

**2013 DRAFTING REQUEST**

**Bill**

Received: 4/22/2013 Received By: rkite  
Wanted: As time permits Same as LRB:  
For: John Lehman (608) 266-1832 By/Representing: Beau Stafford  
May Contact: Drafter: rkite  
Subject: Nat. Res. - boats snomos ATVs Addl. Drafters:  
Nat. Res. - fish and game Extra Copies:

Submit via email: YES  
Requester's email: Sen.Lehman@legis.wisconsin.gov  
Carbon copy (CC) to:

**Pre Topic:**

No specific pre topic given

**Topic:**

Displaying an approval by digital means

**Instructions:**

See attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rkite 5/1/2013			_____			
/P1	rkite 5/28/2013	scalvin 5/2/2013	jfrantze 5/2/2013	_____	srose 5/2/2013		
/1		scalvin 6/6/2013	phenry 6/6/2013	_____	lparisi 6/6/2013	mbarman 6/7/2013	State

FE Sent For:

*at  
intro*

<END>

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/?	rkite 5/1/2013			_____			
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FE Sent For: 1 sac  
 06/06/2013  
 C/O PhK  
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1/?	rkite	1 PI SAC 05/02/2013		5/2			

FE Sent For:

<END>

## Gibson-Glass, Mary

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**From:** Stafford, Beau  
**Sent:** Monday, April 22, 2013 3:49 PM  
**To:** Gibson-Glass, Mary  
**Subject:** Bill Drafting  
**Attachments:** sb62.pdf

Mary –

We are looking to get a bill drafted that allows hunters, trappers fishermen, and recreational vehicle owners to be able to use digital proof of licensure. We just did a bill that allows an individual to use a cell phone or other device to prove they have insurance (I attached it for your reference). We want to be able to use that as a model for our bill. Here are the ideas I have initially:

- 1) I think this should apply to any type of recreational permit or license issued by the DNR for costumers (fishing license, deer hunting license, small game hunting license, ATV registration, boat registration, turkey hunting license, etc.)
- 2) If the person forges the document then the fine should be the same as not having a license or permit on their person at the time.

Any other thoughts or ideas are welcome, but that is what we are thinking so far. Thanks!

## Beau Stafford

Chief of Staff  
Office of Senator John Lehman  
21<sup>st</sup> Senate District  
319 South  
608-266-1832  
[Beau.stafford@legis.wisconsin.gov](mailto:Beau.stafford@legis.wisconsin.gov)

5/1/13

Called Beau - for the 1<sup>st</sup> version, don't require DNR to issue approvals in electronic form - allow licensee to take picture, or scan & upload, approval for display electronically



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-2226/

RNK:):.....

sec

RM  
run  
PI

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

In  
5/1

D-Note

1 AN ACT <sup>gen act</sup>...; **relating to:** carrying and displaying in electronic format certain  
2 approvals <sup>and safety certificates</sup> issued by the Department of Natural Resources.

***Analysis by the Legislative Reference Bureau***

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

3 SECTION 1. 23.33 (5) (b) 2. of the statutes is amended to read:  
4 23.33 (5) (b) 2. Any person who is required to hold an all-terrain vehicle or  
5 utility terrain vehicle safety certificate while operating an all-terrain vehicle or  
6 utility terrain vehicle shall carry the certificate on the all-terrain vehicle or utility  
7 terrain vehicle and shall display the certificate to a law enforcement officer on  
8 request. Persons enrolled in a safety certification program approved by the  
9 department may operate an all-terrain vehicle or utility terrain vehicle in an area

1 designated by the instructor. A person may carry a safety certificate or display a  
 2 safety certificate to a law enforcement officer in either printed or electronic format,  
 3 including by carrying or displaying an electronically scanned or photographic  
 4 reproduction of the safety certificate on a cellular telephone or other electronic  
 5 device. If the safety certificate is displayed to a law enforcement officer in electronic  
 6 format on any cellular telephone or other electronic device, the law enforcement  
 7 officer may not view, and displaying the certificate in electronic format is not  
 8 considered consent to view, any <sup>other</sup> content on the cellular telephone or other electronic  
 9 device except the safety certificate required to be carried or displayed under this  
 10 subdivision.

History: 1985 a. 29; 1987 a. 200, 353, 399, 403; 1989 a. 31, 275, 359; 1991 a. 39, 303, 315; 1993 a. 16, 105, 119, 405; 1995 a. 27 ss. 1350 to 1351, 9126 (19); 1995 a. 436, 448; 1997 a. 27, 248, 283; 1999 a. 9; 2001 a. 16, 90, 106, 109; 2003 a. 30, 97, 251, 326; 2005 a. 25, 253, 481; 2007 a. 20 ss. 664m to 666m, 9121 (6) (a); 2007 a. 27, 209; 2009 a. 85, 175, 252, 367; 2011 a. 35, 51, 208, 258; 13.92 (1) (m) 2.

11 **SECTION 2.** 29.024 (1) of the statutes is amended to read:

12 29.024 (1) APPROVALS REQUIRED. Except as specifically provided in this chapter,  
 13 ch. 169, or s. 95.55 (5), no person may hunt or trap in this state, fish in the waters  
 14 of this state or engage in any of the activities regulated under this chapter unless the  
 15 appropriate approval is issued to the person. A person shall carry the required  
 16 approval with him or her at all times while hunting, trapping, or fishing or engaged  
 17 in regulated activities unless otherwise required by this chapter or unless otherwise  
 18 authorized or required by the department. A person shall exhibit the approval to the  
 19 department or its wardens on demand. The person may exhibit the approval in  
 20 either printed or electronic format, including by display of an electronically scanned  
 21 or photographic reproduction of the approval on a cellular telephone or other  
 22 electronic device. If the approval is exhibited in electronic format on any cellular  
 23 telephone or other electronic device, the department or warden may not view, and  
 24 exhibiting the proof in electronic format is not considered consent to view, any

1

<sup>other</sup> content on the cellular telephone or other electronic device except the approval

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required under this subsection.

History: 1997 a. 248 ss. 90, 91, 123 to 134, 161; 1997 a. 249 ss. 1, 2; 1999 a. 9, 32; 2001 a. 17, 56, 105, 107, 109; 2003 a. 59, 249; 2005 a. 88, 387; 2007 a. 20, 65; 2009 a. 38; 2011 a. 169.

3

**SECTION 3.** 350.05 (2) (b) of the statutes is amended to read:

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350.05 (2) (b) Any person who is required to hold a snowmobile safety

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certificate while operating a snowmobile shall carry the certificate on the

6

snowmobile and shall display the certificate to a law enforcement officer on request.

7

Persons enrolled in a safety certification program approved by the department may

8

operate a snowmobile in an area designated by the instructor. A person may carry

9

a safety certificate or display a safety certificate to a law enforcement officer in either

10

printed or electronic format, including by carrying or displaying an electronically

11

scanned or photographic reproduction of the safety certificate on a cellular telephone

12

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16

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History: 1971 c. 277; 1973 c. 298; 1977 c. 402; 1991 a. 316; 1999 a. 9.

18

(END)

D-N

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

LRB-2226/?dn

RNK:.....

*SAC*

*-date-*

This draft allows a person who is required to display a hunting, fishing, or trapping approval to a law enforcement officer upon request to display a scanned or photographic reproduction of the approval on a cell phone or other electronic device. You had also asked that the draft also allow a person who is required to have a registration for a recreational vehicle such as an all-terrain vehicle (ATV) to be able to display the registration electronically. Under current law, generally, vehicles that are required to be registered by DNR are required to display the appropriate registration by a plate attached to the vehicle or by a decal affixed to the vehicle. As I understand it, there are no other registration documents that an owner must carry. Consequently, the draft does not include a provision authorizing an owner of an ATV or similar vehicle to display registration documents by electronic means.

Generally under current law, the owner of an ATV, utility terrain vehicle, or snowmobile must take an appropriate safety course. An owner who completes the safety course and receives a safety certificate must carry the certificate and display it to a law enforcement officer upon request. This draft allows a person who is required to display such a safety certificate to display the certificate electronically. Please let me know if this is not consistent with your intent.

Feel free to contact me if you have any questions about this draft.

Robin N. Kite  
Senior Legislative Attorney  
Phone: (608) 266-7291  
E-mail: robin.kite@legis.wisconsin.gov

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

LRB-2226/P1dn

RNK:sac:jf

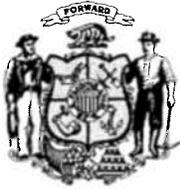
May 2, 2013

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Robin N. Kite  
Senior Legislative Attorney  
Phone: (608) 266-7291  
E-mail: robin.kite@legis.wisconsin.gov



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-2226/03

RNK:sac:jt

RM  
run

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

In  
728

gen cat

1 **AN ACT to amend** 23.33 (5) (b) 2., 29.024 (1) and 350.05 (2) (b) of the statutes;  
2 **relating to:** carrying and displaying in electronic format certain approvals and  
3 safety certificates issued by the Department of Natural Resources.

***Analysis by the Legislative Reference Bureau***

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

INSERT  
ANALYSIS

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9 request. Persons enrolled in a safety certification program approved by the





**2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2226/1ins.  
RNK:.....

**INSERT ANALYSIS**

Under current law, the Department of Natural Resources (DNR) administers a program of instruction on all-terrain vehicle (ATV) and utility terrain vehicle (UTV) laws and safety and a program of instruction on snowmobile laws and safety. With certain exceptions, a person must successfully complete the relevant safety program before operating an ATV, UTV, or snowmobile and must hold a safety certificate issued by DNR, another state, or a province of Canada that demonstrates successful completion of the program. Current law also requires the operator of the ATV, UTV, or snowmobile to carry the certificate when operating the respective vehicle and to display it upon the request of a law enforcement officer.

Current law also requires any person who holds a license, permit, or other approval (approval) from DNR that authorizes the person to hunt, trap, or fish in this state to carry the required approval while engaging in that activity. Current law requires that person to exhibit the approval to DNR or its wardens on demand.

This bill allows a person who is required to carry an ATV, UTV, or snowmobile safety certificate or an approval to carry the certificate or approval in either printed or electronic format including by carrying an electronically scanned or photographic reproduction of the certificate or approval on a cellular telephone or other electronic device. The bill also allows the person to display the certificate or approval to a law enforcement officer or warden in either printed or electronic format.

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

**Barman, Mike**

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**From:** Stromme, Denise  
**Sent:** Friday, June 07, 2013 8:53 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -2226/1 Topic: Displaying an approval by digital means

Please Jacket LRB -2226/1 for the SENATE.