



2001 SENATE BILL 274

October 10, 2001 - Introduced by Senators M. MEYER, BRESKE, BURKE, COWLES, DARLING, HUELSMAN, JAUCH and ROESSLER, cosponsored by Representatives SUDER, HUBER, AINSWORTH, ALBERS, BIES, GUNDERSON, HAHN, JESKEWITZ, KRAWCZYK, KREIBICH, LASSA, OTT, RYBA and SYKORA. Referred to Committee on Insurance, Tourism, and Transportation.

1 **AN ACT to amend** 218.0114 (1) of the statutes; **relating to:** the licensing of motor
2 vehicle dealers, motor vehicle salespersons, and sales finance companies and
3 providing a penalty.

Analysis by the Legislative Reference Bureau

Current law requires all motor vehicle dealers and salespersons to be licensed by the department of transportation. Current law also requires all sales finance companies to be licensed by the division of banking in the department of financial institutions. Failure to comply with any of these licensing requirements may result in a fine of not less than \$500 nor more than \$5,000.

This bill changes the penalty that may be imposed on an unlicensed motor vehicle dealer, motor vehicle salesperson, or sales finance company from a fine, which is a criminal penalty, to a civil forfeiture of not less than \$500 nor more than \$5,000.

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

4 **SECTION 1.** 218.0114 (1) of the statutes is amended to read:
5 218.0114 (1) No motor vehicle dealer, motor vehicle salesperson or sales
6 finance company may engage in business as a motor vehicle dealer, motor vehicle

SENATE BILL 274**SECTION 1**

1 salesperson or sales finance company in this state without a license therefor as
2 provided in ss. 218.0101 to 218.0163. If any motor vehicle dealer acts as a motor
3 vehicle salesperson, he or she shall secure a motor vehicle salesperson's license in
4 addition to a motor vehicle dealer license. Every motor vehicle dealer shall be
5 responsible for the licensing of every motor vehicle salesperson in his or her employ.
6 Any person violating this subsection may be ~~fin~~ed required to forfeit not less than
7 \$500 nor more than \$5,000.

8 **SECTION 2. Initial applicability.**

9 (1) This act first applies to violations committed on the effective date of this
10 subsection.

11 (END)