



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-4872/1
EVM:kjf

2017 ASSEMBLY BILL 761

December 19, 2017 - Introduced by Representatives ROHRKASTE, R. BROOKS, HORLACHER, BERNIER, TITTL and FELZKOWSKI, cosponsored by Senators CRAIG, STROEBEL and OLSEN. Referred to Committee on Transportation.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT** *to repeal* 218.50 (1), (1m), (2), (3) and (6), 218.51, 218.52 (1) and (2),
2 340.01 (25j) (b) and 342.34 (3m); *to consolidate, renumber and amend*
3 340.01 (25j) (intro.) and (a); *to amend* 45.44 (1) (a) 12., 49.857 (1) (d) 15.,
4 73.0301 (1) (d) 7., 108.227 (1) (e) 7., subchapter X (title) of chapter 218 [precedes
5 218.50], 227.43 (1) (bg) and 321.60 (1) (a) 15.; and *to create* 218.507 of the
6 statutes; **relating to:** buyer identification cards, motor vehicle salvage pools,
7 and the definition of junk vehicles.

Analysis by the Legislative Reference Bureau

This bill eliminates buyer identification (BID) cards and all associated requirements and restrictions specific to the purchase of motor vehicles from a motor vehicle salvage pool, imposes record-keeping requirements on salvage pools, and changes the definition of “junk vehicle.”

Under current law, a person may not purchase or bid on a motor vehicle from a motor vehicle salvage pool unless the person holds a valid BID card issued by the Department of Transportation, the person displays the BID card to the salvage pool, and the person includes the BID card number on any bid submitted to the salvage pool. A motor vehicle salvage pool sells or distributes damaged motor vehicles at wholesale, generally by auction. BID cards are available only to motor vehicle dealers, wholesalers, and salvage dealers licensed in this state or another state and

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to their employees. BID cards must contain the full name, business and residence address, and a brief description of the card holder, as well as the card holder's BID number. The motor vehicle salvage pool may not accept a bid or complete a sales transaction unless the bidder satisfies the foregoing requirements. The motor vehicle salvage pool must also establish and maintain, in compliance with standards established by DOT, a record of each motor vehicle sold. DOT may also inspect the books and records of BID card holders, at the cost of the card holder. This bill eliminates BID cards and all associated requirements and restrictions specific to the purchase of motor vehicles from a salvage pool.

This bill also requires a motor vehicle salvage pool to maintain an electronic record for each junk vehicle or salvage vehicle sold by or purchased from the pool. The record must include all of the following: 1) the year, make, model, and vehicle identification number of the vehicle; 2) the name and address of the seller and buyer and each bidder; and 3) a copy of the buyer's current motor vehicle operator's license or other current, government-issued photographic identification. A motor vehicle salvage pool must upon prior written notice make these records available to DOT or a law enforcement agency.

Under current law, a "junk vehicle" is defined as a vehicle that is incapable of highway operation and has no resale value except as a source of parts or scrap or that an insurance company has taken possession of or title to because the cost of repairing the vehicle exceeds its value. This bill changes the definition of "junk vehicle" to mean a vehicle that has no resale value except as a source of parts or scrap and that has been designated by the owner as a source of parts or scrap.

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.** 45.44 (1) (a) 12. of the statutes is amended to read:

2 45.44 (1) (a) 12. A license provided for in s. 218.0114 (14) (e), (f), or (fm) or issued
3 under s. 218.04, 218.11, or 343.62 ~~or a buyer identification card issued under s.~~
4 ~~218.51.~~

5 **SECTION 2.** 49.857 (1) (d) 15. of the statutes is amended to read:

6 49.857 (1) (d) 15. A license, permit or registration issued under ss. 218.0101
7 to 218.0163, 218.11, 218.12, 218.22, 218.32, 218.41, ~~218.51~~, 341.51, 343.305 (6),
8 343.61 or 343.62.

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1 **SECTION 3.** 73.0301 (1) (d) 7. of the statutes is amended to read:

2 73.0301 (1) (d) 7. A license described in s. 218.0114 (14) (a) and (g), a license
3 described in s. 218.0114 (14) (b), (c) or (e), a license issued under s. 218.11, 218.12,
4 218.22, 218.32, 218.41, 343.61 or 343.62, ~~a buyer identification card issued under~~
5 ~~s. 218.51~~ or a certificate of registration issued under s. 341.51.

6 **SECTION 4.** 108.227 (1) (e) 7. of the statutes is amended to read:

7 108.227 (1) (e) 7. A license described in s. 218.0114 (14) (a) and (g), a license
8 described in s. 218.0114 (14) (b), (c) or (e), a license issued under s. 218.11, 218.12,
9 218.22, 218.32, 218.41, 343.61 or 343.62, ~~a buyer identification card issued under~~
10 ~~s. 218.51~~ or a certificate of registration issued under s. 341.51.

11 **SECTION 5.** Subchapter X (title) of chapter 218 [precedes 218.50] of the statutes
12 is amended to read:

13 **CHAPTER 218**

14 **SUBCHAPTER X**

15 **MOTOR VEHICLE SALVAGE POOLS**

16 **AND BUYER IDENTIFICATION**

17 **SECTION 6.** 218.50 (1), (1m), (2), (3) and (6) of the statutes are repealed.

18 **SECTION 7.** 218.507 of the statutes is created to read:

19 **218.507 Salvage pools to maintain records. (1)** For each junk vehicle, as
20 defined in s. 341.01 (25j), or salvage vehicle, as defined in s. 341.01 (55g), sold by or
21 purchased from a motor vehicle salvage pool, the motor vehicle salvage pool shall
22 maintain an electronic record including all of the following:

23 (a) The year, make, model, and vehicle identification number of the vehicle.

24 (b) The name and address of the seller and buyer and each bidder.

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1 (c) A copy of the buyer's current motor vehicle operator's license or other
2 current, government-issued photographic identification. The motor vehicle salvage
3 pool shall retain this record for a period of not less than 3 years from the date on
4 which the record was created.

5 (2) A motor vehicle salvage pool shall upon prior written notice make any
6 record under sub. (1) available to the department of transportation or a law
7 enforcement agency.

8 **SECTION 8.** 218.51 of the statutes is repealed.

9 **SECTION 9.** 218.52 (1) and (2) of the statutes are repealed.

10 **SECTION 10.** 227.43 (1) (bg) of the statutes is amended to read:

11 227.43 (1) (bg) Assign a hearing examiner to preside over any hearing or review
12 under ss. 84.30 (18), 84.305, 84.31 (6) (a), 85.013 (1), 86.073 (3), 86.16 (5), 86.195 (9)
13 (b), 86.32 (1), 101.935 (2) (b), 101.951 (7) (a) and (b), 114.134 (4) (b), 114.135 (9),
14 114.20 (19), 175.05 (4) (b), 194.145 (1), 194.46, 218.0114 (7) (d) and (12) (b), 218.0116
15 (2), (4), (7) (a), (8) (a) and (10), 218.0131 (3), 218.11 (7) (a) and (b), 218.22 (4) (a) and
16 (b), 218.32 (4) (a) and (b), 218.41 (4), ~~218.51 (5) (a) and (b)~~, 341.09 (2m) (d), 342.26,
17 343.69, 348.105 (5) (h), and 348.25 (9).

18 **SECTION 11.** 321.60 (1) (a) 15. of the statutes is amended to read:

19 321.60 (1) (a) 15. A license, permit, or registration issued under ss. 218.0101
20 to 218.0163, 218.11, 218.12, 218.22, 218.32, 218.41, ~~218.51~~, 341.51, 343.305 (6),
21 343.61, or 343.62.

22 **SECTION 12.** 340.01 (25j) (intro.) and (a) of the statutes are consolidated,
23 renumbered 340.01 (25j) and amended to read:

24 340.01 (25j) "Junk vehicle" means ~~any of the following: (a) A~~ a vehicle which
25 ~~is incapable of operation or use upon a highway and which~~ that has no resale value

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1 except as a source of parts or scrap and that has been designated by the owner as a
2 source of parts or scrap.

3 **SECTION 13.** 340.01 (25j) (b) of the statutes is repealed.

4 **SECTION 14.** 342.34 (3m) of the statutes is repealed.

5 **SECTION 15. Initial applicability.**

6 (1) The treatment of section 340.01 (25j) (intro.), (a), and (b) of the statutes first
7 applies to a motor vehicle that is first determined to be a junk vehicle or that is junked
8 or destroyed on the effective date of this subsection.

9 (2) The treatment of section 218.507 of the statutes first applies to a motor
10 vehicle sold by or purchased from a motor vehicle salvage pool on the effective date
11 of this subsection.

12

(END)