



PLAIN DEALING

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

wisconsin.dmv.gov

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Delinquent taxes = Suspended license

WisDOT will suspend licensed Wisconsin dealers, as well as individual licensees (sales, BID, buyer) if the Wisconsin Department of Revenue verifies there are delinquent taxes owed to the State of Wisconsin. The suspension will remain on any business and/or individual until those taxes are paid.



If those taxes are not paid within a timely manner, a warning letter from WisDOT will be mailed to dealership owners, and/or individual licensees. The letter will provide 30 days to pay the delinquent tax liability or their license(s) will be suspended.

If the taxes are not paid within 30 days, the licensees will receive a letter from WisDOT notifying them their license is suspended on the effective date in the letter. If an individual licensee (sales, BID, buyer) is being suspended, that individual cannot buy or sell cars and must return their credentials to the DMV's Dealer Licensing Unit. If a dealership license is suspended, no vehicles may be bought or sold and a DMV investigator will retrieve any licenses, credentials, and license plates to hold until the suspension is removed.

This joint initiative between the Department of Revenue and the Department of Transportation began in July 2017.

Any questions pertaining to a tax liability and payment should be directed to the Special Procedures Unit at the WI Department of Revenue at (608) 264-0337 or

In This Issue

[Delinquent taxes = Suspended license](#)

[Watch for flood damaged vehicles](#)

[When can a new salesperson sell?](#)

[Do finance personnel need to be licensed?](#)

[RV Dealers can now charge a service fee](#)

[Be recognized for emissions repairs](#)

[Boost in emissions repair cost limit](#)

[DAS Quarterly Report Numbers](#)

[Enforcement Actions](#)

[Training videos here!](#)

[New MV11 in 2018](#)

New Agent Training Videos Are Here!

As noted in the last issue of *Plain Dealing*, the Dealer and Agent Section has created a new series of training videos for eMV Agent and eMV11 processing systems. These short video tutorials, designed with simplicity and convenience in mind, will cover a wide range of topics and functions available on both of these processing systems.

Watch for flood damaged vehicles hitting the market



History is sure to repeat itself and vehicles from the recent hurricanes will find their way to Wisconsin.

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 brand "flood damage."

Those vehicles that make it to Wisconsin without being branded may still cause your dealership disclosure issues. All vehicles being offered for sale must be inspected, and the Wisconsin Buyers Guide must be completed following Trans 139.02(15) (a) and (b) "Reasonable care:"

(a) For vehicle inspections, a standard that requires an interior and exterior inspection, an under-hood and under-vehicle inspection, and a test drive. It does not require taking the vehicle apart or running tests unless it is necessary to diagnose apparent symptoms. Brakes may require some disassembly to satisfy the requirements in [Chapter Trans 305](#).

(b) For records inspections, a standard that requires providing information the dealership gets from manufacturer and auction notices: prior owner documents and disclosures, and their own vehicle inspection and repair records. It does not require contacting prior owners, or obtaining records of previous titles unless necessary to clarify inconsistent or questionable information that is apparent.

To assist consumers in identifying vehicles with possible flood damage, direct consumers to the [National Insurance Crime Bureau \(NICB\) website](#). It offers an opportunity to check vehicle identification



Learn how to troubleshoot, process and become familiar with the eMV systems and capabilities. The tutorials have been specifically designed to aid in processing, keeping in mind the most commonly asked questions received by the Agent Partnership Unit.

The first video is a tutorial on bundle submission for all processing agents.

These videos are available on the WisDOT [eMV Agent Informational Video webpage](#).



DMV issues driver license/ID cards compliant with federal standards

Anyone planning to fly within the U.S., visit a military base or federal buildings will have to show a REAL ID-compliant driver license or ID card, or other federally acceptable identification such as a passport, beginning October 1, 2020.

wisconsindmv.gov/REALID

Account activity alerts added to DMV's eNotify

numbers of vehicles against a database.

The Wisconsin Department of Transportation's [Flood Damaged Vehicles and Other Title Brands webpage](#) also offers consumers tips on what to look for.

When can salespeople start selling after passing salesperson exam?

Newly-licensed salespeople do not need to wait until the dealership receives their salesperson license in the mail before beginning to sell vehicles. Salespeople are legal to sell as long as they have the receipt showing they took the salesperson exam.

Applicants' motor vehicle salesperson license number (required to be recorded, in part, on the motor vehicle purchase contract of vehicles they sell) is the same as their Wisconsin Driver License number. Salespeople awaiting their license card after passing the test may show the first eight digits of their Driver License number on purchase contracts they write.

Finance personnel must also be licensed

Did you know: Finance and insurance (F&I) personnel are required to be licensed as a motor vehicle salesperson?

Some people believe F&I employees aren't really *selling* the car so they don't need a salesperson license. This belief is incorrect and could be a problem for the dealer.

The definition of a motor vehicle salesperson in Wisconsin State Statute §218.0101(24) includes "...or other person who is employed by a motor vehicle dealer for the purpose of selling or *approving* retail sales...." Furthermore, Wisconsin Trans Code 138.02(10) defines selling as "...to transfer or offer to transfer ownership of a motor vehicle for compensation...."

RV Dealers can now charge a service fee

The recent budget bill includes a provision that allows recreational vehicle dealers to assess an additional service fee for completing any sales-related vehicle inspections or forms. Like motor vehicle dealers, this fee must be reasonable and

online service

DMV subscribers to eNotify will be alerted when certain transactions occur; such as when an application for a duplicate driver license or ID card is made, or when their address is changed in DMV's systems.

wisconsin.dmv.gov/enotify

New changes on the MV11 form in 2018



WisDOT is currently finalizing the last set of updates for the new MV11 - Title and License Plate Application form.

You will be notified as soon as the new version is available.

Vendors and the dealers must continue to use the current version of the MV11 (May 2015) to ensure the application is processed correctly.

To purchase the new MV11 form when it is approved and made available, contact one of the authorized vendors listed on the [Wisconsin DMV website](#).

If you have questions, please contact the [Agent Partnership Unit](#) at 608-266-3566.

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We're at .gov

Note: Only the website with .gov is the official state DMV

justified. This change became effective September 23, 2017, and the rule will be updated in the end of October register.



website. Other DMV sites with .org and .com are not official and may have extra charges for forms or list information that is outdated or incorrect.

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Be recognized for emissions repairs

Benefits to becoming a recognized repair facility with the Wisconsin Vehicle Inspection Program (WIVIP)

Motorists in southeastern Wisconsin seek emissions related repairs when their vehicles cannot pass an emissions inspection, which is a biennial requirement for most vehicles to complete registration renewal or at the time a vehicle changes ownership.

A repair business achieves recognition if it has at least one technician with advanced emissions related training (see details below) and has completed the registration process with the Wisconsin Vehicle Inspection Program (WIVIP).



Repair facilities that meet the "recognition" criteria can realize the following advantages:

- * Increased business
- * Free advertising
- * Increased credibility
- * Repair work eligible for waiver consideration.
- * Free training opportunities

While the motorist has a choice of where to take a vehicle for repairs, only emissions related repairs that are performed at a recognized repair facility and are related to the vehicle's failed emissions inspection diagnostic trouble codes (DTC) may be used to meet the cost waiver criteria. The cost waiver enables the motorist to complete the registration renewal for the vehicle or fulfill the change of ownership test requirement.

How to Get Recognized

If your dealership employs at least one technician with ASE L1 certification, WISETECH certification, or is a new car dealership, it is one step away from becoming a recognized repair facility.

You may register your dealership, free of charge, with the Wisconsin Vehicle Inspection Program (WIVIP) by completing the [registration application](#).

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Once recognized, your dealership will appear on the [WIVIP website](#), as well as on handouts to customers.

Another benefit of registering your dealership with the program is that you will be notified by email of future training opportunities.

If you would like to become recognized, but need to be certified, or re-certify, you can find information regarding the ASE process on the [ASE website](#).

As a reminder: Emissions repair cost limit for waiver was increased to \$879 as of July 1

The repair cost limit for all model year vehicles subject to emissions testing increased from \$872 to \$879, **effective July 1, 2017**. This figure is adjusted annually by the DNR per NR 485.045.



Vehicles subject to emissions testing that continue to fail may be eligible for a cost waiver if actual costs of emissions related repairs exceed the repair cost limit. **Only repairs that are related to the vehicle's cause of failure can be used to apply for a cost waiver.** Costs covered by any warranty or costs to repair/replace emission control equipment that has been removed, modified or disconnected are excluded.

The owner must have emissions related repairs performed on the vehicle at a recognized repair facility to qualify for waiver consideration. Here is a [list of recognized repair facilities](#).

The application form to apply for Recognized Repair Shop status may also be found at the above link. TRANS 131.02(39) includes franchised NEW car dealerships as recognized repair facilities.

DAS Quarterly Report numbers

The following numbers have been generated from the Dealer and Agent Section (DAS) Quarterly Report. This data is from the second quarter. (April through June 2017)

Field Investigation Unit (FIU)

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

Activity	Second Quarter
FIU Complaints Closed	307
FIU Inspections (Dealers)	225
FIU Educational Presentations	6

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 providing information about consumer harm and how to file a dealer complaint to the general public.

Activity	Second Quarter
APU Phone Calls	14,063
DLU Phone Calls	3,525
Business Licenses Issued	794
Individual Licenses Issued	4,439

Lemon Law

DMV receives telephone and email inquiries from consumers (and some dealers and lawyers) about the specifics of the Lemon Law and help in pursuing a claim.

Activity	Second Quarter
Lemon Law Inquiries	219

Electronic Title and Registration Processing

Dealers and agents processing titles and/or registration electronically:

Activity	Second Quarter
Renewal Agents	1,031
Title Agents (includes dealerships)	4,506
Total	5,537

Wisconsin motor vehicle dealers are required to electronically process all title/registration applications for their customers. For more information regarding electronic processing options, visit the DMV [eMV11 Electronic Processing webpage](#).

These systems are available for electronic processing:

- eMV11 - for dealers only
- eMV Agent - for lenders only
- Computerized Vehicle Registration (CVR)
- Dealertrack Registration and Title, formerly known as TriVIN
- National Financial Corporation (NFC) - registration only
- Opus Inspection Inc., formerly known as Systech International LLC - registration only

Electronic Title Delivery

Lenders receiving electronic title records:

Activity	Second Quarter
Lenders	781

These service providers deliver and manage electronic titles:

- Secure Title Administration, Inc.
- Dealertrack Collateral Management Services
- Decision Dynamics, Inc.
- PDP Group, Inc.
- VINTek

The electronic lien and title (also known as ELT or e-Title) program is an optional program for lien holders who prefer receiving electronic title records instead of paper titles. This program has been available since July 30, 2012. For more information regarding ELT options, visit the DMV [Title to Lien Holder webpage](#).

WisDOT Enforcement Actions

[See the complete Enforcement Actions list](#)



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