

2011 DRAFTING REQUEST

Bill

Received: **09/20/2011**

Received By: **phurley**

Wanted: **As time permits**

Companion to LRB:

For: **Chris Larson (608) 266-7505**

By/Representing: **Justin**

May Contact:

Drafter: **phurley**

Subject: **Drunk Driving - other
Drunk Driving - penalties**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Ignition interlock for all OWI

Instructions:

Require even first offenders to get an IID

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>
/?				_____			S&L
/P1	phurley 09/22/2011	mduchek 10/12/2011	jfrantze 10/12/2011	_____	mbarman 10/12/2011		S&L
/1	phurley 11/17/2011	jdyer 11/18/2011	phenry 11/18/2011	_____	sbasford 11/18/2011	ggodwin 11/18/2011	

FE Sent For:

<END>

*at intro
12/6*

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1/?	phurley	1/P1 10/12/2011 M	76	10/12			S&L

FE Sent For:

<END>



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-2958/P1

PJH:.....
med

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Dre 10/19 CMH
9-22-11
moved to sub on 10-10-11

Gen

1 AN ACT ^{Gen} relating to: requiring an ignition interlock device for first drunken
2 driving offenses.

Analysis by the Legislative Reference Bureau

Under current law, a court is required to order a person's motor vehicle operating privilege be restricted to operating vehicles that are equipped with an ignition interlock device if a person commits a second or subsequent offense related to operating a vehicle while intoxicated or a first offense while his or her alcohol concentration is (15) or greater, refuses to take a test for intoxication, or injures or kills a person while operating a vehicle while intoxicated. Under current law, the operating privilege restriction stays in place for not less than one year nor more than the maximum operating privilege revocation period permitted for the refusal or violation.

0.15

This bill requires a court to order the operating privileges of a person who commits a first offense related to operating a vehicle while intoxicated, regardless of his or her alcohol concentration, be restricted to operating vehicles that are equipped with an ignition interlock device. The draft does not change the minimum or maximum periods for the restriction.

For further information see the *state and local* 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:

SECTION 1

1 ✓
SECTION 1. 343.301 (1g) (b) (intro.) of the statutes is renumbered 343.301 (1g)

2 (b) and amended to read:

3 343.301 (1g) (b) (intro.) The person violated s. 346.63 (1) or (2), 940.09 (1), or
4 940.25 ~~and either of the following applies:~~

5 **History:** 1999 a. 109; 2001 a. 16 ss. 3417m to 3420t, 4060gj, 4060hw, 4060hy; 2001 a. 104; 2009 a. 100.

6 ψ
SECTION 2. 343.301 (1g) (b) 1. of the statutes is repealed.

7 ↓
SECTION 3. 343.301 (1g) (b) 2. of the statutes is repealed.

8 (END)

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

PI
LRB-2958/dn
PJH:f:...

Date

med

✓
Justin,

Under current law, a person who is subject to an ignition interlock device restriction or who has three or more prior OWI-related convictions may not operate a vehicle with an alcohol concentration of 0.02 or greater. This draft would apply this standard to first-time OWI offenders, because they would automatically be subject to an ignition interlock device restriction; please let me know if that does not reflect your intent.

Peggy Hurley
Legislative Attorney
Phone: (608) 266-8906
E-mail: peggy.hurley@legis.wisconsin.gov

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

LRB-2958/P1dn
PJH:med:jf

October 12, 2011

Justin,

Under current law, a person who is subject to an ignition interlock device restriction or who has three or more prior OWI-related convictions may not operate a vehicle with an alcohol concentration of 0.02 or greater. This draft would apply this standard to first-time OWI offenders, because they would automatically be subject to an ignition interlock device restriction; please let me know if that does not reflect your intent.

Peggy Hurley
Legislative Attorney
Phone: (608) 266-8906
E-mail: peggy.hurley@legis.wisconsin.gov



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-2958/P1
PJH/med/jf

2011 BILL

Keep *rmr*

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

11-17-11
no changes for 1A toll

X

- 1 AN ACT *to repeal* 343.301 (1g) (b) 1. and 343.301 (1g) (b) 2.; and *to renumber*
- 2 *and amend* 343.301 (1g) (b) (intro.) of the statutes; **relating to:** requiring an
- 3 ignition interlock device for first drunken driving offenses.

Analysis by the Legislative Reference Bureau

Under current law, a court is required to order a person's motor vehicle operating privilege be restricted to operating vehicles that are equipped with an ignition interlock device if a person commits a second or subsequent offense related to operating a vehicle while intoxicated or a first offense while his or her alcohol concentration is 0.15 or greater, refuses to take a test for intoxication, or injures or kills a person while operating a vehicle while intoxicated. Under current law, the operating privilege restriction stays in place for not less than one year nor more than the maximum operating privilege revocation period permitted for the refusal or violation.

This bill requires a court to order the operating privileges of a person who commits a first offense related to operating a vehicle while intoxicated, regardless of his or her alcohol concentration, be restricted to operating vehicles that are equipped with an ignition interlock device. The draft does not change the minimum or maximum periods for the restriction.

Barman, Mike

From: Sargent, Justin
Sent: Friday, November 18, 2011 8:25 AM
To: LRB.Legal
Subject: Draft Review: LRB 11-2958/1 Topic: Ignition interlock for all OWI

Please Jacket LRB 11-2958/1 for the SENATE.