

NOTICE OF PROPOSED GUIDANCE DOCUMENT

Oct2019PlainDealing

Pursuant to Wis. Stat. s. 227.112, the Wisconsin Department of Transportation is hereby seeking comment on Oct2019PlainDealing, a proposed guidance document.

PUBLIC COMMENTS AND DEADLINE FOR SUBMISSION

Comments may be submitted to the Wisconsin Department of Transportation for 1 day by:

1. Department's website:

[https://trust.dot.state.wi.us/act369/?](https://trust.dot.state.wi.us/act369/?id=DMV991&uri=file:Oct2019PlainDealing&division=DMV&tags=DAS)

[id=DMV991&uri=file:Oct2019PlainDealing&division=DMV&tags=DAS](https://trust.dot.state.wi.us/act369/?id=DMV991&uri=file:Oct2019PlainDealing&division=DMV&tags=DAS)

2. Mailing written comments to:

Division of Motor Vehicles

Wisconsin Department of Transportation

4822 Madison Yards Way

PO Box 7336

Madison, WI 53707-7336

WEBSITE LOCATION OF FINAL GUIDANCE DOCUMENT

The final version of this guidance document will be posted at wisconsin.dot.gov to allow for ongoing comment.

AGENCY CONTACT

DOTDMVGuidanceDocs@DOT.WI.GOV



PLAIN DEALING

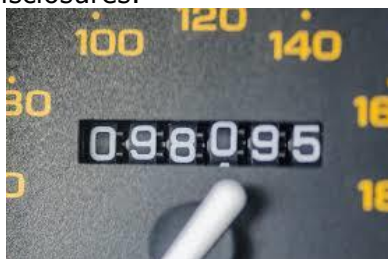
A policy and administrative bulletin for licensed dealers
from the WisDOT DMV Dealer and Agent Section

wisconsin.dmv.gov

October 2019 Volume 30
Issue 3

NHTSA issues final rule permitting electronic odometer disclosures

The National Highway Traffic Safety Administration (NHTSA) announced a [final rule](#) establishing standards under which states may allow for electronic odometer disclosures.



The rule has yet to be officially published, and DMV is still reviewing the rule and its impact. Here are a few of the highlights of NHTSA's electronic odometer disclosures:

- Resets exemptions so that vehicles that are 20

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Updated Field Investigation Unit territory map

years old or older (rather than 10) are exempt from mileage reporting

- Allows both physical and electronic titles and powers of attorney
- Defines "Access," "Electronic Power of Attorney," "Electronic Title," "Jurisdiction," "Printed Name," "Original Power of Attorney," "Sign or Signature," and "Transferor" more precisely.
- Allows authorized modifications to electronic records

The final rule has not been published and becomes effective 90 days after publishing. DMV is analyzing the changes and their impact on Wisconsin's laws. The most notable and immediate change will be the odometer exemption change from 10 years to 20 years. Based on the table provided in the final rule, this will impact 2010 vehicles which won't become exempt until 2030.

DMV will provide additional guidance as it becomes available.

Policy change for APU Title and Registration corrections

Beginning December 1, 2019, the Business & Consumer Services Unit will no longer

The Dealer and Agent Section recently added more changes and consolidations in three Field Investigation Unit territories. If your dealership is located in one of the following counties, please note these changes:

- Columbia Crawford, Dane, Grant, Green, Iowa, Lafayette, Richland, or Sauk county, your Field Investigator is **Brandon Wilbik**.
- Adams, Calumet, Fond du Lac, Green Lake, Juneau, La Crosse, Marquette, Monroe, Sheboygan, Vernon, Waushara, or Winnebago county, your Field Investigator is **Dreher Dysert**.

Visit the [Field Investigation Unit Territories map](#) for the most current updates and contact information.



Are your customers REAL ID ready? Beginning October 1, 2020, the regular Wisconsin driver license or ID will no longer be accepted identification for domestic air travel or to enter a federal building or military base.

Wisconsin's REAL ID-compliant driver licenses and IDs are marked with a star:



accept correction requests when a title or registration is processed correctly from information on the original paperwork. Any change that varies from the original paperwork is a new application, not a correction.

Change requests that were originally correct will be handled as new transactions and will require the appropriate forms and fees.

Any ownership or lien changes, additions or removals should be processed as a new application to comply with Wis. Admin. Code chs. [Trans 141](#) and [Trans 148](#).

Dealers and lenders should work collaboratively to ensure each has the necessary document to process the new applications. Dealers and lenders should be aware a \$5 processing fee and \$20 surcharge may be required for WisDOT to process these title transactions.

Illinois Out-of-State Dealer policy

An August Illinois Secretary of State memo has new requirements for Out-of-State dealers and auctioneers.

Non-compliant cards don't have the star or are marked "NOT FOR FEDERAL PURPOSES." wisconsin.dmv.gov/realid

Listen to DMV Administrator Kristina Boardman discuss the process for obtaining a REAL ID in WisDOT's October "Transportation Connects Us" [podcast](#) or hear all our episodes wisdot.libsyn.com.



Account activity alerts added to DMV's eNotify online service

eNotify is the easiest way to get plate renewal and driver license/ID reminders through email or text.

Subscribers to eNotify also receive alerts when certain transactions occur, such as when an application for a duplicate driver license or ID card is made, or when their address is changed in DMV's systems. wisconsin.dmv.gov/enotify

Emissions testing in winter

Cold weather can affect evaporative systems, which may prevent a vehicle from passing the emissions inspection. The outside air temperature affects the fuel volatility and the amount of vapor formed in the tank.

Motorists whose vehicles are due for emissions inspections in winter may test within 180 days of the vehicle registration due date. This can help avoid testing in cold weather and potential monitor readiness issues.



All Illinois certificate of titles or rebuilt titles for vehicles that are sold to out-of-state dealers or out-of-state wholesalers must be stamped in 36-point font, on the front of the title and on the back in the reassignment area, with either of the following:

"NOT FOR RESALE WITHIN ILLINOIS" or "NOT FOR RETAIL SALE WITHIN ILLINOIS"

This created a significant number of issues for Wisconsin dealers who sell vehicles to Illinois customers.

After Wisconsin and several other states expressed this concern, Illinois officials issued the following revisions:

- **Beginning October 15, 2019**, Illinois certificate of titles or rebuilt titles for vehicles sold in Illinois to non-Illinois dealers or wholesalers for less than \$5,000 and weighing less than 12,000 pounds **MUST BE MAILED** to a non-Illinois address.
- No titles may be hand-delivered or transferred at the time of sale; the title must be mailed to the non-Illinois dealer's



If readiness issues persist, and the vehicle is in a county that requires emissions testing, the motorist can get help by calling the Wisconsin Vehicle Inspection Program ([WIVIP](#)) hotline at 1-866-OBD-TEST (1-866-623-8378).

For more information regarding evaporative systems, consult the [Spring 2019 issue of The Analyzer](#), the Wisconsin Vehicle Inspection Program newsletter.

More Analyzer newsletters with tech tips may be found on the [WIVIP newsletter website](#). If you would like the newsletter and notifications of upcoming training opportunities emailed to you, please register with the program. The [application form](#) is also located in the newsletters.

Advertising Guidelines

Here's the link to the complete, updated advertising guidelines:

[**DOT Advertising Guidelines Update**](#)

or wholesaler's home jurisdiction address.

- The previously issued title stamping requirements are repealed.

Any questions relating to this policy should be directed to the [Illinois Secretary of State's Office](#).

Registration can only be transferred after 30 days

Wisconsin dealers will register vehicles in the dealership's name for a variety reasons. Wisconsin law will only allow a license plate to be transferred to another vehicle after it's been valid for 30 days. If a dealership wants to register a vehicle, it can either transfer a plate that has been valid for over 30 days or obtain new registration.

Please see [Wis. Admin Code Trans 154.13\(1\)\(f\)](#) for further information.

Title only applications

Due to increased fraud and the circumvention of existing registration laws, DMV recently changed its policy for accepting title-only applications.

DMV Customer Service Centers will no longer issue title-only applications when the vehicle was sold by a licensed



Agent training videos are here!

The Dealer and Agent Section created a series of short training videos for eMV Agent and eMV11 processing systems. These video



tutorials, designed with simplicity and convenience in mind, cover a wide range of topics and functions which are available on both of these processing systems.

Learn how to troubleshoot, process and become familiar with the eMV systems and capabilities. The tutorials are specifically designed to aid in processing. New videos are added regularly.

These videos are available on the WisDOT [eMV Agent Informational Video](#) webpage and the [eMV11 Informational Video](#) webpage.

We're at [.gov](#)

Wisconsin dealer. Dealers need to mail these applications in for manual processing.

Dealers or dealer runners will no longer be given the title for a title-only application being issued to a customer. DMV Customer Service Centers will still process the application and collect the fees, but the title will be mailed to the customer.

This does not apply to vehicles being titled into the dealer's name, replacement titles, heirs, or other special circumstances with the proper supporting documentation.

If you have any questions regarding this policy change, please contact the Dealer and Agent Section at 608-266-1425.

PARTNER Project update

After a successful pilot period, the PARTNER Project launched on August 20, 2019. Since then, Vendors and DMV have been transitioning their organizations onto the new system. DMV continues to provide support to users of the new system, whether it be for sign-up or processing title/registration transactions. We hope to transition all participating organizations onto the new system by November 1, 2019. Change is never easy, but DMV is making every effort to minimize the impact on your business during this transition. We appreciate your patience and understanding.

Note: Only the website with .gov is the official state DMV website. Other DMV sites with .org and .com are not official and may have extra charges for forms or list information that is outdated or incorrect.

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Wisconsin Department of Transportation,
Division of Motor Vehicles, Bureau of Vehicle
Services, Dealer and Agent Section.

Kristina Boardman,

Administrator

Patrick Fernan,

Deputy Administrator

Ann Perry,

Bureau Director (BVS)

Michael Domke,

Section Chief (DAS)

Scott Selbach, Vehicle Emissions Program, Supervisor

Mirenda McArdle, Field Investigation Unit, Supervisor

Shin Lin Tung, Business and Consumer Services Unit,

Supervisor

Dealer & Agent Section

dealers.dmv@dot.wi.gov

Phone: (608) 266-1425

Thank you,
Partner Project Team
eMVPartner@dot.wi.gov

Click [here](#) for more information regarding the eMV PARTNER system.

DAS Quarterly Report numbers

The following numbers have been generated from the Dealer and Agent Section (DAS) Quarterly Report. This data is from the **third quarter** of 2019 (July through September).

Field Investigation Unit (FIU)

The following statistics represent the Field Investigation Unit's compliance efforts, community outreach and enforcement actions.

Activity	Third Quarter
FIU Complaints Closed	516
FIU Inspections (Dealers)	524
FIU Educational Presentations	5

APU/DLU

The Agent Partnership Unit (APU) answers phone calls from dealers, government agencies, financial institutions, gas stations, grocery stores and various other types of agents throughout the state. These agents electronically process

either title and registration, or renewal registration applications on behalf of the DMV.

The Dealer Licensing Unit (DLU) issues and renews multiple business license types.

Individual licenses are issued to individuals who are selling or purchasing vehicles on behalf of dealerships. DLU answers dealer licensing questions as well as provides information about consumer harm and how to file a dealer complaint to the general public.

Activity	Third Quarter
APU Phone Calls	13,199
DLU Phone Calls	4,416
Business Licenses Issued	637
Individual Licenses Issued	3,919

Lemon Law

DMV receives telephone and email inquiries from consumers, dealers, lawyers, manufacturers, and law makers. The inquiries range from questions about the specifics of the Lemon Law, to assisting all facets of pursuing a claim.

Activity	Third Quarter
Lemon Law Inquiries	187

Electronic Title and Registration Processing

Dealers and agents processing titles and/or registration electronically:

Activity	Third Quarter
Renewal Agents	1,011
Title Agents (includes dealerships)	4,556
Total	5,567

Wisconsin motor vehicle dealers are required to electronically process all title/registration applications for their customers. For more information regarding electronic processing options, visit the DMV [eMV11 Electronic Processing webpage](#).

These systems are available for electronic processing:

- eMV11 - for dealers only
- eMV Agent - for lenders only
- Computerized Vehicle Registration (CVR)
- Dealertrack Registration and Title, formerly known as TriVIN
- National Financial Corporation (NFC) - registration only
- Opus Inspection Inc., formerly known as Systech International LLC - registration only

Electronic Title Delivery

Lenders receiving electronic title records:

Activity	Third Quarter
Lenders	976

These service providers deliver and manage electronic titles:

- Secure Title Administration, Inc.
- Dealertrack Collateral Management Services
- Decision Dynamics, Inc.
- PDP Group, Inc.
- VINtek

The electronic lien and title (also known as ELT or e-Title) program is an optional program for lien holders who prefer receiving electronic title records instead of paper titles. This program has been available since July 30, 2012. For more information regarding ELT options, visit the DMV [Title to Lien Holder webpage](#).

WisDOT Enforcement Actions

[See the complete Enforcement Actions list](#)



Wisconsin Department of Transportation | (608) 266-1425
AgentPartnershipUnit@dot.wi.gov | DealerLicensingUnit@dot.wi.gov
Dealer and Agent Section
PO Box 7909
Madison, WI 53707

Wisconsin Department of
Transportation, Dealer and Agent Section, 4822 Madison Yards Way, Rm. 201, Madison,
WI 53705

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