

Clearinghouse Rule 00-085

CERTIFICATE

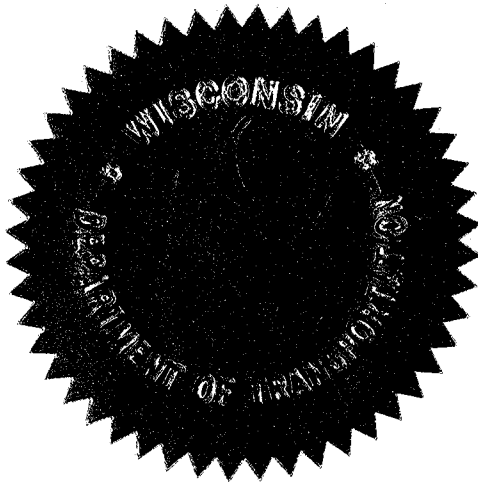


STATE OF WISCONSIN)
) ss.
DEPARTMENT OF TRANSPORTATION)

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, TERRENCE D. MULCAHY, Secretary of the Wisconsin Department of Transportation and custodian of the official records, do hereby certify that the rule, relating to **recreational vehicle dealer trade practices, facilities and records**, was duly approved and adopted by this Department on June 30, 2000.

I further certify that this copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.



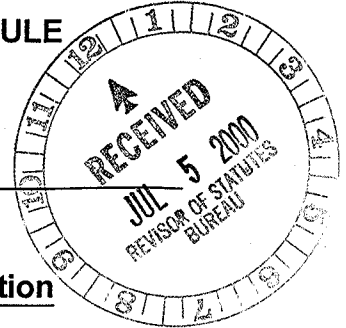
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Transportation at 4802 Sheboygan Avenue, in the City of Madison, Wisconsin, this 30 day of **June**, 2000.

Terrence Mulcahy
TERRENCE D. MULCAHY, P.E.
Secretary

9/1/00

The Wisconsin Department of Transportation adopts an order to repeal TRANS 142.02(4)(note); and amend TRANS 142.01, 142.02(7)(a), (a)1. and 142.07(note), Wisconsin Administrative Code, relating to recreational vehicle dealer trade practices, facilities and records.

ORDER ADOPTING RULE



Analysis Prepared by the Wisconsin Department of Transportation

STATUTORY AUTHORITY: ss. 218.12(6) and 227.11, Stats.

STATUTES INTERPRETED: ss. 218.10(1g), Stats.

General Summary of Rule. Chapter Trans 142 defines trade practices, facilities and record requirements for Wisconsin recreational vehicle dealers. 1999 Wis. Act 9 changed the definition of "mobile homes" and created a new definition for "recreational vehicle" in Chapter 218, Stats., effective July 1, 2000. These changes also remove the reference to the regulation of mobile home dealers, which were regulated by the Department of Administration, from Chapter 218. Section 340.01(48r), Stats., creates a definition of "recreational vehicle" to mean a mobile home that does not exceed 45 feet in length. The definition of a mobile home in s. 340.01(29), Stats., is simplified by deleting reference to length. Mobile home dealers will be regulated by the Department of Commerce. Recreational vehicle dealers continue to be regulated by ch. Trans 142. The purpose of the rule amendment is to bring the rule wording into compliance with the statutory definitions. There are no new policies in the rule amendment.

Fiscal Impact. The Department estimates that there will be no fiscal impact on the liabilities or revenues of any county, city, village, town, school district, vocational, technical and adult education district or sewerage district. The Department estimates that there will be no fiscal impact on state revenues or liabilities.

Final Regulatory Flexibility Analysis. This rule will have no adverse impact on small businesses.

Copies of Rule. Copies of the rule may be obtained upon request, without charge, by writing to Carol Sobek, Division of Motor Vehicles, Program Development, Room 253, P. O. Box 7911, Madison, Wisconsin 53707-7911, or by calling (608) 266-2199. Alternative formats of the rule will be provided to individuals at their request.

TEXT OF RULE

Under the authority vested in the state of Wisconsin, department of transportation, by of ss. 218.12(6) and 227.11, Stats., the department of transportation hereby amends a rule interpreting s. 218.10(1g), Stats., relating to recreational vehicle dealer trade practices, facilities and records.

SECTION 1. Trans 142.01 is amended to read:

Trans 142.01 Purpose and scope. (1) STATUTORY AUTHORITY. As authorized by ss. ~~440.06(1)~~, 218.12(6) and 227.11, Stats., the purpose of this chapter is to establish the department's administrative interpretation of ss. ~~218.10(3)~~ 218.10(1g), 218.11(3), ~~218.11~~ (6)(e), (h), (i), (k) and (n), ~~218.11~~ and (7)(c), 218.12(5) and 342.16(2), Stats., relating to recreational vehicle dealer trade practices, facilities and records.

NOTE: The Department of Commerce regulates the trade practices, facilities and records of manufactured home dealers.

SECTION 2. Trans 142.02(4)(note) is repealed.

SECTION 3. Trans 142.02(7)(a) and (a)1. are amended to read:

Trans 142.02 (7)(a) A ~~mobile home~~ dealer as set forth in s. ~~218.10(3)~~ 218.10(1g), Stats., but does not include:

1. A manufactured home retailer as defined in s. ~~Trans 141.02(7)~~ Adm 67.02(7).


SECTION 4. Trans 142.07(note) is amended to read:

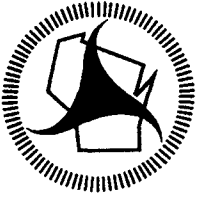
Trans 142.07(note) Dealer financial responsibility requirements ~~will be~~ are specified in another rule promulgated by the department ch. Trans 140.

(END OF RULE TEXT)

Effective Date. This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Signed at Madison, Wisconsin, this 30 day of June, 2000.


TERRENCE D. MULCAHY, P.E.
Secretary
Wisconsin Department of Transportation



Wisconsin Department of Transportation

www.dot.state.wi.us

Tommy G. Thompson
Governor

Terrence D. Mulcahy, P.E.
Secretary

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July 5, 2000

Mr. Gary Poulson
Deputy Revisor of Statutes
131 West Wilson Street, Suite 800
Madison, Wisconsin 53703

RE: **CLEARINGHOUSE RULE 00-085**

In the Matter of the Adoption of **TRANS 142**, Wisconsin Administrative Code,
relating to **recreational vehicle dealer trade practices, facilities and records**

Dear Mr. Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of **CR 00-085**, an administrative rule relating to the above-mentioned matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Julie A. Johnson".

Julie A. Johnson
Paralegal

Enclosures

cc: Mike Goetzman
Alice Morehouse
Roger D. Cross
Carson Frazier
Carol Sobek

