

1           \*-0011/3.74\* SECTION 3330. 343.32 (1) of the statutes is repealed.

2           \*-0011/3.75\* SECTION 3331. 343.32 (1m) (a) of the statutes is repealed.

3           \*-0011/3.76\* SECTION 3332. 343.32 (1m) (b) (intro.) of the statutes is amended  
4 to read:

5           343.32 (1m) (b) (intro.) The secretary shall suspend a person's the operating  
6 privilege of a person who is a licensee under this chapter or is a resident to whom  
7 another jurisdiction has not issued an operator's license for not less than 6 months  
8 nor more than 5 years whenever notice has been received of the conviction of such  
9 person under federal law or the law of a federally recognized American Indian tribe  
10 or band in this state or the law of another jurisdiction for any offense therein which,  
11 if the person had committed the offense in this state and been convicted of the offense  
12 under the laws of this state, would have required suspension of such person's  
13 operating privilege under s. 961.50. This paragraph does not apply if the other  
14 jurisdiction in which the offense was committed suspended or revoked the person's  
15 operating privilege in that other jurisdiction as a result of the conviction and the  
16 period of suspension or revocation in that other jurisdiction has expired or if, at the  
17 time of the conviction, the person was licensed in or resided in another jurisdiction.

18 The person is eligible for an occupational license under s. 343.10 as follows:

19           \*-0011/3.77\* SECTION 3333. 343.32 (1s) of the statutes is amended to read:

20           343.32 (1s) The Notwithstanding ss. 125.085 (3) (bd) and 343.30 (6) (bm), the  
21 secretary shall suspend the operating privilege of any person who is a licensee under  
22 this chapter or is a resident to whom another jurisdiction has not issued an operator's  
23 license and who has been convicted under state law or under a local ordinance which  
24 is in conformity therewith or under a law of a federally recognized American Indian  
25 tribe or band in this state which is in conformity with state law, or the law of another

1 jurisdiction for an offense therein which, if committed in this state, would have been  
2 cause for suspension under this subsection, of altering the person's license, loaning  
3 the person's license to another, or unlawfully or fraudulently using or permitting an  
4 unlawful or fraudulent use of a license. This paragraph does not apply if the other  
5 jurisdiction in which the offense was committed suspended or revoked the person's  
6 operating privilege in that other jurisdiction as a result of the conviction and the  
7 period of suspension or revocation in that other jurisdiction has expired or if, at the  
8 time of the conviction, the person was licensed in or resided in another jurisdiction.

9 **\*-0011/3.78\* SECTION 3334.** 343.32 (1v) of the statutes is created to read:

10 343.32 (1v) The secretary may suspend or revoke the operating privilege of any  
11 person who is a licensee under this chapter or is a resident to whom another  
12 jurisdiction has not issued an operator's license upon receiving notice of the  
13 suspension or revocation in another jurisdiction of the person's operating privilege  
14 for an offense therein which, if committed in this state, would have been cause for  
15 suspension or revocation under any law of this state or which is identified in the rules  
16 under s. 343.02 (3) (b) as an offense for which a person is subject to suspension or  
17 revocation, or upon receiving notice of any circumstances occurring in another  
18 jurisdiction which, if occurring in this state, would have been cause for  
19 administrative suspension under s. 343.305 (7) (a). This subsection does not apply  
20 if the period of suspension or revocation in the other jurisdiction has expired or if, at  
21 the time of the offense or time that the circumstances occurred, the person was  
22 licensed in or resided in another jurisdiction. This subsection does not apply with  
23 respect to any suspension or revocation in another jurisdiction for failure to comply  
24 with the order of, or appear before, a court of that other jurisdiction.

25 **\*-0011/3.79\* SECTION 3335.** 343.32 (2) (a) of the statutes is amended to read:

1       343.32 (2) (a) The secretary may suspend a person's the operating privilege of  
2       a person who is a licensee under this chapter or is a resident to whom another  
3       jurisdiction has not issued an operator's license if the person appears by the records  
4       of the department to be a habitually reckless or negligent operator of a motor vehicle  
5       or to have repeatedly violated any of the state traffic laws, any local ordinance  
6       enacted under ch. 349 or any traffic laws enacted by a federally recognized American  
7       Indian tribe or band in this state if the tribal traffic laws violated strictly conform  
8       to provisions in chs. 341 to 348 or, if the offense occurred on a federal military  
9       installation located in this state, any federal law which is in strict conformity with  
10      a state traffic law, or any law of another jurisdiction for an offense therein which, if  
11      committed in this state, would have been cause for demerit point assessment under  
12      this subsection. The secretary may not consider, for purposes of this paragraph, any  
13      offense occurring in another jurisdiction if, at the time of any conviction for the  
14      offense, the person was licensed in or resided in another jurisdiction. For the purpose  
15      of determining when to suspend an operating privilege under this subsection, the  
16      secretary may determine and adopt by rule a method of weighing traffic convictions  
17      by their seriousness and may, subject to the limitations in this subsection, change  
18      such weighted scale as experience or the accident frequency in the state makes  
19      necessary or desirable.

20      \*-0011/3.80\* SECTION 3336. 343.325 (4) of the statutes is amended to read:

21      343.325 (4) If a person whose suspension, revocation or disqualification was  
22      stayed pursuant to sub. (2) is convicted of an offense for which revocation or  
23      disqualification is mandatory under s. 343.31 or 343.315 an order of disqualification  
24      is required under s. 343.315 (3) (bm) 1., during the pendency of the appeal of the  
25      original conviction, the secretary shall forthwith revoke such person's operating

1 privilege or disqualify the person from operating a commercial motor vehicle on  
2 account of the latter conviction, notwithstanding the appeal of either or both  
3 convictions.

4 **\*-1182/P3.11\* SECTION 3337.** 343.33 (2) of the statutes is amended to read:

5 **343.33 (2)** Upon the hearing, the department or its a hearing examiner may  
6 administer oaths, issue subpoenas for the attendance of witnesses and the  
7 production of relevant books and papers and may require a reexamination of the  
8 licensee. No law enforcement officer or other witness produced by the person who  
9 has requested a hearing to testify on his or her behalf shall be paid a witness fee by  
10 the department nor shall any law enforcement officer called to appear for the  
11 department be paid any witness fee. All testimony shall be taken and transcribed.

12 **\*-0011/3.81\* SECTION 3338.** 343.34 (1) of the statutes is amended to read:

13 **343.34 (1)** Whenever the secretary is satisfied that a person has violated a  
14 restriction on the a license issued under this chapter and that it is in the interests  
15 of public safety to suspend the license, the secretary shall suspend such license for  
16 a period not exceeding one year unless the violation is cause for revocation.

17 **\*-0011/3.82\* SECTION 3339.** 343.34 (2) of the statutes is amended to read:

18 **343.34 (2)** When a person who is a licensee under this chapter or is a resident  
19 to whom another jurisdiction has not issued an operator's license has been convicted  
20 under s. 343.16 (7) (b).

21 **\*-1261/5.875\* \*-1267/P1.351\* SECTION 3340.** 343.345 of the statutes is  
22 amended to read:

23 **343.345 Restriction, limitation or suspension of operating privilege.**

24 The department shall restrict, limit or suspend a person's operating privilege if the  
25 person is delinquent in making court-ordered payments of child or family support,

1 maintenance, birth expenses, medical expenses or other expenses related to the  
2 support of a child or former spouse, or who fails to comply, after appropriate notice,  
3 with a subpoena or warrant issued by the department of workforce development  
4 children and families or a county child support agency under s. 59.53 (5) and related  
5 to paternity or child support proceedings, as provided in a memorandum of  
6 understanding entered into under s. 49.857.

7 **\*-0011/3.83\* SECTION 3341.** 343.345 of the statutes, as affected by 2007  
8 Wisconsin Act ... (this act), is amended to read:

9 **343.345 Restriction, limitation or suspension of operating privilege.**

10 The department shall restrict, limit or suspend a person's the operating privilege of  
11 a person who is a licensee under this chapter or is a resident to whom another  
12 jurisdiction has not issued an operator's license if the person is delinquent in making  
13 court-ordered payments of child or family support, maintenance, birth expenses,  
14 medical expenses or other expenses related to the support of a child or former spouse,  
15 or who fails to comply, after appropriate notice, with a subpoena or warrant issued  
16 by the department of children and families or a county child support agency under  
17 s. 59.53 (5) and related to paternity or child support proceedings, as provided in a  
18 memorandum of understanding entered into under s. 49.857.

\*\*\*\*NOTE: This is reconciled s. 343.345. This SECTION has been affected by drafts  
with the following LRB numbers: LRB-0011 and LRB-1261.

19 **\*-0011/3.84\* SECTION 3342.** 343.36 (title) of the statutes is amended to read:

20 **343.36 (title) Department to distribute suspension, revocation and**  
21 **disqualification lists and nonresidents' records of conviction and notices.**

22 **\*-0011/3.85\* SECTION 3343.** 343.36 (3) of the statutes is renumbered 343.36

23 (3) (a) and amended to read:

1        343.36 (3) (a) Upon Subject to s. 343.03 (7) (b) and (c), upon receiving a record  
2        of conviction showing that a nonresident operator of a motor vehicle has been  
3        convicted in this state of an offense which is grounds for revocation, suspension, or  
4        disqualification under the laws of this state, or upon otherwise receiving any order  
5        of a court in this state suspending or revoking a nonresident's operating privilege or  
6        disqualifying a nonresident, the department shall forward, within 30 days of  
7        receiving the record of conviction or order, a certified copy of such record or order to  
8        the motor vehicle administrator in the state wherein the person so convicted is a  
9        resident driver licensing agency of the person's home jurisdiction. If the department  
10       subsequently receives any notice under s. 343.325 (1) or (6) related to the conviction  
11       or order, the department shall forward a certified copy of the notice to the same driver  
12       licensing agency.

13       \***-0011/3.86\*** SECTION 3344. 343.36 (3) (b), (c) and (d) of the statutes are created  
14       to read:

15       343.36 (3) (b) Subject to s. 343.03 (7) (b), upon receiving any of the following  
16       information with respect to a nonresident, the department shall forward, within 30  
17       days of receiving the information, notice of the information to the driver licensing  
18       agency of the person's home jurisdiction:

19       1. A report of positive test results under s. 343.305 (7) (a). Notice forwarded  
20       by the department shall include notice of the administrative suspension under s.  
21       343.305 (7) (a).

22       2. A report of positive test results and issuance of an out-of-service order under  
23       s. 343.305 (7) (b).

24       3. A report of the results of any hearing conducted by the department related  
25       to positive test results described in subd. 1. or 2.

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1 (c) Subject to s. 343.03 (7) (b) and (c), upon receiving a record of conviction  
2 showing that a nonresident operator of a motor vehicle has been convicted in this  
3 state of an offense that is identified in the rules under s. 343.02 (3) (b) but which is  
4 not grounds for revocation, suspension, or disqualification under the laws of this  
5 state, the department shall forward, within 30 days of receiving the record of  
6 conviction, a certified copy of such record to the driver licensing agency of the person's  
7 home jurisdiction. If the department subsequently receives any notice under s.  
8 343.325 (1) or (6) related to the conviction, the department shall forward a certified  
9 copy of the notice to the same driver licensing agency.

10 (d) If a nonresident operator of a motor vehicle commits an offense in this state  
11 that is grounds for suspension of a person's operating privilege under ch. 344, the  
12 department shall forward notice of the offense to the driver licensing agency of the  
13 person's home jurisdiction, which notice shall include notice of any suspension by the  
14 department as provided under s. 344.08 (1m), 344.14 (1r), or 344.25 (7).

15 **\*-0973/3.13\* SECTION 3345.** 343.38 (1) (a) of the statutes is amended to read:  
16 343.38 (1) (a) Files with the department an application for license together  
17 with the all required fee fees; and

18 **\*-0011/3.87\* SECTION 3346.** 343.38 (1) (c) 2. c. of the statutes is amended to  
19 read:

20 343.38 (1) (c) 2. c. Reinstatement of an operating privilege revoked under s.  
21 343.30 (1q) (b) 2. or (d), 343.305 (10) (d) or 343.31 (3) ~~(b)~~ or (bm) 2.

22 **\*-0973/3.14\* SECTION 3347.** 343.38 (2) of the statutes is amended to read:

23 343.38 (2) REINSTATEMENT OF NONRESIDENT'S OPERATING PRIVILEGE AFTER  
24 REVOCATION BY WISCONSIN. A nonresident's operating privilege revoked under the  
25 laws of this state is reinstated as a matter of law when the period of revocation has

1 expired and such nonresident obtains a valid operator's license issued by the  
2 jurisdiction of the nonresident's residence and pays the fee fees specified in s. 343.21

3 (1) (j) and (n).

4 **\*-0011/3.88\* SECTION 3348.** 343.38 (2) of the statutes, as affected by 2007  
5 Wisconsin Act .... (this act), is amended to read:

6 343.38 (2) REINSTATEMENT OF NONRESIDENT'S OPERATING PRIVILEGE AFTER  
7 REVOCATION BY WISCONSIN. A nonresident's operating privilege revoked under the  
8 laws of this state is reinstated as a matter of law when the period of revocation has  
9 expired and such the nonresident obtains a valid operator's license issued by the  
10 jurisdiction of the nonresident's residence and pays the fees specified in s. 343.21 (1)  
11 (j) and (n).

\*\*\*\*NOTE: This is reconciled s. 343.38 (2). This SECTION has been affected by drafts  
with the following LRB numbers: LRB-0011 and LRB-0973.

12 **\*-0011/3.89\* SECTION 3349.** 343.38 (4) (intro.) of the statutes is amended to  
13 read:

14 343.38 (4) FIRST ISSUANCE OF LICENSE IN WISCONSIN AFTER SUSPENSION OR  
15 REVOCATION BY ANOTHER STATE. (intro.) The department may issue an operator's  
16 license to a person moving to this state whose operating privileges have privilege has  
17 been previously suspended or revoked in another state jurisdiction when their the  
18 person's operating privilege has been reinstated or the person is eligible for  
19 reinstatement in that state the other jurisdiction and the following conditions have  
20 been met:

21 **\*-0011/3.90\* SECTION 3350.** 343.38 (4) (a) of the statutes is repealed.

22 **\*-0011/3.91\* SECTION 3351.** 343.38 (4) (b) of the statutes is repealed.

23 **\*-0973/3.15\* SECTION 3352.** 343.39 (1) (a) of the statutes is amended to read:

1 343.39 (1) (a) When, in the case of a suspended operating privilege, the period  
2 of suspension has terminated, the reinstatement fee fees specified in s. 343.21 (1) (j)  
3 has and (n) have been paid to the department and, for reinstatement of an operating  
4 privilege suspended under ch. 344, the person files with the department proof of  
5 financial responsibility, if required, in the amount, form and manner specified under  
6 ch. 344.

7 **\*-0011/3.92\* SECTION 3353.** 343.39 (1) (a) of the statutes, as affected by 2007  
8 Wisconsin Act .... (this act), is amended to read:

9 343.39 (1) (a) When, in the case of a suspended operating privilege, the period  
10 of suspension has terminated, the fees specified in s. 343.21 (1) (j) and (n) have been  
11 paid to the department and, for reinstatement of an the operating privilege of a  
12 resident suspended under ch. 344, the person files with the department proof of  
13 financial responsibility, if required, in the amount, form and manner specified under  
14 ch. 344.

\*\*\*\*NOTE: This is reconciled s. 343.39 (1) (a). This SECTION has been affected by  
drafts with the following LRB numbers: LRB-0011 and LRB-0973.

15 **\*-0011/3.93\* SECTION 3354.** 343.39 (2) of the statutes is amended to read:

16 343.39 (2) Whenever a person's operating privilege is automatically reinstated,  
17 the department shall forthwith notify such person thereof ~~and shall return any~~  
18 ~~surrendered and unexpired license in its possession.~~ If the person's license expired  
19 during the period of revocation or suspension, such person may renew the license at  
20 the standard renewal fee at any time within 30 days after the reinstatement of the  
21 operating privilege. If the person states to the department that he or she no longer  
22 possesses the license because the license was surrendered to a court, and the person  
23 has satisfied all requirements under sub. (1), including, if applicable, payment of the

1 reinstatement fee required under sub. (1) (a), the department shall issue a new  
2 license without any additional fee for the license.

3 \***-0003/3.42\*** SECTION 3355. 343.43 (1) (g) of the statutes is amended to read:  
4 343.43 (1) (g) Deface or alter a license except to endorse a change of address  
5 authorized by s. 343.22 (1) or (2).

6 \***-0011/3.94\*** SECTION 3356. 343.44 (1) (a) of the statutes is amended to read:  
7 343.44 (1) (a) *Operating while suspended.* No person whose operating privilege  
8 has been duly suspended under the laws of this state or, if the person is not a resident,  
9 under the laws of the person's home jurisdiction, may operate a motor vehicle upon  
10 any highway in this state during the period of suspension or in violation of any  
11 restriction on an occupational license issued to the person during the period of  
12 suspension. A person's knowledge that his or her operating privilege is suspended  
13 is not an element of the offense under this paragraph. In this paragraph, "restriction  
14 on an occupational license" means restrictions imposed under s. 343.10 (5) (a) as to  
15 hours of the day, area, routes or purpose of travel, vehicles allowed to be operated,  
16 use of an ignition interlock device, sobriety or use of alcohol, controlled substances  
17 or controlled substance analogs.

18 \***-0011/3.95\*** SECTION 3357. 343.44 (1) (b) of the statutes is amended to read:  
19 343.44 (1) (b) *Operating while revoked.* No person whose operating privilege  
20 has been duly revoked under the laws of this state or, if the person is not a resident,  
21 under the laws of the person's home jurisdiction, may knowingly operate a motor  
22 vehicle upon any highway in this state during the period of revocation or in violation  
23 of any restriction on an occupational license issued to the person during the period  
24 of revocation. In this paragraph, "restriction on an occupational license" means  
25 restrictions imposed under s. 343.10 (5) (a) as to hours of the day, area, routes or

1 purpose of travel, vehicles allowed to be operated, use of an ignition interlock device,  
2 sobriety or use of alcohol, controlled substances or controlled substance analogs.

3 **\*-0011/3.96\* SECTION 3358.** 343.44 (1) (c) of the statutes is amended to read:

4 343.44 (1) (c) *Operating while ordered out-of-service.* No person may operate  
5 a commercial motor vehicle while the person or the commercial motor vehicle is  
6 ordered out-of-service under the law of this state or another jurisdiction or under  
7 federal law.

8 **\*-0011/3.97\* SECTION 3359.** 343.44 (2) (am) of the statutes is amended to read:

9 343.44 (2) (am) Any person who violates sub. (1) (b) before May 1, 2002, may  
10 be required to forfeit not more than \$600, except that, if the person has been  
11 convicted of a previous violation of sub. (1) (b), ~~or of operating a motor vehicle in~~  
12 ~~violation of s. 343.44 (1), 1997 stats., with an operating privilege that is revoked,~~  
13 within the preceding 5-year period, the penalty under par. (b) shall apply.

14 **\*-0011/3.98\* SECTION 3360.** 343.44 (2r) of the statutes is amended to read:

15 343.44 (2r) PRIOR CONVICTIONS. For purposes of determining prior convictions  
16 under this section, the 5-year period shall be measured from the dates of the  
17 violations that resulted in the convictions and each conviction under sub. (2) shall  
18 be counted. ~~Convictions of s. 343.44 (1), 1997 stats., other than for operating a~~  
19 ~~commercial motor vehicle while ordered out-of-service~~ under the law of another  
20 jurisdiction for offenses therein which, if committed in this state, would have been  
21 violations of this section shall be counted under this section as prior convictions.

22 **\*-0011/3.99\* SECTION 3361.** 343.44 (2s) of the statutes is amended to read:

23 343.44 (2s) CITATIONS. Within 30 days after receipt by the department of a  
24 report from a law enforcement officer under s. 343.305 (7) or a court order under s.  
25 343.28 of a violation committed by a person operating a commercial motor vehicle

1 while subject to an out-of-service order under s. 343.305 (7) (b) or (9) (am), a traffic  
2 officer employed under s. 110.07 may prepare a uniform traffic citation under s.  
3 345.11 for a violation of sub. (1) (c) or (d) and serve it on the person. The citation may  
4 be served anywhere in this state and shall be served by delivering a copy to the  
5 person personally or by leaving a copy at the person's usual place of abode with a  
6 person of discretion residing therein or by mailing a copy to the person's last-known  
7 residence address, including, if the person is not a resident, an address in another  
8 jurisdiction. The venue for prosecution may be the county where the alleged offense  
9 occurred or, if the person is a resident, in the person's county of residence.

10 **\*-0011/3.100\* SECTION 3362.** 343.44 (4r) of the statutes is amended to read:  
11 343.44 (4r) VIOLATION OF OUT-OF-SERVICE ORDER. In addition to other penalties  
12 for violation of this section, if a person has violated this section after ~~he or she~~ the  
13 person or the commercial motor vehicle operated by the person was ordered  
14 out-of-service under the law of this state or another jurisdiction or under federal  
15 law, the violation shall result in disqualification under s. 343.315 (2) (h) or (i).

16 **\*-0973/3.16\* SECTION 3363.** 343.50 (1) of the statutes is amended to read:  
17 343.50 (1) ISSUANCE. The department shall issue to every qualified applicant,  
18 who has paid the all required fee fees, an identification card as provided in this  
19 section.

20 **\*-0003/3.43\* SECTION 3364.** 343.50 (1) of the statutes, as affected by 2007  
21 Wisconsin Act .... (this act), is renumbered 343.50 (1) (a) and amended to read:  
22 343.50 (1) (a) The Subject to par. (b) and s. 343.165, the department shall issue  
23 to every qualified applicant, who has paid all required fees, an identification card as  
24 provided in this section.

## SECTION 3364

\*\*\*\*NOTE: This is reconciled s. 343.50 (1). This SECTION has been affected by drafts with the following LRB numbers: LRB-0003 and LRB-0973.

1           **\*-0003/3.44\* SECTION 3365.** 343.50 (1) (b) and (c) of the statutes are created  
2 to read:

3           343.50 (1) (b) The department may not issue an identification card to a person  
4 previously issued an operator's license in another jurisdiction unless the person  
5 surrenders to the department any valid operator's license possessed by the person  
6 issued by another jurisdiction, which surrender operates as a cancellation of the  
7 license insofar as the person's privilege to operate a motor vehicle in this state is  
8 concerned. Within 30 days following issuance of the identification card under this  
9 section, the department shall destroy any operator's license surrendered under this  
10 paragraph and report to the jurisdiction that issued the surrendered operator's  
11 license that the license has been destroyed and the person has been issued an  
12 identification card in this state.

13           (c) The department may issue a receipt to any applicant for an identification  
14 card, which receipt shall constitute a temporary identification card while the  
15 application is being processed and shall be valid for a period not to exceed 30 days.

16           **\*-0003/3.45\* SECTION 3366.** 343.50 (2) of the statutes is amended to read:

17           343.50 (2) WHO MAY APPLY. Any resident of this state who does not possess a  
18 valid operator's license ~~which contains the resident's photograph~~ issued under this  
19 chapter may apply to the department for an identification card pursuant to this  
20 section. The card is not a license for purposes of this chapter and is to be used for  
21 identification purposes only.

22           **\*-0003/3.46\* SECTION 3367.** 343.50 (3) of the statutes is amended to read:

1           343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as  
2           an operator's license but shall be of a design which is readily distinguishable from  
3           the design of an operator's license and bear upon it the words "IDENTIFICATION  
4           CARD ONLY". The information on the card shall be the same as specified under  
5           s. 343.17 (3). If the issuance of the card requires the applicant to present any  
6           documentary proof specified in s. 343.14 (2) (es) 4. to 7., the card shall display, on the  
7           front side of the card, a legend identifying the card as temporary. The card shall  
8           contain physical security features consistent with any requirement under federal  
9           law. The card may serve as a document of gift under s. 157.06 (2) (b) and (c) and the  
10          holder may affix a sticker thereto as provided in s. 343.175 (3). The card may also  
11          serve as a document of refusal to make an anatomical gift under s. 157.06 (2) (i). The  
12          card shall contain the holder's photograph and, if applicable, shall be of the design  
13          specified under s. 343.17 (3) (a) 12.

14           \*-0003/3.47\* SECTION 3368. 343.50 (4) of the statutes, as affected by 2005  
15          Wisconsin Act 126, is amended to read:

16           343.50 (4) APPLICATION. The application for an identification card shall include  
17          any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),  
18          and ~~(er)~~ (es), and such further information as the department may reasonably  
19          require to enable it to determine whether the applicant is entitled by law to an  
20          identification card. The Except with respect to renewals described in s. 343.165 (4)  
21          (d), the department shall, as part of the application process, take a digital  
22          photograph including facial image capture of the applicant to comply with sub. (3).  
23          No Except with respect to renewals described in s. 343.165 (4) (d), no application may  
24          be processed without the photograph being taken. Misrepresentations in violation  
25          of s. 343.14 (5) are punishable as provided in s. 343.14 (9).

## SECTION 3369

1           \*-0973/3.17\* SECTION 3369. 343.50 (5) of the statutes, as affected by 2005  
2    Wisconsin Act 126, is amended to read:

3           343.50 (5) VALID PERIOD; FEES. The fee for an original card and for the  
4    reinstatement of an identification card after cancellation under sub. (10) shall be \$9  
5    \$18. The card shall be valid for the succeeding period of ~~4~~ 8 years from the  
6    applicant's next birthday after the date of issuance, except that a card that is issued  
7    to a person who is not a United States citizen and who provides documentary proof  
8    of legal status as provided under s. 343.14 (2) (er) shall expire on the date that the  
9    person's legal presence in the United States is no longer authorized. If the  
10   documentary proof as provided under s. 343.14 (2) (er) does not state the date that  
11   the person's legal presence in the United States is no longer authorized, then the card  
12   shall be valid for the succeeding period of ~~4~~ 8 years from the applicant's next  
13   birthday after the date of issuance.

14          \*-0003/3.48\* SECTION 3370. 343.50 (5) of the statutes, as affected by 2005  
15    Wisconsin Act 126 and 2007 Wisconsin Act .... (this act), is renumbered 343.50 (5) (a)  
16    and amended to read:

17          343.50 (5) (a) The fee for an original card, for renewal of a card, and for the  
18    reinstatement of an identification card after cancellation under sub. (10) shall be  
19    \$18. The

20          (b) Except as provided in par. (c) and s. 343.165 (4) (c), an original or reinstated  
21    card shall be valid for the succeeding period of 8 years from the applicant's next  
22    birthday after the date of issuance, except that a, and a renewed card shall be valid  
23    for the succeeding period of 8 years from the card's last expiration date.

24          (c) Except as provided in s. 343.165 (4) (c) and as otherwise provided in this  
25    paragraph, an identification card that is issued to a person who is not a United States

1 citizen and who provides documentary proof of legal status as provided under s.  
2 343.14 (2) ~~(er)~~ (es) shall expire on the date that the person's legal presence in the  
3 United States is no longer authorized or on the expiration date determined under  
4 par. (b), whichever date is earlier. If the documentary proof as provided under s.  
5 343.14 (2) ~~(er)~~ (es) does not state the date that the person's legal presence in the  
6 United States is no longer authorized, then the card shall be valid for the succeeding  
7 period of 8 years from the applicant's next birthday after the date of issuance  
8 specified in par. (b) except that, if the card was issued or renewed based upon the  
9 person's presenting of any documentary proof specified in s. 343.14 (2) (es) 4. to 7.,  
10 the card shall, subject to s. 343.165 (4) (c), expire one year after the date of issuance  
11 or renewal.

\*\*\*NOTE: This is reconciled s. 343.50 (5). This SECTION has been affected by drafts  
with the following LRB numbers: LRB-0003 and LRB-0973.

12 **\*-0973/3.18\* SECTION 3371.** 343.50 (5m) of the statutes is created to read:  
13 343.50 (5m) FEDERAL SECURITY VERIFICATION MANDATE FEE. In addition to any  
14 other fee under this section, for the issuance of an original identification card or  
15 duplicate identification card or for the renewal or reinstatement of an identification  
16 card after cancellation under sub. (10), a federal security verification mandate fee of  
17 \$10 shall be paid to the department. *create autoref G*

18 **\*-0003/3.49\* SECTION 3372.** 343.50 (6) of the statutes, as affected by 2005  
19 Wisconsin Act 126 and 2007 Wisconsin Act ... (this act), is amended to read:

20 343.50 (6) RENEWAL NOTICE. At least 30 days prior to the expiration of the an  
21 identification card, the department shall mail a renewal application to the  
22 last-known address of each identification the card holder. If the card was issued or  
23 last renewed based upon the person's presenting of any documentary proof specified

1 in s. 343.14 (2) (es) 4. to 7., the notice shall inform the card holder of the requirement  
2 under s. 343.165 (4) (c). The department shall include with the application  
3 information, as developed by all organ procurement organizations in cooperation  
4 with the department, that promotes anatomical donations and which relates to the  
5 anatomical donation opportunity available under s. 343.175. The fee for a renewal  
6 identification card shall be \$18, which card shall be valid for 8 years, except that a  
7 card that is issued to a person who is not a United States citizen and who provides  
8 documentary proof of legal status as provided under s. 343.14 (2) (er) shall expire on  
9 the date that the person's legal presence in the United States is no longer authorized.  
10 If the documentary proof as provided under s. 343.14 (2) (er) does not state the date  
11 that the person's legal presence in the United States is no longer authorized, then  
12 the card shall be valid for 8 years.

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ej  
\*\*\*\*NOTE: This is reconciled s. 343.50 (6). This SECTION has been affected by drafts  
with the following LRB numbers: LRB-0003 and LRB-0973.

13 **\*-0973/3.19\* SECTION 3373.** 343.50 (6) of the statutes, as affected by 2005  
14 Wisconsin Act 126, is amended to read:

15 343.50 (6) RENEWAL. At least 30 days prior to the expiration of the card, the  
16 department shall mail a renewal application to the last-known address of each  
17 identification card holder. The department shall include with the application  
18 information, as developed by all organ procurement organizations in cooperation  
19 with the department, that promotes anatomical donations and which relates to the  
20 anatomical donation opportunity available under s. 343.175. The fee for a renewal  
21 identification card shall be \$9 \$18, which card shall be valid for ~~4~~ 8 years, except  
22 that a card that is issued to a person who is not a United States citizen and who  
23 provides documentary proof of legal status as provided under s. 343.14 (2) (er) shall

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1 expire on the date that the person's legal presence in the United States is no longer  
2 authorized. If the documentary proof as provided under s. 343.14 (2) (er) does not  
3 state the date that the person's legal presence in the United States is no longer  
4 authorized, then the card shall be valid for ~~4~~ 8 years.

5 \*~~0003/3.50~~\* SECTION 3374. 343.50 (8) of the statutes is amended to read:

6 343.50 (8) RECORDS AND OTHER INFORMATION. (a) The department shall  
7 maintain current records of all identification card holders under this section in the  
8 same manner as required under s. 343.23 for operator's licenses. For each  
9 identification card applicant, the record shall include any application for an  
10 identification card received by the department, any reinstatement or cancellation of  
11 an identification card by the department, the information in all data fields printed  
12 on any identification card issued to the applicant, a record of the date on which any  
13 verification specified in s. 343.165 (1) and (3) was completed, and all documents  
14 required to be maintained under s. 343.165 (2) (a). The department shall maintain  
15 the digital images of documents specified in s. 343.165 (2) (a) for at least 10 years.  
16 Records under this paragraph shall be maintained in an electronic and transferable  
17 format accessible for the purpose specified in par. (c) 1.

18 (b) The department may not disclose any record or other information  
19 concerning or relating to an applicant or identification card holder to any person  
20 other than a court, district attorney, county corporation counsel, city, village or town  
21 attorney, law enforcement agency, the applicant or identification card holder or, if the  
22 applicant or identification card holder is under 18 years of age, his or her parent or  
23 guardian. Except for photographs disclosed to a law enforcement agency under s.  
24 343.237, persons entitled to receive any record or other information under this  
25 paragraph shall not disclose the record or other information to other persons or

SECTION 3374

1 agencies. This paragraph does not prohibit disclosure under par. (c) or the disclosure  
 2 of a person's name or address, of the name or address of a person's employer or of  
 3 financial information that relates to a person when requested under s. 49.22 (2m) by  
 4 the department of workforce development or a county child support agency under s.  
 5 59.53 (5).

6 **\*-0011/3.101\* SECTION 3375.** 343.50 (8) (b) of the statutes, as affected by 2007  
 7 Wisconsin Act .... (this act), is amended to read:

8 343.50 (8) (b) The department may not disclose any record or other information  
 9 concerning or relating to an applicant or identification card holder to any person  
 10 other than a court, district attorney, county corporation counsel, city, village, or town  
 11 attorney, law enforcement agency, driver licensing agency of another jurisdiction, the  
 12 applicant or identification card holder or, if the applicant or identification card holder  
 13 is under 18 years of age, his or her parent or guardian. Except for photographs  
 14 disclosed to a law enforcement agency for which disclosure is authorized under s.  
 15 343.237, persons entitled to receive any record or other information under this  
 16 paragraph shall not disclose the record or other information to other persons or  
 17 agencies. This paragraph does not prohibit disclosure under par. (c) or the disclosure  
 18 of a person's name or address, of the name or address of a person's employer or of  
 19 financial information that relates to a person when requested under s. 49.22 (2m) by  
 20 the department of children and families or a county child support agency under s.  
 21 59.53 (5).

\*\*\*\*NOTE: This is reconciled s. 343.50 (8) (b). This SECTION has been affected by  
 drafts with the following LRB numbers: LRB-0003, LRB-0011, and LRB-1261.

22 **\*-1261/5.876\* SECTION 3376.** 343.50 (8) (b) of the statutes, as affected by 2007  
 23 Wisconsin Act .... (this act), is amended to read:

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Section \* ↑

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Section \* ↑

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1           343.50 (8) (b) The department may not disclose any record or other information  
2 concerning or relating to an applicant or identification card holder to any person  
3 other than a court, district attorney, county corporation counsel, city, village or town  
4 attorney, law enforcement agency, the applicant or identification card holder or, if the  
5 applicant or identification card holder is under 18 years of age, his or her parent or  
6 guardian. Except for photographs disclosed to a law enforcement agency under s.  
7 343.237, persons entitled to receive any record or other information under this  
8 paragraph shall not disclose the record or other information to other persons or  
9 agencies. This paragraph does not prohibit disclosure under par. (c) or the disclosure  
10 of a person's name or address, of the name or address of a person's employer or of  
11 financial information that relates to a person when requested under s. 49.22 (2m) by  
12 the department of ~~workforce development~~ children and families or a county child  
13 support agency under s. 59.53 (5).

\*\*\*\*NOTE: This is reconciled s. 343.50 (8) (b). This SECTION has been affected by  
drafts with the following LRB numbers: -0003 and -1261.

14           \***-0003/3.51\*** SECTION 3377. 343.50 (8) (c) of the statutes is created to read:  
15           343.50 (8) (c) 1. Notwithstanding par. (b) and ss. 343.027, 343.14 (2j), and  
16 343.237 (2), the department shall, upon request, provide to the driver licensing  
17 agencies of other jurisdictions any record maintained by the department of  
18 transportation under this subsection, including providing electronic access to any  
19 such record.  
20           2. Notwithstanding par. (b) and s. 343.14 (2j), the department may, upon  
21 request, provide to the department of health and family services any applicant  
22 information maintained by the department of transportation and identified in s.  
23 343.14 (2), including providing electronic access to the information, for the sole

1 purpose of verification by the department of health and family services of birth  
2 certificate information.

3 **\*-0003/3.52\* SECTION 3378.** 343.50 (10) (intro.) and (a) of the statutes are  
4 amended to read:

5 343.50 (10) CANCELLATION. (intro.) The department shall cancel an  
6 identification card under any of the following circumstances:

7 (a) Whenever the department determines that the card was issued upon an  
8 application which contains a false statement as to any material matter; or,

9 **\*-0003/3.53\* SECTION 3379.** 343.50 (10) (c) of the statutes is created to read:

10 343.50 (10) (c) Whenever the department receives information from a local,  
11 state, or federal government agency that the card holder no longer satisfies the  
12 requirements for issuance of a card under ss. 343.14 (2) (es) and 343.165 (1) (e). A  
13 card cancelled under this paragraph may not be reinstated under sub. (5) until these  
14 requirements are again satisfied.

15 **\*-1261/5.877\* \*-1267/P1.353\* SECTION 3380.** 343.61 (2) (a) 1m. of the statutes  
16 is amended to read:

17 343.61 (2) (a) 1m. In the case of an individual who does not have a social  
18 security number, a statement made or subscribed under oath or affirmation that the  
19 individual does not have a social security number. The form of the statement shall  
20 be prescribed by the department of workforce development children and families. A  
21 license that is issued by the department in reliance on a statement submitted under  
22 this subdivision is invalid if the statement is false.

23 **\*-1261/5.878\* \*-1267/P1.354\* SECTION 3381.** 343.61 (2) (b) of the statutes is  
24 amended to read:

1           343.61 (2) (b) The department of transportation may not disclose any  
2 information received under par. (a) 1. or 2. to any person except to the department  
3 of ~~workforce development~~ children and families for purposes of administering s.  
4 49.22 or the department of revenue for the sole purpose of requesting certifications  
5 under s. 73.0301.

6           \*~~-1261/5.879~~\* \*~~-1267/P1.355~~\* SECTION 3382. 343.62 (2) (am) of the statutes  
7 is amended to read:

8           343.62 (2) (am) If the applicant does not have a social security number, a  
9 statement made or subscribed under oath or affirmation that the applicant does not  
10 have a social security number. The form of the statement shall be prescribed by the  
11 department of ~~workforce development~~ children and families. A license that is issued  
12 by the department in reliance on a statement submitted under this paragraph is  
13 invalid if the statement is false.

14           \*~~-1261/5.880~~\* \*~~-1267/P1.356~~\* SECTION 3383. 343.62 (2) (b) of the statutes is  
15 amended to read:

16           343.62 (2) (b) The department of transportation may not disclose a social  
17 security number obtained under par. (a) to any person except to the department of  
18 ~~workforce development~~ children and families for the sole purpose of administering  
19 s. 49.22 or the department of revenue for the sole purpose of requesting certifications  
20 under s. 73.0301.

21           \*~~-1261/5.881~~\* \*~~-1267/P1.357~~\* SECTION 3384. 343.66 (2) of the statutes is  
22 amended to read:

23           343.66 (2) The secretary shall deny, restrict, limit or suspend any driver school  
24 license issued under s. 343.61 or instructor's license issued under s. 343.62 or refuse  
25 to renew a driver school license or instructor's license if the applicant or licensee is

1 an individual who is delinquent in making court-ordered payments of child or family  
2 support, maintenance, birth expenses, medical expenses or other expenses related  
3 to the support of a child or former spouse, or who fails to comply, after appropriate  
4 notice, with a subpoena or warrant issued by the department of workforce  
5 development children and families or a county child support agency under s. 59.53  
6 (5) and related to paternity or child support proceedings, as provided in a  
7 memorandum of understanding entered into under s. 49.857.

8 **\*-0011/3.102\* SECTION 3385.** 344.02 (3) of the statutes is amended to read:

9 344.02 (3) Upon completion of the hearing, the department shall make findings  
10 of fact, conclusions of law, and a decision, and shall, as provided in this chapter, either  
11 proceed to order suspension of the person's operating privilege, or registrations, or  
12 both, and may also order the impoundment of the person's motor vehicle, in  
13 accordance with s. 344.14, or upon good cause appearing therefor, shall terminate the  
14 proceedings.

15 **\*-0011/3.103\* SECTION 3386.** 344.08 (1m) of the statutes is created to read:

16 344.08 (1m) Notwithstanding sub. (1), the secretary may only suspend the  
17 operating privilege of a nonresident for an offense specified in sub. (1) if the  
18 nonresident is licensed by or resides in another jurisdiction that is not a member  
19 jurisdiction or if the offense is not identified in the rules under s. 343.02 (3) (b).

20 **\*-0011/3.104\* SECTION 3387.** 344.13 (2) of the statutes is amended to read:

21 344.13 (2) The secretary shall determine the amount of security required to be  
22 deposited by each person on the basis of the accident reports or other information  
23 submitted. In addition to the accident reports required by law, the secretary may  
24 request from any of the persons, including passengers and pedestrians, involved in  
25 such accident such further information, sworn statements or other evidence relating

1 to property damage, personal injury or death in motor vehicle accidents as deemed  
2 necessary to aid in determining the amount to be deposited as security under s.  
3 344.14. Failure Subject to s. 344.14 (1r), failure of a person to comply with such  
4 request is grounds for suspending such person's operating privilege but no  
5 suspension shall be made on such grounds until one follow-up request has been  
6 made and at least 20 days have elapsed since the mailing of the first request.

7 **\*-0011/3.105\* SECTION 3388.** 344.14 (1r) of the statutes is created to read:

8 344.14 (1r) Notwithstanding sub. (1), the secretary may only suspend under  
9 sub. (1) or under s. 344.13 (2) the operating privilege of a nonresident for,  
10 respectively, an offense specified in sub. (1) or s. 344.13 (2) if the nonresident is  
11 licensed by or resides in another jurisdiction that is not a member jurisdiction or if  
12 the offense is not identified in the rules under s. 343.02 (3) (b).

13 **\*-0973/3.20\* SECTION 3389.** 344.18 (1) (intro.) of the statutes is amended to  
14 read:

15 344.18 (1) (intro.) Any registration suspended or revoked under s. 344.14 shall  
16 remain suspended or revoked and shall not be renewed or reinstated until the person  
17 pays the fee required under s. 341.36 (1m), meets one of the requirements under pars.  
18 (a) to (d) and satisfies the requirements of sub. (1m). Any operating privilege  
19 suspended or revoked under s. 344.14 shall remain suspended or revoked and shall  
20 not be reinstated until the person pays the fee fees required under s. 343.21 (1) (j)  
21 and (n), complies with the applicable provisions of s. 343.38 and meets any of the  
22 following requirements:

23 **\*-0011/3.106\* SECTION 3390.** 344.18 (1m) (a) of the statutes is amended to  
24 read:

## SECTION 3390

1 344.18 (1m) (a) Unless 3 years have elapsed since the date that a requirement  
2 under sub. (1) (a), (b), (c) or (d) has been met or unless the person is a nonresident,  
3 the person whose operating privilege or registration was suspended or revoked  
4 under s. 344.14 shall file with the department and maintain in effect proof of  
5 financial responsibility in the amount, form and manner specified in this chapter.

6 **\*-0973/3.21\* SECTION 3391.** 344.18 (3) (intro.) of the statutes is amended to  
7 read:

8 344.18 (3) (intro.) If a person defaults in the payment of any installment under  
9 a duly acknowledged written agreement, the secretary, upon notice of such default  
10 given in no event later than 30 days after the time for final installment, shall  
11 immediately suspend the registrations and operating privilege of the defaulting  
12 person. A suspension or revocation of registration under this subsection shall  
13 remain in effect until the person pays the fee required under s. 341.36 (1m), meets  
14 the requirement under par. (a) or (b) and satisfies the requirements of sub. (3m). A  
15 suspension or revocation of an operating privilege under this subsection shall remain  
16 in effect until the person pays the fee fees required in s. 343.21 (1) (j) and (n), complies  
17 with the applicable provisions of s. 343.38 and meets any of the following  
18 requirements:

19 **\*-0011/3.107\* SECTION 3392.** 344.18 (3m) (a) of the statutes is amended to  
20 read:

21 344.18 (3m) (a) Unless 3 years have elapsed since the date that a requirement  
22 under sub. (3) (a) or (b) has been met or unless the person is a nonresident, the person  
23 whose operating privilege or registration was suspended or revoked under sub. (3)  
24 shall file with the department and maintain in effect proof of financial responsibility  
25 in the amount, form and manner specified in this chapter.

1           **\*-0011/3.108\* SECTION 3393.** 344.19 (1) of the statutes is amended to read:

2           344.19 (1) If the operator or the owner of a motor vehicle involved in an accident  
3           within this state has no license or registration, whether because the operator or  
4           owner is a nonresident or because the operator or owner is a resident who has failed  
5           or neglected to obtain a license or registration in this state, the operator or owner  
6           shall not be allowed a license or registration until the operator or owner has complied  
7           with the requirements of this chapter to the same extent as would be necessary if,  
8           at the time of the accident, the operator or owner had held a license and registration  
9           in this state. Nothing in this subsection requires the department to maintain an  
10          operator's record with respect to a nonresident except as provided in s. 343.23 (2m).

11          **\*-0011/3.109\* SECTION 3394.** 344.19 (2) of the statutes is renumbered 344.19  
12          (2) (intro.) and amended to read:

13          344.19 (2) (intro.) If the operating privilege or registration of a nonresident is  
14          suspended under s. 344.14, the secretary shall transmit a certified copy of the record  
15          of such action as follows:

16          (b) With respect to the registration suspension, to the administrator of the  
17          division of motor vehicles or equivalent official of the state in which that person  
18          resides if the law of the state in which that person resides provides for similar action  
19          by the administrator or equivalent official of that state in the event that a resident  
20          of this state has a nonresident's operating privilege or registration in that state  
21          suspended or revoked for failure to comply with the safety responsibility law of that  
22          state.

23          **\*-0011/3.110\* SECTION 3395.** 344.19 (2) (a) of the statutes is created to read:

24          344.19 (2) (a) With respect to the operating privilege suspension, as provided  
25          in s. 343.36 (3).

## SECTION 3396

1           \*-0973/3.22\* SECTION 3396. 344.19 (3) of the statutes is amended to read:

2           344.19 (3) Upon receipt of such certification from another state to the effect  
3 that the operating privilege or registration of a resident of this state has been  
4 suspended or revoked in such other state under a law providing for its suspension  
5 or revocation for failure to deposit security for payment of judgments arising out of  
6 a motor vehicle accident, under circumstances which would require the secretary to  
7 suspend a nonresident's operating privilege or registration had the accident occurred  
8 in this state, the secretary shall suspend the operating privilege of such resident if  
9 he or she was the operator and all of his or her registrations if he or she was the owner  
10 of a motor vehicle involved in such accident. The department may accept a  
11 certification which is in the form of a combined notice of required security and  
12 suspension order, but shall not suspend a resident's operating privilege or  
13 registration on the basis of such order until at least 30 days have elapsed since the  
14 time for depositing security in the other state expired. A suspension or revocation  
15 of operating privilege under this section shall continue until such resident furnishes  
16 evidence of his or her compliance with the law of the other state relating to the  
17 deposit of security, pays the fee fees required under s. 343.21 (1) (j) and (n) and  
18 complies with the applicable provisions of s. 343.38. A suspension or revocation of  
19 registration under this section shall continue until such resident furnishes evidence  
20 of his or her compliance with the law of the other state relating to the deposit of  
21 security, pays the fee required under s. 341.36 (1m) and satisfies the requirements  
22 of sub. (3m).

23           \*-0011/3.111\* SECTION 3397. 344.19 (3) of the statutes, as affected by 2007  
24 Wisconsin Act .... (this act), is amended to read:

1           344.19 (3) Upon receipt of such certification from another state to the effect  
2           that the operating privilege or registration of a resident of this state has been  
3           suspended or revoked in such other state under a law providing for its suspension  
4           or revocation for failure to deposit security for payment of judgments arising out of  
5           a motor vehicle accident, under circumstances which would require the secretary to  
6           suspend a nonresident's person's operating privilege or registration had the accident  
7           occurred in this state, or, upon notice of circumstances occurring in another  
8           jurisdiction substantially similar to those described in s. 344.14 if suspension of an  
9           operating privilege under circumstances substantially similar to those described in  
10          s. 344.14 is an offense identified in the rules under s. 343.02 (3) (b), the secretary shall  
11          suspend the operating privilege of such resident if he or she was the operator and all  
12          of his or her registrations if he or she was the owner of a motor vehicle involved in  
13          such accident. The department may accept a certification which is in the form of a  
14          combined notice of required security and suspension order, but shall not suspend a  
15          resident's operating privilege or registration on the basis of such order until at least  
16          30 days have elapsed since the time for depositing security in the other state expired.  
17          A suspension or revocation of operating privilege under this section shall continue  
18          until such resident furnishes evidence of his or her compliance with the law of the  
19          other state relating to the deposit of security, pays the fees required under s. 343.21  
20          (1) (j) and (n) and complies with the applicable provisions of s. 343.38. A suspension  
21          or revocation of registration under this section shall continue until such resident  
22          furnishes evidence of his or her compliance with the law of the other state relating  
23          to the deposit of security, pays the fee required under s. 341.36 (1m) and satisfies the  
24          requirements of sub. (3m). The secretary may not suspend an operating privilege  
25          under this subsection if the period of suspension or revocation in the state from which

1 the certification is received has expired or if, at the time of the circumstances  
2 occurring in the other jurisdiction, the person was licensed in or resided in another  
3 jurisdiction.

\*\*\*\*NOTE: This is reconciled s. 344.19 (3). This SECTION has been affected by drafts with the following LRB numbers: LRB-0011 and LRB-0973.

4 **\*-0011/3.112\* SECTION 3398.** 344.24 of the statutes is amended to read:

5 **344.24 Applicability of sections relating to proof of financial**  
6 **responsibility for the future.** Sections 344.29 to 344.41 are applicable in all cases  
7 in which a person is required to deposit proof of financial responsibility for the future,  
8 including those cases in which a person is required to deposit proof of financial  
9 responsibility for the future under ss. 344.25 to 344.27, those cases in which the  
10 deposit of proof of financial responsibility for the future is a condition precedent to  
11 reinstatement of an operating privilege or registration suspended or revoked under  
12 s. 344.14, 344.18 (3) or 344.19 (3) and those cases in which the deposit of proof of  
13 financial responsibility for the future is a condition precedent to issuance of an  
14 operator's license under s. 343.38 (4) or reinstatement of an operating privilege  
15 revoked under ch. 343.

16 **\*-0011/3.113\* SECTION 3399.** 344.25 (7) of the statutes is created to read:

17 344.25 (7) Notwithstanding sub. (5), the secretary shall only suspend the  
18 operating privilege of a nonresident if the nonresident is licensed by or resides in  
19 another jurisdiction that is not a member jurisdiction or if operating privilege  
20 suspension under circumstances substantially similar to those described in this  
21 subchapter is not identified in the rules under s. 343.02 (3) (b).

22 **\*-0011/3.114\* SECTION 3400.** 344.26 (1) of the statutes is amended to read:

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

9           \*-0011/3.115\* SECTION 3401. 344.27 (2) of the statutes is amended to read:

10          344.27 (2) The secretary shall not suspend the operating privilege or  
11          registration and shall restore any operating privilege or registration suspended  
12          following nonpayment of a judgment when the judgment debtor obtains such order  
13          permitting the payment of the judgment in installments and, unless 3 years have  
14          elapsed since the date on which the order permitting the payment of the judgment  
15          in installments is filed with the secretary or unless the judgment debtor is a  
16          nonresident, furnishes and maintains proof of financial responsibility for the future.

17          \*-0011/3.116\* SECTION 3402. 344.27 (3) of the statutes is amended to read:

18          344.27 (3) If the judgment debtor fails to pay any installment as specified by  
19          such order, the secretary, upon notice of such default, shall immediately suspend the  
20          operating privilege, if permitted under this subchapter, and registrations of the  
21          judgment debtor until such judgment is satisfied as provided in s. 344.26.

22          \*-0011/3.117\* SECTION 3403. 344.29 of the statutes is amended to read:

23          **344.29 Proof of financial responsibility for the future required.** Proof  
24          of financial responsibility for the future shall be furnished by any person required  
25          to give such proof under ss. 344.25 to 344.27, those cases in which the deposit of proof

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1 of financial responsibility for the future is a condition precedent to reinstatement of  
2 an operating privilege or registration suspended or revoked under s. 344.14, 344.18  
3 (3) or 344.19 (3) and in those cases in which the deposit of proof of financial  
4 responsibility for the future is a condition precedent to issuance of an operator's  
5 license under s. 343.38 (4) or reinstatement of an operating privilege revoked under  
6 ch. 343.

7 **\*-0011/3.118\* SECTION 3404.** 344.30 (1) of the statutes is amended to read:

8 344.30 (1) Certification of insurance as provided in s. 344.31 or 344.32; or

9 **\*-0011/3.119\* SECTION 3405.** 344.32 of the statutes is repealed.

10 **\*-0011/3.120\* SECTION 3406.** 344.33 (1) of the statutes is amended to read:

11 344.33 (1) CERTIFICATION. In this chapter, "motor vehicle liability policy" means  
12 a motor vehicle policy of liability insurance, certified as provided in s. 344.31 or  
13 344.32 as proof of financial responsibility for the future, and issued, except as  
14 otherwise provided in s. 344.32, by an insurer authorized to do an automobile  
15 liability business in this state to or for the benefit of the person named in the policy  
16 as the insured.

17 **\*-0011/3.121\* SECTION 3407.** 344.34 of the statutes is amended to read:

18 **344.34 Notice of cancellation or termination of certified policy.** When  
19 an insurer has certified a motor vehicle liability policy under s. 344.31, a policy under  
20 s. 344.32 or a bond under s. 344.36, the insurance so certified shall not be canceled  
21 or terminated until at least 10 days after a notice of cancellation or termination of  
22 the insurance so certified has been filed in the office of the secretary. No insurance  
23 so certified may be canceled or terminated by the insurer prior to the expiration of  
24 90 days from the effective date of the certification on the grounds of failure to pay a  
25 premium when due. Such a certified policy or bond subsequently procured shall, on

1 the effective date of its certification, terminate the insurance previously certified.  
2 Any certification or recertification filed by the same insurer following cancellation  
3 shall be accompanied by a fee of \$3 payable by the insurer.

4 **\*-0011/3.122\* SECTION 3408.** 344.42 of the statutes is amended to read:

5 **344.42 Submission of certifications and recertifications by insurers.**

6 If the sum of certifications and recertifications under ss. 344.31, ~~344.32~~ and 344.34  
7 that are submitted by an insurer to the department in any year exceeds 1,000, the  
8 insurer shall pay to the department a transaction fee of \$1.50 per certification or  
9 recertification that is not transmitted electronically to the department. The  
10 department shall promulgate rules establishing procedures for the collection of  
11 transaction fees under this section.

12 **\*-0392/1.8\* SECTION 3409.** 345.11 (1m) of the statutes is amended to read:

13 **345.11 (1m)** The uniform traffic citation or the citation form under s. 23.54  
14 shall be used for violations of ch. 350 relating to highway use or ordinances in  
15 conformity therewith when committed on the highway, but no points may be assessed  
16 against the driving record of the operator of a snowmobile. When the uniform traffic  
17 citation is used, the report of conviction shall be forwarded to the department. When  
18 the citation form under s. 23.54 is used, the procedure in ss. 23.50 to 23.85 applies.

19 **\*-0392/1.9\* SECTION 3410.** 345.11 (1r) of the statutes is amended to read:

20 **345.11 (1r)** The uniform traffic citation or the citation form under s. 23.54 shall  
21 be used for violations of s. 23.33 relating to highway use or ordinances in conformity  
22 with that section if the violation is committed on a highway, but no points may be  
23 assessed against the driving record of the operator of an all-terrain vehicle. When  
24 the uniform traffic citation is used, the report of conviction shall be forwarded to the

1 department. When the citation form under s. 23.54 is used, the procedure in ss. 23.50  
2 to 23.85 applies.

3 **\*-0011/3.123\* SECTION 3411.** 345.23 (2) (c) of the statutes is amended to read:

4 345.23 (2) (c) Deposits the person's valid Wisconsin operator's license with the  
5 officer. If the license is deposited with the officer, the officer shall issue to the licensee  
6 a receipt which shall be valid as a driver's license through the date specified on the  
7 receipt, which shall be the same as the court appearance date, and the officer shall,  
8 at the earliest possible time prior to the court appearance date, deposit the license  
9 with the court.

10 **\*-0011/3.124\* SECTION 3412.** 345.28 (5) (b) 1. of the statutes is amended to  
11 read:

12 345.28 (5) (b) 1. If a person fails to respond to the notices under par. (a) within  
13 the time specified in the notice, a warrant that substantially complies with the  
14 mandatory provisions under s. 968.04 (3) (a) may be issued for the person, except that  
15 the warrant shall direct the officer to accept the person's deposit of money or his or  
16 her valid Wisconsin operator's license, as provided under subd. 2. a., in lieu of serving  
17 the warrant and arresting the person.

18 **\*-0011/3.125\* SECTION 3413.** 345.28 (5) (b) 2. a. of the statutes is amended to  
19 read:

20 345.28 (5) (b) 2. a. The officer shall accept a deposit of money or a deposit of the  
21 person's valid Wisconsin operator's license in lieu of serving the warrant and  
22 arresting the person. If the license is deposited with the officer, the officer shall issue  
23 to the licensee a receipt, on a form provided by the department, which is valid as an  
24 operator's license through a date specified on the receipt, not to exceed 30 days from  
25 the date of contact, which shall be the same as the court appearance date and the

1 officer shall at the earliest possible time prior to the court appearance date deposit  
2 the license with the court. If a deposit of money is made, s. 345.26 (1) (a) and (2) to  
3 (5) applies. The officer shall notify the person who deposits money or his or her  
4 license, in writing, of the specific actions which the authority and the courts are  
5 authorized to take under this section if the person fails to appear in court at the time  
6 specified by the officer, not to exceed 30 days from the date of contact, or at any  
7 subsequent court appearance for the nonmoving traffic violation citation. If the  
8 person makes a deposit of money or deposits his or her valid Wisconsin operator's  
9 license, the officer shall return the warrant to the court or judge who issued the  
10 warrant and the court or judge shall vacate the warrant.

11 **\*-0973/3.23\* SECTION 3414.** 345.47 (1) (c) of the statutes is amended to read:

12 345.47 (1) (c) If a court or judge suspends an operating privilege under this  
13 section, the court or judge shall immediately take possession of the suspended license  
14 and shall forward it to the department together with the notice of suspension, which  
15 shall clearly state that the suspension was for failure to pay a forfeiture, plus costs,  
16 fees, and surcharges imposed under ch. 814. The notice of suspension and the  
17 suspended license, if it is available, shall be forwarded to the department within 48  
18 hours after the order of suspension. If the forfeiture, plus costs, fees, and surcharges  
19 imposed under ch. 814, are paid during a period of suspension, the court or judge  
20 shall immediately notify the department. Upon receipt of the notice and payment  
21 of the reinstatement fee fees under s. 343.21 (1) (j) and (n), the department shall  
22 return the surrendered license.

23 **\*-0011/3.126\* SECTION 3415.** 345.47 (1)(c) of the statutes, as affected by 2007

24 Wisconsin Act .... (this act), is amended to read:

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1           345.47 (1) (c) If a court ~~or judge~~ suspends an operating privilege under this  
2 section, the court ~~or judge shall immediately~~ may take possession of the suspended  
3 license and. If the court takes possession of a license, it shall destroy the license. The  
4 court shall forward it to the department ~~together with~~ the notice of suspension,  
5 which shall clearly state that the suspension was for failure to pay a forfeiture, plus  
6 costs, fees, and surcharges imposed under ch. 814. The notice of suspension and the  
7 suspended license, if it is available, shall be forwarded to the department within 48  
8 hours after the order of suspension. If the forfeiture, plus costs, fees, and surcharges  
9 imposed under ch. 814, are paid during a period of suspension, the court ~~or judge~~  
10 shall immediately notify the department. ~~Upon receipt of the notice and payment~~  
11 ~~of the fees under s. 343.21 (1) (j) and (n), the department shall return the surrendered~~  
12 ~~license.~~

\*\*\*\*NOTE: This is reconciled s. 345.47 (1) (c). This SECTION has been affected by  
drafts with the following LRB numbers: LRB-0011 and LRB-0973.

13           \***-0011/3.127\*** SECTION 3416. 345.48 (2) of the statutes is amended to read:

14           345.48 (2) If the defendant is found guilty of a traffic violation for which  
15 revocation of his or her operating privilege is mandatory under s. 343.31, or for which  
16 the court revokes or suspends his or her operating privilege under s. 343.30, the court  
17 ~~shall immediately~~ may take possession of the suspended or revoked license. If the  
18 court takes possession of a license, it shall destroy the license. The revocation or  
19 suspension is effective immediately. The court ordered suspension or revocation  
20 shall be included as part of the report of conviction under sub. (1m).

21           \***-0011/3.128\*** SECTION 3417. 345.48 (3) of the statutes is repealed.

22           \***-0011/3.129\*** SECTION 3418. 345.48 (4) of the statutes is amended to read:

1           345.48 (4) If notice of appeal is filed the court shall, within 5 working days after  
2           it is filed, forward to the department a certificate stating that a notice of appeal has  
3           been filed and ~~shall return any surrendered license.~~ Thereafter, the court shall  
4           notify the department as required under s. 343.325 (1) (b) and (c).

5           **\*-0242/1.21\* SECTION 3419.** 346.50 (3m) (b) 5. of the statutes is amended to  
6           read:

7           346.50 (3m) (b) 5. The ordinance shall require the city to submit a report by  
8           December 31 of each odd-numbered year to the council on physical disabilities under  
9           ~~s. 46.29 (1) (fm)~~ on implementation and administration of the ordinance, including  
10          an evaluation of the effectiveness of time limitations imposed by the ordinance. With  
11          respect to spaces reserved by the city for use by a motor vehicle used by a physically  
12          disabled person upon any portion of a street, highway or parking facility, the report  
13          shall include the total number of spaces; the total number of spaces in a parking  
14          facility and the number of those spaces that are subject to a time limitation, and the  
15          duration of any such limitation; and the total number of spaces upon a street or  
16          highway and the number of those spaces that are subject to a time limitation, and  
17          the duration of any such limitation.

18          **\*-0011/3.130\* SECTION 3420.** 346.65 (2c) of the statutes is amended to read:

19          346.65 (2c) In sub. (2) (am) 2., 3., 4., and 5., the time period shall be measured  
20          from the dates of the refusals or violations that resulted in the revocation or  
21          convictions. If a person has a suspension, revocation, or conviction for any offense  
22          under a local ordinance or a state statute of another state jurisdiction that would be  
23          counted under s. 343.307 (1), that suspension, revocation, or conviction shall count  
24          as a prior suspension, revocation, or conviction under sub. (2) (am) 2., 3., 4., and 5.

25          **\*-0011/3.131\* SECTION 3421.** 346.65 (2e) of the statutes is amended to read:

1       346.65 (2e) If the court determines that a person does not have the ability to  
2       pay the costs and fine or forfeiture imposed under sub. (2) (am), (f), or (g), the court  
3       may reduce the costs, fine, and forfeiture imposed and order the person to pay, toward  
4       the cost of the assessment and driver safety plan imposed under s. 343.30 (1q) (c), if  
5       applicable, the difference between the amount of the reduced costs and fine or  
6       forfeiture and the amount of costs and fine or forfeiture imposed under sub. (2) (am),  
7       (f), or (g).

8       \***-0011/3.132\*** SECTION 3422. 346.65 (6) (a) 3. of the statutes is amended to  
9       read:

10       346.65 (6) (a) 3. The court shall notify the department, in a form and manner  
11       prescribed by the department, that an order to seize a motor vehicle has been  
12       entered. The If the motor vehicle is registered in this state under ch. 341 and the  
13       department has issued a valid certificate of title for the vehicle under ch. 342, the  
14       registration records of the department shall reflect that the order has been entered  
15       against the vehicle and remains unexecuted. Any law enforcement officer may  
16       execute that order, and shall transfer any motor vehicle ordered seized to the law  
17       enforcement agency that was originally ordered to seize the vehicle, based on the  
18       information provided by the department. The law enforcement agency shall notify  
19       the department when an order has been executed under this subdivision and the  
20       department shall amend its vehicle registration records to reflect that notification  
21       if the motor vehicle is registered in this state under ch. 341 and the department has  
22       issued a valid certificate of title for the vehicle under ch. 342.

23       \***-0011/3.133\*** SECTION 3423. 346.65 (6) (km) of the statutes is amended to  
24       read:

1           346.65 (6) (km) If a person purchases a motor vehicle in good faith and without  
2           knowledge that the motor vehicle was subject to immobilization or seizure or to  
3           equipping with an ignition interlock device under this subsection and the  
4           department has no valid reason for not issuing a certificate of title other than the  
5           prohibition under par. (k), the department shall issue a new certificate of title in the  
6           name of the person requesting the new certificate of title if at the time of the purchase  
7           of the motor vehicle the certificate of title did not contain the notation stamped on  
8           the certificate of title by the clerk of circuit court under par. (a) 2m. and, if the person  
9           submits the affidavit required under s. 342.12 (4) (c) 1. c., and if the department has  
10          previously issued a valid certificate of title for the motor vehicle.

11           **\*-0714/1.1\* SECTION 3424.** 346.655 (1) of the statutes is amended to read:

12           346.655 (1) If a court imposes a fine or a forfeiture for a violation of s. 346.63  
13           (1) or (5), ~~except for a first violation of s. 346.63 (1) (b), if the person who committed~~  
14           ~~the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at~~  
15           ~~the time of the violation, or a local ordinance in conformity therewith, or s. 346.63~~  
16           (2) or (6) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, it shall  
17           impose a driver improvement surcharge under ch. 814 in an amount of \$355 in  
18           addition to the fine or forfeiture, plus costs, fees, and other surcharges imposed under  
19           ch. 814.

20           **\*-1261/5.882\* \*-1267/P1.358\* SECTION 3425.** 349.19 of the statutes is  
21           amended to read:

22           **349.19 Authority to require accident reports.** Any city, village, town or  
23           county may by ordinance require the operator of a vehicle involved in an accident to  
24           file with a designated municipal department or officer a report of such accident or  
25           a copy of any report required to be filed with the department. All such reports are

1 for the confidential use of such department or officer and are otherwise subject to s.  
2 346.73, except that this section does not prohibit the disclosure of a person's name  
3 or address, of the name or address of a person's employer or of financial information  
4 that relates to a person when requested under s. 49.22 (2m) to the department of  
5 workforce development children and families or a county child support agency under  
6 under s. 59.53 (5).

7 \*-0394/2.4\* SECTION 3426. 350.055 of the statutes is renumbered 350.055 (1)  
8 and amended to read:

9 350.055 (1) The department shall establish a program of instruction on  
10 snowmobile laws, including the intoxicated snowmobiling law, regulations, safety  
11 and related subjects. The program shall be conducted by instructors certified by the  
12 department. The department may procure liability insurance coverage for certified  
13 instructors for work within the scope of their duties under this section. For each  
14 person who is under the age of 16 years, the program shall include 6 hours of  
15 classroom instruction, and the instructor may provide to the person up to 2  
16 additional hours of instruction on a snowmobile as to how it is actually operated.  
17 Each person satisfactorily completing this program shall receive a snowmobile  
18 safety certificate from the department. The department shall establish by rule an  
19 instruction fee for this program. An instructor conducting a program of instruction  
20 under this section shall collect the instruction fee from each person who receives  
21 instruction. The department may determine the portion of this fee, which may not  
22 exceed 50%, that the instructor may retain to defray expenses incurred by the  
23 instructor in conducting the program. The instructor shall remit the remainder of  
24 the fee or, if nothing is retained, the entire fee to the department. The department

1 shall issue a duplicate certificate of accomplishment to a person who is entitled to a  
2 duplicate certificate of accomplishment and who pays a fee of \$2.75.

3 (2) A person who is required to hold a valid snowmobile safety certificate may  
4 operate a snowmobile in this state if the person holds a valid snowmobile safety  
5 certificate issued by another state or province of the Dominion of Canada and if the  
6 course content of the program in such other state or province substantially meets  
7 that established by the department under this section.

8 \*-0011/3.134\* SECTION 3427. 350.11 (3) (d) of the statutes is amended to read:

9 350.11 (3) (d) *Alcohol, controlled substances or controlled substance analogs;*  
10 *assessment.* In addition to any other penalty or order, a person who violates s.  
11 350.101 (1) or (2) or 350.104 (5) or who violates s. 940.09 or 940.25 if the violation  
12 involves the operation of a snowmobile, shall be ordered by the court to submit to and  
13 comply with an assessment by an approved public treatment facility for an  
14 examination of the person's use of alcohol, controlled substances or controlled  
15 substance analogs. The assessment order shall comply with s. 343.30 (1q) (c) 1. a.  
16 to e. Intentional failure to comply with an assessment ordered under this paragraph  
17 constitutes contempt of court, punishable under ch. 785.

18 \*-0011/3.135\* SECTION 3428. 351.02 (1) (intro.) of the statutes is amended to  
19 read:

20 351.02 (1) (intro.) "Habitual traffic offender" means any person, ~~resident or~~  
21 ~~nonresident~~, whose record, as maintained by the department, shows that the person  
22 has accumulated the number of convictions for the separate and distinct offenses,  
23 regardless of the class or type of motor vehicle being operated, under par. (a) or (b)  
24 committed within a 5-year period as follows:

25 \*-0011/3.136\* SECTION 3429. 351.02 (1m) of the statutes is amended to read:

1           351.02 (1m) "Repeat habitual traffic offender" means any person, resident or  
2           nonresident, whose record, as maintained by the department, shows that the person  
3           has been convicted of 2 offenses under sub. (1) (b) committed within one year  
4           following issuance of an occupational license to the person pursuant to s. 351.07 or  
5           whose record, as maintained by the department, shows that the person has been  
6           convicted of one offense under sub. (1) (a) or 4 offenses under sub. (1) (b) committed  
7           within 3 years following issuance of an occupational license to the person pursuant  
8           to s. 351.07, regardless of the license under which the person was operating a motor  
9           vehicle or the classification of the vehicle being operated.

10           \*-0011/3.137\* SECTION 3430. 351.025 (1) of the statutes is renumbered  
11           351.025 (1) (a) and amended to read:

12           351.025 (1) (a) The Except as provided in par. (b), the secretary shall revoke  
13           a person's, for a period of 5 years, the operating privilege for a period of 5 years of a  
14           person who is a licensee under ch. 343 or is a resident to whom another jurisdiction  
15           has not issued an operator's license upon receipt of a record of conviction which  
16           brings the person within the definition of a habitual traffic offender or repeat  
17           habitual traffic offender.

18           \*-0011/3.138\* SECTION 3431. 351.025 (1) (b) of the statutes is created to read:

19           351.025 (1) (b) The department may not revoke a person's operating privilege  
20           under par. (a) based, in whole or part, upon any conviction for an offense committed  
21           in another jurisdiction if at the time of the conviction the person was licensed in or  
22           resided in another jurisdiction unless, after the person has become licensed under  
23           ch. 343 or transferred residency to this state, the person is convicted of an offense  
24           under s. 351.02 (1) (a) or (b) committed in this state.

25           \*-0011/3.139\* SECTION 3432. 351.027 (2) of the statutes is amended to read:

1           351.027 (2) If the person denies that he or she is a habitual traffic offender or  
2           repeat habitual traffic offender subject to operating privilege revocation under s.  
3           351.025 (1), the person may file with the circuit court for the county in which the  
4           person resides, or, in the case of a nonresident, ~~with the circuit court for Dane County~~  
5           person who moves from this state after the person's operating privilege is revoked  
6           under s. 351.025 (1) the county in which the person resided at the time the operating  
7           privilege was revoked, a petition for a hearing and determination by the court that  
8           the person is not a habitual traffic offender or repeat habitual traffic offender subject  
9           to operating privilege revocation under s. 351.025 (1). The scope of the hearing shall  
10          be limited to whether or not the person is the same person named in the record and,  
11          whether or not the person was convicted of each offense shown by the record, and  
12          whether the provisions of s. 351.025 (1) (b) prohibit revocation. The clerk of the court  
13          in which the petition is filed shall forward a copy of the petition to the secretary.

14           \*~~-0011/3.140~~\* SECTION 3433. 351.03 of the statutes is amended to read:

15           **351.03 Secretary to certify copy of conviction record.** Upon receipt of the  
16          copy of the petition under s. 351.027, the secretary shall certify the record of  
17          conviction of any person whose record brings him or her within the definition of a  
18          habitual traffic offender or repeat habitual traffic offender subject to operating  
19          privilege revocation under s. 351.025 (1) to the court and to the district attorney of  
20          the county in which the person resides or to the attorney general if the person is not  
21          a resident of this state, if the person moves from this state after the person's  
22          operating privilege is revoked under s. 351.025 (1) the county in which the person  
23          resided at the time the operating privilege was revoked. The certified record shall  
24          be prima facie evidence that the person named therein was duly convicted by the  
25          court wherein the conviction or finding was made, of each offense shown by the

1 record. If the person denies any of the facts as stated in the record, he or she shall  
2 have the burden of proving that the fact is false.

3 \*-0011/3.141\* SECTION 3434. 351.04 of the statutes is amended to read:

4 **351.04 District attorney or attorney general to represent secretary.**

5 The district attorney for the county in which the person resides, or if the person  
6 moves from this state after the person's operating privilege is revoked under s.  
7 351.025 (1) the county in which the person resided at the time the operating privilege  
8 was revoked, who receives the certified copy of record from the secretary under s.  
9 351.03 shall represent the secretary at the hearing under s. 351.027. ~~In the case of~~  
10 nonresidents, the attorney general shall represent the secretary at the hearing.

11 \*-0011/3.142\* SECTION 3435. 351.05 of the statutes is amended to read:

12 **351.05 Habitual traffic offender or repeat habitual traffic offender**

13 **determination by the court.** The court in which the petition under s. 351.027 is  
14 filed shall determine whether the person is a habitual traffic offender or repeat  
15 habitual traffic offender subject to operating privilege revocation under s. 351.025  
16 (1). If the person denies he or she was convicted or found in violation of any offense  
17 necessary for a holding that he or she is a habitual traffic offender or repeat habitual  
18 traffic offender subject to operating privilege revocation under s. 351.025 (1), and if  
19 the court is not able to make the determination on the evidence before it, the court  
20 may certify the decision of the issue to the court in which the conviction or finding  
21 of violation was made. The court to which the certification was made shall conduct  
22 a hearing to determine the issue and send a certified copy of its final order  
23 determining the issue to the court in which the petition was filed.

24 \*-0011/3.143\* SECTION 3436. 351.06 of the statutes is amended to read:

1           **351.06 Order of court.** If the court finds that the person before it is not the  
2 same person named in the record or that he or she is not a habitual traffic offender  
3 or repeat habitual traffic offender subject to operating privilege revocation under s.  
4 351.025 (1), the court shall order the secretary to reinstate the person's Wisconsin  
5 operating privilege. If the court finds that the person is the same person named in  
6 the record and that he or she is a habitual traffic offender or repeat habitual traffic  
7 offender subject to operating privilege revocation under s. 351.025 (1), the court shall  
8 deny the person's petition for a determination that the person is not a habitual traffic  
9 offender or repeat habitual traffic offender subject to operating privilege revocation  
10 under s. 351.025 (1). The clerk of the court shall file a copy of the order or denial of  
11 the petition with the department which shall become a part of the records of the  
12 department.

13           **\*-0185/1.1\* SECTION 3437.** 440.01 (1) (d) of the statutes is amended to read:  
14           440.01 (1) (d) "Limit", when used in reference to limiting a credential, means  
15 to impose conditions and requirements upon the holder of the credential, and or to  
16 restrict the scope of the holder's practice.

17           **\*-0997/1.2\* SECTION 3438.** 440.03 (9) (intro.) of the statutes is renumbered  
18 440.03 (9) (a) (intro.) and amended to read:

19           440.03 (9) (a) (intro.) The Subject to pars. (b) and (c), the department shall  
20 include all of the following with each biennial budget request that it makes under s.  
21 16.42 determine each fee for an initial credential for which no examination is  
22 required, for a reciprocal credential, and for a credential renewal fee by doing all of  
23 the following:

24           **\*-0997/1.3\* SECTION 3439.** 440.03 (9) (a) of the statutes is renumbered 440.03  
25 (9) (a) 1. and amended to read:

## SECTION 3439

1 440.03 (9) (a) 1. ~~A recalculation of~~ Recalculating the administrative and  
2 enforcement costs of the department that are attributable to the regulation of each  
3 occupation or business under chs. 440 to 480 and that are included in the budget  
4 request.

5 ~~\*-0997/1.4\* SECTION 3440.~~ 440.03 (9) (b) of the statutes is renumbered 440.03  
6 (9) (a) 2. and amended to read:

7 440.03 (9) (a) 2. ~~A recommended change to~~ Not later than January 31 of each  
8 odd-numbered year, adjusting for the succeeding fiscal biennium each fee specified  
9 under s. 440.05 (1) for an initial credential for which an examination is not required,  
10 under s. 440.05 (2) for a reciprocal credential, and under, subject to s. 440.08 (2) (a),  
11 for a credential renewal, ~~if the change an adjustment~~ is necessary to reflect the  
12 approximate administrative and enforcement costs of the department that are  
13 attributable to the regulation of the particular occupation or business during the  
14 period in which the initial or reciprocal credential or credential renewal is in effect  
15 and, for purposes of the ~~recommended change to~~ each fee specified under s. 440.08  
16 (2) (a) for a credential renewal, to reflect an estimate of any additional moneys  
17 available for the department's general program operations, ~~during the budget period~~  
18 ~~to which the biennial budget request applies,~~ as a result of appropriation transfers  
19 that have been or are estimated to be made under s. 20.165 (1) (i) ~~prior to and during~~  
20 ~~that budget period~~ during the fiscal biennium in progress at the time of the deadline  
21 for an adjustment under this subdivision or during the fiscal biennium beginning on  
22 the July 1 immediately following the deadline for an adjustment under this  
23 subdivision.

1       (b) The department may not recommend an initial credential fee that exceeds  
2       the amount of the fee that the department recommends for a renewal of the same  
3       credential, if no examination is required for the initial credential.

4       \*-0997/1.5\* SECTION 3441. 440.03 (9) (c) of the statutes is created to read:

5       440.03 (9) (c) The cemetery board may by rule impose a fee in addition to the  
6       renewal fee determined by the department under this subsection for renewal of a  
7       license granted under s. 440.91 (1).

8       \*-0997/1.6\* SECTION 3442. 440.03 (9) (d) of the statutes is created to read:

9       440.03 (9) (d) Not later than 14 days after completing proposed fee adjustments  
10       under par. (a), the department shall send a report detailing the proposed fee  
11       adjustments to the cochairpersons of the joint committee on finance. If, within 14  
12       working days after the date that the department submits the report, the  
13       cochairpersons of the committee notify the secretary that the committee has  
14       scheduled a meeting for the purpose of reviewing the proposed adjustments, the  
15       department may not impose the fee adjustments until the committee approves the  
16       report. If the cochairpersons of the committee do not notify the secretary, the  
17       department shall notify credential holders of the fee adjustments by posting the fee  
18       adjustments on the department's Internet Web site and in credential renewal notices  
19       sent to affected credential holders under s. 440.08 (1).

20       \*-1261/5.883\* \*-1267/P1.359\* SECTION 3443. 440.03 (11m) (am) of the  
21       statutes is amended to read:

22       440.03 (11m) (am) If an applicant specified in par. (a) 1. or 2. is an individual  
23       who does not have a social security number, the applicant shall submit a statement  
24       made or subscribed under oath that the applicant does not have a social security  
25       number. The form of the statement shall be prescribed by the department of

1 workforce development children and families. A credential or license issued in  
2 reliance upon a false statement submitted under this paragraph is invalid.

3 \*~~-1261/5.884~~\* \*~~-1267/P1.360~~\* SECTION 3444. 440.03 (11m) (c) of the statutes  
4 is amended to read:

5 440.03 (11m) (c) The department of regulation and licensing may not disclose  
6 a social security number obtained under par. (a) to any person except the coordinated  
7 licensure information system under s. 441.50 (7); the department of workforce  
8 development children and families for purposes of administering s. 49.22; and, for  
9 a social security number obtained under par. (a) 1., the department of revenue for the  
10 purpose of requesting certifications under s. 73.0301 and administering state taxes.

11 \*~~-1261/5.885~~\* \*~~-1261/P3.571~~\* SECTION 3445. 440.03 (12m) of the statutes is  
12 amended to read:

13 440.03 (12m) The department of regulation and licensing shall cooperate with  
14 the departments of justice, children and families, and health and family services in  
15 developing and maintaining a computer linkup to provide access to information  
16 regarding the current status of a credential issued to any person by the department  
17 of regulation and licensing, including whether that credential has been restricted in  
18 any way.

19 \*~~-0426/1.1~~\* SECTION 3446. 440.03 (13) (c) of the statutes is amended to read:

20 440.03 (13) (c) The department shall require an applicant for a private  
21 detective license or a private security permit under s. 440.26, and a person for whom  
22 the department conducts an investigation under par. (b), to be photographed and  
23 fingerprinted on ~~2 fingerprint cards, each bearing a complete set of the person's~~  
24 fingerprints using a fingerprint procedure specified by the department. The  
25 department of justice may submit the fingerprint cards applicant's fingerprints to

1 the federal bureau of investigation for the purpose of verifying the identity of the  
2 persons fingerprinted and obtaining records of their criminal arrests and  
3 convictions.

4 **\*-0997/1.7\* SECTION 3447.** 440.03 (14) (a) 1. c. of the statutes is amended to  
5 read:

6 440.03 (14) (a) 1. c. The person pays the initial credential fee specified in s.  
7 440.05 (1) determined by the department under s. 440.03 (9) (a) and files with the  
8 department evidence satisfactory to the department that he or she is certified,  
9 registered or accredited as required under subd. 1. a.

10 **\*-0997/1.8\* SECTION 3448.** 440.03 (14) (a) 2. c. of the statutes is amended to  
11 read:

12 440.03 (14) (a) 2. c. The person pays the initial credential fee specified in s.  
13 440.05 (1) determined by the department under s. 440.03 (9) (a) and files with the  
14 department evidence satisfactory to the department that he or she is certified,  
15 registered or accredited as required under subd. 2. a.

16 **\*-0997/1.9\* SECTION 3449.** 440.03 (14) (a) 3. c. of the statutes is amended to  
17 read:

18 440.03 (14) (a) 3. c. The person pays the initial credential fee specified in s.  
19 440.05 (1) determined by the department under s. 440.03 (9) (a) and files with the  
20 department evidence satisfactory to the department that he or she is certified,  
21 registered or accredited as required under subd. 3. a.

22 **\*-0997/1.10\* SECTION 3450.** 440.03 (14) (am) of the statutes is amended to  
23 read:

24 440.03 (14) (am) The department may promulgate rules that establish  
25 requirements for granting a license to practice psychotherapy to a person who is

1 registered under par. (a). Rules promulgated under this paragraph shall establish  
2 requirements for obtaining such a license that are comparable to the requirements  
3 for obtaining a clinical social worker, marriage and family therapist, or professional  
4 counselor license under ch. 457. If the department promulgates rules under this  
5 paragraph, the department shall grant a license under this paragraph to a person  
6 registered under par. (a) who pays the initial credential fee specified in s. 440.05 (1)  
7 determined by the department under s. 440.03 (9) (a) and provides evidence  
8 satisfactory to the department that he or she satisfies the requirements established  
9 in the rules.

10 **\*-0997/1.11\* SECTION 3451.** 440.03 (14) (c) of the statutes is amended to read:

11 440.03 (14) (c) The renewal dates for certificates granted under par. (a) and  
12 licenses granted under par. (am) are specified in s. 440.08 (2) (a). Renewal  
13 applications shall be submitted to the department on a form provided by the  
14 department and shall include the renewal fee specified in s. 440.08 (2) (a) determined  
15 by the department under s. 440.03 (9) (a) and evidence satisfactory to the department  
16 that the person's certification, registration, or accreditation specified in par. (a) 1. a.,  
17 2. a., or 3. a. has not been revoked.

18 **\*-0997/1.12\* SECTION 3452.** 440.05 (1) (a) of the statutes is amended to read:

19 440.05 (1) (a) Initial credential: \$53 An amount determined by the department  
20 under s. 440.03 (9) (a). Each applicant for an initial credential shall pay the initial  
21 credential fee to the department when the application materials for the initial  
22 credential are submitted to the department.

23 **\*-0997/1.13\* SECTION 3453.** 440.05 (2) of the statutes is amended to read:

24 440.05 (2) Reciprocal credential, including any credential described in s.  
25 440.01 (2) (d) and any credential that permits temporary practice in this state in

1 whole or in part because the person holds a credential in another jurisdiction: The  
2 applicable credential renewal fee under ~~s. 440.08 (2) (a)~~ determined by the  
3 department under s. 440.03 (9) (a) and, if an examination is required, an  
4 examination fee under sub. (1).

5 **\*-0997/1.14\* SECTION 3454.** 440.08 (2) (a) of the statutes is amended to read:

6 440.08 (2) (a) Except as provided in par. (b) and in ss. 440.51, 442.04, 444.03,  
7 444.11, 448.065, 447.04 (2) (c) 2., 449.17 (1m) (d), and 449.18 (2) (d), the renewal dates  
8 and renewal fees for credentials are as follows:

- 9 1. Accountant, certified public: December 15 of each odd-numbered year; ~~\$59.~~
- 10 3. Accounting corporation or partnership: December 15 of each odd-numbered  
11 year; ~~\$56.~~
- 12 4. Acupuncturist: July 1 of each odd-numbered year; ~~\$70.~~
- 13 4m. Advanced practice nurse prescriber: October 1 of each even-numbered  
14 year; ~~\$73.~~
- 15 5. Aestheticsian: April 1 of each odd-numbered year; ~~\$87.~~
- 16 6. Aesthetics establishment: April 1 of each odd-numbered year; ~~\$70.~~
- 17 7. Aesthetics instructor: April 1 of each odd-numbered year; ~~\$70.~~
- 18 8. Aesthetics school: April 1 of each odd-numbered year; ~~\$115.~~
- 19 9. Aesthetics specialty school: April 1 of each odd-numbered year; ~~\$53.~~
- 20 9m. Substance abuse counselor, clinical supervisor, or prevention specialist:  
21 except as limited in s. 440.88 (4), March 1 of each odd-numbered year; ~~\$70.~~
- 22 11. Appraiser, real estate, certified general: December 15 of each  
23 odd-numbered year; ~~\$162.~~
- 24 11m. Appraiser, real estate, certified residential: December 15 of each  
25 odd-numbered year; ~~\$167.~~

- 1           12. Appraiser, real estate, licensed: December 15 of each odd-numbered year;  
2           \$185.
- 3           13. Architect: August 1 of each even-numbered year; \$60.
- 4           14. Architectural or engineering firm, partnership or corporation: February 1  
5           of each even-numbered year; \$70.
- 6           14d. Athlete agent: July 1 of each even-numbered year; \$53.
- 7           14f. Athletic trainer: July 1 of each even-numbered year; \$53.
- 8           14g. Auction company: December 15 of each even-numbered year; \$56.
- 9           14r. Auctioneer: December 15 of each even-numbered year; \$174.
- 10          15. Audiologist: February 1 of each odd-numbered year; \$106.
- 11          16. Barbering or cosmetology establishment: April 1 of each odd-numbered  
12          year; \$56.
- 13          17. Barbering or cosmetology instructor: April 1 of each odd-numbered year;  
14          \$91.
- 15          18. Barbering or cosmetology manager: April 1 of each odd-numbered year;  
16          \$71.
- 17          19. Barbering or cosmetology school: April 1 of each odd-numbered year; \$138.
- 18          20. Barber or cosmetologist: April 1 of each odd-numbered year; \$63.
- 19          21. Cemetery authority, licensed: December 15 of each even-numbered year;  
20          \$343, plus an amount to be determined by rule by the cemetery board.
- 21          22. Cemetery preneed seller: December 15 of each even-numbered year; \$61.
- 22          23. Cemetery salesperson: December 15 of each even-numbered year; \$90.
- 23          23m. Charitable organization: August 1 of each year; \$15.
- 24          24. Chiropractor: December 15 of each even-numbered year; \$168.
- 25          24m. Crematory authority: January 1 of each even-numbered year; \$53.

- 1       25. Dental hygienist: October 1 of each odd-numbered year; ~~\$57.~~
- 2       26. Dentist: October 1 of each odd-numbered year; ~~\$131.~~
- 3       26m. Dentist, faculty member: October 1 of each odd-numbered year; ~~\$131.~~
- 4       27. Designer of engineering systems: February 1 of each even-numbered year;  
5       ~~\$58.~~
- 6       27m. Dietitian: November 1 of each even-numbered year; ~~\$56.~~
- 7       28. Drug distributor: June 1 of each even-numbered year; ~~\$70.~~
- 8       29. Drug manufacturer: June 1 of each even-numbered year; ~~\$70.~~
- 9       30. Electrologist: April 1 of each odd-numbered year; ~~\$76.~~
- 10      31. Electrology establishment: April 1 of each odd-numbered year; ~~\$56.~~
- 11      32. Electrology instructor: April 1 of each odd-numbered year; ~~\$86.~~
- 12      33. Electrology school: April 1 of each odd-numbered year; ~~\$71.~~
- 13      34. Electrology specialty school: April 1 of each odd-numbered year; ~~\$53.~~
- 14      35. Engineer, professional: August 1 of each even-numbered year; ~~\$58.~~
- 15      35m. Fund-raising counsel: September 1 of each even-numbered year; ~~\$53.~~
- 16      36. Funeral director: December 15 of each odd-numbered year; ~~\$135.~~
- 17      37. Funeral establishment: June 1 of each odd-numbered year; ~~\$56.~~
- 18      38. Hearing instrument specialist: February 1 of each odd-numbered year;  
19      ~~\$106.~~
- 20      38g. Home inspector: December 15 of each even-numbered year; ~~\$53.~~
- 21      38m. Landscape architect: August 1 of each even-numbered year; ~~\$56.~~
- 22      39. Land surveyor: February 1 of each even-numbered year; ~~\$77.~~
- 23      42. Manicuring establishment: April 1 of each odd-numbered year; ~~\$53.~~
- 24      43. Manicuring instructor: April 1 of each odd-numbered year; ~~\$53.~~
- 25      44. Manicuring school: April 1 of each odd-numbered year; ~~\$118.~~

- 1 45. Manicuring specialty school: April 1 of each odd-numbered year; \$53.
- 2 46. Manicurist: April 1 of each odd-numbered year; \$133.
- 3 46m. Marriage and family therapist: March 1 of each odd-numbered year; \$84.
- 4 46r. Massage therapist or bodyworker: March 1 of each odd-numbered year;
- 5 \$53.
- 6 46w. Midwife, licensed: July 1 of each even-numbered year; \$56.
- 7 48. Nurse, licensed practical: May 1 of each odd-numbered year; \$69.
- 8 49. Nurse, registered: March 1 of each even-numbered year; \$66.
- 9 50. Nurse-midwife: March 1 of each even-numbered year; \$70.
- 10 51. Nursing home administrator: July 1 of each even-numbered year; \$120.
- 11 52. Occupational therapist: November 1 of each odd-numbered year; \$59.
- 12 53. Occupational therapy assistant: November 1 of each odd-numbered year;
- 13 \$62.
- 14 54. Optometrist: December 15 of each odd-numbered year; \$65.
- 15 54m. Perfusionist: November 1 of each odd-numbered year; \$56.
- 16 55. Pharmacist: June 1 of each even-numbered year; \$97.
- 17 56. Pharmacy, in-state and out-of-state: June 1 of each even-numbered year;
- 18 \$56.
- 19 57. Physical therapist: November 1 of each odd-numbered year; \$62.
- 20 57m. Physical therapist assistant: November 1 of each odd-numbered year;
- 21 \$44.
- 22 58. Physician: November 1 of each odd-numbered year; \$106.
- 23 59. Physician assistant: November 1 of each odd-numbered year; \$72.
- 24 60. Podiatrist: November 1 of each odd-numbered year; \$150.
- 25 61. Private detective: September 1 of each even-numbered year; \$101.

- 1           62. Private detective agency: September 1 of each odd-numbered year; \$53.
- 2           63. Private practice school psychologist: October 1 of each odd-numbered year;
- 3           \$103.
- 4           63g. Private security person: September 1 of each even-numbered year; \$53.
- 5           63m. Professional counselor: March 1 of each odd-numbered year; \$76.
- 6           63t. Professional fund-raiser: September 1 of each even-numbered year; \$93.
- 7           63u. Professional geologist: August 1 of each even-numbered year; \$59.
- 8           63v. Professional geology, hydrology or soil science firm, partnership or
- 9           corporation: August 1 of each even-numbered year; \$53.
- 10          63w. Professional hydrologist: August 1 of each even-numbered year; \$53.
- 11          63x. Professional soil scientist: August 1 of each even-numbered year; \$53.
- 12          64. Psychologist: October 1 of each odd-numbered year; \$157.
- 13          65. Real estate broker: December 15 of each even-numbered year; \$128.
- 14          66. Real estate business entity: December 15 of each even-numbered year;
- 15          \$56.
- 16          67. Real estate salesperson: December 15 of each even-numbered year; \$83.
- 17          67m. Registered interior designer: August 1 of each even-numbered year; \$56.
- 18          67v. Registered music, art or dance therapist: October 1 of each odd-numbered
- 19          year; \$53.
- 20          67x. Registered music, art, or dance therapist with psychotherapy license:
- 21          October 1 of each odd-numbered year; \$53.
- 22          68. Respiratory care practitioner: November 1 of each odd-numbered year;
- 23          \$65.
- 24          68b. Sanitarian: January 1 of each even-numbered year; \$53.
- 25          68d. Social worker: March 1 of each odd-numbered year; \$63.

1 68h. Social worker, advanced practice: March 1 of each odd-numbered year;  
2 \$70.

3 68p. Social worker, independent: March 1 of each odd-numbered year; \$58.

4 68t. Social worker, independent clinical: March 1 of each odd-numbered year;  
5 \$73.

6 68v. Speech-language pathologist: February 1 of each odd-numbered year;  
7 \$63.

8 69. Time-share salesperson: December 15 of each even-numbered year; \$119.

9 70. Veterinarian: December 15 of each odd-numbered year; \$105.

10 71. Veterinary technician: December 15 of each odd-numbered year; \$58.

11 \*-0997/1.15\* SECTION 3455. 440.08 (2) (c) of the statutes is amended to read:

12 440.08 (2) (c) Except as provided in sub. (3), renewal applications shall include  
13 the applicable renewal fee specified in pars. (a) and (b) as determined by the  
14 department under s. 440.03 (9) (a) or as specified in par. (b).

15 \*-0997/1.16\* SECTION 3456. 440.08 (3) (a) of the statutes is amended to read:

16 440.08 (3) (a) Except as provided in rules promulgated under par. (b), if the  
17 department does not receive an application to renew a credential before its renewal  
18 date, the holder of the credential may restore the credential by payment of the  
19 applicable renewal fee specified in sub. (2) (a) determined by the department under  
20 s. 440.03 (9) (a) and by payment of a late renewal fee of \$25.

21 \*-1261/5.886\* \*-1267/P1.361\* SECTION 3457. 440.13 (1) (b) of the statutes is  
22 amended to read:

23 440.13 (1) (b) "Memorandum of understanding" means a memorandum of  
24 understanding entered into by the department of regulation and licensing and the  
25 department of workforce development children and families under s. 49.857.