

Clearinghouse Rule 96-070

CERTIFICATE

STATE OF WISCONSIN)
) ss.
DEPARTMENT OF TRANSPORTATION)

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, CHARLES H. THOMPSON, Secretary of the Wisconsin Department of Transportation and custodian of the official records, do hereby certify that the rule, relating to **fee for title and registration processing contractors**, was duly approved and adopted by this Department on November 20, 1996.

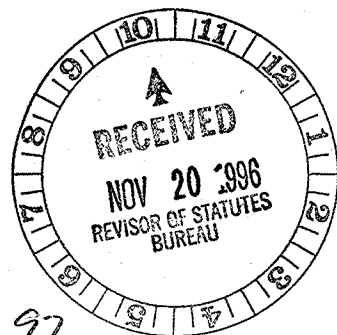
I further certify that this copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.



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 20 day of **November**, 1996.

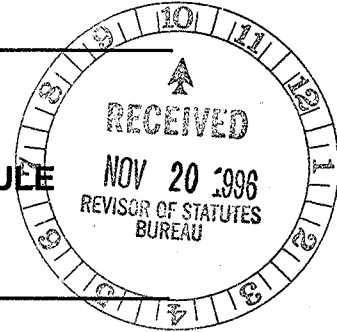
Charles H. Thompson

CHARLES H. THOMPSON
Secretary



The Wisconsin Department of Transportation adopts an order to renumber and amend TRANS 139.05(8); and to create TRANS 139.05(8)(b), relating to fee for title and registration processing contractors.

ORDER ADOPTING RULE



Analysis Prepared by the Wisconsin Department of Transportation

STATUTORY AUTHORITY: ss. 85.16(1), 218.01(5)(c) and 227.11(2), Stats.
STATUTES INTERPRETED: s. 341.21, Stats.

General Summary of Rule. The changes to ch. Trans 139 are in response to 1995 Wisconsin Act 113, section 128, which created s. 341.21, Stats., a provision for the Department to contract with any person for services relating to the processing and distribution of original or renewal registrations and certificates of titles. The Department is planning to contract with dealer licensees to perform these services.

The rule amends ch. Trans 139 in the following way:

Charging a fee -- This provides for a dealer licensee to charge a fee to provide the services specified in s. 341.21, Stats., if they are under contract with the Department to provide these services. The amount of the fee will be specified in the contract with the Department.

Final Regulatory Flexibility Analysis. This rule will have no adverse impact on small businesses beyond any effect imposed by the statutes.

Fiscal Effect. This rule will have no fiscal effect beyond effect imposed by the statutes.

Preparation and Copies of Rule. Preparation of this rule was done by Joan Loden, Department of Transportation, Division of Motor Vehicles, Dealer Section, Room 806, P. O. Box 7909, Madison, WI 53707-7909. Copies of the rule may be obtained upon request, without cost, by writing to Ms. Loden at the above address or by calling (608) 267-0404. Hearing-impaired individuals may contact the Department using TDD (608) 266-0396. Alternate 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 ss. 85.16(1), 218.01(5)(c) and 227.11(2), Stats., the department of transportation hereby amends a rule interpreting s. 341.21, Stats., relating to motor vehicle trade practices.

SECTION 1. Trans 139.05(8) is renumbered Trans 139.05(8)(a) and amended to read:

Trans 139.05(8) SERVICE FEES. (a) Except as provided in par. (b). A a dealer licensee ~~shall~~ may not assess a purchaser an additional service fee or charge for completing any sales-related vehicle inspection or forms which are required by law or rule.

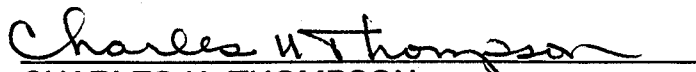
SECTION 2. Trans 139.05(8)(b) is created to read:

Trans 139.05(8)(b) A dealer licensee who has contracted with the department in accordance with the provisions of s. 341.21, Stats., may charge a purchaser a fee in the amount contained in the contract for the dealer's services relating to the processing or distribution of an original or renewal registration or a certificate of title.

(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 20 day of November, 1996.


CHARLES H. THOMPSON
Secretary
Wisconsin Department of Transportation



Wisconsin Department of Transportation

Tommy G. Thompson
Governor

Charles H. Thompson
Secretary

OFFICE OF GENERAL COUNSEL
P. O. Box 7910
Madison, WI 53707-7910

November 20, 1996

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

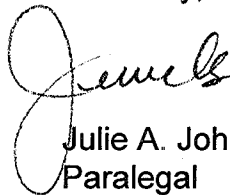
RE: **CLEARINGHOUSE RULE 96-70**

In the Matter of the Adoption of **TRANS 139**, Wisconsin Administrative Code,
relating to **fee for title and registration processing contractors**.

Dear Mr. Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of **CR 96-70**, an administrative rule relating to the above-mentioned matter.

Sincerely,


Julie A. Johnson
Paralegal

Enclosures

cc: Ann Agnew
Dorothy Kapke
Jim McDonnell
Roger Cross
Joan Loden
Carson Frazier

