



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2013 Assembly Bill 737**

**Assembly Amendment 4**

*Memo published:* February 13, 2014      *Contact:* Jessica Karls-Ruplinger, Senior Staff Attorney (266-2230)

### CURRENT LAW

Under current law, if a person is convicted of a traffic violation, the court must forward the record of conviction to the Department of Transportation (DOT). DOT must enter the conviction in the person's driving record maintained by DOT.

### 2013 ASSEMBLY BILL 737

The bill requires DOT to contract with a vendor to develop and administer a driver improvement course and database. The bill provides that the contract must require the vendor to perform certain functions, including developing the driver improvement course curriculum and requirements and developing and maintaining a computerized statewide database that includes identification of persons who have successfully completed a driver improvement course. Information in the database concerning a person is maintained for the life of that person.

Under the bill, a person issued a citation for a traffic regulation is eligible to attend a driver improvement course, except that a person is not eligible if any of the following applies:

- The violation occurred while the person was operating a commercial motor vehicle or was operating any motor vehicle and held a commercial driver license at the time of the violation.
- The violation is a violation for which DOT may assess four or more demerit points.
- The citation was issued to the person for violating two or more traffic regulations arising from the same incident or occurrence.

- The violation for which the citation is issued is one that requires suspension or revocation of the person's operating privilege.
- At the time of the violation, the person did not hold a valid operator's license for the class or type of vehicle being operated.
- Within the 18-month period immediately preceding the violation for which the citation is issued, the person successfully completed a driver improvement course.

In addition, the bill requires each uniform traffic citation to advise the person to whom the citation is issued of all of the following: (1) that the person may have the option of attending a driver improvement course; (2) that there may be advantages to the person in attending a driver improvement course, as well as the deadline by which the course must be successfully completed to gain these advantages; and (3) a toll-free telephone number and Internet site address through which the person can obtain further information about attending a driver improvement course. Such information is not required to be included on a uniform traffic citation if the officer issuing the citation provides to the person to whom the citation is issued a card that contains the same information.

Lastly, the bill provides that upon receiving a notice that a person has successfully completed a driver improvement course, a court may not forward to DOT a record of conviction for the traffic regulation violation identified in the notice.

#### **ASSEMBLY AMENDMENT 4**

The amendment makes the following changes to the bill:

- Deletes the provisions relating to required information on a uniform traffic citation or card.
- Provides that information in the database concerning a person is maintained for five years, rather than for the life of that person.
- Provides that a person who, at the time of the violation, did not hold a valid operator's license, *which is not revoked, suspended, canceled, or expired*, for the class or type of vehicle being operated is not eligible to attend a driver improvement course.

#### **BILL HISTORY**

Assembly Amendment 4 was offered by Representative J. Ott. On February 13, 2014, the Assembly Committee on Judiciary recommended adoption of the amendment and passage of Assembly Bill 737, as amended, on votes of Ayes, 6; Noes, 3.

JKR:jal