



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-1826/1
EVM:nwn:jf

2011 SENATE BILL 217

October 5, 2011 - Introduced by Senators LASEE, S. COGGS, HOLPERIN, TAYLOR and OLSEN, cosponsored by Representatives PETROWSKI, FIELDS, BERNIER, BEWLEY, BROOKS, ENDSLEY, GRIGSBY, HONADEL, A. OTT, SPANBAUER, C. TAYLOR, TURNER and VRUWINK. Referred to Committee on Judiciary, Utilities, Commerce, and Government Operations.

1 **AN ACT to renumber and amend** 344.26 (1); **to amend** 344.26 (title) and 344.27
2 (3); and **to create** 344.26 (1) (b) of the statutes; **relating to:** suspension of
3 operating privilege or registration for unsatisfied judgment for damages
4 arising out of a motor vehicle accident.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Transportation must generally suspend the operating privilege and all vehicle registrations of any person against whom a judgment for damages of \$500 or more arising from a motor vehicle accident has been rendered. The operating privilege and vehicle registrations generally remain suspended until the judgment is stayed, satisfied, or discharged and, unless the person against whom the judgment has been rendered provides and maintains proof of financial responsibility, for three years following the stay, satisfaction, or discharge of the judgment.

Under this bill, the operating privilege and vehicle registrations of a person against whom a judgment for damages of \$500 or more arising from a motor vehicle accident has been rendered generally remains suspended until: 1) either the judgment is stayed, satisfied, or discharged or five years have elapsed since the date of entry of judgment; and 2) unless the person against whom the judgment has been rendered provides and maintains proof of financial responsibility, either three years

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have elapsed since the stay, satisfaction, or discharge of the judgment or eight years have elapsed since the date of entry of judgment.

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

1 **SECTION 1.** 344.26 (title) of the statutes is amended to read:

2 **344.26** (title) **Suspension to continue until after judgment paid and**
3 **proof of financial responsibility given for money damages.**

4 **SECTION 2.** 344.26 (1) of the statutes is renumbered 344.26 (1) (a) and amended
5 to read:

6 344.26 (1) (a) Subject to the exceptions stated in ss. 344.25 (2) and 344.27 (2),
7 any operating privilege or registration suspended or revoked under s. 344.25 shall
8 remain suspended or revoked ~~until every~~ for 5 years from the date of entry of
9 judgment or until the judgment mentioned in s. 344.25 is stayed, satisfied, or
10 discharged, whichever is earlier, and, unless 3 years have elapsed since the date on
11 which the judgment was stayed, satisfied, or discharged ~~or 8 years have elapsed since~~
12 the date of entry of judgment, whichever is earlier, or unless the person is a
13 nonresident, until the person whose operating privilege and registration was
14 suspended or revoked furnishes and maintains in effect proof of financial
15 responsibility for the future.

16 **SECTION 3.** 344.26 (1) (b) of the statutes is created to read:

17 344.26 (1) (b) If suspension of any operating privilege or registration under s.
18 344.25 was terminated before 5 years from the date of entry of judgment because an
19 exception under s. 344.25 (2) or 344.27 (2) applied and the judgment debtor's
20 operating privilege or registration is subsequently suspended under s. 344.25 (2) or

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1 344.27 (3), the operating privilege or registration shall remain suspended for all of
2 the following periods:

3 1. Five years from the date of suspension under s. 344.25 (2) or 344.27 (3) or
4 until the judgment is stayed, satisfied, or discharged, whichever is earlier. A
5 suspension period that commences on the date of suspension under s. 344.25 (2) or
6 344.27 (3) under this subdivision shall be reduced by the amount of time that the
7 judgment debtor's operating privilege or registration was suspended under s. 344.25
8 before one of the exceptions under s. 344.25 (2) or 344.27 (2) was satisfied.

9 2. Three years from the date on which the period under subd. 1. expires. The
10 suspension under this subdivision does not apply to a person who is a nonresident
11 or who furnishes and maintains in effect proof of financial responsibility for the
12 future.

13 **SECTION 4.** 344.27 (3) of the statutes is amended to read:

14 344.27 (3) If the judgment debtor fails to pay any installment as specified by
15 such order, the secretary, upon notice of such default, shall immediately suspend the
16 operating privilege and registrations of the judgment debtor until such judgment is
17 satisfied or until the applicable time limit is reached as provided in s. 344.26.

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(END)