



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1995 ASSEMBLY BILL 138**

April 12, 1995 – Offered by COMMITTEE ON HIGHWAYS AND TRANSPORTATION.

1 **AN ACT to amend** 779.41 (1) (intro.), (a), (b) and (c) 1. to 4.; and **to create** 779.41
2 (1m) of the statutes; **relating to:** mechanic's liens.

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

3 **SECTION 1.** 779.41 (1) (intro.), (a), (b) and (c) 1. to 4. of the statutes are amended
4 to read:

5 779.41 (1) (intro.) Every mechanic and every keeper of a garage or shop, and
6 every employer of a mechanic who transports, makes, alters, repairs or does any
7 work on personal property at the request of the owner or legal possessor of the
8 personal property, has a lien on the personal property for the just and reasonable
9 charges therefor, including any parts, accessories, materials or supplies furnished
10 in connection therewith and may retain possession of the personal property until the
11 charges are paid. The lien provided by this section is subject to the lien of any
12 security interest in the property which is perfected as provided by law prior to the
13 commencement of the work for which a lien is claimed unless the work was done with

1 the express consent of the holder of the security interest, but only for charges in
2 excess of ~~\$1,000~~ \$1,500 except if the personal property is:

3 (a) A trailer or semitrailer designed for use with a road tractor, for charges in
4 excess of ~~\$3,000~~ \$4,500.

5 (b) Road machinery, including mobile cranes and trench hoes, farm tractors,
6 machines of husbandry, or off-highway construction vehicles and equipment, for
7 charges in excess of ~~\$5,000~~ \$7,500.

8 (c) 1. More than 10,000 and less than 20,000 pounds, for charges in excess of
9 ~~\$2,000~~ \$3,000.

10 2. 20,000 pounds or more but less than 40,000 pounds, for charges in excess of
11 ~~\$4,000~~ \$6,000.

12 3. 40,000 pounds or more but less than 60,000 pounds, for charges in excess of
13 ~~\$6,000~~ \$9,000.

14 4. 60,000 pounds or more, for charges in excess of ~~\$8,000~~ \$12,000.

15 **SECTION 2.** 779.41 (1m) of the statutes is created to read:

16 779.41 (1m) Annually, on January 1, the department of agriculture, trade and
17 consumer protection shall adjust the dollar amounts identified under sub. (1) (intro.),
18 (a), (b) and (c) 1. to 4. by the annual change in the consumer price index, as
19 determined under s. 16.004 (8) (e) 1., and publish the adjusted figures.

20 **SECTION 3. Initial applicability.**

21 (1) The treatment of section 779.41 (1) (intro.), (a), (b) and (c) 1. to 4. of the
22 statutes first applies to liens on personal property transported, made, altered,
23 worked on or repaired on the effective date of this subsection.

24

(END)