

**2007 DRAFTING REQUEST**

**Assembly Amendment (AA-AB464)**

Received: 09/04/2007

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Tony Staskunas (608) 266-0620

By/Representing: Adrienne Ramirez (aide)

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: **Transportation - traffic laws**

Extra Copies: **BAB**

Submit via email: YES

Requester's email: **Rep.Staskunas@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Probationary licenses; cell phone and wireless device restrictions

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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>
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/1	agary 09/13/2007	bkraft 09/13/2007	rschluet 09/13/2007	_____	lparisi 09/13/2007	lparisi 09/13/2007	

FE Sent For:

<END>

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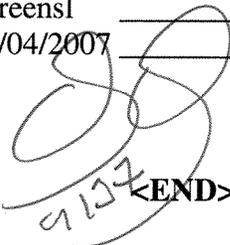
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FE Sent For:

1 bjk 9/13

  
9/13/07 <END>

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1?	agary	/PI bjk 9/4	g P8	g P8			

FE Sent For:

<END>

## Gary, Aaron

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**From:** Ramirez, Adrienne  
**Sent:** Tuesday, September 04, 2007 9:26 AM  
**To:** Gary, Aaron  
**Subject:** RE: Drafting Request

Hi Aaron -  
Yes, that was what I meant. I didn't have the bill language in front of me when I emailed you.  
Thanks for doing this for us.  
Adrienne

---

**From:** Gary, Aaron  
**Sent:** Tuesday, September 04, 2007 9:07 AM  
**To:** Ramirez, Adrienne  
**Subject:** RE: Drafting Request

Hi Adrienne,  
I think I can do this as a simple amendment. By "electronic devices" in your e-mail below, did you mean cell phones and wireless telecommunications devices (as covered now in AB-464)?

Thanks. Aaron

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

---

**From:** Ramirez, Adrienne  
**Sent:** Friday, August 31, 2007 2:28 PM  
**To:** Gary, Aaron  
**Subject:** RE: Drafting Request

Aaron -

Sorry about the delay in getting back to you, I took a few days off.

Could you draft a simple amendment to AB 464 specifying that all probationary drivers are prohibited from using electronic devices for the first 2 years after they have attained their license.

Thanks,  
Adrienne

---

**From:** Gary, Aaron  
**Sent:** Monday, August 27, 2007 9:33 AM  
**To:** Ramirez, Adrienne  
**Subject:** RE: Drafting Request

Hi Adrienne,  
I can do a substitute amendment to AB-464. Since the two bills take mutually inconsistent approaches, I cannot really do a simple amendment unless there is something very specific in AB-464 that you want me to change or add on to.  
Is a sub OK? Or is there something specific you want changed?

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:** Ramirez, Adrienne  
**Sent:** Friday, August 24, 2007 2:34 PM  
**To:** Gary, Aaron  
**Subject:** Drafting Request

Aaron -

Could you please draft AB 214, Tony's cell phone restriction proposal as an amendment to AB 464, Petrowski's cell phone proposal.

Let me know if you have any questions.

Thanks,

Adrienne  
Office of Rep. Tony Staskunas  
6-0620

Soon

in 9/4

D-Note  
bjk

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO 2007 ASSEMBLY BILL 464

bill history  
SA  
X-ref

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At the locations indicated, amend the bill as follows:

1. Page 2, line 4: delete "(a)" and substitute "(b)".

2. Page 3, line 2: after that line insert:

"SECTION 1m. 343.07 (1c) (a) of the statutes is created to read:

343.07 (1c) (b) "Drive" has the meaning given in s. 343.305 (1) (b)."

3. Page 3, line 3: on lines 3 and 4, delete "(b)" and substitute "(c)".

4. Page 3, line 11: on lines 11 and 15, delete "operate" and substitute "drive".

5. Page 4, line 3: delete lines 3 to 6 and substitute:

"SECTION 6g. 343.085 (2r) of the statutes is created to read:

343.085 (2r) A probationary licensee may not drive, as defined in s. 343.305 (1)

(b), a motor vehicle while using a cellular telephone or while using any other wireless

1 telecommunications device, as defined in s. 343.07 (1c) (c), except to report an  
2 emergency.

3 SECTION 6r. 343.085 (6) of the statutes is amended to read:

4 ✓ 343.085 (6) (a) Notwithstanding s. 343.43 (1) (d) and (3m), any person who  
5 violates sub. (2m) (a) or (2r) shall be required to forfeit \$50 for the first offense and  
6 not less than \$50 nor more than \$100 for each subsequent offense.

7 (b) Upon receiving notice of a person's conviction for a violation of sub. (2m) (a)  
8 or (2r), the department shall notify any adult sponsor who has signed for the person  
9 under s. 343.15 (1) of the conviction." ✓

History: 1971 c. 204; 1977 c. 29 s. 1654 (7) (a), (c); 1979 c. 306; 1979 c. 331 ss. 59, 72; 1981 c. 314; 1989 a. 105, 359; 1991 a. 39; 1997 a. 84, 237; 1999 a. 9, 185; 2005 a. 149, 294.

10

(END)

→ D-Note

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

LRBa0686/P1dn

ARG:.....

Lbjk

Date

ATTN: Adrienne Ramirez ✓

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

Because a probationary license is issued for approximately a two year term, I have drafted the restriction in the attached amendment to apply to the entire term of the probationary license (rather than specifying an exact two-year period for this restriction). ✓ Is this okay? One consequence of this approach is that, if the licensee is continued on probationary status due to violations or for other reasons, this restriction will continue to apply beyond the initial (approximately) two-year period. ✓

I have changed the word "operate" to "drive" to track AB-214. Is this consistent with your intent? ✓

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft. ✓

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

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

LRBa0686/P1dn  
ARG:bjk:pg

September 4, 2007

ATTN: Adrienne Ramirez

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## Gary, Aaron

---

**From:** Ramirez, Adrienne  
**Sent:** Thursday, September 13, 2007 9:17 AM  
**To:** Gary, Aaron  
**Subject:** RE: Drafting Request

Good Morning Aaron -

In response to your drafter's note, Tony said that your changes and recommendations were good. Please go ahead and have the draft converted to an introducible /1 draft.

Thanks again,

Adrienne

---

**From:** Gary, Aaron  
**Sent:** Tuesday, September 04, 2007 9:07 AM  
**To:** Ramirez, Adrienne  
**Subject:** RE: Drafting Request

Hi Adrienne,

I think I can do this as a simple amendment. By "electronic devices" in your e-mail below, did you mean cell phones and wireless telecommunications devices (as covered now in AB-464)?

Thanks. Aaron

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SOOR

stays →

RMR

in 9/13

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,  
TO 2007 ASSEMBLY BILL 464

SAV  
bhv

No changes ✓

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 2, line 4: delete "(a)" and substitute "(b)".
- 3 **2.** Page 3, line 2: after that line insert:
- 4 "SECTION 1m. 343.07 (1c) (a) of the statutes is created to read:
- 5 343.07 (1c) (a) "Drive" has the meaning given in s. 343.305 (1) (b).".
- 6 **3.** Page 3, line 3: on lines 3 and 4, delete "(b)" and substitute "(c)".
- 7 **4.** Page 3, line 11: on lines 11 and 15, delete "operate" and substitute "drive".
- 8 **5.** Page 4, line 3: delete lines 3 to 6 and substitute:
- 9 "SECTION 6g. 343.085 (2r) of the statutes is created to read:
- 10 343.085 (2r) A probationary licensee may not drive, as defined in s. 343.305 (1)
- 11 (b), a motor vehicle while using a cellular telephone or while using any other wireless

1 telecommunications device, as defined in s. 343.07 (1c) (c), except to report an  
2 emergency.

3           **SECTION 6r.** 343.085 (6) of the statutes is amended to read:

4           343.085 **(6)** (a) Notwithstanding s. 343.43 (1) (d) and (3m), any person who  
5 violates sub. (2m) (a) or (2r) shall be required to forfeit \$50 for the first offense and  
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7           (b) Upon receiving notice of a person's conviction for a violation of sub. (2m) (a)  
8 or (2r), the department shall notify any adult sponsor who has signed for the person  
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(END)