

State of Wisconsin



2023 Assembly Bill 669

Date of enactment:
Date of publication*:

2023 WISCONSIN ACT

AN ACT *to amend* 342.15 (3); and *to create* 895.491 of the statutes; **relating to:** a liability exemption for motor vehicle sellers after sale.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 342.15 (3) of the statutes is amended to read:

342.15 (3) Except as provided in s. 342.16 and as between the parties, a transfer by an owner is not effective until the provisions of this section have been complied with. An owner who has delivered possession of the vehicle to the transferee and has complied with the provisions of this section is not liable as owner for any damages thereafter resulting from operation of the vehicle. Nothing in this section limits the immunity from liability described under s. 895.491.

SECTION 2. 895.491 of the statutes is created to read:

895.491 Liability exemption; vehicle seller after sale. (1) In this section:

- (a) "Motor vehicle" has the meaning given in s. 340.01 (35).
- (b) "Motor vehicle dealer" has the meaning given in

s. 218.0101 (23) (a) 2.

(c) "Seller" does not include a motor vehicle dealer or wholesale dealer.

(d) "Wholesale dealer" has the meaning given in s. 218.0101 (38).

(2) Except as provided under sub. (3), a seller of a motor vehicle who holds legal title to the motor vehicle and who has transferred possession of the motor vehicle to a buyer is immune from civil and criminal liability and is not responsible for local ordinance violations committed involving the motor vehicle under any of the following circumstances:

(a) The seller has signed the motor vehicle title and given the title to the buyer.

(b) Regardless of whether full compliance with s. 342.15 has been attained, the buyer and seller intend to transfer ownership of the motor vehicle to the buyer.

(3) Immunity under this section does not apply if death or injury was caused by willful or wanton acts or omissions by the seller.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."