



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2017 Wisconsin Act 363
[2017 Assembly Bill 844]

**Department of Transportation
Remedial Legislation**

2017 Wisconsin Act 363 is remedial legislation introduced by the Law Revision Committee, at the request of the Department of Transportation (DOT), and makes changes relating to planning for certain federal highway money distribution transfers, penalties for violations of motor vehicle mileage disclosure requirements, and certain cross-references.

The Act does the following:

- Eliminates the requirement that the DOT must annually prepare a plan, in consultation with the Council on Highway Safety, Department of Health Services, and the Emergency Medical Services Board, to use federal funds transferred to highway safety funding as a penalty under 23 U.S.C. s. 153 (h). The Act provides instead that DOT must prepare the plan only in years in which it expects a penalty transfer of federal funds will occur, and removes the requirement that DOT consult with the Council on Highway Safety before preparing the plan.
- Eliminates language that provides a person may be fined not more than \$5,000 or imprisoned for not more than seven years and six months, or both, for certain violations of motor vehicle mileage disclosure requirements. The Act retains current language that the penalty for such violations is a Class H Felony.
- Eliminates references to the no longer extant Interstate Commerce Commission and replaces those references with references to the federal Surface Transportation Board.
- Eliminates references to state motor carrier certificates for interstate operation that are no longer required by federal law.
- Corrects a cross-reference to clarify certain penalties related to operating a motor vehicle while intoxicated.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

Effective date: The Act took effect on April 18, 2018, and the changes relating to certain violations of motor vehicle mileage disclosure requirements first apply to offenses committed on that day.

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