

1981 Senate Bill 401

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## CHAPTER 178 , Laws of 1981

AN ACT to amend 343.23 (2); and to create 632.36 of the statutes relating to prohibiting rate increases for motor vehicle liability insurance policies due to accidents occurring in the course of business or employment and requiring the department of transportation to keep accident records by type of license.

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

SECTION 1. 343.23 (2) of the statutes is amended to read:

343.23 (2) The department shall maintain a file for each licensee containing the application for license, a record of reports or abstract of convictions, and a record of any reportable accident in which the licensee has been involved, including the type of license issued under this chapter under which the licensee was operating at the time of the accident. This information must be filed by the department so that the complete operator's record is available for the use of the secretary in determining whether operating privileges of such person shall be suspended, revoked, canceled or withheld in the interest of public safety. Such reports and records may be cumulative beyond the period for which a license is granted, but the secretary, in exercising the power of revocation granted under s. 343.32 (2) may consider only those reports and records entered during the 4-year period immediately preceding the exercise of such power of revocation.

SECTION 1m. 632.36 of the statutes is created to read:

**632.36 Accident in the course of business or employment; rate increase prohibited.** An insurer may increase or charge a higher rate for a motor vehicle liability insurance policy issued or renewed on or after the effective date of this section (1981) on the basis of an accident which occurs while the insured is operating a motor vehicle in the course of the insured's business or employment only if the policy covers the insured for liability arising in the course of the insured's business or employment.

**SECTION 2. Initial applicability.** The treatment of section 343.23 (2) of the statutes by this act first applies when the department of transportation's supply of forms, issued under section 346.70 (3m) (c) of the statutes and on hand on the effective date of this act, is exhausted.

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