



# Plain Dealing

A policy and administrative bulletin for licensed dealers from the Dealer Section of the WisDOT Division of Motor Vehicles.

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

R. W. Emerson

Paperwork—a fact of life for busy dealerships—and no one's favorite task! Welcome to a special issue of Plain Dealing devoted to tips that will cut through that mountain of paper in record time. You'll want to be sure the office staff sees this issue and keeps it for future reference.

This issue also contains our first dealer survey. We want to know what you think about our services and the way we deliver them. Several years ago, we started surveying consumers whose complaints we handled. It's now a permanent step as each complaint is closed.

We want your feedback, too, so please take a few minutes to complete the survey. Then, just tear off the page, fold it with the return address facing out, seal it with tape and drop it in the mail—no postage necessary. Look for a new survey every year—the questions will be different each time to reflect changing issues.

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## New look for MV11 form

Your next supply of the Application for Title/Registration (form MV11), will have some major changes. The forms are now in stock and available from your usual suppliers. You may use up your current supply of forms—no need to throw them out. The revision, dated 12/94, features these changes:

1. Section B—owner's name(s)—now has a space to record each individual's social security number or driver license number; or, in the case of a company-owned vehicle, the Federal Employer Identification Number (FEIN). These numbers will be used as the link between driver and vehicle record information as WisDOT redesigns its computer system.
2. Section C—loan information—you only need to list debtor's name(s) that aren't shown as owner(s); no need to repeat owner's name(s) from section B.
3. Section E—fees—the Walk-In Fee is now correctly listed as \$5 and the \$4 Fast Service Fee shows the time difference between regular and fast service processing.
4. Licensed Dealer's Statement of Sale and Warranty—
  - the dealer's signature now certifies that all liens shown on the certificate of title submitted with the application are paid.
  - there are check boxes for title brand disclosures instead of having to write in the information.
5. Back of the first (white) ply—contains a revised definition for hobbyist registration.
6. Back of the third (yellow) ply—the instructions have been expanded to include definitions of “salvage vehicle” and title brands, and reformatted into columns for easier reading. The tear stub provides the phone number for the dealer registration information hot line, (608) 267-3646.

The forms continue to be printed on secure paper and are available for purchase from the businesses listed below:

**Contact these suppliers to order the MV11:**

Good Morning Advertising  
P.O. Box 268  
Whitewater, WI 53190  
Phone: (800) 747-4647  
FAX: (414) 473-4575

WATDASI Forms  
P.O. Box 5345  
Madison, WI 53705  
Phone: (800) 236-7672  
FAX: (608) 251-5557

## Paperwork Pointers

We asked the people who actually process the applications for titles and plates for some tips on how to avoid some of the most common problems they see—problems that can mean delays for your customers. Here's what they told us:

### Application Form (MV11)

- List the vehicle owner's true residential or business address. A post office box isn't sufficient unless the owner can't receive mail at the residence or business (e.g. smaller post offices that don't provide mail delivery).
- Submit fast service applications separately from regular service applications. Mixing regular applications with fast service just slows them down. (Fast service costs \$4 and means the application will be processed in approximately three days instead of the standard 4–6 weeks.)
- If you missed sending something in with an application and are following up by sending an item later, send a note along to identify it and give the new owner's name.
- If you have any customers who use Licensed Carrier (LC) numbers, note that the fee has been reduced to \$5 annually (down from \$15).
- Remember to verify the vehicle identification number (VIN) if the vehicle doesn't have a Wisconsin title. Use section F on the back of the first ply of the MV11 form.
- If your customers want a vehicle titled in two names, both must sign the MV11 form (unless one has a valid power of attorney form from the other).
- To speed up getting a replacement title for a trade-in customer, you can go to a DMV service center with a letter from the customer giving you permission to pick up the title. The replacement title will be in the customer's name; it can't be issued in the dealership name.
- Double-check that the VIN on a new vehicle sold matches the VIN on the Manufacturer's Certificate of Origin sent in with the title application.

### Truth In Mileage Act Rules

- A “conforming” title under the federal Truth in Mileage Act (TIMA) is printed using a secure (tamper-resistant) process and contains federally mandated odometer disclosure language. All Wisconsin titles issued after May 1, 1990 are treated as conforming titles. You can find the title's issue date printed to the right of the title number.

- All reassignments on conforming titles must be made in the spaces on the title itself. Do not use a separate reassignment form with a conforming title. Once all the reassignment spaces on a conforming title have been filled, the last assignee must apply for a new title.
- Be accurate when completing odometer statements for vehicles that have over 100,000 miles. If the vehicle's odometer has a sixth digit to show 100,000 miles or more, complete the odometer statement by showing the reading as actual miles. For example: 101,333 actual miles. If the vehicle's odometer only goes up to 99,999 and then returns to zero, complete the odometer statement by showing the odometer reading and marking the box for miles in excess of the mechanical limit. For example: 1,333 miles in excess of the mechanical limit.
- Salvage pools, salvage yards and anyone who sells a vehicle on a bill of sale because the vehicle is considered “junk” cannot give a separate odometer statement to the purchaser.

### License Plates

- If your customer has license plates to transfer to the vehicle being purchased, be sure the plates are current. If the plates will expire within the next three months, collect the renewal fee and submit with the title/registration application.
- Check whether the customer owns the plates being transferred. Plates are only transferable between husbands and wives.
- The plates on trucks with 10,000 pound or more registered weight ratings stay with the *vehicle*, not the former owner.
- Lessees can't transfer their own plates to a vehicle that's being leased.

If you have any questions about completing the application for title and registration, a special hot-line number just for dealers has been set up by the Registration Information Unit. The line is staffed Monday–Friday from 7:45 a.m. until 4:30 p.m.

### Dealer Hot-line

Call (608) 267-3646

for any title or registration questions.

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## Dealer Alert

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### Forest County adds sales tax

Effective April 1, 1995, Forest County collects a ½ percent county sales and use tax. This brings the total to 47 counties collecting a county sales tax.

Dealers will need to collect the tax on vehicles sold on or after April 1, if the vehicle is *kept* in Forest County, even if the vehicle is purchased in another county. If you'd like a list of all 47 counties collecting county sales tax, call the Business Licensing Unit at (608) 266-1425.

### Check length of truck tractors

Truck dealers, did you know that some of the semi tractors that you sell when combined with otherwise legal length trailers (up to 48 feet) are over length? Wisconsin law limits overall length of tractor trailer combination vehicles to 65 feet. Due to the length of some of today's tractors, it is possible for a 48 foot (and even less) trailer, when combined with a longer tractor, to be over the legal length limit. This means that the rig would have to be operated only on the designated highway system for long trucks.

So, if you're selling a tractor, help your customer determine what the overall length of the rig will be. That way your customer won't end up over-length with an otherwise legal length trailer. We also recommend that you tell your customers that it is possible for a legal length trailer, in combination with one of the new longer length tractors, to make the overall rig longer than the 65-foot limit.

### Send applications to tribes

If you have customers eligible for Lac du Flambeau or Memoninee tribal license plates, be sure to send their applications directly to either:

Lac du Flambeau Motor Vehicle  
Attn: Terry Hoyt  
P.O. Box 67  
Lac du Flambeau, WI 54538  
Phone: (715) 588-3303

or

Menominee Indian Motor Vehicle  
Attn: Yvette Snow  
P.O. Box 397  
Keshena, WI 54135  
Phone: (715) 799-5142

The tribal motor vehicle offices issue the plates and forward the application to WisDOT with a registration card so a title can be issued. Don't try to speed things up by sending applications for "title only" to WisDOT. It actually causes delays for the customer and can result in plates not being properly recorded on our computer.

### Salesperson application revised

A new version of the salesperson license application (form MV2184 12/94) is available. The form now contains complete instructions on the reverse side including a chart to help determine fees and whether an exam is required. The front of the form is now easier to follow and complete. To order a free supply of the new form, mail your request to:

Maps and Publication Sales  
Wisconsin Department of Transportation  
P.O. Box 7713  
Madison, WI 53707-7713

### Odometer statements for leased vehicles

Under the Truth in Mileage Act (TIMA), dealers can't sign an odometer statement as agent for both a buyer and a seller. In a lease transaction where the lease company is listed as the owner on the title application, the dealer is the seller and the lease company is the buyer. The lessee is also listed on the application. The lease company is usually not present when the title application form is completed, so they can't sign it in person. Yet the dealer can't sign for themselves as the seller and also sign for the lease company as the buyer.

Since the lessee is present when the application is completed, some lease companies appoint the lessee as their agent to sign acknowledging the odometer statement for them. The lease company can grant a blanket power of attorney to lessees without specifying the actual name of the lessee on the power of attorney document. A phrase like, "XYZ Acceptance Corporation authorizes lessees to act as agent in accepting odometer statements," would be satisfactory. The lessee's signature on the title application (in the "lessee signature" field) provides acknowledgment of the odometer disclosure by the lease company. The dealership just needs to remember to submit a photocopy of the power of attorney with the title application.

### Auction pointer

When you ask auction staff to be your agent on a vehicle you purchase through them, be sure to cooperate with them by signing the title on auction day or make arrangements to sign the title when the vehicle is picked up.

Auction staff can't legally sign your name on the odometer disclosure statement if they've already signed as agent for the selling dealer. They also won't usually release a vehicle until the title is properly signed. You may want to authorize a responsible driver to also sign the title when picking a vehicle up from an auction.

## Licensing Actions

**A & R Salvage**, Milwaukee—Salvage dealer license was suspended for 30 days and a Special Order was issued for failing to enter vehicles in the salvage logbook and failing to submit junked titles to the department.

**B & M Auto Body**, Superior—Dealer license was revoked for title fraud (physically removed salvage brands from Minnesota titles).

**Bargain Bob's Wholesale, Inc. dba Auto Baron Fine Used Cars**, Waukesha—A Special Order was issued for allowing an individual to purchase vehicles with his own funds using the dealer's license; failing to inspect vehicles offered for sale and display used vehicle disclosure labels on them; failing to submit title applications within seven days; failing to maintain a surety bond and sales tax seller permit; failing to have titles to vehicles offered for sale; and failing to have consignment agreements for vehicles sold on consignment.

**Belknap Motors**, Superior—Dealer surrendered license in lieu of administrative action for logbook and odometer disclosure problems.

**W.C. Kramer**, Watertown—Dealer surrendered license in lieu of licensing action for allowing an individual to use the dealer license for vehicle sales.

**Gary's Auto Mart**, Kenosha—Wholesale dealer stipulated to revocation of his license for failing to record vehicles in the logbook.

**Clifford Gruenwald**, Milwaukee—Salesperson license was suspended for six days for signing and giving a false odometer statement.

**Kennedy's Used Car Factory**, Madison—Dealer surrendered license in lieu of licensing action for misrepresentation of vehicles and failing to submit title applications within seven business days of vehicle sale.

**Stichman Auto**, Clintonville—Dealer surrendered license in lieu of licensing action for switching a VIN and misrepresenting mileage.

**Ward Auto Brokers**, Hazel Green—Dealer surrendered license in lieu of licensing action for delinquent sales tax owed; failing to maintain a surety bond; and criminal charges of odometer tampering, VIN removal and false title application. John Ward pled guilty to two counts of misdemeanor odometer tampering, with four additional counts read into the record, and was sentenced to pay \$568 in fines and forfeit ownership of a truck worth \$6,300 to the Grant County Sheriff's Department.

**Waukesha Auto Parts**, Waukesha—Salvage dealer license was suspended for ten days and a Special Order was issued for failing to enter junk vehicles in the logbook and failing to send junked titles to the department.

### Model Year Exemptions

On January 1, 1995, model years exempt from odometer disclosure and salvage vehicle definition changed.

**Odometer Disclosure:** 1995 - 9 = **1986** (current calendar year - 9 = latest model year exempt from disclosure)

**Salvage Vehicle Definition:** 1995 - 6 = **1989** (current calendar year - 6 = latest model year exempt from salvage vehicle definition)

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