



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2017 Assembly Bill 98

Assembly Amendment 1

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BACKGROUND

In general, current law requires a court to order that a person's motor vehicle operating privilege be restricted to operating vehicles that are equipped with an ignition interlock device (IID) if a person commits certain operating while intoxicated (OWI) offenses. The exception to this requirement is if the court orders the person to participate in a 24/7 sobriety program. The operating privilege restriction begins on the date that the Department of Transportation (DOT) issues an operator's license and remains in place for not less than one year nor more than the maximum operating privilege revocation period as provided under current law.

Current law provides that a court may order that the IID be installed immediately upon issuing the order that the person's operating privilege be restricted to operating a vehicle with an IID.

A person who violates the operating privilege restriction by failing to install, removing, disconnecting, or otherwise tampering with the IID may be fined not less than \$150 nor more than \$600, imprisoned for not more than six months, or both, for the first violation. For a second or subsequent violation of this IID provision, the person may be fined not less than \$300 nor more than \$1,000, or imprisoned for not more than six months, or both.

2017 ASSEMBLY BILL 98

2017 Assembly Bill 98 (the bill) provides that when a court orders that a person's operating privilege be restricted to operating a vehicle with an IID, the court may specify the date by which the device must be installed. The bill also provides that the operating privilege restriction takes effect immediately upon issuance of the order that the person's operating privilege be restricted with an IID. The operating privilege restriction remains in place for not

less than one year after DOT issues an operator's license nor more than the maximum operating privilege revocation period after DOT issues an operator's license.

In addition to the penalties listed above, the bill provides that if a person violates the IID operating privilege restriction, the court must extend the IID operating privilege restriction by six months for each violation.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 (AA 1) amends the bill to clarify that the IID restriction of the person's operating privilege must begin on the date of the court order.

BILL HISTORY

AA 1 was introduced by Representative Ott on March 22, 2017. On April 6, 2017, the Assembly Committee on Criminal Justice and Public Safety voted to recommend adoption of AA 1 by a vote of Ayes, 12; Noes, 0; and voted to recommend passage of the bill, as amended, by a vote of Ayes, 11; Noes, 1.

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