

# State of Wisconsin



2017 Assembly Bill 98

Date of enactment: **December 8, 2017**

Date of publication\*: **December 9, 2017**

## 2017 WISCONSIN ACT 124

AN ACT *to amend* 343.301 (2m) (a), 347.413 (1) and 347.50 (1t) of the statutes; **relating to:** court orders regarding the installation of an ignition interlock device and providing a criminal penalty.

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

**SECTION 1.** 343.301 (2m) (a) of the statutes is amended to read:

343.301 (2m) (a) If the court enters an order under sub. (1g) (am) 1., ~~the court shall restrict the restriction of the person's operating privilege under the order under sub. (1g) (am) 1. shall begin on the date the order under sub. (1g) (am) 1. is issued and extend for a period of not less than one year after the date the department issues any license granted under this chapter~~ nor more than the maximum operating privilege revocation period permitted for the refusal or violation, ~~beginning on the date the department issues any license granted under this chapter, after the date the department issues any license granted under this chapter~~ except that if the maximum operating privilege revocation period is less than one year, ~~the court shall restrict the restriction of the person's operating privilege under sub. (1g) (am) 1. shall extend for a period of one year.—The after the department issues any license granted under this chapter. If the court enters an order under sub. (1g) (am) 1., the court may order the installation of specify the date by which an ignition interlock device under sub. (1g) (am) 1. immediately upon issuing an order under sub. (1g) (am) 1. shall be installed.~~

**SECTION 2.** 347.413 (1) of the statutes is amended to read:

347.413 (1) No person may remove, disconnect, tamper with, or otherwise circumvent the operation of an ignition interlock device installed in response to the court order under s. 346.65 (6), 1999 stats., or s. 343.301 (1), 2007 stats., or s. 343.301 (1g), or fail to have the ignition interlock device installed as ordered by the court, ~~or violate a court order under s. 343.301 (1g) restricting the person's operating privilege.~~ This subsection does not apply to the removal of an ignition interlock device upon the expiration of the order requiring the motor vehicle to be so equipped or to necessary repairs to a malfunctioning ignition interlock device by a person authorized by the department.

**SECTION 3.** 347.50 (1t) of the statutes is amended to read:

347.50 (1t) In addition to the penalty under sub. (1s), if a person who is subject to an order under s. 343.301 violates s. 347.413, the court shall extend the order ~~restricting the person's operating privilege~~ under s. 343.301 (1g) or (2m) for 6 months for each violation.

**SECTION 4. Initial applicability.**

(1) This act first applies to a court order issued on the effective date of this subsection.

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\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."