



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-5595/1
EVM:amn

2019 SENATE BILL 880

February 28, 2020 - Introduced by Senator RINGHAND, cosponsored by Representative CONSIDINE. Referred to Committee on Insurance, Financial Services, Government Oversight and Courts.

1 **AN ACT to amend** 344.12, 344.14 (2) (e) and 346.70 (1) of the statutes; **relating**
2 **to:** motor vehicle accident reporting requirements and financial responsibility
3 for certain motor vehicle accidents.

Analysis by the Legislative Reference Bureau

This bill increases the thresholds for reporting a motor vehicle accident causing damage to the property of another and for purposes of certain requirements related to deposits of security for past accidents from \$1,000 to \$1,500 of damage.

Under current law, the operator of a vehicle involved in an accident resulting in total damage of \$1,000 or more to a publicly owned vehicle or to private property owned by one person must report the accident as soon as possible to the state patrol or to the law enforcement agency of the jurisdiction where the accident occurred. Failure to report an accident may result in a forfeiture of not less than \$200 nor more than \$500 or, for a second or subsequent offense within a year, a forfeiture of not less than \$300 nor more than \$500. In addition, the operator's motor vehicle operating privilege and any vehicle registrations may be suspended unless there was excusable cause for failing to report the accident or no person or property other than the operator's was injured or damaged in the accident.

Also under current law, as to the operator or owner of a motor vehicle that is involved in an accident that results in injury, death, or property damage of \$1,000 or more, the secretary of transportation is required to determine the amount of security necessary to satisfy any judgment for damages resulting from the accident that may be recovered against the owner or operator and notify the owner or operator

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of the amount that must be deposited with the secretary. A deposit is not required if the person can provide proof of financial responsibility in the form of an applicable motor vehicle liability insurance policy or bond in effect at the time of the accident providing not less than the following amounts for any single accident: \$25,000 for one person, \$50,000 for more than one person, and \$10,000 for property damage.

With certain exceptions, failure to provide proof of financial responsibility or a deposit of security after an accident results in suspension of the operator's motor vehicle operating privilege or of the registration of any vehicles registered by the owner of the vehicle involved in the accident. The secretary of transportation may also order that any motor vehicle owned by the operator or owner of the motor vehicle that is involved in the accident be impounded. Any suspension or motor vehicle impoundment continues until the person provides a deposit of security or otherwise clears his or her liability or a year elapses without an action being commenced as a result of the accident.

This bill increases the minimum property damage for both of these purposes from \$1,000 to \$1,500.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 344.12 of the statutes is amended to read:

2 **344.12 Applicability of provisions relating to deposit of security for**
3 **past accidents.** Subject to the exceptions contained in s. 344.14, the provisions of
4 this chapter requiring deposit of security and requiring suspension for failure to
5 deposit security apply to the operator and owner of every motor vehicle which is in
6 any manner involved in an accident in this state which has resulted in bodily injury
7 to or death of any person or damage to property of any other person of ~~\$1,000~~ \$1,500
8 or more.

9 **SECTION 2.** 344.14 (2) (e) of the statutes is amended to read:

10 **344.14 (2) (e)** To the operator or owner of a vehicle involved in an accident
11 wherein no injury was caused to the person of anyone other than such operator or

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1 owner and wherein damage to property of any one person other than such operator
2 or owner did not equal or exceed ~~\$1,000~~ \$1,500.

3 **SECTION 3.** 346.70 (1) of the statutes is amended to read:

4 346.70 (1) IMMEDIATE NOTICE OF ACCIDENT. The operator or occupant of a vehicle
5 involved in an accident resulting in injury to or death of any person, any damage to
6 state or other government-owned property, except a state or other
7 government-owned vehicle, to an apparent extent of \$200 or more, or total damage
8 to property owned by any one person or to a state or other government-owned vehicle
9 to an apparent extent of ~~\$1,000~~ \$1,500 or more shall immediately by the quickest
10 means of communication give notice of such accident to the police department, the
11 sheriff's department or the traffic department of the county or municipality in which
12 the accident occurred or to a state traffic patrol officer. In this subsection, "injury"
13 means injury to a person of a physical nature resulting in death or the need of first
14 aid or attention by a physician or surgeon, whether or not first aid or medical or
15 surgical treatment was actually received; "total damage to property owned by one
16 person" means the sum total cost of putting the property damaged in the condition
17 it was before the accident, if repair thereof is practical, and if not practical, the sum
18 total cost of replacing such property. For purposes of this subsection if any property
19 which is damaged is held in a form of joint or multiple ownership, the property shall
20 be considered to be owned by one person.

21 (END)