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(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2009-10

(session year)

Senate

(Assembly, Senate or Joint)

**Committee on ... Transportation, Tourism,
Forestry, and Natural Resources (SC-TTFNR)**

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Senate

Record of Committee Proceedings

Committee on Transportation, Tourism, Forestry, and Natural Resources

Senate Bill 34

Relating to: eligibility for an occupational license.

By Senators Kedzie, Olsen and Cowles; cosponsored by Representatives Nass, Lothian, Kerkman, Strachota, A. Ott, Townsend, Nygren, Spanbauer and Honadel.

February 03, 2009 Referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

February 26, 2009 **PUBLIC HEARING HELD**

Present: (7) Senators Holperin, Sullivan, Plale, Hansen, Leibham, Kedzie and Grothman.

Absent: (0) None.

Appearances For

- Neal Kedzie — 11th Senate District
- Dr. Scott Hodkiewicz, Lake Geneva

Appearances Against

- None.

Appearances for Information Only

- Rick Kleist, Rio — Wisconsin DOT

Registrations For

- None.

Registrations Against

- None.

Registrations for Information Only

- None.

April 22, 2010 Failed to pass pursuant to Senate Joint Resolution 1.

Committee Clerk



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SENATE BILL 34

An Act to amend 343.30 (1q) (b) 2., 343.305 (8) (d), 343.31 (3) (bm) 2. and 346.63 (2m) of the statutes; relating to: eligibility for an occupational license.

Introduced on 03-FEB-2009.

Introduced by Senators **Kedzie, Olsen** and **Cowles**; cosponsored by Representatives **Nass, Lothian, Kerkman, Strachota, A. Ott, Townsend, Nygren, Spanbauer** and **Honadel**.





State Senator

Neal J. Kedzie

11th Senate District

Testimony on Senate Bill 34
Senator Neal Kedzie
Senate Committee on Transportation, Tourism,
Forestry and Natural Resources
February 26, 2009

Chairman Holperin, members of the Committee, thank you for holding a public hearing today on Senate Bill 34.

I am joined today by a constituent of mine, Dr. Scot Hodkiewicz, who has a personal story to tell that I think you will find very compelling. Over the last year or so, I have been working with him on a variety of drunken driving related legislative proposals, including this one.

As most, if not all of you, are aware, many individuals whose driving privileges have been revoked or suspended due to a drunken driving offense are eligible for an occupational license. This allows an individual to drive during restricted periods, such as to and from work. While repeat offenders must wait a period of time to become eligible to apply for an occupational license, first time offenders are eligible for an occupational license immediately.

While I support the concept of the occupational license, I disagree that individuals who commit drunken driving offenses should be allowed back on the road immediately. As a result, I have introduced Senate Bill 34 which will require all drunken driving offenders to wait at least 15 days prior to becoming eligible to apply for an occupational license.

While the scope of Senate Bill 34 is minor compared to some of the more comprehensive drunk driving proposals that have or will be introduced this session, I believe the change it makes is meaningful nonetheless. Creating a waiting period will make an impression on drunk drivers on what life without a driver's license would be like, and hopefully help discourage them committing future offenses.

Finally, I would also like to say that I don't believe these changes will have any significant impact on individuals not being able to get to their place of employment. It will inconvenience them, but people are resourceful, and most if not all will find another way to get to work if they want to.

Thank you again for holding a hearing on this proposal.



OCCUPATIONAL OPERATOR LICENSE APPLICATION INSTRUCTIONS

MV3027 12/2007

Items needed to apply

- Complete a Wisconsin Operator License Application MV3001 and the attached Occupational Operator License Application MV3027. If you are under 18 years old, a sponsor signature is required.
- Complete necessary tests, including vision screening.
- Provide proof of your identity, such as an ID with your picture on it or a document with your signature.
- Provide an SR22 insurance certificate.
- If the Division of Motor Vehicles (DMV) does not show your license as revoked or suspended, provide a conviction status report or a photocopy of the front and back of a court completed citation. You may contact the DMV at 608-266-2261 to verify if this document is needed.
- Pay a \$50 nonrefundable fee. Filing an application and paying a \$50 fee does not guarantee issuance of an occupational license.
- If you have two or more OWI convictions and are revoked for OWI, prove you have completed an assessment and are participating in a driver safety plan.
- If the court ordered an Ignition Interlock Device (IID) be installed in any vehicle you operate (excluding motorcycles and commercial motor vehicles), provide an IID Installation form MV3598 from an approved IID installer.
- If you have been revoked as an habitual traffic offender (HTO), the circuit court in your county of residence must approve the issuance of your occupational license.

Instructions for completing the application for Occupational License. (PRINT CLEARLY)

1. Fill in your name, birth date, driver license number, and telephone number.
2. List your occupation(s) and the name(s) of your employer(s). Self employed person(s) provide business name(s).
3. Check the appropriate boxes for **ALL** the uses you need for the occupational license. If you are a student, indicate the school you are attending. Homemaker may include, but is not limited to: grocery shopping, medical appointments, caring for parent or spouse, taking children to school activities, child visitation, etc. Homemaker does **NOT** include operation for pleasure or recreation. An occupational license cannot be used for driving a commercial motor vehicle.

If you have been convicted of Operating While Intoxicated (OWI), you must complete an alcohol assessment. You will also be required to complete a Driver Safety Plan. If you are currently enrolled in a Driver Safety Plan, check the yes box and include the time you will need to drive to attend your sessions. If you have completed or have not yet enrolled in a Driver Safety Plan, check the no box.

4. List the counties or states in which you need to drive. This list must include your county of residence. Be sure to consider ALL areas where you need to drive. For example, if you live in Madison and must travel to Green Bay for work, be sure to list ALL counties you will be driving through to get to Green Bay. You must be able to define the areas where you will be driving. A statement like Southern Wisconsin is unacceptable because the area cannot be specifically defined.
5. List your actual driving time only. This should include only the time you will be operating a vehicle. Be sure to give yourself enough time to go to and from your destination. You can legally drive only during the times you list. Do not list the hours you will be working unless you need to drive while you work.

When listing the time you will be driving, indicate A for AM, P for PM, N for Noon and M for Midnight. Start and Stop times must end in either :00, :15, :30 or :45. For example, if it takes you 35 minutes to go to your place of employment and you start at 10:00 a.m., list your Start as 9:15 a.m. and your Stop as 10:00 a.m. Do **NOT** list hours starting on one day and ending on the next. Example: If you need to drive 10 p.m. - 2 a.m. on Saturday, list your hours as 10 p.m. - 12 midnight on Saturday and 12 midnight to 2 a.m. on Sunday. Do **NOT** exceed 12 hours for any one day and 60 hours for the entire week.

6. Total the amount of time you will be driving for each day and for the entire week.
7. Sign and date the application. By signing the application, you are certifying that you are operating a motor vehicle, during the times and at the locations specified in the application, as necessary for fulfilling the duties of your occupation.

A sample of a completed application MV3027 is on the reverse side.

For additional information see the Occupational License Information form MV3505 or visit the Wisconsin Department of Transportation web page (www.dot.wisconsin.gov). You may call DMV's automated telephone system at 608-261-0368 to see if you are eligible for an occupational license.

APPLICATION FOR OCCUPATIONAL OPERATOR LICENSE

MV3027 12/2007

(1) Applicant Name - First **Julie** Last **Citizen** Birth Date - Month - Day - Year **mm-dd-yy** Driver License Number **C 123-1111-1111-01** Telephone (7:30 a.m. - 5:00 p.m.) **715-999-8888**

(2) Occupation **Groomer** Employer **Hugo Gas** Occupational License Uses - Check ALL Necessary Church Emergency Service Provider Homemaker Student at: _____

Have you enrolled in a Driver Safety Plan? Yes No
 if Yes, be sure to list below the hours you will need to drive to attend.

(4) List all the Counties or States in which you will be driving - Be sure to include your County of Residence

Ashtand and Bayfield

(5) **Actual Daily Driving Time** - List only the hours you will actually be driving, beginning with the time you start driving and ending when you stop driving. You can legally drive only during the times listed. Do **NOT** exceed 12 hours for any one day and no more than 60 hours for an entire week. Indicate **A** for a.m. and **P** for p.m. Use **12 M** for midnight & **12 N** for noon. Start and Stop times must end in either :00, :15, :30 or :45. For example, if it takes you 35 minutes to go to your place of employment and you start at 10:00 a.m., list your Start as 9:15 a.m. and your Stop as 10:00 a.m. Do **NOT** list hours starting on one day and ending on the next. Example: if you need to drive 10 p.m. - 2 a.m. on Saturday, list your hours as 10 p.m. - 12 midnight on Saturday and 12 midnight to 2 a.m. on Sunday.

Start	Monday			Tuesday			Wednesday			Thursday			Friday			Saturday			Sunday			
	A/P	Start	Stop	A/P	Start	Stop	A/P	Start	Stop	A/P	Start	Stop	A/P	Start	Stop	A/P	Start	Stop	A/P	Start	Stop	
9:15 A	10:00 A	3:15 A	3:45 A	9:00 A	5:00 P	3:15 A	3:45 A	6:00 A	12:00 N	6:00 A	12:00 N	6:00 A	11:00 A	12:00 M	2:00 A	12:00 M	2:00 A					
3:00 P	5:00 P	11:30 A	5:00 P			11:30 A	5:00 P	6:00 P	10:00 P	6:00 P	10:00 P	11:30 A	12:30 P	7:30 A	10:30 A							
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(6) **Total Driving Time** - Actual driving time cannot be more than 12 hours for any one day and no more than 60 hours for the entire week.

Monday Hours	2:45	Tuesday Hours	6	Wednesday Hours	8	Thursday Hours	6	Friday Hours	10	Saturday Hours	12	Sunday Hours	5
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(7) **Applicant Certification** - Operating a motor vehicle, at the times and at the locations specified in this application, is necessary for fulfilling the duties of my occupation described above.

(7) **Applicant Signature**
X Julie M. Citizen Date **mm-dd-yy**
 Examiner ID _____
 Court Signature _____
 Court Signature Date _____

