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State of Misconsin 2021 - 2022 LEGISLATURE

LRB-3004/1 EVM:amn

2021 SENATE BILL 462

July 21, 2021 - Introduced by Senators Kooyenga, Bernier and Roys, cosponsored by Representatives Neylon, Duchow, Andraca, Cabral-Guevara, Haywood, J. Rodriguez and Schraa. Referred to Committee on Government Operations, Legal Review and Consumer Protection.

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

3. and 218.0121 (3m) (e) of the statutes; **relating to:** ownership, control, or operation of a motor vehicle dealership and performance of motor vehicle 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.

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

The people of the	he state of W	isconsin,	represented	in senate	and assen	nbly, do
enact as f	ollows:					

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: 218.0116 (1) (n) The selling of new motor vehicles for which the dealer is not 5 franchised or otherwise authorized to sell. 6 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: 218.0121 (3m) (e) The ownership, operation, or control by a manufacturer of 11 electric vehicles of a dealership that deals solely in the manufacturer's electric 12 vehicles. 13

(END)