

1969 Assembly Bill 1141

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**CHAPTER 312, LAWS OF 1969**

AN ACT to amend 121.53 (1) (intro.), 194.41 (1) (intro.) and (a) to (d), 204.30 (5) (a), 344.33 (2) (c) and 344.37 (1); and to create chapter 165, laws of 1969, section 3 of the statutes, relating to minimum liability coverage for insurance against personal injury in vehicle accidents.

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

SECTION 1. 121.53 (1) (intro.) of the statutes is amended to read:

121.53 (1) (intro.) No motor vehicle may be used as a school bus unless a policy of bodily injury and property damage liability insurance, issued by an insurer authorized to transact business in this state, is maintained thereon. The policy shall provide property damage liability coverage with a limit of not less than \$5,000. The policy also shall provide bodily injury liability coverage with limits of not less than ~~\$10,000~~ \$15,000 for each person and, subject to such limit for each person, total limits as follows:

SECTION 2. 194.41 (1) (intro.), as affected by chapter 55, laws of 1969, and (a) to (d) of the statutes are amended to read:

194.41 (1) (intro.) No common carrier of property, or contract motor carrier, shall operate any motor vehicle for which a permit is required by this chapter unless it has on file with the motor vehicle department and in effect a good and sufficient indemnity bond, policy of insurance or other contract in writing in such form and containing such terms and conditions as may be approved by the department issued by a surety, indemnity or insurance company or exchange lawfully qualified to transact such business in this state under which such indemnitor shall assume the liability prescribed by this section with respect to such motor vehicle. Said undertaking shall be subject to the approval of the department and shall provide that the indemnitor shall be directly liable for and shall pay all damages for injuries to or for the death of persons or for injuries to or destruction of property that may be recovered against the owner or operator of each such motor vehicle by reason of the negligent use or operation thereof in an amount not less than (a) for injury to or death of persons, ~~\$10,000~~ \$15,000, to or for any one person and ~~\$20,000~~ \$30,000 for any one accident, or (b) for injury to or destruction of property, \$10,000 for any one accident. Such liability may be restricted so as to be inapplicable to damage claims on account of injury to or destruction of property transported, but the department may require an undertaking protecting the owner of the property transported by public carriers from loss or damage thereto, which undertaking shall be in such amount and under such conditions as the department may require. No common motor carrier of passengers by any motor vehicle, or other carrier of passengers by motor bus, except those registered in accordance with s. 341.26 (2) (b) to (f) and (2m) shall operate any motor vehicle unless it has on file with the department a like undertaking in such form and containing such terms and conditions as may be approved by the department for the payment of damages for injuries to

property in at least the amount hereinbefore specified and of damages for injuries to or for the death of persons, including passengers in at least the following amounts:

(a) ~~\$10,000~~ \$15,000 to or for any one person or \$60,000 for any one accident for each motor vehicle having a seating capacity of 7 passengers or less;

(b) ~~\$10,000~~ \$15,000 to or for any one person or \$80,000 for any one accident for each motor vehicle having a seating capacity of more than 7 and less than 16 passengers;

(c) ~~\$10,000~~ \$15,000 to or for any one person or \$100,000 for any one accident for each motor vehicle having a seating capacity of more than 15 and less than 25 passengers; and

(d) ~~\$10,000~~ \$15,000 to or for any one person or \$150,000 for any one accident for each motor vehicle having a seating capacity of 25 passengers or more.

SECTION 3. 204.30 (5) (a) of the statutes is amended to read:

204.30 (5) (a) No automobile liability or motor vehicle liability policy of insurance insuring against loss resulting from liability imposed by law for bodily injury or death suffered by any person arising out of the ownership, maintenance or use of a motor vehicle shall be delivered or issued for delivery in this state with respect to any motor vehicle registered or principally garaged in this state unless coverage is provided therein or supplemental thereto in limits for bodily injury or death in the amount of at least ~~\$10,000~~ \$15,000 per person and ~~\$20,000~~ \$30,000 per accident under provisions approved by the commissioner of insurance, for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of uninsured motor vehicles because of bodily injury, sickness or disease, including death resulting therefrom. The named insured has the right to reject such coverage. Unless the named insured requests such coverage in writing, such coverage need not be provided in or supplemental to a renewal policy where the named insured has rejected the coverage in connection with a policy previously issued to him by the same insurer. The uninsured motorist bodily injury coverage limits provided in an automobile liability or motor vehicle liability policy of insurance may be made available to the insured up to the bodily injury coverage limits provided in the remaining portions of the policy.

SECTION 4. 344.33 (2) (c) of the statutes is amended to read:

344.33 (2) (c) Shall insure the person named therein and any other person, as insured, using any such motor vehicle or motor vehicles with the express or implied permission of such named insured, against loss from the liability imposed by law for damages arising out of the ownership, maintenance or use of such motor vehicle or motor vehicles within the United States of America or the Dominion of Canada, subject to limits exclusive of interest and costs, with respect to each such motor vehicle, as follows: ~~\$10,000~~ \$15,000 because of bodily injury to or death of one person in any one accident and, subject to such limit for one person, ~~\$20,000~~ \$30,000 because of bodily injury to or death of 2 or more persons in any one accident, and \$5,000 because of injury to or destruction of property of others in any one accident.

SECTION 5. 344.37 (1) of the statutes is amended to read:

344.37 (1) Proof of financial responsibility for the future may be evidenced by the certificate of the state treasurer that the person named therein has deposited with him ~~\$25,000~~ \$35,000 in cash, or in securities such as may legally be purchased by savings banks or for trust funds of a market value of ~~\$25,000~~ \$35,000. The state treasurer shall not accept any such deposit and issue a certificate therefor and the commissioner shall not accept such certificate unless accompanied by evidence

that there are no unsatisfied judgments of any character against the depositor in the county where the depositor resides.

SECTION 6. Chapter 165, laws of 1969, section 3 is created to read:

(Chapter 165, laws of 1969) Section 3. This act shall take effect July 1, 1970.

SECTION 7. SECTIONS 1 to 5 shall take effect July 1, 1970.

Approved December 10, 1969.

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