

No. 636, S.]

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CHAPTER 546

AN ACT to renumber and amend 85.09 (7) (c); to amend 85.09 (6) (d); and to create 85.09 (7) (e) of the statutes, relating to releases from liability executed by a parent in behalf of a minor child as affecting the exceptions to the requirement of security and the duration of suspension under the safety responsibility law.

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

SECTION 1. 85.09 (6) (d) of the statutes is amended to read:

85.09 (6) (d) If, prior to the date that the commissioner would otherwise suspend license and registration or nonresident's operating privilege under sub. (5), there shall be filed with the commissioner evidence satisfactory to him that the person who would otherwise have to file security has been released from liability or been finally adjudicated not to be liable or has executed a warrant for confession of judgment, payable when and in such instalments as the parties have agreed to, or has executed a duly acknowledged written agreement providing for the payment of an agreed amount in instalments, with respect to all claims for injuries or damages resulting from the accident. *The commissioner may accept a release from liability executed by a parent as natural guardian, in behalf of a minor child in respect to property damage or personal injuries sustained by such minor, provided that the total of such damages including the cost of medical care does not exceed \$200 and provided further that, in the case of personal injury, the doctor's certificate of injury filed with the department certifies that such minor received no permanent injury.*

SECTION 2. 85.09 (7) (c) of the statutes is renumbered 85.09 (7) (d) and amended to read:

85.09 (7) (d) Evidence satisfactory to the commissioner has been filed with him of * * * a final adjudication of nonliability, or a warrant for confession of judgment, or a duly acknowledged written agreement, in accordance with sub. (6) (d), provided, * * * in the event there shall be any default in the payment of any instalment under any confession of judgment, then, upon notice of such default, the commissioner shall forthwith suspend the license and registration or nonresident's operating privilege of such person defaulting which shall not be restored unless and until the entire amount provided for in said confession of judgment has been paid; and provided, further that in the event there shall be any default in the payment of any instalment under any duly acknowledged written agreement, then, upon notice of such default, the commissioner shall forthwith suspend the license and registration or nonresident's operating privilege of such person defaulting which shall not be restored unless and until (1) such person deposits and thereafter maintains security as required under sub. (5) in such amount as the commissioner may then determine, or (2) one year shall have elapsed following the date when such security was required and during such period no action upon such agreement has been instituted in a court in this state.

SECTION 3. 85.09 (7) (e) of the statutes is created to read:

85.09 (7) (e) Evidence satisfactory to the commissioner has been filed with him of a release from liability. The commissioner may accept such a release executed by a parent on behalf of a minor child if the conditions prescribed by sub. (6) (d) in respect to such releases are satisfied.

Approved July 14, 1953.