



“Nothing astonishes men so much as common sense and plain dealing.”

Ralph Waldo Emerson

e-titling growing by leaps and bounds

e-MV11

Plain Dealing, Spring-Summer 2005 gave an overview of the expansion of electronic processing. The new law, passed in July 2005, requires all licensed motor vehicle dealers to electronically process title and registration applications for their customers. This is available online at www.dot.wisconsin.gov/business/dealers/plain-dealing.htm. This issue focuses on the conveniences offered by electronic processing, updates to e-MV11, and answers to your questions about the program.

Sign-up now for electronic processing and reap the benefits

The conveniences offered by the electronic age have become a reality. The Division of Motor Vehicle's (DMV) successful Automated Processing Partnership (APPS) program started in 1996 and has been growing by leaps and bounds ever since. Most of you have received calls from your customers inquiring when they will receive their title. With your participation in electronic processing, DMV can better serve you and your customers. *CVR and triVIN participants already meet electronic processing requirements.*

WisDOT needs you to sign up!

CVR - Pat Sands at
1-800-668-2332 (ext. 1333)

triVIN — Kim Winskell at
1-800-876-2312 (ext.4242)

e-MV11— Reggie Paradowski at 608-266-8949 or Nancy Passehl at 608-264-9538

Choose one of these options.

e-MV11 participation on the rise – “A Great System!”

The e-MV11 program started on September 15, 2005 with a small number of dealerships. Currently, over 200 dealers participate in this program. Our experience is that customers and dealers appreciate the outstanding customer service and benefit greatly by using the easy-to-use, free e-MV11 Internet service. Some comments from participating dealers were:

“Great system, very user-friendly!”, is the word on the street.

“This is great, why didn't we go to this ten years ago?”, said Lee from Team Winnebagoland in Oshkosh.

“I just love using this system.” said Sue from Suburban Wheels in Black Earth.

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Plain Dealing is published quarterly by the Wisconsin Department of Transportation, Division of Motor Vehicles, Bureau of Vehicle Services, Dealer Section.

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Signing-up with e-MV11

How does it work?

You are no longer required to complete an MV11 application form when processing through the e-MV11 system. Basic information (such as the owner name and driver's license number) is obtained from the customer and is easily keyed into the system. If it already exists in the DMV database, their information is preloaded, making it even easier for you. The customer receives a temporary plate and a receipt upon delivery of their vehicle. The temporary plate will be tied to their vehicle's VIN, so they are instantly legal in the eyes of law enforcement. The customer will receive the title within seven to ten days after you complete the electronic application. The plates will follow approximately two weeks after receipt of the title. Dealers may include title and registration processing costs in any service fee that they may charge to cover costs for regulatory compliance.

How do I sign up?



Visit DMV's Web site at www.dot.wisconsin.gov/business/dealers/emv11. Click onto "Accessing e-MV11." You will find detailed instructions to obtain a user id and password and information to complete the Wisconsin's DMV e-MV11 Application Form. Below you will find these same steps condensed for a quick and easy overview:

Obtaining a User ID and Password via the Web Access Management System (WAMS)

- (a) <https://on.wisconsin.gov> (click accept)
- (b) Click on Self-Registration
- (c) Complete the profile information – red asterisk fields must be entered
- (d) User id – must be 5-20 characters
- (e) Password – must be 7-20 characters and contain a number
- (f) Write down your password/user id – you will need it again.

Activating your account

Close out your session, check your email for a message from WAMS and click on the Web link. Key your user id and password again to confirm you have the correct user id and password.

Completing the application form.

Complete, print and fax an e-MV11 application to 608-267-0323. List *different* email addresses for *each* person. Choose a number from the role choices listed on the form. Each dealership must have at least one person to process (complete transactions) and maintain EFT (electronic funds transfer).

Confirming your application.

You will receive an e-mail and a fax confirming your application to join the e-MV11 program from DMV. These documents will include the link to the e-MV11 system.

Signed on, but still can't process?

Before processing any title or inquiry transactions, your electronic funds transfer information must be entered by performing the steps below:

- Log onto the e-MV11 application
- Select "Bank account information and forms" from the main menu
- Select "ACH maintenance"
- Select "Add from bank account"
- Enter bank name, routing number and account number
- Select "Add bank account"

For more detailed information about adding account information, see Section 8 of the e-MV11 user manual at DMV's website. Please note the "ACH information" button will not appear if you did not sign up for the "maintain EFT" role on the e-MV11 application form.

Change Adobe Reader settings

Remember to change your Adobe Reader settings before processing applications. This allows you to process consecutive applications without logging back into the application.

1. If you have Windows, click on Start and select Programs. If not, go into your computer's list of programs.
2. Click on Adobe Reader.
3. Click on Edit.
4. Click on Preferences.
5. Depending on which version of Adobe Reader you have, select either Options or Internet from the list on the left side of the window.
6. Unclick the first box - display PDF in browser.
7. Click on OK. Exit Adobe Reader

More about e-MV11



Need help processing? – call WisDOT

Wisconsin Department of Transportation (WisDOT) encourages new e-MV11 users to call our Agent Partnership Unit (APU) when you are ready to begin processing your first title application. APU will walk you through the application and answer questions that may arise. You may contact APU at 608-267-3349 between the hours of 7:45 am to 4:30 pm, Monday through Friday, or email your questions to DOTDealerseMV11@dot.state.wi.us.

Thank You pilot participants

WisDOT appreciates the dealerships that participated in the pilot and their willingness to ride the rough waves that often accompany a pilot program.

Auto Specialists Inc. — Sauk City

Berg Sales Inc. — Edgar

Bob Burg Olds Cad Inc. —

La Crosse

Call Vehicles Inc. (Style Motors) — Middleton

Crazy Jim Groh Inc. — Greenfield

Discover Auto Sales Inc. — Racine

Felton and Felton LLC (Sleepy Hollow Auto Sales) — Richland Center

Grand Chute Auto Sales — Grand Chute

Gass and Reigert Auto Complex Inc. (Suburban Wheels Inc.) — Black Earth

Leitheiser Car Co. Inc. — West Bend



Melton Motors — Cambridge, Oregon and Stoughton

Mid City Auto LLC — Athens

Mike Wenkman Motorcars Inc. — Middleton

Millennium Motor Sales Inc. — Milwaukee

Mosinee Motors Inc. — Mosinee

Paulson auto Sales Inc. — Chippewa

Steinke Auto Inc. — Clintonville

Wehrs Chevrolet Inc. — Bangor

Welkes Auto Sales Inc. — Eau Claire

Zahns Budget Auto — Wausau and Plover

Enhancements made to e-MV11 application

WisDOT appreciates your feedback regarding the e-MV11 program. Daily enhancements and improvements continue to be made to the e-MV11 application. Some of the most recent include:

- Plate issuance and plate transfer for motorcycle transactions,
- Plate transfer with replacement plate issuance for auto, light truck and motorcycle transactions,
- Supply ordering – You can place an on-line order via e-MV11 to request mailing labels that are needed when completed transactions are mailed to DMV for imaging. (Go to main menu – select Bank account information and forms – select Order mailing labels).

e-MV11 Training offered

WisDOT will hold e-MV11 training sessions during April and May. Morning sessions will be an overview of the e-MV11 program and will be held from 10:00 - 11:30. Afternoon sessions will address problems you have experienced when accessing or processing through the e-MV11 application and will be held from 1:00 - 3:00. Please call Nancy Passehl at 608-264-9538 or Reggie Paradowski at 608-266-8949 to register or to inquire if additional sessions will be held in your area.

April 6th Thursday	Madison	Hill Farms Office Bldg	Room 419 4802 Sheboygan Ave
April 12th Wednesday	Waukesha	State Patrol Building	21115 Hwy 18
April 25th Tuesday	Wausau	State Patrol Building	2805 Martin Ave
May 3rd Wednesday	Eau Claire	State Patrol Building	5005 South 53 rd
May 16th Tuesday	Green Bay	State Patrol Building	944 Vanderperren Way
May 18th Thursday	Madison	Hill Farms Office Bldg	Room 419 4802 Sheboygan Ave

e-MV11 processing when reassignments are full

While our usual method for e-MV11 processing is that the dealership generate the e-MV11 receipt to give to the customer and mail for imaging with the title, if all the reassignments are full on a Wisconsin title, out-of-state title, or manufacturer certificate of origin (MCO) you may use an MV11 form to reassign to your customer. Mail the MV11 form, along with the title or MCO to WisDOT for imaging. Please do not mail both the MV11 form and the receipt to WisDOT.

Name change policy

Due to increased privacy and identity theft concerns, name changes or corrections can no longer be made when processing title and registration applications. Agents must use the current name on DMV records when processing title and registration applications or plate renewals. Customers must make all formal name changes or name correction requests in person at a DMV service center and must provide proof of identity.

Name change instructions for Wisconsin residents:

1. The customer must first change their name with Social Security. Before coming to a DMV Customer Service Center, they should obtain from the Social Security Administration a new social security card with their new name.
2. If they have a Wisconsin driver license or Wisconsin ID card, they must visit a DMV Customer Service Center to obtain a new license or card in the new name.
3. They will need to provide DMV with:
 - Proof of identity. Proof can be: Current Wisconsin or other state's photo driver license or identification card or other proof of identity (document must identify the customer by name and bear the customer's signature or a readily recognizable photograph of the customer). If they are applying for an original WI license or ID card, proof of name and date of birth are also required.
 - Proof of name change. See below for acceptable documents.
4. Fees: DMV will issue a duplicate driver license for \$4. A duplicate ID card costs \$6.



Acceptable documents for proof of name change are:

- Marriage license or testament, or
- Divorce papers, or
- Court orders

Once they have made the name change with us, they may request that we issue the title and registration products with the new name – by mail at no charge, or at a cost of \$5 per vehicle at a DMV Customer Service Center. It is not mandatory that they obtain the title and registration in the new name. Following the name change with us, we will issue any future title or registration products in the new name.

If the customer has questions, they may send an e-mail including their driver license number and date of birth to: driverrecords.dmv@dot.state.wi.us or they may call 608-266-2353.

Web directories updated

DMV has several lists of holders of our various licenses, those who have cancelled or let their licenses expire on our Web pages. The Web site will be updated on a bi-monthly basis. Please visit our Web site at:

<http://www.dot.wisconsin.gov/business/dealers/tips.htm>. You will find links to each of the topics listed below:

- **Directory of Wisconsin Dealers**
- **Dealer List with makes**
- **Non-valid BID cards**
- **Out-of-Business Dealers**
- **Buyer's Card Licenses**

If you have any questions regarding these lists please contact the Dealer and Agent Section at 608-266-1425.

News

Vehicle owners should pay attention to their registration expiration date

In December 2004, the Wisconsin Department of Transportation's Division of Motor Vehicles (DMV) began issuing auto registrations for one full year from the date of issue. Vehicle owners who first registered their vehicles on or after December 13, 2004 will now see a registration expiration date of exactly one year later as opposed to the end of the month. Vehicle owners who did not newly register a vehicle in the last 12 months will continue to see vehicle registrations that expire at the end of the month.

DMV will continue to issue license plate stickers indicating the month and year of expiration, but, for those that expire on a specific day, the certificate of registration and the vehicle record will reflect that day. Registration payments are due on or before the expiration date. Late fees can be avoided by renewing on or before the expiration date.

Daily expiration applies only to auto registrations and does not apply to light truck registrations. Please direct any questions to the Registration and Information Unit at 608-261-0251.

New Florence County sales tax

Starting July 1, 2006, Florence County will collect a one-half percent (0.5%) county sales and use tax on vehicles customarily kept in Florence County, to include vehicles purchased on or after July 1, 2006. For a full listing of Wisconsin county sales and use tax rates, visit the Department of Revenue Web site at <http://www.dor.state.wi.us/faqs/pcs/county.html>

Possible Flood Damaged Vehicles from 2005 hurricanes

It may be difficult for consumers to identify whether floods have damaged a vehicle. The effects of such damage can be serious and may not be apparent until many months after the damage occurred. Wisconsin brands titles with a permanent statement such as "*This vehicle has been flood damaged.*" To assist consumers in identifying vehicles with possible flood damage from the 2005 hurricanes, direct consumers to the National Insurance Crime Bureau (NICB) Web site at www.nicb.org which offers an opportunity to check vehicle identification numbers of vehicles against a database. The WisDOT Web site also offers consumers tips on what to look for at :

www.dot.wisconsin.gov/news/2005/opa-dmv175.htm

Porsche Cars North America Inc. certified for lemon law

The Wisconsin Division of Motor Vehicles has certified the arbitration program for Porsche Cars North America Inc. as meeting the requirements of the Wisconsin Lemon Law. The National Center for Dispute Settlement of Dallas, Texas provides the informal dispute resolution service. Arbitration is an informal way for consumers to resolve complaints without going to court. With a certified program available, Porsche consumers must use it before suing under the Lemon Law. Non-certified programs are voluntary for the consumer. A consumer does not have to accept a decision made by the arbitrator, but it is binding upon the manufacturer. For more information, go to <http://www.dot.wisconsin.gov/safety/consumer/rights/lemonlaw.htm>



Opt-Out form revised

If an individual does not want their name and address included in public information requests for 10 or more records, they may ask the department to withhold their name and address from those requesters by completing and returning 'Opt-Out' form MV3592, *Request to Withhold Name and Address*. This form was revised in January 2006. If you are submitting the forms on behalf of your customer, please make sure the form is submitted for an individual (non-individual owners cannot opt-out), it is legible, and provides complete information. If your customer has already opted-out they do not need to make another request. You may access this form at : www.dot.wisconsin.gov/drivers/forms/mv3592.pdf

Arbitration agreements are illegal as part of motor vehicle purchase contracts

Motor vehicle dealers may not require consumers to waive their right to sue in court. WisDOT has learned that some dealers are using a purchase contract that requires the purchaser to relinquish their rights to sue in court and pursue arbitration if a breach of contract has occurred. Listed below are reasons why arbitration agreements are illegal for motor vehicle purchase contracts:

- *Trans 139.05(9)* provides that “The use of a motor vehicle purchase contract which requires the purchaser to waive any claims the purchaser may have for breach of contract by the licensee is an unfair practice and prohibited.”
- *Trans 139.09* provides that “Waiver of any requirements of this chapter, except as specifically provided for in this chapter, is prohibited and void.”
- *s218.0163(2)* provides consumers with a statutory right to sue dealers in court. A mandatory arbitration clause would interfere with that statutory right.

Note: According to the Department of Financial Institutions, the courts will determine the appropriateness of arbitration clauses in consumer credit transactions.

DNR storm water violation enforcement actions

The following list of citations issued to WI salvage dealers in recent years is published as a courtesy to the Department of Natural Resources. DOT assumes no responsibility for accuracy of listed entries. Please contact Eric Rortvedt, (608) 264-6273 or Mark Harings (715) 831-3263 regarding the DNR enforcement action list.

Becks Wrecking Yard, Adams County – Failure to prepare storm water pollution prevention plan

Petersons Salvage, Juneau County – Failure to apply for or obtain storm water discharge permit

Glenn Flora Auto Salvage, Rusk County – Failure to prepare storm water pollution prevention plan; failure to provide required information

Rahns Auto Salvage, Douglas County – Failure to do the following: apply for a storm water discharge permit; prepare a storm water pollution prevention plan, provide required information on monitoring and to implement Best Management practices

Ives Auto Salvage, Clark County – Failure to perform annual facility inspection

Rollers Auto Salvage, Adams County – Failure to provide required information

Kealihers Recycling, Portage County – Failure to prepare storm water pollution prevention plan; failure to provide required information

L & J Recycling, Wood County – Failure to apply for or obtain storm water discharge permit

Sampson Auto Salvage, Chippewa County – Failure to prepare storm water pollution prevention plan; failure to provide required information

Mortenson Enterprise, Washburn County – Illegal discharge of freon from automobile air conditioning units

Waukesha Iron & Metal, Waukesha County – Discharging wash water without a permit to the Fox (Ill) River

North Country Auto Salvage, Eau Claire County – Failure to prepare storm water pollution prevention plan; failure to provide required information

DOT citations

Blue Diamond Auto Sales, Appleton – One citation issued for misuse of dealer plates. Pled no contest and was assessed a \$218.20 forfeiture.

Cameron Car Corner, Cameron – one citation issued for failure to submit application to the Department within 7 days. Pled guilty / no contest and was assessed a \$181.00 forfeiture.

Cox, Tony, Milwaukee – One citation issued for acting as a motor vehicle dealer without a license and one citation for failure to apply for a title. Found guilty of unlicensed dealer activity and assessed a \$600 forfeiture. Pled guilty to failure to apply for title and was assessed \$159.70 in forfeitures.

Fremstad, Curtis, Osseo – One citation issued for failure to submit application to the Department within seven business days. Default judgment entered and was assessed a \$156.20 forfeiture.

Goff, Charles, La Crescent, MN – One citation issued for failure to transfer title. Pled no contest and was assessed a \$160.50 forfeiture.

Greg Ellious Motors, Wisconsin Rapids – Two citations issued for failure to submit applications for title to the Department within seven business days. Pled no contest and was assessed \$362 in forfeitures.

Hatch, David, Holmen – One citation issued for acting as a motor vehicle dealer without a license. Pled no contest and was assessed a \$739 forfeiture.

Kolstad, Leroy, Eleva – One citation issued for failure to apply for title. Pled no contest and was assessed a \$156.20 forfeiture.

L&R Motors, Jefferson – One citation issued for failure to submit application to the Department within seven business days. Pled no contest and was assessed a \$156.20 forfeiture.

Laes, Doug, Green Bay – One citation issued for acting as a motor vehicle dealer without a license. Pled no contest and was assessed a \$739 forfeiture.

Lake Country Motorsports, Delafield – One citation issued for failure to submit application to the Department within seven business days and one citation issued for failure to possess an ownership document for a vehicle offered for sale. Default judgments entered and dealer was assessed \$366.50 in forfeitures.

Lehr, Shannon, Fremont – One citation issued for acting as a motor vehicle dealer without a license. Pled no contest and was assessed a \$739 forfeiture.

Mighty Decent Auto Sales, Green Bay – Issued three citations for failure to submit applications to the Department within seven business days. Pled no contest and was assessed \$543.00 in forfeitures.

Neddo, Tom, Eagle River – One citation issued for acting as a motor vehicle dealer without a license and three citations for failure to transfer title. Pled no contest to all citations and was assessed \$889.50 in forfeitures.

Russ Darrow Honda, Milwaukee – One citation issued for failure to submit application to the Department within seven business days. Pled no contest and was assessed a \$184.50 forfeiture.

Szarkowitz, Mark, Little Chute – One citation issued for unlicensed dealer activity. Default judgment was issued and was assessed a \$739 forfeiture.

Webers Wheels, Green Bay – One citation issued for failure to submit application to the Department within seven business days. Pled guilty, no contest and was assessed a \$181.00 forfeiture.

DOT criminal actions

Gilbertson, Allen, Weston – Charged in Federal Court with odometer tampering. Found guilty in a jury trial and was sentenced to a \$20,000 fine and 15 months imprisonment followed by 1 year of probation.

Peterson, Roger, Grantsburg – Charged in Burnett County with one count of criminal operation of a salvage yard and was also issued sixteen citations for failure to report a junk vehicle. Found guilty by trial and was sentenced to sixty days in jail, eighteen months probation, \$5,000 fine for the criminal charge and was assessed \$2,096 in forfeitures for the sixteen citations.

Snelson, Nathan, Waukesha – Charged in Waukesha County with odometer tampering. Pled guilty and was assessed a \$1,327 fine

Wheeler, Mike, Oshkosh – Charged in Winnebago County with identity theft. Pled guilty and required to provide restitution to harmed consumers.

Enforcement Actions

All City Auto Sales, Milwaukee – A Special Order was issued for facilitating unlicensed dealer activity and submitting false applications to the Department. A \$2,200 civil forfeiture was assessed.

Bower, Lawrence, Milwaukee – Salvage license application was denied due to violations of unlicensed retail sales as a representative for a licensed salvage dealer.

Bowers Salvage & Towing, Milwaukee – Salvage dealer's license was revoked for the retail sale of motor vehicles without a license.

Easy Auto Sales, Green Bay – Relocation application was denied for odometer tampering.

Goff, Brian, Madison – Buyer's license was denied due to prior violations of unlicensed dealer activity.

Goff, Daniel, Madison – Buyer's license was denied due to prior violations of unlicensed dealer activity.

Harmony Auto Sales, Kenosha – Dealer's license was suspended indefinitely for failure to maintain proper sales permits.

Midwest Auto Sales, Holmen — Dealer's license was revoked for failing to properly disclose the condition of vehicles.

Osceola Auto Center, Osceola — A Special Order and five-day suspension were issued for falsifying purchase contracts.

PJ's Auto Sales, Adams – A Special Order was issued for advertising and Sunday sales violations.

R&D Auto Brokers, Salem – A Special Order was issued for franchise violations and submitting false applications to the Department.

Sam's Auto Sales, Wausau – Dealer's license was revoked for illegal repossession of vehicles.

Servin, Lorenzo, Beloit – Buyer's License was revoked for a prior conviction of odometer tampering.

Steve's Auto World, Platteville – A Special Order was issued for offering new vehicles for sale without a franchise.

System Sales, Edmond, OK – Eight salesperson licenses were denied due to prior violations of unlicensed salespeople and illegal advertising.

Join WisDOT Dealer Section's e-mail distribution list (Dealer Listserv) today and keep your dealership up-to-date regarding law changes, *Plain Dealing* newsletter, and other important dealer license information. Register your e-mail address today with the DOT e-mail listserv at:
www.dot.wisconsin.gov/business/dealers/listserv.htm

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