



2007 ASSEMBLY BILL 958

March 11, 2008 - Introduced by Representatives VRUWINK, BERCEAU, SMITH, ZEPNICK and A. WILLIAMS, cosponsored by Senators LASSA, LAZICH and ROESSLER. Referred to Committee on Transportation.

1 **AN ACT to amend** 346.17 (2), 346.22 (1) (a), 346.22 (2), 346.22 (3), 346.30 (1) (b)
2 1., 346.30 (2), 346.30 (4), 346.36 (1), 346.43 (1) (b) 1., 346.49 (1) (a), 346.49 (1g)
3 (a), 346.49 (2m) (a), 346.60 (2) (a), 346.60 (2) (b), 346.60 (3) and 346.95 (2); and
4 **to create** 343.30 (1k) of the statutes; **relating to:** the suspension of motor
5 vehicle operating privileges for persons who commit certain traffic offenses.

Analysis by the Legislative Reference Bureau

Current law prescribes specific penalties for traffic violations. In addition, for certain offenses, the Department of Transportation (DOT) may suspend or revoke a traffic violator's motor vehicle operating privilege.

Under this bill, if a person commits two or more of the following traffic offenses during a single course of conduct and any of these offenses results in the death of another, the court must, in addition to any other penalty provided by law, suspend the person's operating privilege for six months:

1. Disregarding a traffic control signal or flashing red or yellow lights.
2. Following another vehicle too closely.
3. Violating the rules of right-of-way, including failure to yield the right-of-way to an emergency vehicle, funeral procession, highway maintenance or construction workers, or pedestrian or bicyclist crossing at an intersection or crosswalk.
4. Disregarding a signal to stop at a railroad crossing.
5. Violating a maximum speed limit.

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6. Overtaking or passing a vehicle in an unsafe or prohibited manner.

7. Turning or changing lanes in a vehicle without giving the appropriate signal for at least 100 feet.

8. Inattentive driving.

9. Failure to stop at a stop sign or to stop at a controlled school crossing when directed to do so.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 343.30 (1k) of the statutes is created to read:

2 343.30 (1k) (a) In this subsection, “offense” means a violation of s. 346.07,
3 346.08, 346.09, 346.14, 346.18, 346.19 (1), 346.20, 346.23, 346.24 (1), 346.27, 346.34
4 (1) (b), 346.37, 346.39, 346.44, 346.46, 346.57, or 346.89 (1), or of a local ordinance
5 that strictly conforms to any of these statutes.

6 (b) If a person commits 2 or more offenses during a single course of conduct and
7 any of these offenses results in the death of another, the court shall, in addition to
8 any other penalty provided by law, suspend the person’s operating privilege for 6
9 months.

10 **SECTION 2.** 346.17 (2) of the statutes is amended to read:

11 346.17 (2) Any Subject to s. 343.30 (1k), any person violating ss. 346.05, 346.07
12 (2) or (3), 346.072, 346.08, 346.09, 346.10 (2) to (4), 346.11, 346.13 (2), or 346.14 to
13 346.16 may be required to forfeit not less than \$30 nor more than \$300.

14 **SECTION 3.** 346.22 (1) (a) of the statutes is amended to read:

15 346.22 (1) (a) Except as provided in par. (b), (c), (d), or (e), and subject to s.
16 343.30 (1k), any person violating s. 346.18 or 346.20 (1) may be required to forfeit not
17 less than \$20 nor more than \$50 for the first offense and not less than \$50 nor more
18 than \$100 for the 2nd or subsequent conviction within a year.

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1 **SECTION 4.** 346.22 (2) of the statutes is amended to read:

2 346.22 (2) ~~Any Subject to s. 343.30 (1k), any person violating s. 346.19 or 346.20~~
3 (4) (a) may be required to forfeit not less than \$30 nor more \$300.

4 **SECTION 5.** 346.22 (3) of the statutes is amended to read:

5 346.22 (3) ~~Any Subject to s. 343.30 (1k), any person violating s. 346.20 (2), (3),~~
6 or (4) (b) or (c) or 346.21 may be required to forfeit not less than \$10 nor more than
7 \$20 for the first offense and not less than \$25 nor more than \$50 for the 2nd or
8 subsequent conviction within a year.

9 **SECTION 6.** 346.30 (1) (b) 1. of the statutes is amended to read:

10 346.30 (1) (b) 1. Unless otherwise provided in subd. 2., and subject to s. 343.30
11 (1k), any operator of a vehicle violating s. 346.23 or 346.28 may be required to forfeit
12 not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor
13 more than \$100 for the 2nd or subsequent conviction within a year.

14 **SECTION 7.** 346.30 (2) of the statutes is amended to read:

15 346.30 (2) Unless otherwise provided in sub. (1) (b) 2., and subject to s. 343.30
16 (1k), any person violating s. 346.24 (1) or (3) may be required to forfeit not less than
17 \$30 nor more than \$300.

18 **SECTION 8.** 346.30 (4) of the statutes is amended to read:

19 346.30 (4) ~~Any Subject to s. 343.30 (1k), any person violating s. 346.27 may be~~
20 required to forfeit not less than \$60 nor more than \$600.

21 **SECTION 9.** 346.36 (1) of the statutes is amended to read:

22 346.36 (1) Unless otherwise provided in sub. (2), and subject to s. 343.30 (1k),
23 any person violating ss. 346.31 to 346.35 may be required to forfeit not less than \$20
24 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for
25 the 2nd or subsequent conviction within a year.

ASSEMBLY BILL 958**SECTION 10**

1 **SECTION 10.** 346.43 (1) (b) 1. of the statutes is amended to read:

2 346.43 (1) (b) 1. Unless otherwise provided in subd. 2. or 3., and subject to s.
3 343.30 (1k), any operator of a vehicle violating ss. 346.37 to 346.39 may be required
4 to forfeit not less than \$20 nor more than \$40 for the first offense and not less than
5 \$50 nor more than \$100 for the 2nd or subsequent conviction within a year.

6 **SECTION 11.** 346.49 (1) (a) of the statutes is amended to read:

7 346.49 (1) (a) Unless otherwise provided in par. (b) or (c), and subject to s.
8 343.30 (1k), any person violating s. 346.46 (1), (2m) or (4) or 346.47 may be required
9 to forfeit not less than \$20 nor more than \$40 for the first offense and not less than
10 \$50 nor more than \$100 for the 2nd or subsequent conviction within a year.

11 **SECTION 12.** 346.49 (1g) (a) of the statutes is amended to read:

12 346.49 (1g) (a) Unless otherwise provided in par. (b), and subject to s. 343.30
13 (1k), any person violating s. 346.46 (3) shall forfeit not less than \$40 nor more than
14 \$80 for the first offense and not less than \$100 nor more than \$200 for the 2nd or
15 subsequent conviction within a year.

16 **SECTION 13.** 346.49 (2m) (a) of the statutes is amended to read:

17 346.49 (2m) (a) Unless otherwise provided in par. (b), and subject to s. 343.30
18 (1k), any person violating s. 346.44 may be required to forfeit not more than \$1,000.

19 **SECTION 14.** 346.60 (2) (a) of the statutes is amended to read:

20 346.60 (2) (a) Except as provided in sub. (3m) or (5), and subject to s. 343.30
21 (1k), any person violating s. 346.57 (4) (d) to (g) or (h) or (5) or 346.58 may be required
22 to forfeit not less than \$30 nor more than \$300.

23 **SECTION 15.** 346.60 (2) (b) of the statutes is amended to read:

