

No. 357, A.]

[Published May 27, 1953.

CHAPTER 175

AN ACT to create 30.10 of the statutes, relating to actions against a nonresident owner or operator of watercraft causing injury to person or property within this state.

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

30.10 of the statutes is created to read:

30.10 DAMAGE BY FOREIGN OPERATOR OF WATERCRAFT; SERVICE OF PROCESS. (1) In an action in any court of this state, arising out of injury to person or property caused by any watercraft while operating in the waters of this state, including

the Wisconsin portion of boundary rivers, or moored in such waters or against shore land in this state, when the owner or operator is a nonresident of this state or a corporation not incorporated under the laws of this state, service of the original process may be made upon such nonresident owner or operator or upon such foreign corporation in the manner provided in sub. (2). The venue of such an action shall be the county in which the damage occurred and the presence of such watercraft and the doing of said damage within the territory comprising the state of Wisconsin, together with the subsequent removal of said watercraft from the jurisdiction of this state, shall constitute a waiver by the owner or operator thereof of any objection to the venue of such an action commenced in a proper court of this state.

(2) Service shall be made by mailing a copy of the original summons to the secretary of state, together with remittance of a fee of \$2, and such service shall be sufficient; provided that a copy of the service shall be forthwith sent by registered mail to the defendant and the defendant's return receipt and an affidavit of plaintiff or his attorney as to compliance herewith are filed in this action.

(3) The person in charge of such watercraft shall report within 24 hours to the sheriff of the county wherein the injury occurred the names and addresses of the owners and operators of the watercraft, and the names and addresses of all other persons on board the same at the time of the injury, together with a brief statement as to how the accident occurred. Failure to make the report required by this section will subject the owner of the watercraft to a fine of not less than \$25 and not more than \$500.

Approved May 22, 1953.
