

1981 Assembly Bill 758

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CHAPTER 272 , Laws of 1981

AN ACT to renumber 218.01 (9); to amend 218.01 (1) (g); to repeal and recreate 218.01 (8); and to create 218.01 (8m) and (9) (b) of the statutes, relating to civil damages for violations of certain laws governing motor vehicle transactions and penalties for violation of certain laws governing motor vehicle transactions.

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

SECTION 1. 218.01 (1) (g) of the statutes is amended to read:

218.01 (1) (g) "Retail buyer" means a person, firm or corporation, other than a motor vehicle manufacturer, distributor or dealer, buying or agreeing to buy one or more motor vehicles from a ~~retail seller under a retail instalment contract~~ motor vehicle dealer.

SECTION 2. 218.01 (8) of the statutes is repealed and recreated to read:

218.01 (8) PENALTIES. Except for sub. (3) (a) 1, 3, 6, 7, 11, 12, 13, 20, 25, 29 and 30, any person violating this section may be required to forfeit not less than \$25 nor more than \$500 for each violation.

SECTION 3. 218.01 (8m) of the statutes is created to read:

218.01 (8m) COMMENCEMENT OF ACTION. Upon the request of the licensor, the department of justice or the district attorney may commence an action in the name of the state to recover a forfeiture under sub. (8). An action under sub. (8) shall be commenced within 3 years after the occurrence of the unlawful act or practice which is the subject of the action.

SECTION 4. 218.01 (9) of the statutes is renumbered 218.01 (9) (a).

SECTION 5. 218.01 (9) (b) of the statutes is created to read:

218.01 (9) (b) Any retail buyer suffering pecuniary loss because of a violation by a licensee of sub. (3) (a) 4, 5, 6, 8, 9, 10, 11, 18 or 31 may recover damages for the loss in any court of competent jurisdiction together with costs, including reasonable attorney fees.

SECTION 6. **Program responsibility changes.** In the sections of the statutes listed in Column A, the program responsibilities references shown in Column B are deleted and the program responsibilities references shown in Column C are inserted:

(32) DEPARTMENT OF JUSTICE.

A	B	C
Statute Sections	References Deleted	References Inserted
15.251 (intro.)	none	218.01 (8m)

(51) DEPARTMENT OF TRANSPORTATION.

A	B	C
Statute Sections	References Deleted	References Inserted
15.461 (1)	218.01 (9)	218.01 (9) (a)

SECTION 7. **Initial applicability.** The treatment of section 218.01 (8) of the statutes by this act first applies to causes of action accruing after the effective date of this act.
