



State of Wisconsin
2005 - 2006 LEGISLATURE

LRBa2512/2
PJH:cjs&wlj:jf

**ASSEMBLY AMENDMENT 1,
TO 2005 ASSEMBLY BILL 1024**

March 1, 2006 – Offered by COMMITTEE ON HIGHWAY SAFETY.

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 2, line 1: delete “renumbered 344.57 (1) (intro.)”.
- 3 **2.** Page 2, line 3: delete “(intro.)”.
- 4 **3.** Page 2, line 4: delete “, theft or loss of the private passenger vehicle.”.
- 5 **4.** Page 2, line 6: delete the material beginning with “A renter” and ending
6 with “apply:” on line 7.
- 7 **5.** Page 2, line 8: delete the material beginning with that line and ending with
8 page 3, line 4, and substitute:
- 9 “**SECTION 2m.** 344.574 (1) (a) 3. of the statutes is created to read:
- 10 344.574 (1) (a) 3. Theft of the private passenger vehicle intentionally caused
11 by the renter. A renter is presumed not to have caused the theft intentionally if all
12 of the following apply:

1 a. The renter or authorized driver has possession of the ignition key furnished
2 by the rental company or establishes that the ignition key furnished by the rental
3 company was not in the vehicle at the time of the theft.

4 b. The renter or authorized driver files an official report of the theft with the
5 police or other law enforcement agency within 24 hours of learning of the theft and
6 reasonably cooperates with the rental company, police, and other law enforcement
7 agencies in providing information concerning the theft.”.

8 **6.** Page 3 line 8: delete “after” and substitute “during the period before”.

9 **7.** Page 3, line 9: after “vehicle” insert “or for 14 days after the damage occurs,
10 whichever period is shorter”.

11 **8.** Page 3, line 16: delete “Upon request” and substitute “If requested within
12 2 working days of giving to the renter or authorized driver the notice required under
13 par. (a),”.

14 **9.** Page 3, line 17: after “estimate” insert “from a competing repair shop”.

15 **10.** Page 3, line 22: delete “s. 344.57” and substitute “s. 344.574 (1) (a) 3.”.

16 **11.** Page 3, line 23: delete that line.

17 **12.** Page 4, line 11: delete the material beginning with that line and ending
18 with page 5, line 6, and substitute:

19 “**SECTION 8m.** 344.576 (3) (c) of the statutes is amended to read:

20 344.576 (3) (c) The department of agriculture, trade, and consumer protection
21 shall promulgate rules specifying the form of the notice required under par. (a),
22 including the ~~size of the paper and the type size and any highlighting of the~~
23 information described in par. (a) and, in the case of a separate form, the size of the

1 paper. The rule may specify additional information that must be included in the
2 notice and the precise language that must be used.

3 **SECTION 9m.** 344.578 (1) of the statutes is amended to read:

4 344.578 (1) PROHIBITED DEPOSITS; COLLECTION OF DAMAGES. ~~A~~ Except as
5 provided in this subsection or in sub. (2) , a rental company may not use credit
6 available pursuant to a credit card belonging to a renter as a deposit for damages for
7 which the renter may be held liable under the rental agreement or under s. 344.574
8 (2) (a) or for any other charges, ~~except as provided in sub. (2)~~. If a rented private
9 passenger vehicle is damaged or if the renter owes any other charges provided for in
10 the rental agreement, the rental company may use credit available pursuant to a
11 credit card belonging to the renter as payment for the damages for which the renter
12 is liable under s. 344.574 (2) (a) or for any other charges provided for in the rental
13 agreement only if the rental company obtains the renter's authorization to use that
14 credit and the authorization is obtained after the total amount of the renter's liability
15 or other charges is determined and before the rental company processes the credit
16 card charge.”.

17 **13.** Page 5, line 7: delete that line.

18 **14.** Page 5, line 10: delete the material beginning with “even” and ending with
19 “whether” on line 11 and substitute “even though”.

20 (END)