, processing guidelines, and auditing.

*Plain Dealing* will return its focus back to policy and administrative news such as regulation, advertising, licensing, and enforcement.

### E-signature requirements for vehicle sales transactions



Due to recent events, obtaining a "wet" or pen-in-hand signature can be problematic. [Wis. Stat. § 137](#) allows an electronic signature to be used, making no distinction between "wet" and electronic signatures.

Below are common sales scenarios requiring signatures. Keep in mind dealers and agent must still adhere to all other existing laws and requirement regarding the sale of a vehicle, submission of documents and document retention.

(Dealer trades and dealer-to-dealer sales must continue to be recorded on the physical title. Wisconsin does not allow the use of a supplemental reassignment, except when the title is non-conforming.)

- **Vehicle sale without a trade-in when the dealer holds the physical title:** the customer can sign all required documentation electronically. The dealer must complete their reassignment on the title as seller and provide the odometer disclosure. The customer may sign the MV11 in lieu of the title.
- **Vehicle sale without a trade-in where the title is held by the lien holder:** this is a scenario where the vehicle being purchased was previously traded in with a lien. The dealer has made the payoff but hasn't received the title yet. The customer can sign all required documentation electronically. The dealer must include the MV2690 Power of Attorney form and inquiry print (the print must show the title is being held by a lien holder). The MV11 serves as the odometer disclosure between the dealer and purchaser.
- **Vehicle purchased from private party:** in this scenario the dealership purchases a vehicle outright from a private party for the purpose of resale. If the title is held by a lien holder the customer can sign all documents electronically but an MV2690 must be printed on secure paper. If the vehicle has a clean title all reassignments and disclosures should be provided on the title.
- **Lien Agent facilitating the sale of a vehicle between two private parties:** in this scenario a lender is coordinating the sale and financing of a private party sale. If the seller's vehicle is currently being held by a lienholder, the lender must obtain an MV2690 from the seller to obtain the odometer disclosure. The MV2690 can be signed electronically but must be printed on secure paper. If the seller's title does not have a lien the seller must complete the reassignment and odometer disclosure on the title.

### Forms

The following forms can be signed electronically and must be printed using a secured printing process or other secure process\* if used for odometer disclosure:

- **MV11 Wisconsin Title and License Plate Application:** Application for Wisconsin title, used specifically by WI licensed dealers. Can also be used as final reassignment, having an odometer disclosure and signed by both the selling and purchasing parties
- **MV2690 Power of Attorney, Vehicle Odometer Disclosure:** This POA can only be used when the title is held by a lien holder. The form must be signed by the trade-in customer and receiving dealership at the time of trade-in, then again by the dealership once/if the title is physically received by the agent from the previous lender.
- **MV2488 Vehicle Transfer and Odometer Mileage Statement:** To be used as a reassignment under limited circumstances from the dealer to the purchasing customer. This form is also used by the department, when requesting transfer information for the purpose of correction. This form is not sold by vendors; it is available through WisDOT by submitting [DT1435 Request for Forms](#). If you are not sure about how or when this form should be used, contact the Agent Partnership Unit.

The following forms can be signed electronically and printed using a non-secure printing process:

- **MV2119 Replacement Title Application:** To be signed by the owner of record unless held by a lien holder. If held by a lien holder, the replacement title application must be signed by the primary lien holder. Power of Attorney cannot be granted to a dealership for the purpose of applying for a replacement title.

- **General Power of Attorney:** A POA can be granted for the purpose of signing documents required for a purchase, such as a leased vehicle. A Wisconsin dealer or an individual employed with the dealership receiving a vehicle cannot act as a POA for the purpose of applying for a replacement title.
- **MV1 Wisconsin Title and License Plate Application:** Unlike the MV11, this form does not contain an odometer statement and is not required to be on secure paper.
- **MV2790 Trustee Statement for Certificate of Title:** Required when titling a vehicle to or receiving a vehicle from a trust. Be aware, the name of the trust must exactly match name on the application (MV1, MV11) submitted.
- **MV2872 Wisconsin Buyer's Guide**
- **Purchase Contract**

\*"Secure printing process or other secure process" means any process which deters and detects counterfeiting or unauthorized reproduction, or both, and allows alterations to be visible to the naked eye. For additional information about secure printing methods please see [Appendix A to Part 580-Secure Printing Processes and Other Secure Processes of the Code of Federal Regulations](#).

Please direct any questions to the Agent Partnership Unit or your Field Investigator.

## Wisconsin law now recognizes autocycles

Effective May 1, [Wisconsin law](#) re-classified a three-wheeled vehicle with a steering wheel and a seat that drivers do not straddle as an AUTOCYCLE.

Most autocycles in Wisconsin are Polaris Slingshots.

What you need to know:

- Dealers licensed to sell autos, and cycle dealers that sold these vehicles prior to May 1, are authorized to sell them.
- Dealers can issue a temporary plate; mail all title applications to DMV for processing.
- The new "autocycle" license plate is the same size as a motorcycle plate, and DMV will mail the plates after title/registration are complete.
- Registration fee is \$45/year; all plates expire April 30th each year.
- Autocycles are subject to a late fee for license plate renewals, wheel tax, odometer disclosure, and mandatory display.
- Autocycles are not subject to emissions tests.



DMV is contacting customers who own these as they were previously titled and registered as motorcycles.

## Messages for pending title transactions

When a transaction has been pending more than 14 calendar days, the following alert will display for any user processing on behalf of that organization and will remind them to either complete or cancel the transaction:

**[Organization Legal Business Name] with terminal ID [ID#] had 1 or more transactions that are pending for 14 or more days. Wisconsin law and/or terms of the contract requires all transactions to be complete within 7 business days. Failure to complete or cancel those transactions may result in disciplinary action.**

This message will continue to display each time a user logs in until the pending transactions for that organizations have been processed/canceled or they reach 30 days pending.

When a transaction has been pending more than 30 calendar days, the following warning will display:

**[Organization Legal Business Name] with terminal ID [ID#] had 1 or more transactions that are pending for 30 or more days. You are not allowed to begin a new transaction until all delinquent transactions have been completed.**

This message will continue to display each time a user logs in until the pending transactions for that organizations have been processed/canceled or they reach 30 days pending.

Beginning June 25, 2020, any agent with transactions pending more than 30 calendar days will not be allowed to process any new transactions until the pending transactions are completed or canceled.

COVID-19 temporarily suspends some processing



Concerns with COVID-19 has led to some title/registration service providers to temporarily suspend processing. The Department has been regularly updating [our service provider website](#) to give consumers the most up-to-date information about where they can title and register vehicles.

If your business has suspended processing, please contact the Agent Partnership Unit so we can note it on the website. Once you are ready to begin processing again, please contact us so we can remove the notation.

## Dealers cannot order replacement products online

The Division of Motor Vehicles (DMV) prohibits online ordering of replacement products, e.g. titles or driver's licenses, by anyone other than the vehicle owner. A dealer who orders replacement products online is violating [Wis. Stat. ch. 342.13](#).

If you obtain a vehicle through trade-in and the owner has lost the title, they will need to order a replacement and have it delivered to your dealership. The owner can order a replacement certificate of title [online](#) or by mail.

When the title is held by the lien holder you can use the MV2690 Power of Attorney form and an inquiry print showing the lien holder in lieu of the title.

## When can dealers receive title-only in their name?



Recently we discovered dealers have been incorrectly titling vehicles to themselves through eMV PARTNER and vendor systems by choosing the IRP registration option. Dealers can only process titles without registration under the following conditions:

- Out-of-state (OOS) buyer with a lien\*
- Vehicle that is going to obtain IRP registration separately

As a dealer you do have legal rights to title-only in your business name in some situations; e.g., a vehicle is being wholesaled and all reassignments on the title are full. However, these applications must be submitted to WisDOT for processing.

\*Please see the lead article in [Plain Dealing V.31, Iss. 2](#) for more information about titling vehicles to OOS buyers with a lien.

## WAMS vs PARTNER: what's the difference?

The Agent Partnership Unit continues to receive calls from dealers with questions regarding the registration process for the eMV PARTNER system. Signing up to access eMV PARTNER is a multi-step process that requires registration in two separate programs:

1. Web Access Management System (WAMS) and
2. eMV PARTNER

The WAMS system to allow individuals access to state internet applications, including eMV PARTNER.

[Watch this short tutorial on how to sign up for a WAMS account.](#)

You are required to create a WAMS ID to register for eMV PARTNER but **having a WAMS ID alone does not give you the ability to use eMV PARTNER for processing titles and registration.**

Once you have registered with and received approval to access eMV PARTNER, you can begin title and registration processing.

## CLARIFICATION: Use of temporary plates for out-of-state residents

Wisconsin law only allows one temporary plate issued to out-of-state (OOS) residents. It is the responsibility of the buyer to obtain the necessary registration for operation in their home state before the temporary plate expires.

In the April 2020 edition of Plain Dealing, we ran an article regarding confirmation of ownership (COO) documents for OOS residents. In that article we noted Illinois no longer accepts COO documents, leading to delays for OOS residents and causing their temporary Wisconsin plate to expire before they receive Illinois registration. We concluded with the statement: *"This may cause an undue burden for you as customers may request multiple temporary plates."*

The statement appears to imply you can print additional temporary plates when requested by OOS buyers. This is not true.

Our alternative recommendations to COO remain unchanged, and you can read the [article in full here.](#)



## What's in Plain Dealing?



In the July 2020 issue of *Plain Dealing* you'll discover...

...important information about dealer advertising

...changes to emission repair cost limits

...and more!

[Read Plain Dealing on WisDOT's website.](#)

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(optional) Your name:

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