

2005 DRAFTING REQUEST

Assembly Amendment (AA-AB715)

Received: 11/02/2005

Received By: **agary**

Wanted: **Soon**

Identical to LRB:

For: **Peggy Krusick (608) 266-1733**

By/Representing: **Christian Moran (aide)**

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

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles
Transportation - driver licenses**

Extra Copies: **PJH**

Submit via email: **YES**

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

retain and produce physician statement for special identification card

Instructions:

See Attached

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 11/09/2005	jdyer 11/11/2005	jfrantze 11/11/2005	_____	sbasford 11/11/2005	sbasford 11/11/2005	
/2	agary 11/15/2005	jdyer 11/15/2005	pgreensl 11/15/2005	_____	sbasford 11/15/2005	sbasford 11/15/2005	

FE Sent For:

<END>

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/1	agary	11/11/05 jld	11/11/05 [Signature]	11/11/05 [Signature]			

FE Sent For:

<END>

11/1

Mc Christian

6-1733

AB-715:

- placard : accompany
- exception if they have it -
(like child seat or DL provider -
can produce later) - not for punitive
- something on application?
· by rule, app. has to advise
of req. to carry physician
statement



Gary, Aaron

From: Frazier, Carson
Sent: Friday, November 04, 2005 7:39 AM
To: Moran, Christian; Gary, Aaron
Cc: Frazier, Carson
Subject: RE: Amendment to AB 715 disabled parking

Hi Christian and Aaron.

On Christian's first question, we don't need either statute or rule to change our form.....we would place the information on our web site in the instructions on how to apply for a disabled placard, and we'd add the necessary language the next time we have to order forms. We would say something like "Under S.XXX of the statute, you must keep a copy of the health care provider statement with you. Be sure to make a copy before you send this application to DMV"....or words to that effect. This would involve negligible cost which we could absorb (it would be nice to have 2-3 months delayed effective date, because we could use up our current forms and not have to discard any, and have time to get new forms out to all our Customer Service Centers).

Second, you are correct that if DMV had to mail any forms back to people there would be a cost, which we couldn't absorb. However, even people who get a placard in-person should be required to keep a copy. There are 2 reasons for this -- (1) we do keep the application for a couple of days until the fee reconciliation is done, just in case the processor had made any error in fee allocation and the field office needs to consult the original application to allocate fees correctly; and (2) we certainly do not want to do anything that encourages more people to come for in-person service, which would require us to shift more staff to Customer Service Centers and could make wait times longer -- we are trying to get people out of the CSC's. We also think that it makes more sense to simply require everyone to keep a copy of their application -- for example, someone could come to the CSC for in-person, decide not to wait, and want to mail the application in.

On Aaron's question: No, if an organization applies for placards, the organization doesn't need to submit physician's statements, it just certifies that it transports disabled people. We do not put the organization application on the Web, because people get confused and send in the wrong application form -- we just deal directly with the organization.

One other note: I was reminded here that it would take 4 years to get everyone covered with this requirement, since this would have to be "day forward", applying to new applicants and renewals only, as people with current placards won't have a copy of the physician statement.

Finally, you might be interested in S.343.18, which requires people to have their driver license in their possession at all times, but if they don't have it they have a chance to demonstrate they do have a valid license at the time of the arrest. Peggy had mentioned that you might want to consider something like this.

*Carson P. Frazier
Program Officer, Legislative Liaison
Division of Motor Vehicles
Phone: 608-266-7857*

-----Original Message-----

From: Moran, Christian [mailto:Christian.Moran@legis.state.wi.us]
Sent: Thursday, November 03, 2005 9:31 AM
To: Frazier, Carson
Cc: Gary, Aaron
Subject: Amendment to AB 715 disabled parking

Carson,

As we discussed earlier, Peggy is having an amendment drafted to AB 715 that would require disabled parking placard holders to keep a copy of the health care provider statement.

The statement would have to be carried with or maintained in the vehicle whenever the placard is displayed.

Two questions for you.

First, this new requirement would have to be mentioned on the placard application. Can you (and would you prefer) to just do this by rule? Or should we include language in the amendment explicitly directing the department to do this?

Second, as I understand it, the department currently discards the health care provider statements after the application is complete. Therefore, do we really need to require applicants to make a copy of the statement for themselves if they are applying for the placards in person? DMV could just return the original statement to the applicant after the transaction has been completed. I'm assuming, because of mailing costs, that the department would not want to be required to return statements to individuals who apply by mail.

Christian Moran
Office of Representative Peggy Krusick
State Capitol, 128 North
Madison, WI 53708
608-266-1733

Gary, Aaron

From: Gary, Aaron
Sent: Thursday, November 03, 2005 9:57 AM
To: Moran, Christian; Frazier, Carson
Subject: RE: Amendment to AB 715 disabled parking

Carson,

Can you tell me, when an organization applies for a disabled parking placard, does it also have to submit a physician statement(s)? Thank you. Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Moran, Christian
Sent: Thursday, November 03, 2005 9:31 AM
To: Frazier, Carson
Cc: Gary, Aaron
Subject: Amendment to AB 715 disabled parking

Carson,

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Two questions for you.

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Christian Moran
Office of Representative Peggy Krusick
State Capitol, 128 North
Madison, WI 53708
608-266-1733

Gary, Aaron

From: Frazier, Carson
Sent: Tuesday, November 08, 2005 1:33 PM
To: Moran, Christian; Gary, Aaron
Cc: Frazier, Carson
Subject: RE: Disabled parking bill (AB 715)

What I was envisioning, that would have negligible cost, is we'd (1) put in a sentence or 2 on the web site wording (link below) on disabled cards, saying you must keep a copy of the health care provider statement, and (2) put words on the MV2548 form to say that also. Right at the top of the MV2548 form it says "How to apply for a (permanent/temporary) disability card" with 5 steps -- I was thinking we could add a point in all capitals there. Also, I think that page 2 is the instructions, and we could also say it there. I don't think we'd make a distinction between the instructions for the form and the form itself, and it wouldn't make any difference in the cost.....in reality, what happens is that every time we re-order forms we have an opportunity to make any changes we need, and by doing that we avoid any extra cost. Does this make sense?

<http://www.dot.state.wi.us/drivers/vehicles/disabled/discards.htm>
then click on the form MV2548.

Carson P. Frazier
Program Officer, Legislative Liaison
Division of Motor Vehicles
Phone: 608-266-7857

-----Original Message-----

From: Moran, Christian [mailto:Christian.Moran@legis.state.wi.us]
Sent: Tuesday, November 08, 2005 1:04 PM
To: Frazier, Carson
Subject: FW: Disabled parking bill (AB 715)

Hi Carson--

Can you please answer Aaron's question below? Thanks,

Christian Moran
Office of Representative Peggy Krusick
State Capitol, 128 North
Madison, WI 53708
608-266-1733

From: Gary, Aaron
Sent: Tuesday, November 08, 2005 12:34 PM

To: Moran, Christian
Subject: RE: Disabled parking bill (AB 715)

Christian,

I couldn't tell in Carson's e-mail if she was saying that the notice (#1) would be included by DOT on instructions accompanying the application form or on the application form itself, if in fact there is a distinction and if this distinction would make any difference in cost to DOT. As for your question, I don't feel strongly either way - I just want to make sure that, if the amendment requires the information on the application form, DOT's assertion of "negligible cost" refers to an application form (or a package that includes both form and instructions) and not separate instructions.

Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Moran, Christian
Sent: Tuesday, November 08, 2005 12:06 PM
To: Gary, Aaron
Subject: RE: Disabled parking bill (AB 715)

Based on Carson's e-mail on Friday, it seems best to still require the placard holder to keep a copy of the physician statement. Requiring DOT to return the original will have a fiscal effect, which we want to avoid.

It also seems that #1 below is not necessary. However, do you think it's worth including for clarity? Per Carson's request, let's have a 2 month delayed effective date.

I still need to talk to Peggy about the penalty for #2 below.

Thanks, -C

From: Gary, Aaron
Sent: Thursday, November 03, 2005 9:36 AM
To: Moran, Christian
Subject: RE: Disabled parking bill (AB 715)

Christian,

The second amendment is basically drafted. There are 2 issues I need some information on:

1. You were going to consider whether DOT has to advise the applicant of the requirement that the statement be kept. I have temporarily added a few words to existing s. 343.51 (1m) [which creates a social security number-related requirement for the application] that would require DOT to include on the application notice of the requirement that the physician statement be kept with the person or vehicle. Of course, there will be some cost to requiring this on the application. In addition, the bill has no delayed effective date. If DOT is going to change the application, they probably need a brief delay to revise that application - would you be OK with including a delay of one month?

2. I assume the penalty should be different. I have temporarily provided a \$100 penalty for failing to keep the physician statement, instead of the \$1,000 penalty for other parts of the bill, with exception if

statement is produced to court or traffic officer within 10 days after citation. Is this OK?

Thanks. Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Moran, Christian
Sent: Tuesday, November 01, 2005 10:04 AM
To: Gary, Aaron
Subject: RE: Disabled parking bill (AB 715)

Yes, that sounds good. Can you draft this and the other amendment we discussed (prohibition on selling placards) as separate amendments. The exec is Nov 17th. Thanks.

From: Gary, Aaron
Sent: Monday, October 31, 2005 10:21 AM
To: Moran, Christian
Subject: RE: Disabled parking bill (AB 715)

How about if it has to be carried with or maintained in the vehicle whenever the placard is displayed?

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Moran, Christian
Sent: Monday, October 31, 2005 10:15 AM
To: Gary, Aaron
Subject: Disabled parking bill (AB 715)

Hi Aaron,

To follow-up on our conversation last week on amendments to AB 715:

In addition to requiring an applicant to keep a copy of the health care provider statement, can we require

that the statement accompany the placard at all times? See Milwaukee Police comments below.

Thanks.

Christian

From: Ruzinski, Anna [mailto:ARUZIN@milwaukee.gov]
Sent: Thursday, October 27, 2005 11:17 AM
To: Moran, Christian
Subject: RE: Disabled parking bill

If they are required to keep it with them is one thing. The purpose of DOT keeping them would be a central repository. Otherwise we're back to lengthening the investigation. Maybe if it reads it has to accompany the placard, but I don't know if that stipulation can be made. Anna

-----Original Message-----

From: Christian.Moran@legis.state.wi.us [mailto:Christian.Moran@legis.state.wi.us]
Sent: Wed 10/26/2005 11:41 AM
To: Ruzinski, Anna
Cc:
Subject: Disabled parking bill

Anna,

What's MPD's position on requiring the applicant to keep a copy of the health care provider form rather than DOT.

DOT says if they have to keep the form on file it will cost \$53,000 to update their computer systems and an additional \$17,000 per year for one-half FTE.

Chances that the bill would pass with these costs are very slim.

Thanks,

Christian Moran
Office of Representative Peggy Krusick
State Capitol, 128 North
Madison, WI 53708
608-266-1733

MONDAY in 11/9

LRBa1318/1
ARG:.....
jld
Wanted by 11/14 and 65 day
S-Note

**ASSEMBLY AMENDMENT,
TO 2005 ASSEMBLY BILL 715**

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

2 **1.** Page 3, line 1: ~~after~~ ^{plain} that line insert:

3 **"SECTION 1g.** 343.51 (1m) of the statutes is renumbered 343.51 (1m) (a) and
4 amended to read:

5 343.51 (1m) (a) The form for application for a special identification card under
6 sub. (1) shall include the information required under s. 85.103 (2) and shall advise
7 the applicant of the requirement under par. (b).

History: 1979 c. 276; 1981 c. 119, 255; 1985 a. 87 s. 5; 1985 a. 202, 332; 1987 a. 19; 1989 a. 304; 1991 a. 240, 269; 1993 a. 16; 1995 a. 147; 1997 a. 27, 67, 252; 1999 a. 88.

8 **SECTION 1r.** 343.51 (1m) (b) of the statutes is created to read:

9 343.51 (1m) (b) If the department issues to a person a special identification
10 card under sub. (1), the person shall retain, for the period during which the special
11 identification card is valid, any statement specified in sub. (1) submitted by the
12 person to the department in support of the application. Any time that a special
13 identification card issued under sub. (1) is displayed on a vehicle, the person issued

1 the special identification card shall carry on the person or in the vehicle a copy of this
2 statement and shall, upon request by any traffic officer, produce the statement for
3 inspection.” ✓

4 **2.** Page 5, line 3: after that line insert:

5 “SECTION 8m. 343.52 (1r) of the statutes is created to read:

6 343.52 (1r) Any person who violates s. 343.51 (1m) (b) may be required to forfeit
7 not more than \$100, except that a person charged with violating s. 343.51 (1m) (b)
8 may not be convicted if he or she produces the statement in court or in the office of
9 the officer issuing the citation, within 10 days after the date on which the citation
10 is issued.” ✓

11 **3.** Page 5, line 14: after “343.51” insert “(1m) (b) and” ✓

12 **4.** Page 5, line 18: after “343.52” insert “(1r) and” ✓

13 **5.** Page 5, line 21: after that line insert:

14 “SECTION 11m. Effective date.

15 (1) This act takes effect on the first day of the 3rd month beginning after
16 publication.” ✓

17 (END)

D-Note

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

LRBa1318/1dn

ARG:.....

↑
JLG

ATTN: Christian Moran

Please review the attached draft carefully to ensure that it is consistent with your intent.

Created s. 343.51 (1m) (b) ✓ requires a person to produce the physician statement upon request of a traffic officer, but not on request of a member of a disabled parking enforcement assistance council under s. 349.145. ✓

The "exception" in created s. 343.52 (1r) ✓ is loosely modeled on the exception for a person issued a citation for not carrying his or her driver's license with him or her. See s. 343.18 (1m). ✓

Please let me know if you would like any changes made to the attached draft or if you have any questions.

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

LRBa1318/1dn
ARG:jld:jf

November 11, 2005

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Created s. 343.51 (1m) (b) requires a person to produce the physician statement upon request of a traffic officer, but not on request of a member of a disabled parking enforcement assistance council under s. 349.145.

The "exception" in created s. 343.52 (1r) is loosely modeled on the exception for a person issued a citation for not carrying his or her driver's license with him or her. See s. 343.18 (1m).

Please let me know if you would like any changes made to the attached draft or if you have any questions.

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

Gary, Aaron

From: Moran, Christian
Sent: Monday, November 14, 2005 4:34 PM
To: Gary, Aaron
Subject: AB 715 amendment

Peggy would like to go with a straight \$10 forfeiture with no surcharges or fees (like the exception for the no seat belt law).

Could you send me the citation(s) for the fixed \$17, \$77, and \$25 fees and the 24% surcharge we discussed?

Thanks.



State of Wisconsin
2005 - 2006 LEGISLATURE

TODAY

LRBa1318/2
ARG:jld:jf

in 11/15

KMR

ASSEMBLY AMENDMENT,
TO 2005 ASSEMBLY BILL 715

✓
Mist
1-1 →

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12
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At the locations indicated, amend the bill as follows:

1. Page 3, line 1: after that line insert:

“SECTION 1^g. 343.51 (1m) of the statutes is renumbered 343.51 (1m) (a) and amended to read:

343.51 (1m) (a) The form for application for a special identification card under sub. (1) shall include the information required under s. 85.103 (2) and shall advise the applicant of the requirement under par. (b).

SECTION 1r. 343.51 (1m) (b) of the statutes is created to read:

343.51 (1m) (b) If the department issues to a person a special identification card under sub. (1), the person shall retain, for the period during which the special identification card is valid, any statement specified in sub. (1) submitted by the person to the department in support of the application. Any time that a special identification card issued under sub. (1) is displayed on a vehicle, the person issued

1 the special identification card shall carry on the person or in the vehicle a copy of this
2 statement and shall, upon request by any traffic officer, produce the statement for
3 inspection.”.

4 **2.** Page 5, line 3: after that line insert:

5 “SECTION 8m. 343.52 (1r) of the statutes is created to read:

6 343.52 (1r) Any person who violates s. 343.51 (1m) (b) may be required to forfeit
7 not more than ~~\$50~~^{\$10}, except that a person charged with violating s. 343.51 (1m) (b) may
8 not be convicted if he or she produces the statement in court or in the office of the
9 officer issuing the citation, within 10 days after the date on which the citation is
10 issued.”.

11 **3.** Page 5, line 14: after “343.51” insert “(1m) (b) and”.

12 **4.** Page 5, line 18: after “343.52” insert “(1r) and”.

13 **5.** Page 5, line 21: after that line insert:

14 “SECTION 11m. Effective date.

15 (1) This act takes effect on the first day of the 3rd month beginning after
16 publication.”.

17 (END)

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1318/2ins
ARG:.....

INSERT 1-1:

1. Page 3, line 1: before that line insert:

✓ "SECTION 1d. 165.755 (1) (b) of the statutes is amended to read:

165.755 (1) (b) A court may not impose the crime laboratories and drug law enforcement surcharge under par. (a) for a violation of s. 101.123 (2) (a), (am) 1., (ar), (bm), (br), or (bv) or (5) (b), for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a violation of a state law or municipal or county ordinance involving a nonmoving traffic violation, a violation under s. 343.51 (1m) (b), or a safety belt use violation under s. 347.48 (2m).

History: 1997 a. 27; 1999 a. 9, 72; 1999 a. 150 s. 672; 2001 a. 16; 2003 a. 30, 33, 139, 268, 326, 327; 2005 a. 25.

SECTION 1f. 302.46 (1) (a) of the statutes is amended to read:

302.46 (1) (a) ~~On or after October 1, 1987, if~~ If a court imposes a fine or forfeiture for a violation of state law or for a violation of a municipal or county ordinance except for a violation of s. 101.123 (2) (a), (am) 1., (ar), (bm), (br), or (bv) or (5), or for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a violation of state laws or municipal or county ordinances involving nonmoving traffic violations, violations under s. 343.51 (1m) (b), or safety belt use violations under s. 347.48 (2m), the court, in addition, shall impose a jail surcharge under ch. 814 in an amount of ~~1%~~ 1 percent of the fine or forfeiture imposed or \$10, whichever is greater. If multiple offenses are involved, the court shall determine the jail surcharge on the

basis of each fine or forfeiture. If a fine or forfeiture is suspended in whole or in part, the court shall reduce the jail surcharge in proportion to the suspension.” ✓

History: 1987 a. 27; 1989 a. 22; 1989 a. 31 s. 1670c, 1670g; Stats. 1989 s. 302.46; 1989 a. 97, 359; 1991 a. 26, 32, 130, 189; 1993 a. 313; 1995 a. 201; 1999 a. 72; 2001 a. 16; 2003 a. 30, 139, 268, 326, 327.

2. Page 3, line 1: delete “1.” and substitute “1m.”

INSERT 2-10:

→ #. Page 5, line 12: after that line insert:

“SECTION ~~8p.~~ 757.05 (1) (a) of the statutes, as affected by 2005 Wisconsin Act 25, is amended to read:

757.05 (1) (a) Whenever a court imposes a fine or forfeiture for a violation of state law or for a violation of a municipal or county ordinance except for a violation of s. 101.123 (2) (a), (am) 1., (ar), (bm), (br), or (bv) or (5), or for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a violation of state laws or municipal or county ordinances involving nonmoving traffic violations, violations under s. 343.51 (1m) (b), or safety belt use violations under s. 347.48 (2m), there shall be imposed in addition a penalty surcharge under ch. 814 in an amount of ~~25%~~ 25 percent of the fine or forfeiture imposed. If multiple offenses are involved, the penalty surcharge shall be based upon the total fine or forfeiture for all offenses. When a fine or forfeiture is suspended in whole or in part, the penalty surcharge shall be reduced in proportion to the suspension.

History: 1999 a. 9 ss. 2292m, 2298, 3050m to 3050o; 1999 a. 72 s. 6; 1999 a. 150 s. 672; 2001 a. 16; 2003 a. 30, 33, 139, 268, 326, 327; 2005 a. 25.

SECTION ~~8r.~~ 814.63 (1) (c) of the statutes is amended to read:

814.63 (1) (c) This subsection does not apply to an action for a violation of s. 101.123 (2) (a), (am) 1., (ar), (bm), (br), or (bv) or (5), for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less

↓

than 0.1 at the time of the violation, or for a violation of under s. 343.51 (1m) (b) or
a safety belt use violation under s. 347.48 (2m).

History: 1981 c. 317; 1985 a. 36; 1987 a. 27, 399; 1989 a. 22, 31, 64, 97, 107, 359; 1991 a. 26, 39, 130; 1993 a. 16, 167, 313; 1995 a. 27, 227, 349; 1997 a. 27, 248; 1999 a. 9, 72; 2001 a. 16; 2003 a. 30, 33, 139, 268, 327.

SECTION 814.63 (2) of the statutes is amended to read:

814.63 (2) Upon the disposition of a forfeiture action in circuit court for violation of a county, town, city, village, town sanitary district or public inland lake protection and rehabilitation district ordinance, except for an action for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a violation under s. 343.51 (1m) (b) or a safety belt use violation under s. 347.48 (2m), the county, town, city, village, town sanitary district or public inland lake protection and rehabilitation district shall pay a nonrefundable fee of \$5 to the clerk of circuit court.

History: 1981 c. 317; 1985 a. 36; 1987 a. 27, 399; 1989 a. 22, 31, 64, 97, 107, 359; 1991 a. 26, 39, 130; 1993 a. 16, 167, 313; 1995 a. 27, 227, 349; 1997 a. 27, 248; 1999 a. 9, 72; 2001 a. 16; 2003 a. 30, 33, 139, 268, 327.

SECTION 814.65 (1) of the statutes is amended to read:

814.65 (1) COURT COSTS. In a municipal court action, except for an action for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a violation of an ordinance in conformity with s. 343.51 (1m) (b) or 347.48 (2m), the municipal judge shall collect a fee of not less than \$15 nor more than \$23 on each separate matter, whether it is on default of appearance, a plea of guilty or no contest, on issuance of a warrant or summons, or the action is tried as a contested matter. Of each fee received by the judge under this subsection, the municipal treasurer shall pay



monthly \$5 to the secretary of administration for deposit in the general fund and shall retain the balance for the use of the municipality.

History: 1981 c. 317; 1983 a. 107; 1987 a. 181, 389, 399, 403; 1989 a. 22; 1991 a. 26; 1997 a. 27; 2003 a. 30, 33, 320.

⁹
~~SECTION 8x.~~ 814.85 (1) (a) of the statutes is amended to read:

814.85 (1) (a) Except for an action for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a violation under s. 343.51 (1m) (b) or a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall charge and collect a \$68 court support services surcharge from any person, including any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am) or 814.63 (1).

History: 1993 a. 16; 1995 a. 27, 201, 417; 2001 a. 109; 2003 a. 30, 33; 2003 a. 139 ss. 197 to 200; Stats. 2003 s. 814.85; 2003 a. 326 ss. 123 to 125.

⁹
~~SECTION 8z.~~ 814.86 (1) of the statutes, as affected by 2005 Wisconsin Act 25, is amended to read:

814.86 (1) Except for an action for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a violation under s. 343.51 (1m) (b) or a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall charge and collect a \$12 justice information system surcharge from any person, including any governmental unit, as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am), 814.62 (1), (2), or (3) (a) or (b), or 814.63 (1). The justice information system surcharge is in addition to the surcharge listed in sub. (1m).”.

History: 1987 a. 27; 1989 a. 22; 1991 a. 26, 39; 1993 a. 16; 1995 a. 27, 201; 1997 a. 27; 1999 a. 9; 2003 a. 30, 33; 2003 a. 139 s. 201; Stats. 2003 s. 814.86; 2003 a. 326; 2005 a. 25.

(end ins 2-10)