



PLAIN DEALING

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

wisconsin.dmv.gov

November 2015

Volume 26 Issue 2

In This Issue

MV11 deadline is fast approaching!

As a reminder the MV11 Title Application has been revised and is now available from our [authorized print vendors](#). The May 2015 version of the MV11 is the **only** authorized version of the MV11 application. Effective January 1, 2016 the department will only accept the updated May 2015 version of the MV11. Please make sure you have new stock on hand prior to the January 1st deadline.

If you will be using an electronic version of the form and printing on secure paper, there are a couple of important things you should remember:

- **Ensure the print setting in Adobe is set to 100%.** There are other options (such as fit to page) that will offset the sizing, and make the form unreadable by the DMV's scanners.
- Always check your settings before printing an MV11. Some versions of Adobe maintain the last print setting and if someone had previously used any setting other than "100%" it will not print your application correctly.

Wisconsin Buyers Guide update

A reminder from Wisconsin DMV:

Several significant changes were made to the guide and use of any previous version is prohibited. For this reason it is important you ensure all vehicles being offered for sale are using the most current Wisconsin Buyers Guide.

Effective November 1, 2015, **only** the January 2015 version of the WI Buyers Guide will be allowed.

[MV11 deadline is fast approaching!](#)

[Wisconsin Buyers Guide update](#)

[Order 2017 License Plate Stickers Now!](#)

[Dealer and Representative Licenses Now Published](#)

[Lease Buyouts](#)

[Change in Salvage Laws](#)

[Wisconsin DMV debuts new driver license](#)

[Seller Notification](#)

[Volkswagen Diesel](#)

[Clean Air Act Violation](#)

[Emissions Repair Cost Limit for Waiver](#)

[Increased to \\$868](#)

[Wheel Tax updates](#)

[DAS Quarterly Report numbers](#)

[DOT Criminal Actions](#)

[DOT Citations](#)

Here is a sample of the [January 2015 Buyers Guide](#).

If you have questions please contact your local field investigator. A [map](#) with their names and contact information is available.

Order 2017 License Plate Stickers Now!

If you issue or renew metal license plates, make plans to order your "17" license plate stickers now. If you will be ordering license plates before mid-November, you can request "17" stickers with that order. If you won't be ordering plates, please order your "17" stickers now!

Note: For cycle/moped license plate renewals, "18" stickers are also available now.

Customers who have plates expiring in January will receive their renewal notices the last week of November. If you wait until late November or December to order, your shipment may be delayed due to the high volume of orders that we receive at that time.

We recommend ordering a 6-month supply. If possible, use a T534 Plate and Decal Reorder form you received with a previous shipment, because it will have your specific reference number and will speed up processing. If you do not have a T534 Plate and Decal Reorder form, you can use the MV2134 WisDOT License Plate and Decal Order form found at: <http://wisconsindot.gov/Documents/formdocs/mv2134.doc>

If you have any questions, please contact the Wisconsin DMV Agent Partnership Unit at AgentPartnershipUnit@dot.wi.gov.

Dealer and Representative Licenses Now Published

The Dealer and Agent Section recently published its lists of licensees on the WisDOT website. The lists are refreshed every night making them the most "real-time" resource to verify proper licensure of Wisconsin dealers and representatives. Please visit our website to view the lists at:

<http://wisconsindot.gov/Pages/dmv/dlr-agents/tips-tls-dlr/buyerslicissued.aspx>

Please contact the Dealer Licensing Unit at DealerLicensingUnit@dot.wi.gov or 608-266-1425 for questions regarding dealer or representative licensing.

Lease Buyouts

Lease buyouts can be a bit confusing because the lessor often isn't the dealership and therefore, when it comes time to execute a buyout to the lessee, the dealership will not possess the title. In these situations the dealer will need to complete a retail installment contract and then obtain the title from the lessor with any applicable payoff.

Another solution is for the dealer to hold a power of attorney from the lessor allowing them to sign as owner and transfer ownership. Mark Sier, supervisor of the Field Investigation Unit, explains:

"Our recommended solution for motor vehicle dealers is ... that dealerships hold a

[DOT Citations](#)

[DOT Enforcement Actions](#)

Connect with us

In addition to the expanding services on its website, WisDOT connects with customers on Facebook and Twitter @WisconsinDOT. Follow us for breaking news.

We're at .gov

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

[Sign up to receive Plain Dealing by email!](#)

Published by the Wisconsin Department of Transportation, Division of Motor Vehicles, Bureau of Vehicle Services, Dealer and Agent Section.

Patrick Fernan, Administrator
Kristina Boardman, Deputy Administrator
Mitchell Warren, Bureau Director (BVS)
Michael Domke, Section Chief (DAS)
Scott Selbach, Vehicle Emissions Program, Supervisor
Mark Sier, Field Investigation Unit, Supervisor
Shin Lin Tung, Business and

blanket Power of Attorney (POA), which empowers their customers (lessees) during a lease transaction to sign on behalf of the leasing institution. The POA would not empower the dealership directly; rather, the dealership would merely hold it.

This gives the dealer added protection in that it will be clear the lessee has seen the MV-11, as otherwise the lessee's signature would not be on it. Additionally, should a dealer decide to have the lessor empower them directly, the dealer would need to ensure that different people sign as buyer and seller, to avoid running afoul of Trans 154 and odometer disclosures (same person as buyer and seller)."

If you have questions pertaining to lease buyouts please contact the Agent Partnership Unit at AgentPartnershipUnit@dot.wi.gov or 608-266-3566.

Consumer Services Unit,
Supervisor

Dealer & Agent Section
AgentPartnershipUnit@dot.wi.gov
DealerLicensingUnit@dot.wi.gov
Phone: (608) 266-1425

Change in Salvage Laws

Earlier this year, the Wisconsin Legislature changed the law in two key places regarding salvage dealers and their business. The first change restricts Type 4 Salvage Dealers (now legally known as "Scavengers") from using Junk Bills of Sale to receive motor vehicles. The second change requires all Salvage Dealers to check for a lien, either electronically or by inspecting the physical title, before accepting a vehicle. These changes took effect November 1, 2015.

The lien look-up feature is free and can be used by anyone, dealers or the public.

<http://wisconsin.gov/Pages/online-srvcs/other-srvs/lien-search.aspx>

We encourage all Salvage Dealers to keep copies of the document they used to accept the vehicle and screen shots of the lien verification.

Wisconsin DMV Debuts New Driver License/ID Cards

Dealers should expect to see new Wisconsin driver licenses (DL) and identification (ID) cards this fall. An innovative polycarbonate card and laser-engraved black and white photo are the most prominent features designed to curb fraud and identity theft.



In addition to the black and white laser-engraved photo, these added security features make Wisconsin's cards the most secure in the United States:

- The card feels slightly stiffer and makes a unique sound when dropped on a hard surface.
- A raised signature, date of birth (DOB), expiration date, DL/ID number, U21 until date can easily be felt and hard to copy.
- UV ink highlights intricate Wisconsin artwork on front.
- U21 is prominently displayed in red ink and printed in a vertical format.
- Endorsements for commercial driving, including hazmat certification, are clearly noted.

There is no need for customers to visit a DMV before their card expires. Two other versions of Wisconsin driver licenses and ID cards are currently in circulation and valid until their time

of Wisconsin driver licenses and ID cards are currently in circulation and valid until it's time to renew. Some cards from the previous vendor are set to expire in 2020 and those issued between March 2012 and October 2015 are set to expire in 2023. Check out this graphic which shows dealers all [three cards currently in circulation](#).

WisDOT has a video intro on the new DL/ID. [View it here](#).

Seller Notification

A new law has been passed that will require any private sales of vehicles from one individual to another individual to be reported to the Department within 30 days of the sale transaction. WisDOT is referring to this as "Seller Notification" and goes in to effect January 1, 2016. Sellers will be required to notify the department of their identity, the Vehicle Identification Number, the sale date, price and the identity of the buyer. It's important to note that this law only effects private sales between two individuals. Dealer sales will not be required to submit any notification and all business requirements will remain the same. Any questions regarding Seller Notification should be directed to [DMV's Vehicle Records Section](#).

Volkswagen Diesel Clean Air Act (CAA) Violation

In September 2015, the Environmental Protection Agency (EPA) issued a Notice of Violation of the Clean Air Act (CAA) to Volkswagen for producing and selling four-cylinder Volkswagen and Audi diesel cars from model years 2009-2015 that include a sophisticated software device that circumvents EPA emissions standards for certain air pollutants.

The DMV's Vehicle Emissions Inspection Program is aware of the issue, and will be working with the Wisconsin Department of Natural Resources (DNR) and EPA to implement a solution. The first step requires Volkswagen to develop a remedial plan which will then be reviewed by the EPA to determine if the proposed actions will restore the vehicles to meet clean air requirements. According to the EPA, it could take up to one year to identify corrective actions, develop a recall plan, and issue recall notices. Until then, these vehicles will continue to be inspected using DMV's current emission testing requirements.

Information provided by USEPA-OTAG, 9/20/15. For updates, go to:

<http://www3.epa.gov/otaq/cert/violations.htm>

Emissions Repair Cost Limit for Waiver Increased to \$868, Effective July 1, 2015

The repair cost limit for all model year vehicles subject to emissions testing increased from \$855 to \$868, **effective July 1, 2015**. 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 or by a recognized automotive emission auto repair technician to qualify for waiver consideration. A list of recognized repair facilities may be found at:

<http://www.wisconsinvip.org/WivipPublic/Pages/RecognizedRepairFacilities.aspx>.

Wheel Tax Updates 2016

The following jurisdictions are enacting or changing wheel taxes in 2016. These fees will be collected along with the license plate registration fee - **for new plates issued and license plate renewals** - for most vehicles that are kept in those jurisdictions. To reduce costly corrections, it is important to correctly record the county and municipality where a vehicle is customarily kept.

- The village of Prairie du Sac \$20 wheel tax will begin January 1, 2016 (dealer delivery date or date of operation January 2, 2016).
- The city of Janesville will change their wheel tax from \$10 to \$20 as of January 1, 2016 (dealer delivery date or date of operation January 2, 2016).
- The city of Sheboygan \$20 wheel tax will begin February 1, 2016 (dealer delivery date or date of operation February 2, 2016).

For complete information on wheel taxes see:

<http://wisconsin.gov/Pages/dmv/vehicles/title-plates/wheeltax.aspx>

DAS Quarterly Report Numbers

The following numbers have been generated from the Dealer and Agent Section (DAS) Quarterly Report. This data is from the Fiscal Year '15 **fourth** (April - June 2015) and the Fiscal Year '16 **first** (July - September 2015) quarters.

Field Investigation Unit (FIU)

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

Activity	Fourth Quarter	First Quarter
FIU Complaints Closed	257	319
FIU Inspections (Dealers)	245	307
FIU Educational Presentations	6	4

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 process either title and registration, or renewal registration applications electronically on behalf of the DMV.

The Dealer Licensing Unit (DLU) issues and renews multiple business license types

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	Fourth Quarter	First Quarter
APU Phone Calls	11,528	12,555
DLU Phone Calls	6,014	5,543
Business Licenses Issued	803	641
Individual Licenses Issued	3,798	4,319

Lemon Law

The Lemon Law complaint calls reflect inquiries primarily from consumers (and some dealers and lawyers) seeking answers to questions, information about the specifics of the Lemon Law and to a greater degree, assistance in pursuing a claim.

Activity	Fourth Quarter	First Quarter
Lemon Law Complaint Calls	182	146

Electronic Title and Registration Processing

Dealers and agents processing titles and/or registration electronically:

Activity	Fourth Quarter	First Quarter
Renewal Agents	811	841
Title Agents (includes dealerships)	4,299	4,308
Total	5,110	5,149

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

Wisconsin motor vehicle dealers are required to electronically process all title/registration applications for their customers. For more information regarding electronic processing options, see:

<http://wisconsindot.gov/Pages/dmv/dlr-agents/dlr-ttl-reg/main.aspx>

Electronic Title Delivery

Lenders receiving electronic title records:

Activity	Fourth Quarter	First Quarter
Lenders	516	562

These service providers deliver and manage electronic titles:

- Assurant Specialty Property
- 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 that prefer receiving electronic title records instead of paper titles. This program has been available since July 30, 2012. For more information regarding ELT options, see:

<http://wisconsin.gov/Pages/dmv/vehicles/title-plates/lienholder-lenders.aspx>

WisDOT Criminal Actions

Trofte, Troy - *Janesville* - Arrested by Rock County Sheriff on multiple charges of theft by fraud and selling encumbered property. Trofte released on bond. Trial pending but no court date set at this time.

WisDOT Citations

Balistreri, Domenico - *Milwaukee* - Three citations for failure to submit applications within seven (7) business days were filed in court. Balistreri found guilty due to no contest plea. Balistreri paid \$204 on each of the three citations.

Higgins, James - *Madison* - Plead guilty to citation issued for acting as an unlicensed motor vehicle dealer.

Kingsley, Sheena - *Madison* - Citation issued for failure to return license and registration plates.

MSD Global - *Appleton* - 15 citations issued for failure to transfer title within seven (7) business days.

Olive, Jared - *Sparta* - Three citations issued for operating as a motor vehicle dealer without a license.

Scenic Sales LLC - *Arena* - One citation for failure to transfer title within seven (7) business days was issued.

Van Horn, Charles, dba Van Horn Motors of Milwaukee, Inc. - *Milwaukee* - Six citations for failure to transfer title within seven (7) business days were issued. Van Horn found guilty due to no contest plea. Van Horn paid \$204 on each of the six citations.

Yindra Auto Sales - *Manitowoc* - 10 citations issued for failure to transfer titles within seven (7) business days.

WisDOT Enforcement Actions

Alcantar, Juan - *Chicago, IL* - Application for buyer's license under J&D Auto Sales LLC (400 Laurel Ave., Selma, AL 36701) was denied.

Barajas, Jorge - *Chicago, IL* - Application for buyer's license under Glendale Heights Automotive Finance Inc. (15 NE Main Street, Wilbur, WA 99195) was denied.

Automotive Finance Inc. (15 NE Main Street, Wilbur, WA 99185) was denied.

Barajas, William - *Chicago, IL* - Application for buyer's license under Glendale Heights Automotive Finance Inc. (15 NE Main Street, Wilbur, WA 99185) was denied.

Monteagudo, Steven - *Chicago, IL* - Application for buyer's license under Glendale Heights Automotive Finance Inc. (15 NE Main Street, Wilbur, WA 99185) was denied.

Sanchez, Ciro - *Cicero, IL* - Application for buyer's license under J&D Auto Sales LLC (400 Laurel Ave., Selma, AL 36701) was denied.



Wisconsin Department of Transportation | (608) 266-1425
AgentPartnershipUnit@dot.wi.gov | DealerLicensingUnit@dot.wi.gov

Dealer and Agent Section
4802 Sheboygan Avenue, Rm. 201
Madison, WI 53705

Copyright © 2015. All Rights Reserved.