

**2005 DRAFTING REQUEST**

**Assembly Amendment (AA-AB618)**

Received: 09/06/2005

Received By: agary

Wanted: Today

Identical to LRB:

For: Jerry Petrowski (608) 266-1182

By/Representing: Hariah Hutkowski (aide)

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**  
**Transportation - traffic laws**

Extra Copies: **PJH**

Submit via email: YES

Requester's email: **Rep.Petrowski@legis.state.wi.us**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

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**Topic:**

child safety seats; warnings for violations; personal needs exception

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	agary 09/06/2005	kfollett 09/06/2005	rschluet 09/06/2005	_____	sbasford 09/06/2005	sbasford 09/06/2005	

FE Sent For:

<END>

11-11-2005  
(1/1)

see  
attached

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**Assembly Amendment (AA-AB618)**

Received: **09/06/2005**

Received By: **agary**

Wanted: **Today**

Identical to LRB:

For: **Jerry Petrowski (608) 266-1182**

By/Representing: **Hariah Hutkowski (aide)**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles  
Transportation - traffic laws**

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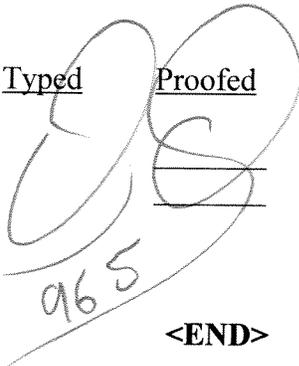
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/?	agary	1/kjf 9/6					
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FE Sent For:

<END>

8/31

Mc w/ Harish

p. 8, line 6 -

amendment -

take out (2m)

except (4) (as)

- only want to exempt new parts of law

4-7, not 0-4

only exempt tier 3

- 4 to 8

- 6 mos. grace period

- wants it by noon on Fri.

**Gary, Aaron**

---

**From:** Aaron Gary [aaronrgary@yahoo.com]  
**Sent:** Thursday, September 01, 2005 9:57 AM  
**To:** Hutkowski, Hariah  
**Cc:** Gary, Aaron  
**Subject:** AB-618 amendment

Hariah,

When we spoke about the amendment to AB-618 yesterday, I was coming down with a fever and I'm at home sick today. I have had a chance to look at the bill and the amendment, though. The reference to "section 347.48 (2m) or (4)" on p. 8, line 6 of AB-618 was not actually a drafting mistake and was consistent with the instructions and the other text of the bill.

The rationale for the reference to "(2m)" on p. 8, line 6 relating to seat belts is that the bill actually expands the seat belt requirement; under the bill, it would now apply up to age 16 rather than age 15. Also, under current law, a person age 4-8 is required to be in a seat belt. Under this bill, a person age 4-8 is generally required to either be in a seat belt or be in a booster seat, depending on the height and weight of the child. While there seems to be no change for some 4-8 year olds (that is, they must be in a seat belt), there is an important difference in that enforcement of these age 4-8 seat belt violations under the bill is primary, whereas enforcement of these violations under current law is secondary.

Do you still want the amendment as you described it yesterday? Do you want to keep the referenceto "(2m)" but limit it to warnings for seat belt violations involving a 15-16 year old, as well as limiting warnings for child safety seat violations to those involving 4-8 year olds?

I'm hoping to be in the office tomorrow and get this drafted then, but of course I'm not sure when my fever will break and how I'll be feeling then.

Aaron Gary, LRB

---

Start your day with Yahoo! - make it your home page <http://www.yahoo.com/r/hs>

9/2 - Hariah  
- voice mail  
- warning:  
- 4-8 car seat only  
- also repeal personal  
needs exception, till  
section 6  
- sent e-mail

## Gary, Aaron

---

**From:** Aaron Gary [aaronrgary@yahoo.com]  
**Sent:** Thursday, September 01, 2005 10:21 AM  
**To:** Hutkowski, Hariah  
**Cc:** Gary, Aaron  
**Subject:** AB-618 amendment: one more thing

One more thing: Under the existing text of bill section 16, the term "previous violation" on p. 8, line 9 of AB-618 works fine. However, if you want the amendment, I will need to refine this term. Do you want "previous violation" to mean only previous violations of these "new" violations (s. 347.48 (2m) (c) involving 15-16 year olds and s. 347.48 (4) (am) involving 4-8 year olds) or do you want "previous violation" to refer to any previous safety belt or child safety seat violation under s. 347.48 (2m) or (4)? Thanks. Aaron

---

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## Gary, Aaron

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**From:** Aaron Gary [aaronrgary@yahoo.com]  
**Sent:** Thursday, September 01, 2005 7:52 PM  
**To:** Gary, Aaron  
**Subject:** Fwd: RE: AB-618 amendment: one more thing

--- "Hutkowski, Hariah"  
<Hariah.Hutkowski@legis.state.wi.us> wrote:

> Subject: RE: AB-618 amendment: one more thing  
> Date: Thu, 1 Sep 2005 13:49:08 -0500  
> From: "Hutkowski, Hariah"  
> <Hariah.Hutkowski@legis.state.wi.us>  
> To: "Aaron Gary" <aaronrgary@yahoo.com>  
>  
> Okay, I figured out our exact request. We would only want to exempt  
> 4-8 year olds for the 6 months. Don't care to exempt the 15-16 year  
> olds.  
> Yes, we can fine those with a previous violation within the grace  
> period of the 4-8 year olds. So they have had to been warned once  
> before being ticketed before the 6 months is up. They cannot get  
> 2-3-4-5-or more warnings, just one warning then a ticket. I think  
> that's what you were asking. Also, please remove the PERSONAL NEEDS  
> EXEMPTION in the safety belt law. (page 4, section 6 I think)  
>  
>  
>

> -----Original Message-----

> From: Aaron Gary [mailto:aaronrgary@yahoo.com]  
> Sent: Thursday, September 01, 2005 10:21 AM  
> To: Hutkowski, Hariah  
> Cc: Gary, Aaron  
> Subject: AB-618 amendment: one more thing  
>

> One more thing: Under the existing text of bill  
> section 16, the term  
> "previous violation" on p. 8, line 9 of AB-618 works  
> fine. However, if  
> you want the amendment, I will need to refine this  
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> "previous violation" to mean only previous  
> violations of these "new"  
> violations (s. 347.48 (2m)  
> (c) involving 15-16 year olds and s. 347.48 (4) (am)  
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> to any previous  
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---

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<http://www.yahoo.com/r/hs>

TODAY

D-note

ASSEMBLY AMENDMENT,  
TO 2005 ASSEMBLY BILL 618

1 At the locations indicated, amend the bill as follows:

2 1. Page 4, line 1: delete "No Subject to par. (au), no" and substitute "No".

3 2. Page 4, line 21: delete lines 21 to 25 and substitute:

4 "SECTION 6m. 347.48 (4) (a) 3. of the statutes is repealed."

5 3. Page 5, line 1: delete lines 1 to 2.

and  
(4) and substitute "(4) (am)"

change component

6 4. Page 8, line 6: delete "(2m) or"

7 5. Page 8, line 6: after "(4)" insert "(am)".

8 ~~6. Page 8, line 7: delete "affected" and substitute "created".~~

9 ~~7.~~ # Page 8, line 7: after "act," insert "involving a child who is at least 4 years  
10 old and less than 8 years old,".



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBa0943/1dn

ARG:...

Date

ATTN: Hariah Hutkowski

7 Please review the attached amendment carefully to ensure that it is consistent with your intent. Please note item 80 of the attached amendment, which reflects my understanding that the "previous violation" which precludes issuance of a warning is limited to the same type of child safety seat violation. Also, as instructed, the attached draft repeals the personal needs exception under s. 347.48 (4) (a) 3. of current law. The attached draft does not repeal the exception under s. 347.48 (4) (b) of current law.

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: aaron.gary@legis.state.wi.us

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBa0943/1dn  
ARG:kjfrs

September 6, 2005

ATTN: Hariah Hutkowski

Please review the attached amendment carefully to ensure that it is consistent with your intent. Please note item 6. of the attached amendment, which reflects my understanding that the "previous violation" which precludes issuance of a warning is limited to the same type of child safety seat violation. Also, as instructed, the attached draft repeals the personal needs exception under s. 347.48 (4) (a) 3. of current law. The attached draft does not repeal the exception under s. 347.48 (4) (b) of current law.

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: [aaron.gary@legis.state.wi.us](mailto:aaron.gary@legis.state.wi.us)

## Barman, Mike

---

**From:** Nowak, Ellen  
**Sent:** Friday, November 11, 2005 2:04 PM  
**To:** Barman, Mike  
**Subject:** AB 618 - Supplemental Fiscal Estimate

Mike:

Pursuant to Joint Rule 41(3)(b), the speaker would like a supplemental fiscal estimate prepared for AB 618, as amended. If you have any questions, please contact Hariah in Rep. Petrowski's office or me.

Thank you,  
Ellen Nowak