



Plain Dealing

A policy and administrative bulletin for licensed dealers from the WisDOT DMV Dealer and Agent Section



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Voluntary Dealer Training on July 16, 2024



The Wisconsin Department of Transportation is offering voluntary dealer training to existing and prospective motor vehicle dealers and their representatives.

The program covers the rules and regulations of doing business as a motor vehicle dealer in the state of Wisconsin.

Topics include:

- How to reassign titles and complete odometer disclosures
- Everything you want to know about the Wisconsin Buyer's Guide
- The laws of advertising vehicles
- How to complete and review title and registration forms and the motor vehicle purchase contract
- The proper use of dealer plates
- Mandatory display law

The 4-hour training program is voluntary and offered at no cost. Training is held virtually via Microsoft Teams (you will need access to a computer and the internet). We strongly encourage newly licensed dealers and dealer applicants to consider training, but all licensed dealers are welcome. This optional training is not a substitute for an initial inspection.

The next training will be held on Tuesday, July 16, 2024. Training begins at 10:00am and includes a 30-minute break for lunch.

Register by contacting dotdmvbvsdealertraining@dot.wi.gov and provide the following information:

- Your name
- Name of your dealership
- Email address

Questions? Contact dotdmvbvsdealertraining@dot.wi.gov.

Consignment Sales



Licensed dealers may sell a vehicle for a *private party* on consignment (consignment sales between dealers are prohibited). The laws for consignment sales are the same for any other vehicle you sell, except that you will need to complete a consignment agreement between yourself and the consignor before you can offer the vehicle for sale. The consignment agreement includes important information about the vehicle and the terms of the consignment (duration, minimum sales price, dealer commission, etc.).

The vehicle needs to be inspected by you and a Wisconsin Buyer's Guide posted on the vehicle. Log the vehicle in your dealer logbook at the time the consignment agreement is signed. Keep a photocopy of the vehicle title (front and back) to show to prospective purchasers. The consignor must provide you with a completed conforming odometer disclosure statement, which is made available to a prospective purchaser and later completed when the vehicle is sold.

More information about consignment (including a consignment checklist) is available from the [Right Way Manual](#), or by contacting your dealer investigator.

Disclosures required for wholesale transactions

Dealers must disclose the following information when wholesaling another motor vehicle:

- Material history
- Prior use
- Title brands
- All jurisdictions where the vehicle was previously titled

Sellers in wholesale transactions are required to make these disclosures per [Wis. Admin. Code ch. Trans 139.04\(8\)](#).

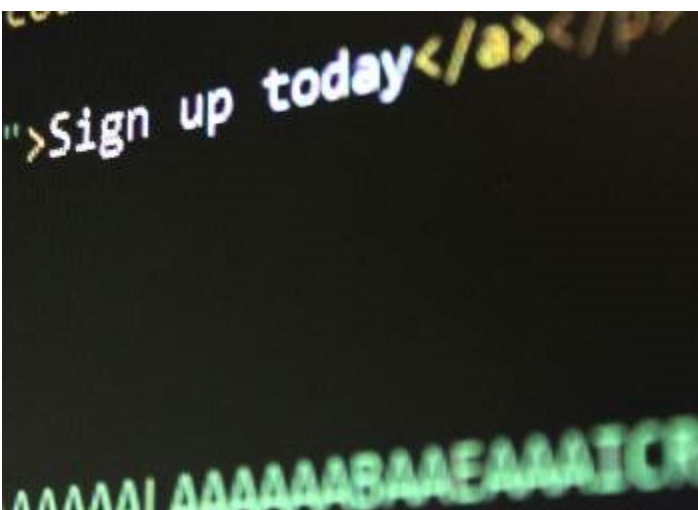
Disclosures should be made using the Wisconsin Wholesale Buyer's Guide MV2895, which is available from your form vendor.

When bringing a vehicle to auction, the auction block ticket may be substituted for the MV2895 form *if the auction block ticket includes all required disclosures*.

If you have questions regarding this process, please contact your field investigator.

WISCONSIN WHOLESALE BUYER'S GUIDE				Wisconsin Department of Transportation	
MV2895 4/2014				Distribution (make 3 copies):	
Instructions to licensed dealer, wholesaler, wholesale auction and salvage pool:				Copy 1 - Buyer	
1. Use one form for each motor vehicle wholesale transaction per Trans. 139.04(8) Wis. Admin. Code;				Copy 2 - Seller	
2. Use information available from manufacturer or auction notices, prior owner's documents and disclosures, seller's inspection and repair records.				Copy 3 - Auction	
Purchaser, seller and auction or salvage pool (if any): Keep a copy of this form for 5 years.					
Auction or Salvage Pool Name (if applicable)		Dealer Number	Sale Date (m/d/yyyy)		
Seller Name		Dealer Number	Buyer Name		Dealer Number
Address			Address		
City, State, ZIP Code			City, State, ZIP Code		
Vehicle Year	Vehicle Make	Vehicle Model	Vehicle Identification Number (VIN)		
Vehicle History (check ALL that apply):					
<input type="checkbox"/> Personal Use	<input type="checkbox"/> Business Use	<input type="checkbox"/> Lease Use	Title will have these Brands (check ALL that apply):		
<input type="checkbox"/> Rental Use	<input type="checkbox"/> Demonstrator Use	<input type="checkbox"/> Executive Use	<input type="checkbox"/> Rebuilt Salvage	<input type="checkbox"/> Flood Damaged	
<input type="checkbox"/> Driver Education	<input type="checkbox"/> Government Use	<input type="checkbox"/> Water Damaged	<input type="checkbox"/> Manufacturer Buyback/Lemon	<input type="checkbox"/> Police Vehicle	
<input type="checkbox"/> History and Use Not Known	<input type="checkbox"/> Titled to Insurance	<input type="checkbox"/> Other (explain):	<input type="checkbox"/> Taxicab or Public Transportation	<input type="checkbox"/> Non-USA Standard	
			<input type="checkbox"/> Transferred to Insurance Company; Damage Claim Paid	<input type="checkbox"/> Other (including brands from other states):	
ALL States Titled In: _____					
NOTE: Wholesale auctions and salvage pools are responsible for disclosing the above information for vehicles owned by dealers, manufacturers, and distributors in other jurisdictions.					
X (Seller Signature)		(Date - m/d/yyyy)	X (Buyer Signature)		(Date - m/d/yyyy)

Using AI for customer communications



Artificially intelligent (AI) programs or similar automated-response software give dealers unique ways to communicate with their customers. Dealers are responsible for any representations made by AI about their dealership or the vehicles they sell. These include:

- Vehicle price, including dealer discounts and rebates
- Vehicle availability
- Descriptions of the vehicle, including available options

While AI can appear life-like in communications, the fact is AI is not a replacement for a salesperson. Dealers are advised to clearly disclose the use of AI in communications with customers, to avoid potential confusion or misrepresentation.



The Dealer and Agent Section has been monitoring a growing trend of businesses being “cloned” by fraudsters online. Unfortunately, dealers are not immune to this concerning type of fraud.

Business cloning is the process of a bad actor copying the business’ social media or website images and other pertinent information. The cloned information is used to start a fake social media profile or website to make it appear the business is legitimate. Customers unknowingly contact the fraudulent business, and some have lost money in the belief they were purchasing a vehicle. Not only is this a substantial loss to customers, but the business’ reputation can be impacted as well.

Advocates encourage businesses to monitor their own internet profile and social media presence for signs of fraudulent activity. The Dealer and Agent Section is aware of at least two southeast Wisconsin dealers which have been affected by this scheme. Dealers can report internet related fraud at ic3.gov and reportfraud.ftc.gov. Dealers may also speak to their dealer investigator about the issue. The Better Business Bureau also has more information on business cloning trends.

For any questions contact John.Kleinfeldt@dot.wi.gov or call 414-227-1874.

Quarterly Report

The following numbers have been generated from the Dealer and Agent Section (DAS) Quarterly Report. This data is from the **fourth quarter** for the fiscal year beginning July 2023 (April through June 2024).

Field Investigation Unit (FIU)

The following statistics represent the Field Investigation Unit’s compliance efforts, community outreach and enforcement actions.

Activity	Fourth Quarter
Complaints closed	377
Dealer inspections	247
Educational presentations	1

APU/DLU

The Agent Partnership Unit (APU) answers phone calls from dealers, government agencies, financial institutions, gas stations, grocery stores and various other types of agents throughout the state. These agents electronically process either title and registration, or renewal registration applications on behalf of the DMV.

The Dealer Licensing Unit (DLU) issues and renews multiple business license types. Individual licenses are issued to individuals who are selling or purchasing vehicles on behalf of dealerships. DLU answers dealer licensing questions as well as provides information about consumer harm and how to file a dealer complaint to the general public.

Activity	Fourth Quarter
APU phone calls	10,051
DLU phone calls	5,275
Business licenses issued	757
Individual licenses issued	4,375

Lemon Law

DMV receives telephone and email inquiries from consumers, dealers, lawyers, manufacturers, and law makers. The inquiries range from questions about the specifics of the Lemon Law, to assisting all facets of pursuing a claim.

Activity

Lemon Law inquiries

Fourth Quarter

105

FIU Enforcement Actions

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