

2009 DRAFTING REQUEST

Bill

Received: 03/12/2010

Received By: **agary**

Wanted: **As time permits**

Companion to LRB:

For: **David Hansen (608) 266-5670**

By/Representing: **John Wagnitz**

May Contact:

Drafter: **agary**

Subject: **Transportation - other**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Hansen@legis.wisconsin.gov**

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

Pre Topic:

No specific pre topic given

Topic:

Special identification cards; misuse and penalties

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 03/12/2010	bkraft 03/12/2010		_____			
/1			mduchek 03/12/2010	_____	sbasford 03/12/2010	lparisi 03/15/2010	

FE Sent For:

None

<END>

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/?	agary	/1 bjk 3/12		_____	_____	_____	_____
			3/12	_____	_____	_____	_____

FE Sent For:

<END>

Gary, Aaron

From: Wagnitz, John
Sent: Friday, March 12, 2010 2:53 PM
To: Gary, Aaron
Subject: Senate companion to AB 284

Aaron,

Could you please draft and jacket a Senate companion to Assembly Bill 284 for Senator Hansen?

Thank you,

John Wagnitz
Office of State Senator Dave Hansen
18 South, State Capitol
phone: (608) 266-5670

LRB-0206/1
ARG::bjk::jf
2009 - 2010 LEGISLATURE

2009 ASSEMBLY BILL 284
[Link to Bill History](#)

May 27, 2009 - Introduced by Representatives Krusick, A. Ott, Berceau, Brooks, Kaufert, Lothian, Mason, Pasch, Petrowski, Pope-Roberts, Steinbrink, Townsend and A. Williams, cosponsored by Senators Hansen and Darling, by request of IndependenceFirst, Disability Rights Wisconsin, Survival Coalition of Wisconsin Disability Organizations, Wisconsin Coalition of Independent Living Centers, Sauk County Disabled Parking Enforcement Council, City of Madison Parking Council for People with Disabilities, and City of Milwaukee Police Department. Referred to Committee on Transportation.

Pg1Ln1 An Act to renumber and amend 343.52 (1m); to amend 343.52 (1) (a) and (b);
Pg1Ln2 and to create 343.52 (1m) (a), (b) and (c) of the statutes; relating to: special
Pg1Ln3 identification cards issued by the Department of Transportation providing
Pg1Ln4 parking privileges for persons with physical disabilities and providing a
Pg1Ln5 penalty.

Analysis by the Legislative Reference Bureau
AB284

Under current law, a person with a disability that limits or impairs the ability to walk may apply for and obtain from the Department of Transportation (DOT) a special identification card (disabled parking card). With limited exceptions, a disabled parking card entitles any motor vehicle parked by or under the direction of the card holder, or any motor vehicle operated by or on behalf of an organization and used to transport a person eligible for a card, to parking privileges. A person or organization may be required to forfeit not less than \$50 nor more than \$300 if the person or organization sells or lends a disabled parking card knowing that the person purchasing or borrowing the card is not authorized by law to use it or displays a disabled parking card on a vehicle knowing that the vehicle is not authorized to have the card displayed on it. In addition, any person or organization that fraudulently procures, makes, alters, reproduces, or duplicates a disabled parking card must



State of Wisconsin
2009 - 2010 LEGISLATURE

FROM
0206/1

5000

4535/1

LRB-0206/D
ARC:bjk/jf

Companion - no changes in 3/12

RMNR

2009 ASSEMBLY BILL 284

SA

May 27, 2009 - Introduced by Representatives KRUSICK, A. OTT, BERCEAU, BROOKS, KAUFERT, LOTHIAN, MASON, PASCH, PETROWSKI, POPE-ROBERTS, STEINBRINK, TOWNSEND and A. WILLIAMS, cosponsored by Senators HANSEN and DARLING, by request of IndependenceFirst, Disability Rights Wisconsin, Survival Coalition of Wisconsin Disability Organizations, Wisconsin Coalition of Independent Living Centers, Sauk County Disabled Parking Enforcement Council, City of Madison Parking Council for People with Disabilities, and City of Milwaukee Police Department. Referred to Committee on Transportation.

- regen.

1 AN ACT to renumber and amend 343.52 (1m); to amend 343.52 (1) (a) and (b);
2 and to create 343.52 (1m) (a), (b) and (c) of the statutes; relating to: special
3 identification cards issued by the Department of Transportation providing
4 parking privileges for persons with physical disabilities and providing a
5 penalty.

Analysis by the Legislative Reference Bureau

Under current law, a person with a disability that limits or impairs the ability to walk may apply for and obtain from the Department of Transportation (DOT) a special identification card (disabled parking card). With limited exceptions, a disabled parking card entitles any motor vehicle parked by or under the direction of the card holder, or any motor vehicle operated by or on behalf of an organization and used to transport a person eligible for a card, to parking privileges. A person or organization may be required to forfeit not less than \$50 nor more than \$300 if the person or organization sells or lends a disabled parking card knowing that the person purchasing or borrowing the card is not authorized by law to use it or displays a disabled parking card on a vehicle knowing that the vehicle is not authorized to have the card displayed on it. In addition, any person or organization that fraudulently procures, makes, alters, reproduces, or duplicates a disabled parking card must forfeit not less than \$200 nor more than \$500.

This bill increases the penalty for selling a disabled parking card to an unauthorized user from a potential forfeiture of not less than \$50 nor more than \$300

ASSEMBLY BILL 284

to a mandatory forfeiture of not less than \$200 nor more than \$500. The bill also prohibits fraudulent use of a disabled parking card, which is subject to a potential forfeiture of not less than \$50 nor more than \$300 if the violator was issued the disabled parking card by DOT and a mandatory forfeiture of not less than \$200 nor more than \$500 if the violator was not issued the disabled parking card by DOT. The bill also eliminates the requirement that, to constitute a violation for displaying a disabled parking card on a vehicle not authorized to have the card displayed on it, the violator must know that the vehicle is not authorized to have the card displayed on it.

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

1 **SECTION 1.** 343.52 (1) (a) and (b) of the statutes are amended to read:

2 343.52 (1) (a) ~~Sells or lends~~ Lends to another a special identification card issued
3 under s. 343.51, knowing that the person ~~purchasing or~~ borrowing the card is not
4 authorized by law to use it.

5 (b) Displays a special identification card issued under s. 343.51 upon a vehicle
6 ~~knowing that the vehicle~~ is not authorized by law to have the card displayed thereon
7 or otherwise fraudulently uses a special identification card issued under s. 343.51 to
8 the person or organization.

9 **SECTION 2.** 343.52 (1m) of the statutes is renumbered 343.52 (1m) (intro.) and
10 amended to read:

11 343.52 (1m) (intro.) Any person or organization that ~~fraudulently procures,~~
12 ~~makes, alters, reproduces, or duplicates a special identification card issued under s.~~
13 ~~343.51, except as authorized by the department, does any of the following~~ shall forfeit
14 not less than \$200 nor more than \$500.;

15 **SECTION 3.** 343.52 (1m) (a), (b) and (c) of the statutes are created to read:

Duerst, Christina

From: Wagnitz, John
Sent: Monday, March 15, 2010 10:32 AM
To: LRB.Legal
Subject: Draft Review: LRB 09-4535/1 Topic: Special identification cards; misuse and penalties

Please Jacket LRB 09-4535/1 for the SENATE.