

CHAPTER 252, Laws of 1979

AN ACT to amend 779.41 (1); and to create 779.41 (1) (a) to (c) of the statutes, relating to the priority of mechanic's liens.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 779.41 (1) of the statutes, as affected by chapter 32, laws of 1979, is amended to read:

779.41 (1) Every mechanic and every keeper of a garage or shop, and every employer of a mechanic who transports, makes, alters, repairs or does any work on personal property at the request of the owner or legal possessor thereof, ~~shall have of the personal property, has a lien thereon on the personal property for his the~~ just and reasonable charges therefor, including any parts, accessories, materials or supplies furnished in connection therewith and may retain possession of such the personal property until such the charges are paid. The lien ~~given~~ provided by this section for ~~all such charges in excess of \$500, except that for trucks, \$600, road tractors, trailers and semitrailers, \$1,000, farm tractors and machines of husbandry, \$1,500, and road machinery including mobile cranes and trench hoes, \$2,500, shall be~~ is subject to the lien of any security interest in ~~said the~~ property which ~~was~~ is perfected as provided by law prior to the commencement of the work for which a lien is claimed unless ~~such the~~ work was done with the express consent of the holder of ~~such the~~ security interest, but only for charges in excess of \$1,000 except if the personal property is:

SECTION 2. 779.41 (1) (a) to (c) of the statutes are created to read:

779.41 (1) (a) A trailer or semitrailer designed for use with a road tractor, for charges in excess of \$3,000.

(b) Road machinery, including mobile cranes and trench hoes, farm tractors, machines of husbandry, or off-highway construction vehicles and equipment, for charges in excess of \$5,000.

(c) A motor vehicle not included under par. (a) or (b) with a gross weight of:

1. More than 10,000 and less than 20,000 pounds, for charges in excess of \$2,000.
2. 20,000 pounds or more but less than 40,000 pounds, for charges in excess of \$4,000.
3. 40,000 pounds or more but less than 60,000 pounds, for charges in excess of \$6,000.
4. 60,000 pounds or more, for charges in excess of \$8,000.

SECTION 3. **Applicability.** This act applies to liens under section 779.41 (1) of the statutes for charges incurred for work or other activities first commenced on after the effective date of this act.
