

1 302.05 (1) (am) (intro.) The department of corrections shall, ~~at any correctional~~
2 ~~facility the department determines is appropriate, provide a rehabilitation program~~
3 ~~for inmates for the purposes of the earned release program described in sub. (3). and~~
4 the department of health services may designate a section of a mental health
5 institute as a correctional treatment facility for the treatment of substance abuse of
6 inmates transferred from Wisconsin state prisons. This section shall be
7 administered by the department of corrections and shall be known as the Wisconsin
8 substance abuse program. The department of corrections and the department of
9 health services shall ensure that the residents at the institution and the residents
10 in the substance abuse program:

11 ***-0829/P6.21* SECTION 3066.** 302.05 (1) (am) 1. of the statutes is created to
12 read:

13 302.05 (1) (am) 1. Have access to all facilities that are available at the
14 institution and are necessary for the treatment programs designed by the
15 departments.

16 ***-0829/P6.22* SECTION 3067.** 302.05 (1) (am) 2. of the statutes is created to
17 read:

18 302.05 (1) (am) 2. Are housed on separate wards.

19 ***-0829/P6.23* SECTION 3068.** 302.05 (1) (b) of the statutes is created to read:

20 302.05 (1) (b) The department of corrections and the department of health
21 services shall, at any correctional facility the departments determine is appropriate,
22 provide a substance abuse treatment program for inmates for the purposes of the
23 earned release program described in sub. (3).

24 ***-0829/P6.24* SECTION 3069.** 302.05 (2) of the statutes is amended to read:

1 302.05 (2) Transfer to a correctional treatment facility for ~~participation in a~~
2 ~~program described in sub. (1)~~ the treatment of substance abuse shall be considered
3 a transfer under s. 302.18.

4 ***-0829/P6.25* SECTION 3070.** 302.05 (3) (b) of the statutes is amended to read:

5 302.05 (3) (b) Except as provided in par. (d), if the department determines that
6 an eligible inmate serving a sentence other than one imposed under s. 973.01 has
7 successfully completed a ~~rehabilitation~~ treatment program described in sub. (1), the
8 ~~earned release review~~ parole commission shall parole the inmate for that sentence
9 under s. 304.06, regardless of the time the inmate has served. If the ~~earned release~~
10 ~~review parole~~ commission grants parole under this paragraph, it shall require the
11 parolee to participate in an intensive supervision program ~~appropriate to the~~
12 ~~parolee's rehabilitation needs for drug abusers~~ as a condition of parole.

13 ***-0829/P6.26* SECTION 3071.** 302.05 (3) (c) 1. of the statutes is amended to
14 read:

15 302.05 (3) (c) 1. Except as provided in par. (d), if the department determines
16 that an eligible inmate serving the term of confinement in prison portion of a
17 bifurcated sentence imposed under s. 973.01 has successfully completed a
18 ~~rehabilitation~~ treatment program described in sub. (1), the department shall inform
19 the court that sentenced the inmate.

20 ***-0829/P6.27* SECTION 3072.** 302.05 (3) (c) 2. (intro.) of the statutes, is
21 amended to read:

22 302.05 (3) (c) 2. (intro.) Upon being informed by the department under subd.
23 1. that an inmate whom the court sentenced under s. 973.01 has successfully
24 completed a ~~rehabilitation~~ treatment program described in sub. (1), the court shall
25 modify the inmate's bifurcated sentence as follows:

1 ***-0829/P6.28* SECTION 3073.** 302.05 (3) (c) 3. of the statutes is repealed.

2 ***-0829/P6.29* SECTION 3074.** 302.05 (3) (d) of the statutes is amended to read:

3 302.05 (3) (d) The department may place intensive sanctions program
4 participants in a ~~rehabilitation~~ treatment program described in sub. (1), but pars. (b)
5 and (c) do not apply to those participants.

6 ***-0829/P6.30* SECTION 3075.** 302.11 (1g) (b) (intro.) of the statutes is amended
7 to read:

8 302.11 (1g) (b) (intro.) Before an incarcerated inmate with a presumptive
9 mandatory release date reaches the presumptive mandatory release date specified
10 under par. (am), the ~~earned release review~~ parole commission shall proceed under
11 s. 304.06 (1) to consider whether to deny presumptive mandatory release to the
12 inmate. If the ~~earned release review~~ parole commission does not deny presumptive
13 mandatory release, the inmate shall be released on parole. The ~~earned release~~
14 ~~review~~ parole commission may deny presumptive mandatory release to an inmate
15 only on one or more of the following grounds:

16 ***-0829/P6.31* SECTION 3076.** 302.11 (1g) (b) 2. of the statutes is amended to
17 read:

18 302.11 (1g) (b) 2. Refusal by the inmate to participate in counseling or
19 treatment that the social service and clinical staff of the institution determines is
20 necessary for the inmate, including pharmacological treatment using an
21 antiandrogen or the chemical equivalent of an antiandrogen if the inmate is a serious
22 child sex offender as defined in s. 304.06 (1q) (a). The ~~earned release review~~ parole
23 commission may not deny presumptive mandatory release to an inmate because of
24 the inmate's refusal to participate in a rehabilitation program under s. 301.047.

25 ***-0829/P6.32* SECTION 3077.** 302.11 (1g) (c) of the statutes is amended to read:

1 302.11 (1g) (c) If the ~~earned release review~~ parole commission denies
2 presumptive mandatory release to an inmate under par. (b), the ~~earned release~~
3 ~~review~~ parole commission shall schedule regular reviews of the inmate's case to
4 consider whether to parole the inmate under s. 304.06 (1).

5 *~~-0829/P6.33~~* SECTION 3078. 302.11 (1g) (d) of the statutes is amended to
6 read:

7 302.11 (1g) (d) An inmate may seek review of a decision by the ~~earned release~~
8 ~~review~~ parole commission relating to the denial of presumptive mandatory release
9 only by the common law writ of certiorari.

10 *~~-0829/P6.34~~* SECTION 3079. 302.11 (1m) of the statutes is amended to read:

11 302.11 (1m) An inmate serving a life term is not entitled to mandatory release.
12 Except as provided in ss. 939.62 (2m) (c) and 973.014, the ~~earned release review~~
13 parole commission may parole the inmate as specified in s. 304.06 (1).

14 *~~-0829/P6.35~~* SECTION 3080. 302.11 (7) (c) of the statutes is amended to read:

15 302.11 (7) (c) The ~~earned release review~~ parole commission may subsequently
16 parole, under s. 304.06 (1), and the department may subsequently parole, under s.
17 304.02, a parolee who is returned to prison for violation of a condition of parole.

18 *~~-0829/P6.36~~* SECTION 3081. 302.113 (1) of the statutes is amended to read:

19 302.113 (1) An inmate is subject to this section if he or she is serving a
20 bifurcated sentence imposed under s. 973.01. ~~An inmate convicted of a misdemeanor~~
21 ~~or of a Class F to Class I felony that is not a violent offense, as defined in s. 301.048~~
22 ~~(2) (bm) 1., and who is eligible for positive adjustment time under sub. (2) (b)~~
23 ~~pursuant to s. 973.01 (3d) (b) may be released to extended supervision under sub. (2)~~
24 ~~(b) or (9h). An inmate convicted of a Class C to Class E felony or a Class F to Class~~
25 ~~I felony that is a violent offense, as defined in s. 301.048 (2) (bm) 1., or a Class F to~~

1 ~~Class I felony that is not a violent offense, as defined under s. 301.048 (2) (bm) 1., but~~
2 ~~who is ineligible for positive adjustment time under sub. (2) (b) pursuant to s. 973.01~~
3 ~~(3d) (b) may be released to extended supervision only under sub. (2) (a) or (9h) or s.~~
4 ~~304.06.~~

5 ***-0829/P6.37* SECTION 3082.** 302.113 (2) (a) of the statutes is renumbered
6 302.113 (2) and amended to read:

7 302.113 (2) Except as provided in ~~par. (b) and~~ subs. (3) and (9) ~~and s. 304.06,~~
8 an inmate subject to this section is entitled to release to extended supervision after
9 he or she has served the term of confinement in prison portion of the sentence
10 imposed under s. 973.01, ~~as modified by the department under sub. (9h), as modified~~
11 ~~under s. 302.1135 by the earned release review commission in the manner specified~~
12 ~~in s. 302.1135 (6) (a), or as modified by the sentencing court under sub. (9g) or s.~~
13 302.045 (3m) (b) 1., 302.05 (3) (c) 2. a., or 973.195 (1r), or 973.198, if applicable.

14 ***-0829/P6.38* SECTION 3083.** 302.113 (2) (b) of the statutes is repealed.

15 ***-0829/P6.39* SECTION 3084.** 302.113 (2) (c) of the statutes is repealed.

16 ***-0829/P6.40* SECTION 3085.** 302.113 (3) (d) of the statutes is amended to
17 read:

18 302.113 (3) (d) If the term of confinement in prison portion of a bifurcated
19 sentence ~~for a Class B felony~~ is increased under this subsection, the term of extended
20 supervision is reduced so that the total length of the bifurcated sentence does not
21 change.

22 ***-0829/P6.41* SECTION 3086.** 302.113 (3) (e) of the statutes is repealed.

23 ***-0829/P6.42* SECTION 3087.** 302.113 (7) of the statutes is amended to read:

24 302.113 (7) Any inmate released to extended supervision under this section is
25 subject to all conditions and rules of extended supervision until the expiration of the

1 term of extended supervision portion of the bifurcated sentence ~~or until the~~
2 ~~department discharges the inmate under s. 973.01 (4m), whichever is appropriate.~~

3 The department may set conditions of extended supervision in addition to any
4 conditions of extended supervision required under s. 302.116, if applicable, or set by
5 the court under sub. (7m) or s. 973.01 (5) if the conditions set by the department do
6 not conflict with the court's conditions.

7 ***-0829/P6.43* SECTION 3088.** 302.113 (9) (am) of the statutes is amended to
8 read:

9 302.113 (9) (am) If a person released to extended supervision under this section
10 ~~or under s. 302.1135~~ violates a condition of extended supervision, the reviewing
11 authority may revoke the extended supervision of the person. If the extended
12 supervision of the person is revoked, the reviewing authority shall order the person
13 to be returned to prison for any specified period of time that does not exceed the time
14 remaining on the bifurcated sentence. The time remaining on the bifurcated
15 sentence is the total length of the bifurcated sentence, less time served by the person
16 in confinement under the sentence before release to extended supervision under sub.
17 (2) and less all time served in confinement for previous revocations of extended
18 supervision under the sentence. The order returning a person to prison under this
19 paragraph shall provide the person whose extended supervision was revoked with
20 credit in accordance with ss. 304.072 and 973.155.

21 ***-0829/P6.44* SECTION 3089.** 302.113 (9) (c) of the statutes is amended to read:

22 302.113 (9) (c) A person who is subsequently released to extended supervision
23 after service of the period of time specified by the order under par. (am) is subject to
24 all conditions and rules under sub. (7) and, if applicable, sub. (7m) until the
25 expiration of the remaining extended supervision portion of the bifurcated sentence

1 ~~or until the department discharges the person under s. 973.01 (4m), whichever is~~
2 ~~appropriate.~~ The remaining extended supervision portion of the bifurcated sentence
3 is the total length of the bifurcated sentence, less the time served by the person in
4 confinement under the bifurcated sentence before release to extended supervision
5 under sub. (2) and less all time served in confinement for previous revocations of
6 extended supervision under the bifurcated sentence.

7 ***-0829/P6.45* SECTION 3090.** 302.113 (9g) of the statutes is created to read:

8 302.113 (9g) (a) In this subsection:

9 1. "Extraordinary health condition" means a condition afflicting a person, such
10 as advanced age, infirmity, or disability of the person or a need for medical treatment
11 or services not available within a correctional institution.

12 2. "Program review committee" means the committee at a correctional
13 institution that reviews the security classifications, institution assignments, and
14 correctional programming assignments of inmates confined in the institution.

15 (b) An inmate who is serving a bifurcated sentence for a crime other than a
16 Class B felony may seek modification of the bifurcated sentence in the manner
17 specified in par. (f) if he or she meets one of the following criteria:

18 1. The inmate is 65 years of age or older and has served at least 5 years of the
19 term of confinement in prison portion of the bifurcated sentence.

20 2. The inmate is 60 years of age or older and has served at least 10 years of the
21 term of confinement in prison portion of the bifurcated sentence.

22 3. The inmate has an extraordinary health condition.

23 (c) An inmate who meets a criterion under par. (b) may submit a petition to the
24 program review committee at the correctional institution in which the inmate is
25 confined requesting a modification of the inmate's bifurcated sentence in the manner

1 specified in par. (f). If the inmate alleges in the petition that he or she has an
2 extraordinary health condition, the inmate shall attach to the petition affidavits
3 from 2 physicians setting forth a diagnosis that the inmate has an extraordinary
4 health condition.

5 (cm) If, after receiving the petition under par. (c), the program review
6 committee determines that the public interest would be served by a modification of
7 the inmate's bifurcated sentence in the manner provided under par. (f), the
8 committee shall approve the petition for referral to the sentencing court and notify
9 the department of its approval. The department shall then refer the inmate's
10 petition to the sentencing court and request the court to conduct a hearing on the
11 petition. If the program review committee determines that the public interest would
12 not be served by a modification of the inmate's bifurcated sentence in the manner
13 specified in par. (f), the committee shall deny the inmate's petition.

14 (d) When a court is notified by the department that it is referring to the court
15 an inmate's petition for modification of the inmate's bifurcated sentence, the court
16 shall schedule a hearing to determine whether the public interest would be served
17 by a modification of the inmate's bifurcated sentence in the manner specified in par.
18 (f). The inmate and the district attorney have the right to be present at the hearing,
19 and any victim of the inmate's crime has the right to be present at the hearing and
20 to provide a statement concerning the modification of the inmate's bifurcated
21 sentence. The court shall order such notice of the hearing date as it considers
22 adequate to be given to the department, the inmate, the attorney representing the
23 inmate, if applicable, and the district attorney. Victim notification shall be provided
24 as specified under par. (g).

1 (e) At a hearing scheduled under par. (d), the inmate has the burden of proving
2 by the greater weight of the credible evidence that a modification of the bifurcated
3 sentence in the manner specified in par. (f) would serve the public interest. If the
4 inmate proves that a modification of the bifurcated sentence in the manner specified
5 in par. (f) would serve the public interest, the court shall modify the inmate's
6 bifurcated sentence in that manner. If the inmate does not prove that a modification
7 of the bifurcated sentence in the manner specified in par. (f) would serve the public
8 interest, the court shall deny the inmate's petition for modification of the bifurcated
9 sentence.

10 (f) A court may modify an inmate's bifurcated sentence under this section only
11 as follows:

12 1. The court shall reduce the term of confinement in prison portion of the
13 inmate's bifurcated sentence in a manner that provides for the release of the inmate
14 to extended supervision within 30 days after the date on which the court issues its
15 order modifying the bifurcated sentence.

16 2. The court shall lengthen the term of extended supervision imposed so that
17 the total length of the bifurcated sentence originally imposed does not change.

18 (g) 1. In this paragraph, "victim" has the meaning given in s. 950.02 (4).

19 2. When a court schedules a hearing under par. (d), the clerk of the circuit court
20 shall send a notice of hearing to the victim of the crime committed by the inmate, if
21 the victim has submitted a card under subd. 3. requesting notification. The notice
22 shall inform the victim that he or she may appear at the hearing scheduled under
23 par. (d) and shall inform the victim of the manner in which he or she may provide a
24 statement concerning the modification of the inmate's bifurcated sentence in the
25 manner provided in par. (f). The clerk of the circuit court shall make a reasonable

1 attempt to send the notice of hearing to the last-known address of the inmate's
2 victim, postmarked at least 10 days before the date of the hearing.

3 3. The director of state courts shall design and prepare cards for a victim to send
4 to the clerk of the circuit court for the county in which the inmate was convicted and
5 sentenced. The cards shall have space for a victim to provide his or her name and
6 address, the name of the applicable inmate, and any other information that the
7 director of state courts determines is necessary. The director of state courts shall
8 provide the cards, without charge, to clerks of circuit court. Clerks of circuit court
9 shall provide the cards, without charge, to victims. Victims may send completed
10 cards to the clerk of the circuit court for the county in which the inmate was convicted
11 and sentenced. All court records or portions of records that relate to mailing
12 addresses of victims are not subject to inspection or copying under s. 19.35 (1).

13 (h) An inmate may appeal a court's decision to deny the inmate's petition for
14 modification of his or her bifurcated sentence. The state may appeal a court's
15 decision to grant an inmate's petition for a modification of the inmate's bifurcated
16 sentence. In an appeal under this paragraph, the appellate court may reverse a
17 decision granting or denying a petition for modification of a bifurcated sentence only
18 if it determines that the sentencing court erroneously exercised its discretion in
19 granting or denying the petition.

20 (i) If the program review committee denies an inmate's petition under par. (cm),
21 the inmate may not file another petition within one year after the date of the program
22 review committee's denial. If the program review committee approves an inmate's
23 petition for referral to the sentencing court under par. (cm) but the sentencing court
24 denies the petition, the inmate may not file another petition under par. (cm) within
25 one year after the date of the court's decision.

1 (j) An inmate eligible to seek modification of his or her bifurcated sentence
2 under this subsection has a right to be represented by counsel in proceedings under
3 this subsection. An inmate, or the department on the inmate's behalf, may apply to
4 the state public defender for determination of indigency and appointment of counsel
5 under s. 977.05 (4) (jm) before or after the filing of a petition with the program review
6 committee under par. (c). If an inmate whose petition has been referred to the court
7 under par. (cm) is without counsel, the court shall refer the matter to the state public
8 defender for determination of indigency and appointment of counsel under s. 977.05
9 (4) (jm).

10 ***-0829/P6.46* SECTION 3091.** 302.113 (9h) of the statutes is repealed.

11 ***-0829/P6.47* SECTION 3092.** 302.1135 of the statutes is repealed.

12 ***-0829/P6.48* SECTION 3093.** 302.114 (9) (am) of the statutes is amended to
13 read:

14 302.114 (9) (am) If a person released to extended supervision under this section
15 ~~or under s. 302.1135~~ violates a condition of extended supervision, the reviewing
16 authority may revoke the extended supervision of the person. If the extended
17 supervision of the person is revoked, the person shall be returned to the circuit court
18 for the county in which the person was convicted of the offense for which he or she
19 was on extended supervision, and the court shall order the person to be returned to
20 prison for a specified period of time before he or she is eligible for being released again
21 to extended supervision. The period of time specified under this paragraph may not
22 be less than 5 years and may be extended in accordance with sub. (3).

23 ***-0829/P6.49* SECTION 3094.** 302.114 (9) (c) of the statutes is amended to read:

24 302.114 (9) (c) A person who is subsequently released to extended supervision
25 under par. (bm) is subject to all conditions and rules under sub. (8) until the

1 expiration of the sentence ~~or until the department discharges the person under s.~~
2 973.01 (4m), whichever is appropriate.

3 ***-0829/P6.50* SECTION 3095.** 304.01 (title) of the statutes is amended to read:

4 **304.01** (title) ~~Earned release review~~ **Parole commission and**
5 **commission chairperson; general duties.**

6 ***-0829/P6.51* SECTION 3096.** 304.01 (1) of the statutes is amended to read:

7 304.01 (1) The chairperson of the ~~earned release review~~ parole commission
8 shall administer and supervise the commission and its activities and shall be the
9 final parole-granting authority ~~for granting parole or release to extended~~
10 ~~supervision~~, except as provided in s. 304.02.

11 ***-0829/P6.52* SECTION 3097.** 304.01 (2) (intro.) of the statutes is amended to
12 read:

13 304.01 (2) (intro.) The ~~earned release review~~ parole commission shall conduct
14 regularly scheduled interviews to consider the parole ~~or release to extended~~
15 ~~supervision~~ of eligible inmates of the adult correctional institutions under the
16 control of the department of corrections, eligible inmates transferred under ch. 51
17 and under the control of the department of health services and eligible inmates in
18 any county house of correction. The department of corrections shall provide all of the
19 following to the ~~earned release review~~ parole commission:

20 ***-0829/P6.53* SECTION 3098.** 304.01 (2) (b) of the statutes is amended to read:

21 304.01 (2) (b) Scheduling assistance for parole interviews ~~for prisoners who~~
22 ~~have applied for parole or release to extended supervision~~ at the correctional
23 institutions.

24 ***-0829/P6.54* SECTION 3099.** 304.01 (2) (c) of the statutes is amended to read:

1 304.01 (2) (c) Clerical support related to the parole interviews for prisoners who
2 ~~have applied for parole or release to extended supervision.~~

3 ***-0829/P6.55*** SECTION 3100. 304.01 (2) (d) of the statutes is amended to read:

4 304.01 (2) (d) Appropriate physical space at the correctional institutions to
5 conduct the parole interviews for prisoners who ~~have applied for parole or release to~~
6 ~~extended supervision.~~

7 ***-0829/P6.56*** SECTION 3101. 304.06 (title) of the statutes is amended to read:

8 **304.06** (title) ~~Release to parole or extended supervision~~ **Paroles from**
9 **state prisons and house of correction.**

10 ***-0829/P6.57*** SECTION 3102. 304.06 (1) (b) of the statutes is amended to read:

11 304.06 (1) (b) Except as provided in s. 961.49 (2), 1999 stats., sub. (1m) or s.
12 302.045 (3), 302.05 (3) (b), 973.01 (6), or 973.0135, the ~~earned release review~~ parole
13 commission may parole an inmate of the Wisconsin state prisons or any felon or any
14 person serving at least one year or more in a county house of correction or a county
15 reforestation camp organized under s. 303.07, when he or she has served 25% of the
16 sentence imposed for the offense, or 6 months, whichever is greater. Except as
17 provided in s. 939.62 (2m) (c) or 973.014 (1) (b) or (c), (1g) or (2), the ~~earned release~~
18 ~~review~~ parole commission may parole an inmate serving a life term when he or she
19 has served 20 years, as modified by the formula under s. 302.11 (1) and subject to
20 extension under s. 302.11 (1q) and (2), if applicable. The person serving the life term
21 shall be given credit for time served prior to sentencing under s. 973.155, including
22 good time under s. 973.155 (4). The secretary may grant special action parole
23 releases under s. 304.02. The department or the ~~earned release review~~ parole
24 commission shall not provide any convicted offender or other person sentenced to the
25 department's custody any parole eligibility or evaluation ~~for parole or release to~~

1 ~~extended supervision~~ until the person has been confined at least 60 days following
2 sentencing.

3 ***-0829/P6.58* SECTION 3103.** 304.06 (1) (bg) of the statutes is repealed.

4 ***-0829/P6.59* SECTION 3104.** 304.06 (1) (bk) of the statutes is repealed.

5 ***-0829/P6.60* SECTION 3105.** 304.06 (1) (bn) of the statutes is repealed.

6 ***-0829/P6.61* SECTION 3106.** 304.06 (1) (br) of the statutes is repealed.

7 ***-0829/P6.62* SECTION 3107.** 304.06 (1) (c) (intro.) of the statutes is amended
8 to read:

9 304.06 (1) (c) (intro.) If an inmate applies for parole ~~or release to extended~~
10 ~~supervision~~ under this subsection, the ~~earned release review~~ parole commission
11 shall make a reasonable attempt to notify the following, if they can be found, in
12 accordance with par. (d):

13 ***-0829/P6.63* SECTION 3108.** 304.06 (1) (d) 1. of the statutes is amended to
14 read:

15 304.06 (1) (d) 1. The notice under par. (c) shall inform the offices and persons
16 under par. (c) 1. to 3. of the manner in which they may provide written statements
17 under this subsection, shall inform persons under par. (c) 3. of the manner in which
18 they may attend interviews or hearings and make statements under par. (eg) and
19 shall inform persons under par. (c) 3. who are victims, or family members of victims,
20 of crimes specified in s. 940.01, 940.03, 940.05, 940.225 (1), (2), or (3), 948.02 (1) or
21 (2), 948.025, 948.06, or 948.07 of the manner in which they may have direct input in
22 the parole decision-making process under par. (em) ~~for parole or release to extended~~
23 ~~supervision~~. The ~~earned release review~~ parole commission shall provide notice
24 under this paragraph for an inmate's first application for parole ~~or release to~~

1 ~~extended supervision~~ and, upon request, for subsequent applications for parole ~~or~~
2 ~~release to extended supervision.~~

3 ***-0829/P6.64* SECTION 3109.** 304.06 (1) (d) 2. of the statutes is amended to
4 read:

5 304.06 (1) (d) 2. The notice shall be by 1st class mail to an office's or a person's
6 last-known address sent at least 3 weeks before the interview or hearing upon the
7 application for parole ~~or release to extended supervision.~~

8 ***-0829/P6.65* SECTION 3110.** 304.06 (1) (d) 3m. of the statutes is amended to
9 read:

10 304.06 (1) (d) 3m. If applicable, the notice shall state the manner in which the
11 person may have direct input in the decision-making process for parole ~~or release~~
12 ~~to extended supervision.~~

13 ***-0829/P6.66* SECTION 3111.** 304.06 (1) (d) 4. of the statutes is amended to
14 read:

15 304.06 (1) (d) 4. If the notice is for a first application for parole ~~or release to~~
16 ~~extended supervision~~, the notice shall inform the offices and persons under par. (c)
17 1. to 3. that notification of subsequent applications for parole ~~or release to extended~~
18 ~~supervision~~ will be provided only upon request.

19 ***-0829/P6.67* SECTION 3112.** 304.06 (1) (e) of the statutes is amended to read:

20 304.06 (1) (e) The ~~earned release review~~ parole commission shall permit any
21 office or person under par. (c) 1. to 3. to provide written statements. The ~~earned~~
22 ~~release review~~ parole commission shall give consideration to any written statements
23 provided by any such office or person and received on or before the date specified in
24 the notice. This paragraph does not limit the authority of the ~~earned release review~~

1 parole commission to consider other statements or information that it receives in a
2 timely fashion.

3 ***-0829/P6.68* SECTION 3113.** 304.06 (1) (eg) of the statutes is amended to read:

4 304.06 (1) (eg) The ~~earned release review~~ parole commission shall permit any
5 person under par. (c) 3. to attend any interview or hearing on the application for
6 parole ~~or release to extended supervision~~ of an applicable inmate and to make a
7 statement at that interview or hearing.

8 ***-0829/P6.69* SECTION 3114.** 304.06 (1) (em) of the statutes is amended to
9 read:

10 304.06 (1) (em) The ~~earned release review~~ parole commission shall promulgate
11 rules that provide a procedure to allow any person who is a victim, or a family
12 member of a victim, of a crime specified in s. 940.01, 940.03, 940.05, 940.225 (1), (2),
13 or (3), 948.02 (1) or (2), 948.025, 948.06, or 948.07 to have direct input in the
14 decision-making process for parole ~~or release to extended supervision~~.

15 ***-0829/P6.70* SECTION 3115.** 304.06 (1) (f) of the statutes is amended to read:

16 304.06 (1) (f) The ~~earned release review~~ parole commission shall design and
17 prepare cards for persons specified in par. (c) 3. to send to the commission. The cards
18 shall have space for these persons to provide their names and addresses, the name
19 of the applicable prisoner and any other information the ~~earned release review~~
20 parole commission determines is necessary. The ~~earned release review~~ parole
21 commission shall provide the cards, without charge, to district attorneys. District
22 attorneys shall provide the cards, without charge, to persons specified in par. (c) 3.
23 These persons may send completed cards to the ~~earned release review~~ parole
24 commission. All commission records or portions of records that relate to mailing
25 addresses of these persons are not subject to inspection or copying under s. 19.35 (1).

1 Before any written statement of a person specified in par. (c) 3. is made a part of the
2 documentary record considered in connection with a parole hearing ~~for parole, or~~
3 ~~release to extended supervision~~ under this section, the ~~earned release review~~ parole
4 commission shall obliterate from the statement all references to the mailing
5 addresses of the person. A person specified in par. (c) 3. who attends an interview
6 or hearing under par. (eg) may not be required to disclose at the interview or hearing
7 his or her mailing addresses.

8 ***-0829/P6.71* SECTION 3116.** 304.06 (1) (g) of the statutes is amended to read:

9 304.06 (1) (g) Before a person is released on parole ~~or released to extended~~
10 ~~supervision~~ under this subsection, the ~~earned release review~~ parole commission
11 shall so notify the municipal police department and the county sheriff for the area
12 where the person will be residing. The notification requirement under this
13 paragraph does not apply if a municipal department or county sheriff submits to the
14 ~~earned release review~~ parole commission a written statement waiving the right to
15 be notified. If applicable, the department shall also comply with s. 304.063.

16 ***-0829/P6.72* SECTION 3117.** 304.06 (1m) (intro.) of the statutes is amended
17 to read:

18 304.06 (1m) (intro.) The ~~earned release review~~ parole commission may waive
19 the 25% or 6-month service of sentence requirement under sub. (1) (b) under any of
20 the following circumstances:

21 ***-0829/P6.73* SECTION 3118.** 304.06 (1q) (b) of the statutes is amended to
22 read:

23 304.06 (1q) (b) The ~~earned release review~~ parole commission or the department
24 may require as a condition of parole that a serious child sex offender undergo
25 pharmacological treatment using an antiandrogen or the chemical equivalent of an

1 antiandrogen. This paragraph does not prohibit the department from requiring
2 pharmacological treatment using an antiandrogen or the chemical equivalent of an
3 antiandrogen as a condition of probation.

4 ***-0829/P6.74* SECTION 3119.** 304.06 (1q) (c) of the statutes is amended to read:

5 304.06 (1q) (c) In deciding whether to grant a serious child sex offender release
6 on parole under this subsection, the ~~earned release review~~ parole commission may
7 not consider, as a factor in making its decision, that the offender is a proper subject
8 for pharmacological treatment using an antiandrogen or the chemical equivalent of
9 an antiandrogen or that the offender is willing to participate in pharmacological
10 treatment using an antiandrogen or the chemical equivalent of an antiandrogen.

11 ***-0829/P6.75* SECTION 3120.** 304.06 (1x) of the statutes is amended to read:

12 304.06 (1x) The ~~earned release review~~ parole commission may require as a
13 condition of parole that the person is placed in the intensive sanctions program under
14 s. 301.048. In that case, the person is in the legal custody of the department under
15 that section and is subject to revocation of parole under sub. (3).

16 ***-0829/P6.76* SECTION 3121.** 304.06 (2m) (d) of the statutes is amended to
17 read:

18 304.06 (2m) (d) The ~~earned release review~~ parole commission or the
19 department shall determine a prisoner's county of residence for the purposes of this
20 subsection by doing all of the following:

21 1. The ~~earned release review~~ parole commission or the department shall
22 consider residence as the voluntary concurrence of physical presence with intent to
23 remain in a place of fixed habitation and shall consider physical presence as prima
24 facie evidence of intent to remain.

1 2. The ~~earned release review~~ parole commission or the department shall apply
2 the criteria for consideration of residence and physical presence under subd. 1. to the
3 facts that existed on the date that the prisoner committed the serious sex offense that
4 resulted in the sentence the prisoner is serving.

5 ***-0829/P6.77*** SECTION 3122. 304.06 (3) of the statutes is amended to read:

6 304.06 (3) Every paroled prisoner ~~paroled or released to extended supervision~~
7 remains in the legal custody of the department unless otherwise provided by the
8 department. If the department alleges that any condition or rule of parole ~~or~~
9 ~~extended supervision~~ has been violated by the prisoner, the department may take
10 physical custody of the prisoner for the investigation of the alleged violation. If the
11 department is satisfied that any condition or rule of parole ~~or extended supervision~~
12 has been violated it shall afford the prisoner such administrative hearings as are
13 required by law. Unless waived by the parolee ~~or person on extended supervision~~,
14 the final administrative hearing shall be held before a hearing examiner from the
15 division of hearings and appeals in the department of administration who is licensed
16 to practice law in this state. The hearing examiner shall enter an order revoking or
17 not revoking parole ~~or extended supervision~~. Upon request by either party, the
18 administrator of the division of hearings and appeals shall review the order. The
19 hearing examiner may order that a deposition be taken by audiovisual means and
20 allow the use of a recorded deposition under s. 967.04 (7) to (10). If the parolee ~~or~~
21 ~~person on extended supervision~~ waives the final administrative hearing, the
22 secretary of corrections shall enter an order revoking or not revoking parole ~~or~~
23 ~~extended supervision~~. If the examiner, the administrator upon review, or the
24 secretary in the case of a waiver finds that the prisoner has violated the rules or
25 conditions of parole ~~or extended supervision~~, the examiner, the administrator upon

SECTION 3122

1 review, or the secretary in the case of a waiver, may order the prisoner returned to
2 prison to continue serving his or her sentence, or to continue on parole ~~or extended~~
3 ~~supervision~~. If the prisoner claims or appears to be indigent, the department shall
4 refer the prisoner to the authority for indigency determinations specified under s.
5 977.07 (1).

6 ***-0829/P6.78* SECTION 3123.** 304.06 (3e) of the statutes is amended to read:

7 304.06 (3e) The division of hearings and appeals in the department of
8 administration shall make either an electronic or stenographic record of all
9 testimony at each parole ~~or extended supervision~~ revocation hearing. The division
10 shall prepare a written transcript of the testimony only at the request of a judge who
11 has granted a petition for judicial review of the revocation decision. Each hearing
12 notice shall include notice of the provisions of this subsection and a statement that
13 any person who wants a written transcript may record the hearing at his or her own
14 expense.

15 ***-0829/P6.79* SECTION 3124.** 304.06 (3m) of the statutes is amended to read:

16 304.06 (3m) If the convicting court is informed by the department that a
17 prisoner on parole ~~or extended supervision~~ has absconded and that the prisoner's
18 whereabouts are unknown, the court may issue a capias for execution by the sheriff.

19 ***-0829/P6.80* SECTION 3125.** 304.071 (1) of the statutes is amended to read:

20 304.071 (1) The ~~earned release review~~ parole commission may at any time
21 grant a parole ~~or release to extended supervision~~ to any prisoner in any penal
22 institution of this state, or the department may at any time suspend the supervision
23 of any person who is on probation, or parole, ~~or extended supervision~~ to the
24 department, if the prisoner or person on probation, or parole, ~~or extended~~
25 ~~supervision~~ is eligible for induction into the U.S. armed forces. The suspension of

1 parole, ~~extended supervision~~, or probation shall be for the duration of his or her
2 service in the armed forces; and the parole, ~~extended supervision~~, or probation shall
3 again become effective upon his or her discharge from the armed forces in accordance
4 with regulations prescribed by the department. If he or she receives an honorable
5 discharge from the armed forces, the governor may discharge him or her and the
6 discharge has the effect of a pardon. Upon the suspension of parole, ~~extended~~
7 ~~supervision~~, or probation by the department, the department shall issue an order
8 setting forth the conditions under which the parole, ~~extended supervision~~, or
9 probation is suspended, including instructions as to where and when and to whom
10 the person on parole or ~~extended supervision~~ shall report upon discharge from the
11 armed forces.

12 ***-1187/P5.487* SECTION 3126.** 321.40 (1) (c) 1m. of the statutes is created to
13 read:

14 321.40 (1) (c) 1m. The University of Wisconsin-Madison.

15 ***-0191/P1.1* SECTION 3127.** 321.40 (3) (b) 1. of the statutes is amended to read:
16 321.40 (3) (b) 1. Be submitted to the department for approval of payment no
17 later than ~~60~~ 90 days after the completion date of the course;

18 ***-1187/P5.488* SECTION 3128.** 321.65 (1) (a) 2. of the statutes is amended to
19 read:

20 321.65 (1) (a) 2. Active service with the state laboratory of hygiene under s.
21 ~~36.25 (11) (em)~~ 37.57 (5m) for the purpose of assisting the department of health
22 services under s. 250.042 during a state of emergency relating to public health
23 declared by the governor under s. 323.10.

24 ***-0040/P1.1* SECTION 3129.** 340.01 (18j) of the statutes is created to read:

1 340.01 (18j) "Federal out-of-service order for unsatisfactory safety
2 compliance" means an out-of-service order issued by the federal motor carrier safety
3 administration under 49 CFR 385.13 (a), 385.105 (b), 385.111 (a) or (c), 385.325 (c),
4 385.337 (b), 386.72 (b) (2), 386.83 (a) (1), or 386.84 (a) (1).

5 *-0040/P1.2* SECTION 3130. 341.10 (16) of the statutes is created to read:

6 341.10 (16) The applicant has applied for registration under the international
7 registration plan specified in s. 341.405 and, in the registration application, the
8 applicant has identified as the motor carrier responsible for the safety of the motor
9 vehicle to be registered a motor carrier for which the department has received notice
10 that the motor carrier is subject to a federal out-of-service order for unsatisfactory
11 safety compliance. This subsection does not prohibit the applicant from registering
12 the motor vehicle under any applicable provision of this chapter other than s.
13 341.405.

14 *-0040/P1.3* SECTION 3131. 341.10 (17) of the statutes is created to read:

15 341.10 (17) The applicant has applied for registration under the international
16 registration plan specified in s. 341.405 and the motor vehicle for which application
17 is made has been identified by the federal motor carrier safety administration as
18 having been assigned for safety to a motor carrier whose business is operated,
19 managed, or otherwise controlled or affiliated with a person that has been issued a
20 federal out-of-service order for unsatisfactory safety compliance. This subsection
21 does not prohibit the applicant from registering the motor vehicle under any
22 applicable provision of this chapter other than s. 341.405.

23 *-0318/3.1* SECTION 3132. 341.12 (2) of the statutes is amended to read:

24 341.12 (2) The department shall purchase plates from the Waupun
25 Correctional Institution unless otherwise approved by the governor. Subject to any

1 specific requirements which may be imposed by statute, the department shall
2 determine the size, color and design of registration plates with a view toward making
3 them visible evidence of the period for which the vehicle is registered and the fee class
4 into which the vehicle falls as well as and making them a ready means of identifying
5 the specific vehicle or owner for which the plates were issued.

6 ***-0318/3.2* SECTION 3133.** 341.12 (3) (c) of the statutes is repealed.

7 ***-0318/3.3* SECTION 3134.** 341.13 (title) of the statutes is amended to read:

8 **341.13 (title) Additional specifications for plate design of certain plates**
9 **and certificate of registration requirements.**

10 ***-0318/3.4* SECTION 3135.** 341.13 (1) (intro.) and (a) of the statutes are
11 consolidated, renumbered 341.13 (1) and amended to read:

12 341.13 (1) In addition to the matter specified in s. 341.12 (3), registration plates
13 for automobiles registered pursuant to the registration system under s. 341.27,
14 except automobiles registered under s. 341.14 (6r) or 341.145 (1) (c), shall ~~comply~~
15 ~~with the following specifications: (a) The display the words "America's Dairyland"~~
16 ~~shall be displayed~~ across either the lower or upper portion of the plate at the
17 discretion of the secretary.

18 ***-0318/3.5* SECTION 3136.** 341.13 (1) (b) of the statutes is repealed.

19 ***-0318/3.6* SECTION 3137.** 341.13 (2) of the statutes is amended to read:

20 341.13 (2) ~~In addition to the matter specified in s. 341.12 (3), the registration~~
21 ~~plates for~~ For a vehicle registered on the basis of gross weight ~~except a dual purpose~~
22 ~~motor home or a motor home, motor truck, farm truck, or dual purpose farm truck~~
23 ~~registered under s. 341.14 (1), (1a), (1m), (1q), (2), (6m), or (6r) or 341.145 (1) (a), (b),~~
24 ~~(c), (d), or (e) or a motor truck or dual purpose farm truck registered under s. 341.14~~
25 ~~(6) shall indicate the weight class into which the vehicle falls in a manner prescribed~~

1 by the department. ~~The, the gross weight which that~~ determines the registration fee
2 for a dual purpose motor home or a motor home, motor truck, farm truck, or dual
3 purpose farm truck registered under s. 341.14 (1), (1a), (1m), (1q), (2), (6m), or (6r)
4 or 341.145 (1) (a), (b), (c), (d), or (e) or a motor truck or dual purpose farm truck
5 registered under s. 341.14 (6) shall be shown on its certificate of registration.

6 ***-0318/3.7* SECTION 3138.** 341.13 (3) of the statutes is amended to read:

7 341.13 (3) ~~In lieu of issuing~~ The department is not required to issue a new plate
8 upon each renewal of registration of a vehicle, ~~the department may issue one insert~~
9 ~~tag, decal or other evidence of registration per vehicle to indicate the period of~~
10 ~~registration. The tag, decal or other evidence of registration shall be provided by the~~
11 ~~department and used only if the outstanding plate is in suitable condition for further~~
12 ~~usage. A decal shall be displayed as provided in s. 341.15 (1m).~~

****NOTE: Section 341.13 (3m) is repealed in both LRB-0056 and LRB-0318. This draft reconciles this duplicative treatment of the provision by removing the provision from LRB-0318. The treatment of this provision remains in LRB-0056.

13 ***-0056/1.8* SECTION 3139.** 341.13 (3m) of the statutes is repealed.

14 ***-0318/3.8* SECTION 3140.** 341.13 (4) of the statutes is amended to read:

15 341.13 (4) ~~A~~ The certificate of registration for a specially designed vehicle
16 which is authorized for operation under s. 343.135 (2) (a) 2. shall ~~bear a tag, decal~~
17 ~~or other identification issued by the department to indicate that the vehicle may be~~
18 subject to special equipment standards under s. 347.02 (6) and that the vehicle may
19 be operated only by a person authorized to do so under s. 343.135 (2) (b).

20 ***-1187/P5.489* SECTION 3141.** 341.14 (6r) (b) 4. of the statutes is amended to
21 read:

22 341.14 (6r) (b) 4. An additional fee of \$20 that is in addition to the fee under
23 subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual

1 basis for a special group specified under par. (f) 35. to 47. 47m. An additional fee of
2 \$40 that is in addition to the fee under subd. 2. shall be charged for the issuance or
3 renewal of a plate issued on a biennial basis for a special group specified under par.
4 (f) 35. to 47. 47m. if the plate is issued or renewed during the first year of the biennial
5 registration period or \$20 for the issuance or renewal if the plate is issued or renewed
6 during the 2nd year of the biennial registration period. The fee under this
7 subdivision is deductible as a charitable contribution for purposes of the taxes under
8 ch. 71.

9 *-1187/P5.490* SECTION 3142. 341.14 (6r) (c) of the statutes is amended to
10 read:

11 341.14 (6r) (c) Special group plates shall display the word "Wisconsin", the
12 name of the applicable authorized special group, a symbol representing the special
13 group, not exceeding one position, and identifying letters or numbers or both, not
14 exceeding 6 positions and not less than one position. The department shall specify
15 the design for special group plates, but the department shall consult the president
16 of the University of Wisconsin System before specifying the word or symbol used to
17 identify the special groups under par. (f) 35. to 47., the chancellor of the University
18 of Wisconsin-Madison before specifying the word or symbol used to identify the
19 special group under par. (f) 47m., the secretary of natural resources before specifying
20 the word or symbol used to identify the special groups under par. (f) 50. and 59., the
21 chief executive officer of the professional football team and an authorized
22 representative of the league of professional football teams described in s. 229.823 to
23 which that team belongs before specifying the design for the applicable special group
24 plate under par. (f) 55., the chief trademark officer of Harley-Davidson Michigan,
25 LLC before specifying the design for the applicable special group plate under par. (f)

1 61r., the department of veterans affairs before specifying the design for the special
2 group plates under par. (f) 49d., 49h., and 49s., and the department of tourism and
3 chief executive officer of the organization specified in par. (f) 55m. before specifying
4 the design and word or symbol used to identify the special group name for special
5 group plates under par. (f) 55m. Special group plates under par. (f) 50. shall be as
6 similar as possible to regular registration plates in color and design. The department
7 shall make available 2 designs for the special group plates under par. (f) 60. The
8 department may not specify any design for the special group plates under par. (f) 60.
9 unless the design is approved by the executive vice president of the Milwaukee
10 Brewers Baseball Club LP. The word or symbol used to identify the special group
11 under par. (f) 59. shall be different from the word or symbol used to identify the
12 special group under par. (f) 50. and the design shall cover the entire plate. Special
13 group plates under par. (f) 61m. shall display a logo or image of the lion associated
14 with the Lions Clubs International. Special group plates under par. (f) 61r. shall
15 display a bar and shield logo associated with Harley-Davidson, Inc., on the left
16 portion of the plates and the words "share the road" on the bottom portion of the
17 plates.

18 ***-1187/P5.491* SECTION 3143.** 341.14 (6r) (e) of the statutes is amended to
19 read:

20 341.14 (6r) (e) The department shall specify one combination of colors for
21 special group plates for groups or organizations which are not military in nature and
22 not special group plates under par. (f) 35. to ~~47.~~ 47m., 50., and 59., for each
23 professional football team under par. (f) 55., and for each professional baseball team
24 under par. (f) 60. The department shall specify one combination of colors for special
25 group plates under par. (f) 35. to ~~47~~ 47m. Subject to par. (c), the department shall

1 specify the word or words comprising the special group name and the symbol to be
2 displayed upon special group plates for a group or organization which is not military
3 in nature after consultation with the chief executive officer in this state of the group
4 or organization. The department shall require that the word or words and symbol
5 for a university specified under par. (f) 35. to 47. be a registration decal or tag and
6 affixed to the special group plate and be of the colors for a university specified under
7 par. (f) 35. to 47. that the president of the University of Wisconsin System specifies.
8 The department shall require that the word or words and symbol for the university
9 specified under par. (f) 47m. be a registration decal or tag affixed to the special group
10 plate and be of the colors for the university specified under par. (f) 47m. that the
11 chancellor of the University of Wisconsin-Madison specifies. The department shall
12 consult the chief trademark officer of Harley-Davidson Michigan, LLC before
13 specifying the colors for the special group plate under par. (f) 61r.

14 ***-1187/P5.492* SECTION 3144.** 341.14 (6r) (f) 38. of the statutes is renumbered
15 341.14 (6r) (f) 47m.

16 ***-1187/P5.493* SECTION 3145.** 341.14 (10) of the statutes is created to read:
17 341.14 (10) From the appropriation under s. 20.395 (5) (ef), the department
18 shall make payments to the University of Wisconsin-Madison for the scholarship
19 program under s. 37.44.

20 ***-0318/3.9* SECTION 3146.** 341.145 (1r) of the statutes is repealed.

21 ***-0318/3.10* SECTION 3147.** 341.15 (1m) of the statutes is repealed.

22 ***-0318/3.11* SECTION 3148.** 341.15 (3) (a) of the statutes is amended to read:
23 341.15 (3) (a) A person who operates a vehicle for which a current registration
24 plate, ~~insert tag, decal~~ or other evidence of registration has been issued without such
25 plate, ~~tag, decal~~ or other evidence of registration being attached to the vehicle, except

1 when such vehicle is being operated pursuant to a temporary operation permit or
2 plate;

3 ***-1187/P5.494* SECTION 3149.** 341.16 (1) (b) of the statutes is amended to
4 read:

5 341.16 (1) (b) Upon satisfactory proof of the loss or destruction of a special plate
6 issued under s. 341.14 (6m) (a), (6r) (b), or (6w) or a special personalized plate issued
7 under s. 341.145 (1) (b), (c), or (f) and upon payment of a fee of \$5 for each plate or,
8 if the plate is for a special group specified under s. 341.14 (6r) (f) 35. to ~~47.~~ 47m. or
9 53., \$6 for each plate, the department shall issue a replacement.

10 ***-0040/P1.4* SECTION 3150.** 341.405 (3m) of the statutes is created to read:

11 341.405 (3m) (a) If the registration of a motor vehicle registered under this
12 section is suspended under s. 341.63 (1) (f), (1m), or (1r), or if an application for
13 registration is refused under s. 341.10 (16) or (17), the motor vehicle may be
14 registered, subject to all applicable requirements and fees, under any applicable
15 provision of this chapter other than this section.

16 (b) All of the following apply to a person who registers a motor vehicle under
17 another applicable provision of this chapter as described in par. (a):

18 1. The person is not entitled to credit for any registration fee previously paid
19 to register the motor vehicle under this section.

20 2. If the motor vehicle's registration under this section is reinstated after this
21 registration period has expired, in renewing the motor vehicle's registration under
22 this section the person is entitled to credit for the registration fee paid to register the
23 motor vehicle as described in par. (a), calculated based upon the unused portion of
24 that registration period.

1 (c) Notwithstanding s. 341.10 (16) and (17), the department may refuse
2 registration of a motor vehicle under this section if the department determines that
3 the motor carrier identified on the motor vehicle's registration application as the
4 motor carrier responsible for safety of the vehicle is the same or substantially the
5 same business, or that elements of the motor carrier operation are the same or
6 substantially the same business elements, as a motor carrier that has been issued
7 a federal out-of-service order for unsatisfactory safety compliance.

8 ***-0040/P1.5* SECTION 3151.** 341.41 (7) of the statutes is amended to read:

9 341.41 (7) Except as to foreign owned vehicles required by s. 341.07 to be
10 registered in this state, vehicles owned or operated by a nonresident in interstate or
11 intrastate movement may be qualified by advance purchase of a trip permit which
12 authorizes operation for a 72-hour period when the vehicle is not eligible for
13 reciprocal privileges. Unless waived by the secretary, the fee for the trip permit shall
14 be not less than \$15. The secretary may, upon determining that a special
15 transportation need exists, waive the fee for the trip permit. The secretary shall
16 make rules and regulations for the issuance and use of the permits. No permit may
17 be issued under this subsection for any motor vehicle for which the motor carrier
18 identified on the permit application as the motor carrier responsible for safety of the
19 vehicle has been issued a federal out-of-service order for unsatisfactory safety
20 compliance.

21 ***-0056/1.9* SECTION 3152.** 341.52 of the statutes is amended to read:

22 **341.52 Design of registration plates.** Registration plates for dealers,
23 distributors, manufacturers, and transporters are subject to the provisions of s.
24 341.12 (2) and (3) except s. 341.12 (3) (c). In addition, each plate shall have displayed

1 upon it a symbol capable of distinguishing it from any other plate which may be
2 issued to the same dealer, distributor, manufacturer, or transporter.

3 *-0056/1.10* SECTION 3153. 341.53 of the statutes is amended to read:

4 **341.53 Expiration of registration; transferability of plates.** Certificates
5 of registration and registration plates issued to dealers, distributors, manufacturers,
6 or transporters shall be issued for the calendar year and are valid only during the
7 calendar year for which issued. Notwithstanding s. 341.13 (3), the department may
8 renew registration plates issued to dealers, distributors, manufacturers, or
9 transporters without issuing new plates or insert tags, decals, or other evidence of
10 registration. Registration plates are transferable from one motor vehicle, trailer or
11 semitrailer to another motor vehicle, trailer or semitrailer and from one recreational
12 vehicle to another.

13 *-0056/1.11* SECTION 3154. 341.57 (2) of the statutes is amended to read:

14 341.57 (2) A finance company licensed under ss. 138.09 or 218.0101 to
15 218.0163, a credit union licensed under ch. 186, a savings bank organized under ch.
16 214, a savings and loan association organized under ch. 215 or a state bank or a
17 national bank with offices in this state may apply to the department for registration
18 on such form as the department provides. Upon receipt of the application together
19 with a registration fee of \$75, the department shall register the applicant and shall
20 issue one registration plate containing the registration number assigned to the
21 applicant. The department, upon receiving a fee of \$5 for each additional plate
22 desired by the applicant, shall issue additional plates as the applicant orders.
23 Section 341.52 applies to the design of the plates. The registration and plates are
24 valid only during the calendar year for which issued. Notwithstanding s. 341.13 (3),
25 the department may renew registration plates issued under this subsection without

1 issuing new plates or insert tags, decals, or other evidence of registration. A plate
2 is transferable from one motor vehicle to another. The department may charge a fee
3 of \$2 per plate for replacing lost, damaged or illegible plates issued under this
4 subsection.

5 ***-0318/3.12* SECTION 3155.** 341.605 (1) of the statutes is amended to read:

6 341.605 (1) Except as authorized by the department, no person may transfer
7 to another person or offer for sale a registration plate, ~~insert tag, decal~~ or other
8 evidence of registration issued by the department. This subsection does not apply
9 to transfers of vehicles under s. 342.15 (4) (c).

10 ***-0318/3.13* SECTION 3156.** 341.605 (2) of the statutes is amended to read:

11 341.605 (2) No person may transfer to another person or offer for sale a
12 counterfeit, forged or fictitious registration plate, ~~insert tag, decal~~ or other evidence
13 of registration.

14 ***-0318/3.14* SECTION 3157.** 341.61 (title) of the statutes is amended to read:

15 **341.61 (title) Improper use of evidence of registration plate.**

16 ***-0318/3.15* SECTION 3158.** 341.61 (1) of the statutes is amended to read:

17 341.61 (1) Lends to another a registration plate, ~~insert tag, decal or other~~
18 ~~evidence of registration~~ for display upon a vehicle for which the plate, tag, decal or
19 ~~other evidence of registration~~ has not been issued.

20 ***-0318/3.16* SECTION 3159.** 341.61 (2) of the statutes is amended to read:

21 341.61 (2) Displays upon a vehicle a registration plate, ~~insert tag, decal or other~~
22 ~~evidence of registration~~ not issued for such vehicle or not otherwise authorized by
23 law to be used thereon.

24 ***-0318/3.17* SECTION 3160.** 341.61 (3) of the statutes is amended to read:

1 341.61 (3) Willfully twists, paints, alters or adds to or cuts off any portion of
2 a registration plate, ~~insert tag, decal or other evidence of registration~~; or who places
3 or deposits, or causes to be placed or deposited on such plate, ~~insert tag, decal or other~~
4 ~~evidence of registration~~ any substance to hinder the normal reading of such plate,
5 ~~insert tag, decal or other evidence of registration~~; or who defaces, disfigures, covers,
6 obstructs, changes or attempts to change any letter or figure thereon; or who causes
7 such plate, ~~insert tag, decal or other evidence of registration~~ to appear to be a
8 different color.

9 ***-0318/3.18*** SECTION 3161. 341.61 (4) of the statutes is amended to read:

10 341.61 (4) Possesses a fraudulently or unlawfully obtained registration plate,
11 ~~insert tag, decal or other evidence of registration~~.

12 ***-0318/3.19*** SECTION 3162. 341.61 (5) of the statutes is amended to read:

13 341.61 (5) Possesses a counterfeit registration plate, ~~insert tag, decal or other~~
14 ~~evidence of registration~~.

15 ***-0318/3.20*** SECTION 3163. 341.615 of the statutes is amended to read:

16 **341.615 Reproducing evidence of registration prohibited.** Except as
17 authorized by the department, any person who reproduces, by any means whatever,
18 a registration plate, ~~insert tag, decal or other evidence of registration~~ shall forfeit not
19 less than \$200 nor more than \$500.

20 ***-0040/P1.6*** SECTION 3164. 341.63 (1) (f) of the statutes is created to read:

21 341.63 (1) (f) The motor vehicle is registered under the international
22 registration plan specified in s. 341.405 and the motor vehicle has been identified by
23 the federal motor carrier safety administration as having been assigned for safety
24 to a motor carrier whose business is operated, managed, or otherwise controlled or

1 affiliated with a person that has been issued a federal out-of-service order for
2 unsatisfactory safety compliance.

3 ***-0040/P1.7* SECTION 3165.** 341.63 (1m) of the statutes is created to read:

4 341.63 (1m) Upon receiving notice that a motor carrier has been issued a
5 federal out-of-service order for unsatisfactory safety compliance, the department
6 shall suspend the registration of each motor vehicle to which all of the following
7 apply:

8 (a) The motor carrier is identified on the motor vehicle's registration
9 application as the motor carrier responsible for the safety of the vehicle.

10 (b) The motor vehicle is registered under the international registration plan
11 specified in s. 341.405.

12 ***-0040/P1.8* SECTION 3166.** 341.63 (1r) of the statutes is created to read:

13 341.63 (1r) The department may suspend the registration of a motor vehicle
14 registered under the international registration plan specified in s. 341.405 if the
15 department determines that the motor carrier identified on the motor vehicle's
16 registration application as the motor carrier responsible for safety of the vehicle is
17 the same or substantially the same business, or that elements of the motor carrier
18 operation are the same or substantially the same business elements, as a motor
19 carrier that has been issued a federal out-of-service order for unsatisfactory safety
20 compliance.

21 ***-0040/P1.9* SECTION 3167.** 341.63 (3) of the statutes is renumbered 341.63

22 (3) (a).

23 ***-0040/P1.10* SECTION 3168.** 341.63 (3) (b) of the statutes is created to read:

SECTION 3168

1 341.63 (3) (b) In addition to or in lieu of ordering the return of registration
2 plates under par. (a), the department may seize and destroy the registration plates
3 of any motor vehicle for which all of the following apply:

4 1. The motor carrier identified on the motor vehicle's registration application
5 as the motor carrier responsible for safety of the vehicle has been issued a federal
6 out-of-service order for unsatisfactory safety compliance.

7 2. The motor vehicle is registered under the international registration plan
8 specified in s. 341.405 or under a similar international registration plan under the
9 law of another jurisdiction.

10 *-0318/3.21* SECTION 3169. 341.65 (1) (b) of the statutes is amended to read:

11 341.65 (1) (b) "Unregistered motor vehicle" means any motor vehicle that is
12 located upon a highway and that is not displaying ~~valid registration plates~~, a
13 temporary operation plate, or ~~other evidence of registration~~ a registration plate for
14 which the department's vehicle registration records indicate valid registration as
15 provided under s. 341.18 (1) for the vehicle's current registration period or for a
16 registration period for the vehicle that expired within the immediately preceding 31
17 days.

18 *-0056/1.12* SECTION 3170. 342.09 (1) of the statutes is renumbered 342.09
19 (1) (a) and amended to read:

20 342.09 (1) (a) The department shall maintain a record of each application for
21 certificate of title received by it and, when satisfied as to its genuineness and
22 regularity and that the applicant is entitled to the issuance of a certificate of title,
23 shall issue and, except as provided in par. (b), deliver a certificate to the owner of the
24 vehicle.

25 *-0056/1.13* SECTION 3171. 342.09 (1) (b) of the statutes is created to read:

1 342.09 (1) (b) If there is a perfected security interest in a vehicle, the
2 department shall deliver the certificate of title to the secured party having the
3 primary perfected security interest in the vehicle.

4 ***-0056/1.14* SECTION 3172.** 342.13 (1) of the statutes is amended to read:

5 342.13 (1) If a certificate of title is lost, stolen, mutilated, or destroyed, or
6 becomes illegible, the owner or ~~legal representative of the owner named in person in~~
7 possession of the certificate, as shown by the records of the department, shall
8 promptly make application for and may obtain a replacement upon furnishing
9 information satisfactory to the department. The replacement certificate of title shall
10 contain a notation, in a form determined by the department, identifying the
11 certificate as a replacement certificate that may be subject to the rights of a person
12 under the original certificate.

13 ***-0803/2.5* SECTION 3173.** 342.14 (1) of the statutes is amended to read:

14 342.14 (1) For filing an application for the first certificate of title, \$53.00 \$62,
15 by the owner of the vehicle.

16 ***-0803/2.6* SECTION 3174.** 342.14 (1r) of the statutes is repealed.

17 ***-0803/2.7* SECTION 3175.** 342.14 (3) of the statutes is amended to read:

18 342.14 (3) For a certificate of title after a transfer, \$53.00 \$62, by the owner of
19 the vehicle.

20 ***-0056/1.15* SECTION 3176.** 342.15 (1) (a) of the statutes is amended to read:

21 342.15 (1) (a) If an owner transfers an interest in a vehicle, other than by the
22 creation of a security interest, the owner shall comply with the requirements of s.
23 342.155 and, at the time of the delivery of the vehicle, execute an assignment and
24 warranty of title to the transferee in the space provided therefor on the certificate,
25 and the owner or person in possession of the certificate, as shown by the records of

1 the department, shall cause the certificate to be mailed or delivered to the transferee,
2 except that if the vehicle being transferred is a junk vehicle or has been junked, the
3 owner shall return the certificate to the department in accordance with s. 342.34.

4 ***-0056/1.16* SECTION 3177.** 342.15 (1) (c) of the statutes is amended to read:

5 342.15 (1) (c) If an owner transfers his or her interest in a salvage vehicle, the
6 owner shall at the time of the delivery of the vehicle, execute an assignment and
7 warranty of title to the transferee in the space provided therefor on the certificate,
8 and the owner or person in possession of the certificate, as shown by the records of
9 the department, shall cause the certificate to be mailed or delivered to the transferee.

10 ***-0056/1.17* SECTION 3178.** 342.15 (5) of the statutes is amended to read:

11 342.15 (5) Any owner of a vehicle for which a certificate of title has been issued,
12 who upon transfer of the vehicle fails to execute ~~and deliver~~ the assignment and
13 warranty of title required by sub. (1), or the owner or person in possession of such
14 certificate of title, as shown by the records of the department, who fails to deliver the
15 assignment and warranty of title required by sub. (1), may be required to forfeit not
16 more than \$500.

17 ***-0056/1.18* SECTION 3179.** 342.20 (1) of the statutes is amended to read:

18 342.20 (1) The owner shall immediately execute, in the space provided therefor
19 on the certificate of title or on a separate form or in an automated format prescribed
20 by the department, an application to name the secured party on the certificate,
21 showing the name and address of the secured party, and the owner or person in
22 possession of the owner's certificate, as shown by the records of the department, shall
23 cause the certificate, application and the required fee to be delivered to the secured
24 party.

25 ***-0056/1.19* SECTION 3180.** 342.20 (3) of the statutes is amended to read:

1 342.20 (3) Upon receipt of the certificate of title, application, and the required
2 fee, or upon receipt of the security interest statement and required fee if the secured
3 party has utilized the process specified in s. 342.245 (1), the department shall issue
4 to the owner a new certificate containing the name and address of the new secured
5 party. The department shall deliver to such new secured party, unless the secured
6 party utilized the process specified in s. 342.245 (1), and to the register of deeds of
7 the county of the owner's residence, memoranda, in such form as the department
8 prescribes, evidencing the notation of the security interest upon the certificate; and
9 thereafter, upon any assignment, termination or release of the security interest,
10 additional memoranda evidencing such action.

11 *-0056/1.20* SECTION 3181. 342.22 (1) (intro.) of the statutes is amended to
12 read:

13 342.22 (1) (intro.) Within one month or within 10 days following written
14 demand by the debtor after there is no outstanding obligation and no commitment
15 to make advances, incur obligations or otherwise give value, secured by the security
16 interest in a vehicle under any security agreement between the owner and the
17 secured party, the secured party shall mail or deliver the certificate of title for the
18 vehicle to the department if the secured party is in possession of the certificate and
19 shall also do one of the following:

20 *-0056/1.21* SECTION 3182. 342.22 (2) of the statutes is amended to read:

21 342.22 (2) ~~An~~ If an owner, other than a dealer holding the vehicle for resale,
22 is in possession of the owner's certificate of title, the owner, upon receipt of the release
23 and notice of obligation delivered under sub. (1) (a), shall promptly cause the
24 certificate and release to be mailed or delivered to the department, which shall
25 release the secured party's rights on the certificate and issue a new certificate. Upon

1 receipt of the notice under sub. (1) (b), the owner may, in the form and manner
2 prescribed by the department and without additional fee, deliver an application and
3 the certificate of title to the department and the department shall issue a new
4 certificate of title free of the security interest notation.

5 ***-0056/1.22* SECTION 3183.** 342.23 (2) (a) of the statutes is renumbered 342.23
6 (2) and amended to read:

7 342.23 (2) An owner or person in possession of the owner's certificate of title,
8 as shown by the records of the department, shall promptly deliver the owner's
9 certificate of title to any secured party who is named on it or who has a security
10 interest in the vehicle described in it under any other applicable prior law of this
11 state, upon receipt of a notice from such secured party that the security interest is
12 to be assigned, extended or perfected.

13 ***-0056/1.23* SECTION 3184.** 342.23 (2) (b) of the statutes is repealed.

14 ***-0056/1.24* SECTION 3185.** 342.23 (4) of the statutes is amended to read:

15 342.23 (4) Any owner or other person in possession of the owner's certificate
16 of title who fails to deliver the certificate of title to a secured party requesting it
17 pursuant to sub. (2) (~~a~~) shall be liable to such secured party for any loss caused to the
18 secured party thereby and may be required to forfeit not more than \$200.

19 ***-0321/4.1* SECTION 3186.** 343.03 (3r) of the statutes is created to read:

20 343.03 (3r) REAL ID NONCOMPLIANT LICENSE. If any license described under sub.
21 (3) is issued based upon the exception specified in s. 343.165 (7), the license shall, in
22 addition to any legend or label described in sub. (3), be marked in a manner
23 consistent with requirements under applicable federal law and regulations to
24 indicate that the license is issued in accordance with P.L. 109-13, section 202 (d) (11),

1 and is not intended to be accepted by any federal agency for federal identification or
2 any other official purpose.

3 ***-0321/4.2* SECTION 3187.** 343.06 (1) (L) of the statutes, as affected by 2007
4 Wisconsin Act 20, is amended to read:

5 343.06 (1) (L) To any person who does not satisfy the requirements under s.
6 343.165 (1).

7 ***-0429/2.1* SECTION 3188.** 343.065 (3) of the statutes is created to read:

8 343.065 (3) (a) If a person issued any commercial driver license under this
9 chapter authorizing operation of commercial motor vehicles in interstate commerce
10 does not have on file with the department a current certification specified in s. 343.14
11 (2) (i) 1. covering the person's physical qualifications, the department may
12 downgrade the commercial driver license to a restricted commercial driver license
13 under this section and impose a "K" restriction on the license.

14 (b) The department shall promulgate rules to define "downgrade" in
15 accordance with federal law and regulations or guidance from the applicable federal
16 agency, to establish the process for downgrading a commercial driver license and
17 whether or not a new commercial driver license document will be issued after a
18 commercial driver license is downgraded, and to establish the process for reinstating
19 a downgraded commercial driver license after the department receives from the
20 licensee a valid medical certification or other appropriate certification of physical
21 qualifications.

22 ***-0321/4.3* SECTION 3189.** 343.10 (7) (d) of the statutes, as affected by 2007
23 Wisconsin Act 20, is amended to read:

24 343.10 (7) (d) An occupational license issued by the department under this
25 subsection shall be in the form of a license that includes a photograph described in

1 s. 343.14 (3), unless the exception under s. 343.14 (3m) applies, and any special
2 restrictions cards under s. 343.17 (4). The license shall clearly indicate that
3 restrictions on a special restrictions card apply and that the special restrictions card
4 is part of the person's license.

5 ***-0321/4.4* SECTION 3190.** 343.11 (1) of the statutes is amended to read:

6 343.11 (1) The department shall not issue a license to a person previously
7 licensed in another jurisdiction unless such person surrenders to the department all
8 valid operator's licenses possessed by the person issued by any other jurisdiction,
9 which surrender operates as a cancellation of the surrendered licenses insofar as the
10 person's privilege to operate a motor vehicle in this state is concerned. When such
11 applicant surrenders the license to the department, the department shall issue a
12 receipt therefor, which receipt shall constitute a temporary license to operate a motor
13 vehicle for a period not to exceed 60 days if the applicant meets the standard required
14 for eyesight and, in the opinion of the examiner, is not a dangerous hazard to the
15 applicant and other users of the highways. ~~Except as provided in s. 343.055, the~~
16 ~~temporary license shall not be valid authorization for the operation of commercial~~
17 ~~motor vehicles.~~ The temporary license shall be surrendered to the examiner for
18 cancellation by the department if the 3rd attempt at the driving test is failed and the
19 applicant shall be required to secure a temporary instruction permit for further
20 practice driving.

21 ***-0321/4.5* SECTION 3191.** 343.11 (3) of the statutes is amended to read:

22 343.11 (3) Except as provided in sub. (1), the department may issue a receipt
23 to any applicant for a license, which receipt shall constitute a temporary license to
24 operate a motor vehicle while the application for license is being processed. Such
25 temporary license shall be valid for a period not to exceed ~~30~~ 60 days.

1 ***-0321/4.6* SECTION 3192.** 343.11 (3) of the statutes, as affected by 2011
2 Wisconsin Act (this act), is amended to read:

3 343.11 (3) Except as provided in sub. (1), the department may issue a receipt
4 to any applicant for a license, which receipt shall constitute a temporary license to
5 operate a motor vehicle while the application for license is being processed. Such
6 temporary license shall be valid for a period not to exceed 60 days. If the application
7 for a license is processed under the exception specified in s. 343.165 (7), the receipt
8 shall include the marking specified in s. 343.03 (3r).

9 ***-0321/4.7* SECTION 3193.** 343.14 (3) of the statutes, as affected by 2007
10 Wisconsin Act 20, is amended to read:

11 343.14 (3) The Except as provided in sub. (3m), the department shall, as part
12 of the application process, take a digital photograph including facial image capture
13 of the applicant to comply with s. 343.17 (3) (a) 2. No Except as provided in sub. (3m),
14 no application may be processed without the photograph being taken. Except as
15 provided in sub. (3m) and s. 343.165 (4) (d), in the case of renewal licenses, the
16 photograph shall be taken once every 8 years, and shall coincide with the appearance
17 for examination which is required under s. 343.16 (3).

18 ***-0321/4.8* SECTION 3194.** 343.14 (3m) of the statutes is created to read:

19 343.14 (3m) If the application for a license is processed under the exception
20 specified in s. 343.165 (7), the application may be processed and the license issued
21 or renewed without a photograph being taken of the applicant if the applicant
22 provides to the department an affidavit stating that the applicant has a sincerely
23 held religious belief against being photographed; identifying the religion to which he
24 or she belongs or the tenets of which he or she adheres to; and stating that the tenets
25 of the religion prohibit him or her from being photographed.

1 ***-0321/4.9*** SECTION 3195. 343.165 (1) (intro.) of the statutes, as created by
2 2007 Wisconsin Act 20, is amended to read:

3 343.165 (1) (intro.) The Subject to ss. 343.14 (3m) and 343.50 (4g), the
4 department may not complete the processing of an application for initial issuance or
5 renewal of an operator's license or identification card received by the department
6 after ~~May 10, 2008~~ the effective date of this subsection [LRB inserts date], and no
7 such license or identification card may be issued or renewed, unless the applicant
8 presents or provides, and, subject to sub. (7), the department verifies under sub. (3),
9 all of the following information:

10 ***-0321/4.10*** SECTION 3196. 343.165 (2) of the statutes, as created by 2007
11 Wisconsin Act 20, is amended to read:

12 343.165 (2) (a) The Subject to sub. (7), the department shall, in processing any
13 application for an operator's license or identification card under sub. (1), capture a
14 digital image of each document presented or provided to the department by an
15 applicant. Images captured under this paragraph shall be maintained, in electronic
16 storage and in a transferable format, in the applicant's file or record as provided
17 under ss. 343.23 (2) (a) and 343.50 (8) (a).

18 (b) The Subject to sub. (7), the department shall record in the applicant's file
19 under s. 343.23 (2) (a) or record under s. 343.50 (8) (a) the date on which verification
20 under subs. (1) and (3) is completed.

21 ***-0321/4.11*** SECTION 3197. 343.165 (3) (a) of the statutes, as created by 2007
22 Wisconsin Act 20, is amended to read:

23 343.165 (3) (a) Except as provided in pars. (b) and (c) and subject to sub. (7),
24 the department shall verify, in the manner and to the extent required under federal

1 law, each document presented or provided to the department that is required to be
2 presented or provided to the department by an applicant under sub. (1).

3 ***-0321/4.12* SECTION 3198.** 343.165 (4) (a) of the statutes, as created by 2007
4 Wisconsin Act 20, is amended to read:

5 343.165 (4) (a) Subsection (1) does not apply to an application for renewal of
6 an operator's license or identification card received by the department after ~~May 10,~~
7 ~~2008~~ the effective date of this paragraph ... [LRB inserts date], if in connection with
8 a prior application after ~~May 10, 2008~~ the effective date of this paragraph ... [LRB
9 inserts date], the applicant previously presented or provided, and the department
10 verified under sub. (3) or (7), the information specified in sub. (1) and, if verified
11 under sub. (3), the department recorded the date on which the verification
12 procedures were completed as described in sub. (2) (b).

13 ***-0321/4.13* SECTION 3199.** 343.165 (4) (c) of the statutes, as created by 2007
14 Wisconsin Act 20, is amended to read:

15 343.165 (4) (c) Notwithstanding pars. (a) and (b), no operator's license
16 displaying the legend required under s. 343.03 (3m) or identification card displaying
17 the legend required under s. 343.50 (3) (a) may be renewed unless the applicant
18 presents or provides valid documentary proof under sub. (1) (e) and this proof shows
19 that the status by which the applicant qualified for the license or identification card
20 has been extended by the secretary of the federal department of homeland security.

21 ***-0321/4.14* SECTION 3200.** 343.165 (4) (d) of the statutes, as created by 2007
22 Wisconsin Act 20, is amended to read:

23 343.165 (4) (d) With any license or identification card renewal following a
24 license or identification card expiration established under s. 343.20 (1m) or 343.50
25 (5) (c) at other than an 8-year interval, the department may determine whether the

1 applicant's photograph is to be taken, or if the renewal is for a license the applicant
2 is to be examined, or both, at the time of such renewal, so long as the applicant's
3 photograph is taken, and if the renewal is for a license the applicant is examined,
4 with a license or card renewal at least once every 8 years and the applicant's license
5 or identification card at all times includes a photograph unless an exception under
6 s. 343.14 (3m) or 343.50 (4g) applies.

7 ***-0321/4.15* SECTION 3201.** 343.165 (5) of the statutes, as created by 2007
8 Wisconsin Act 20, is amended to read:

9 343.165 (5) The department may, by rule, require that applications for
10 reinstatement of operator's licenses or identification cards, issuance of occupational
11 licenses, reissuance of operator's licenses, or issuance of duplicate operator's licenses
12 or identification cards, received by the department after ~~May 10, 2008~~ the effective
13 date of this subsection ... [LRB inserts date], be processed in a manner consistent
14 with the requirements established under this section for applications for initial
15 issuance or renewal of operator's licenses and identification cards.

16 ***-0321/4.16* SECTION 3202.** 343.165 (7) of the statutes is created to read:

17 343.165 (7) (a) The department may process an application for, and issue or
18 renew, an operator's license or identification card without meeting the requirements
19 under subs. (2) and (3) if all of the following apply:

20 1. The operator's license contains the marking specified in s. 343.03 (3r) or the
21 identification card contains the marking specified in s. 343.50 (3) (b).

22 2. The operator's license or identification card is processed and issued or
23 renewed in compliance with applicable department practices and procedures that
24 were in effect immediately prior to the effective date of this subdivision ... [LRB
25 inserts date].

1 (b) In addition to other instances of original issuance or renewal, this
2 subsection specifically applies to renewals occurring after the effective date of this
3 paragraph [LRB inserts date], of operator's licenses or identification cards
4 originally issued prior to the effective date of this paragraph ... [LRB inserts date].

5 ***-0321/4.17* SECTION 3203.** 343.17 (3) (a) 2. of the statutes is amended to read:

6 343.17 (3) (a) 2. A color photograph of the person, unless the exception under
7 s. 343.14 (3m) applies.

8 ***-0321/4.18* SECTION 3204.** 343.17 (3) (a) 14. of the statutes is created to read:

9 343.17 (3) (a) 14. If the license contains the marking specified in s. 343.03 (3r),
10 a distinctive appearance specified by the department that clearly distinguishes the
11 license from other operator's licenses or identification cards issued by the
12 department and that alerts federal agency and other law enforcement personnel that
13 the license may not be accepted for federal identification or any other official
14 purpose.

15 ***-0321/4.19* SECTION 3205.** 343.17 (5) of the statutes is amended to read:

16 343.17 (5) NO PHOTOS ON TEMPORARY LICENSES. The temporary licenses issued
17 under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b), and 343.305 (8) (a) shall be on
18 forms provided by the department and shall contain the information required by sub.
19 (3), except the license is that temporary licenses under ss. 343.16 (6) (b) and 343.305
20 (8) (a) are not required to include a photograph of the licensee.

21 ***-0321/4.20* SECTION 3206.** 343.17 (5) of the statutes, as affected by 2007
22 Wisconsin Act 20 and 2011 Wisconsin Act (this act), is repealed and recreated to
23 read:

24 343.17 (5) NO PHOTOS ON TEMPORARY LICENSES. The temporary licenses issued
25 under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b), and 343.305 (8) (a) shall be on

1 forms provided by the department and shall contain the information required by sub.
2 (3), except that temporary licenses under ss. 343.16 (6) (b) and 343.305 (8) (a) are not
3 required to include a photograph of the licensee. This subsection does not apply to
4 a noncitizen temporary license, as described in s. 343.03 (3m).

5 ***-0315/4.1* SECTION 3207.** 343.20 (2) (a) of the statutes is amended to read:

6 343.20 (2) (a) The At least 30 days prior to the expiration of an operator's
7 license, the department shall mail to the provide to the licensee notice of renewal of
8 the license either by mail at the licensee's last-known address of a licensee at least
9 30 days prior to the expiration of the license a notice of the date upon which the
10 license must be renewed or, if desired by the licensee, by any electronic means offered
11 by the department.

12 ***-0315/4.2* SECTION 3208.** 343.20 (2) (a) of the statutes, as affected by 2007
13 Wisconsin Act 20 and 2011 Wisconsin Act (this act), is repealed and recreated to
14 read:

15 343.20 (2) (a) At least 30 days prior to the expiration of an operator's license,
16 the department shall provide to the licensee notice of renewal of the license either
17 by mail at the licensee's last-known address or, if desired by the licensee, by any
18 electronic means offered by the department. If the license was issued or last renewed
19 based upon the person's presenting of any documentary proof specified in s. 343.14
20 (2) (es) 4. to 7., the notice shall inform the licensee of the requirement under s.
21 343.165 (4) (c).

22 ***-0315/4.3* SECTION 3209.** 343.20 (2) (b) of the statutes is amended to read:

23 343.20 (2) (b) Notwithstanding par. (a), at least 60 days prior to the expiration
24 of an "H" endorsement specified in s. 343.17 (3) (d) 1m., the department of
25 transportation shall ~~mail~~ provide a notice to the licensee either by mail at the

1 licensee's last-known address of the licensee or, if desired by the licensee, by any
2 electronic means offered by the department of transportation that the licensee is
3 required to pass a security threat assessment screening by the federal
4 transportation security administration of the federal department of homeland
5 security as part of the application to renew the endorsement. The notice shall inform
6 the licensee that the licensee may commence the federal security threat assessment
7 screening at any time, but no later than 30 days before expiration of the
8 endorsement.

9 ***-0316/1.1* SECTION 3210.** 343.21 (2) (a) of the statutes is renumbered 343.21
10 (2) (a) 1. and amended to read:

11 343.21 (2) (a) 1. In addition to the fees set under sub. (1), any applicant whose
12 application for a permit, license, upgrade or endorsement, taken together with the
13 applicant's currently valid license, if any, requires the department to administer a
14 driving skills test of the applicant's ability to exercise ordinary and reasonable
15 control in the operation of a motor vehicle shall pay to the department an
16 examination fee of \$20 for an examination in a commercial motor vehicle other than
17 a school bus, \$15 for an examination in a "Class D" vehicle, and \$15 for an
18 examination in any other vehicle. **Payment**

19 2. Except as provided in subd. 3., payment of the applicable examination fee
20 under subd. 1. entitles the applicant to not more than 3 tests of the applicant's ability
21 to exercise reasonable control in the operation of a motor vehicle. If the applicant
22 does not qualify for issuance of a license, upgraded license, or endorsement in 3 such
23 tests, then a 2nd examination fee in the same amount shall be paid, which payment
24 entitles the applicant to not more than 3 additional tests.

25 ***-0316/1.2* SECTION 3211.** 343.21 (2) (a) 3. of the statutes is created to read:

SECTION 3211

1 343.21 (2) (a) 3. For an examination in a "Class D" vehicle, payment of the
2 examination fee under subd. 1. entitles the applicant to not more than 2 tests of the
3 applicant's ability to exercise reasonable control in the operation of a motor vehicle.
4 If the applicant does not qualify for issuance of a license, upgraded license, or
5 endorsement in these 2 tests, then the applicant shall pay an additional examination
6 fee of \$15 for each examination thereafter.

7 ***-0040/P1.11* SECTION 3212.** 343.315 (2) (h) of the statutes is amended to
8 read:

9 343.315 (2) (h) Except as provided in par. (i), a person shall be disqualified for
10 a period of 90 days from operating a commercial motor vehicle if convicted of an
11 out-of-service violation, or 2 years if convicted of 2 out-of-service violations, or 3
12 years if convicted of 3 or more out-of-service violations, arising from separate
13 occurrences committed within a 10-year period while operating a commercial motor
14 vehicle. A disqualification under this paragraph shall be in addition to any penalty
15 imposed under s. 343.44. In this paragraph, "out-of-service violation" means
16 violating s. 343.44 (1) (c) or a law of another jurisdiction for an offense therein which,
17 if committed in this state, would have been a violation of s. 343.44 (1) (c), ~~by operating~~
18 ~~a commercial motor vehicle while the operator or vehicle is ordered out-of-service~~
19 ~~under the law of this state or another jurisdiction or under federal law~~, if the operator
20 holds a commercial driver license or is required to hold a commercial driver license
21 to operate the commercial motor vehicle.

22 ***-0040/P1.12* SECTION 3213.** 343.44 (1) (c) of the statutes is amended to read:

23 343.44 (1) (c) *Operating while ordered out-of-service.* No person may operate
24 a commercial motor vehicle while the person or the commercial motor vehicle is
25 ordered out-of-service under the law of this state or another jurisdiction or under

1 federal law. No person may operate a commercial motor vehicle for which the motor
2 carrier identified on the motor vehicle's registration application as the motor carrier
3 responsible for safety of the vehicle has been issued a federal out-of-service order
4 for unsatisfactory safety compliance, while this federal out-of-service order is in
5 effect.

6 ***-0321/4.21*** SECTION 3214. 343.50 (1) of the statutes is renumbered 343.50
7 (1) (a).

8 ***-0321/4.22*** SECTION 3215. 343.50 (1) of the statutes, as affected by 2007
9 Wisconsin Act 20 and 2011 Wisconsin Act (this act), is repealed and recreated to
10 read:

11 343.50 (1) (a) Subject to par. (b) and s. 343.165, the department shall issue to
12 every qualified applicant, who has paid all required fees, an identification card as
13 provided in this section.

14 (b) The department may not issue an identification card to a person previously
15 issued an operator's license in another jurisdiction unless the person surrenders to
16 the department any valid operator's license possessed by the person issued by
17 another jurisdiction, which surrender operates as a cancellation of the license insofar
18 as the person's privilege to operate a motor vehicle in this state is concerned. Within
19 30 days following issuance of the identification card under this section, the
20 department shall destroy any operator's license surrendered under this paragraph
21 and report to the jurisdiction that issued the surrendered operator's license that the
22 license has been destroyed and the person has been issued an identification card in
23 this state.

24 (c) The department may issue a receipt to any applicant for an identification
25 card, which receipt shall constitute a temporary identification card while the

1 application is being processed and shall be valid for a period not to exceed 60 days.
2 If the application for an identification card is processed under the exception specified
3 in s. 343.165 (7), the receipt shall include the marking specified in sub. (3) (b).

4 ***-0321/4.23* SECTION 3216.** 343.50 (1) (c) of the statutes is created to read:

5 343.50 (1) (c) The department may issue a receipt to any applicant for an
6 identification card, which receipt shall constitute a temporary identification card
7 while the application is being processed and shall be valid for a period not to exceed
8 60 days.

9 ***-0321/4.24* SECTION 3217.** 343.50 (3) of the statutes is amended to read:

10 343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as
11 an operator's license but shall be of a design which is readily distinguishable from
12 the design of an operator's license and bear upon it the words "IDENTIFICATION
13 CARD ONLY". The information on the card shall be the same as specified under s.
14 343.17 (3). The card may serve as a record of gift under s. 157.06 (2) (t) and the holder
15 may affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as
16 a record of refusal under s. 157.06 (2) (u). The Except as provided in sub. (4g), the
17 card shall contain the holder's photograph and, if applicable, shall be of the design
18 specified under s. 343.17 (3) (a) 12.

19 ***-0321/4.25* SECTION 3218.** 343.50 (3) of the statutes, as affected by 2007
20 Wisconsin Act 20 and 2011 Wisconsin Act ... (this act), is repealed and recreated to
21 read:

22 343.50 (3) DESIGN AND CONTENTS OF CARD. (a) The card shall be the same size
23 as an operator's license but shall be of a design which is readily distinguishable from
24 the design of an operator's license and bear upon it the words "IDENTIFICATION
25 CARD ONLY." The information on the card shall be the same as specified under s.