

1969 Assembly Bill 35

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**CHAPTER 114, LAWS OF 1969**

AN ACT to amend 204.30 (3) of the statutes, relating to the removal of the "garagemen's exemption" from automobile insurance policies.

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

204.30 (3) of the statutes is amended to read:

204.30 (3) No such policy shall be issued or delivered in this state to the owner of a motor vehicle, unless it contains a provision ~~reading~~ substantially as follows: The indemnity provided by this policy is extended to apply, in the same manner and under the same provisions as it is applicable to the named assured, to any person ~~or persons~~ while riding in or operating any automobile described in this policy when such automobile is being used for purposes and in the manner described in ~~said~~ the policy. Such indemnity shall also extend to any person legally responsible for the operation of such automobile. The insurance hereby afforded shall not apply unless the riding, use or operation ~~above referred to~~ is with the permission of the assured named in this policy, or if such assured is an individual, with the permission of an adult member of such assured's household other than a chauffeur or domestic servant, such permission in both cases to be deemed permission without regard to s. 343.45 (2) or to whether the riding, use or operation is authorized by law; but ~~no insurance afforded by this paragraph shall apply to a public automobile garage or an automobile repairshop, sales agency, service station and the agents or employees thereof~~ any such policy issued to any automobile sales agency, repair shop, service station, storage garage or public parking place may provide that the coverage afforded to anyone other than the named assured,

*his agents or employes may be limited to the limits under s. 344.01 (2) (d) and shall apply only when there is no other valid and collectible insurance with at least those limits whether such other insurance be primary, excess or contingent. Any such policy issued to anyone other than an automobile sales agency, repair shop, service station, storage garage or public parking place may provide that the coverage afforded thereunder to any automobile sales agency, repair shop, service station, storage garage or public parking place or its agents or employes may be limited to the limits under s. 344.01 (2) (d) and shall apply only when there is no other valid and collectible insurance with at least those limits whether such other insurance is primary, excess or contingent. In the event an automobile covered by this policy is sold or transferred the purchaser or transferee shall not be an additional insured without consent of the company, endorsed hereon. No such policy issued to any automobile sales agency, repair shop, service station, storage garage or public parking place may provide any exclusion of coverage upon any of their officers, agents, or employes when said officers, agents, or employes are operating automobiles owned by customers doing business with said automobile sales agency, repair shop, service station, storage garages or public parking place.*

Approved July 29, 1969.

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