

State of Misconsin 2021 - 2022 LEGISLATURE

2021 ASSEMBLY BILL 439

July 12, 2021 – Introduced by Representatives NEYLON, DUCHOW, ANDRACA, CABRAL-GUEVARA, HAYWOOD, J. RODRIGUEZ and SCHRAA, cosponsored by Senators KOOYENGA, BERNIER and ROYS. Referred to Committee on Transportation.

1 AN ACT to amend 218.0116 (1) (n); and to create 218.0101 (9m), 218.0116 (1) (w)

2 3. and 218.0121 (3m) (e) of the statutes; relating to: ownership, control, or

3 operation of a motor vehicle dealership and performance of motor vehicle

4 warranty service.

Analysis by the Legislative Reference Bureau

Under current law, a motor vehicle dealer must be licensed by the Department of Transportation. Also under current law, a manufacturer of motor vehicles may not operate or control a motor vehicle dealership. Under this bill, a manufacturer of electric motor vehicles may engage in the business of a motor vehicle dealer with regard to the electric motor vehicles it manufactures.

Also under current law, with several exceptions, a manufacturer, importer, or distributor may not perform warranty service or delivery and preparation work on a motor vehicle that it does not own or authorize or permit a person to perform warranty service or delivery and preparation work on a motor vehicle unless the person is a motor vehicle dealer with whom the manufacturer, importer, or distributor has entered into a franchise agreement for the sale and service of the manufacturer's, importer's, or distributor's motor vehicles. Under the bill, this prohibition does not apply to a manufacturer of electric motor vehicles with regard to the electric motor vehicles it manufactures.

ASSEMBLY BILL 439

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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

1	SECTION 1. 218.0101 (9m) of the statutes is created to read:
2	218.0101 (9m) "Electric vehicle" means a motor vehicle that is propelled solely
3	by electric power.
4	SECTION 2. 218.0116 (1) (n) of the statutes is amended to read:
5	218.0116 (1) (n) The selling of new motor vehicles for which the dealer is not
6	franchised <u>or otherwise authorized to sell</u> .
7	SECTION 3. 218.0116 (1) (w) 3. of the statutes is created to read:
8	218.0116 (1) (w) 3. Subdivision 1. does not apply to a manufacturer of electric
9	vehicles with regard to the manufacturer's electric vehicles.
10	SECTION 4. 218.0121 $(3m)$ (e) of the statutes is created to read:
11	218.0121 (3m) (e) The ownership, operation, or control by a manufacturer of
12	electric vehicles of a dealership that deals solely in the manufacturer's electric
13	vehicles.

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(END)