

1969 Senate Bill 643

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CHAPTER 329, LAWS OF 1969

AN ACT to amend 342.18 (2), 342.19 (5) and 342.22 (1) of the statutes, relating to perfection of security interests in motor vehicles.

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

SECTION 1. 342.18 (2) of the statutes is amended to read:

342.18 (2) The department, upon receipt of an application for a new certificate of title by a transferee other than by voluntary transfer, with proof of the transfer, the required fee and any other documents required by law, shall issue a new certificate of title in the name of the transferee as owner. *If the transfer constituted a termination of the owner's interest or a sale under a security agreement by a secured party named in the certificate, under s. 342.17 (2), the new certificate shall be issued free of the names and addresses of the secured party who terminated the owner's interest and of all secured parties subordinate under s. 342.19 to such secured party.* If the outstanding certificate of title is not delivered to it, the department shall make demand therefor from the holder of such certificate.

SECTION 2. 342.19 (5) of the statutes is amended to read:

342.19 (5) The rules stated in ss. 409.501 to 409.507 governing the rights and duties of secured parties and debtors and the requirements for, and effect of, disposition of a vehicle by a secured party, upon default shall, to the extent appropriate, govern the rights of secured parties and owners with respect to security interests in vehicles perfected under this chapter.

SECTION 3. 342.22 (1) of the statutes is amended to read:

342.22 (1) Whenever there is no outstanding obligation and no commitment to make advances, incur obligations or otherwise give value, secured by the security interest in a vehicle *under any security agreement between the owner and the secured party*, the secured party shall execute and deliver to the owner, ~~upon the certificate, or~~ as the department prescribes, a release of the security interest *in the form and manner prescribed by the department.* If the secured party fails to execute and deliver such a release within 10 days after receipt of the owner's written demand therefor he shall be liable to the owner for \$25 and for any loss caused to the owner by such failure.

Approved December 15, 1969.
