

1983 Assembly Bill 1007

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1983 Wisconsin Act 304

AN ACT *to renumber and amend 345.48 (1); to amend 345.27 (2) and 345.48 (2) to (4); and to create 345.48 (1) of the statutes, relating to reporting, recording and depositing requirements in traffic regulation actions.*

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

SECTION 1. 345.27 (2) of the statutes is amended to read:

345.27 (2) If a person is cited for a violation for which a stipulation is authorized and makes a timely stipulation and pays the required deposit, the person need not appear in court. Before allowing the arrested person to make a stipulation and deposit, the arresting officer or the person receiving the stipulation and deposit shall comply with s. 343.27 or, if the stipulation and deposit are mailed, the signed statement required under s. 343.27 shall be mailed with it. The official receiving the stipulation and deposit shall promptly transmit the stipulation and deposit to the clerk of court or the municipal judge having jurisdiction in the county. The clerk of the court or the municipal judge having jurisdiction in the county may receive stipulations according to this subsection and shall receive all other stipulations made under sub. (1) but the municipal judge shall process a stipulation when a citation is issued within his or her municipality. The clerk or municipi-

pal judge shall, ~~for all stipulations upon the receipt of a stipulation, record on the court appearance date,~~ a judgment of conviction and enter deposits as fines or forfeitures and penalty assessments and shall comply with ss. 343.28 and 345.37 (5). The judge or the court may relieve any person from a stipulation or any other order, judgment or conviction entered or made as provided in s. 345.37 (3).

SECTION 2. 345.48 (1) of the statutes is renumbered 345.48 (1m) and amended to read:

345.48 (1m) If the defendant is found guilty the court shall, within ~~48 hours~~ 5 working days, forward to the department the record of such conviction.

SECTION 3. 345.48 (1) of the statutes is created to read:

345.48 (1) In this section, "working days" means all days except Saturdays, Sundays and legal holidays under s. 757.17.

SECTION 4. 345.48 (2) to (4) of the statutes are amended to read:

345.48 (2) If the defendant is found guilty of a traffic violation for which revocation of his or her operating privilege is mandatory under s. 343.31, or for which the court revokes or suspends his or her operating privilege under s. 343.30, the court shall immediately take possession of the suspended or revoked license. The revocation or suspension is effective immediately. The court ordered suspension or revocation shall be included as part of the report of conviction under sub. ~~(1)~~ (1m).

(3) If no notice of appeal is filed within 10 days, the court shall, within ~~48 hours~~ 5 working days after expiration of the 10-day period, forward to the department any surrendered license.

(4) If notice of appeal is filed the court shall, within ~~48 hours~~ 5 working days after it is filed, forward to the department a certificate stating that the appeal has been perfected and shall return any surrendered license. Thereafter, the court shall notify the department as required under s. 343.325 (1) (b) and (c).
