



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2017 Senate Bill 135

**Assembly
Amendment 1**

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2017 SENATE BILL 135

2017 Senate Bill 135 provides that the Department of Transportation (DOT) must permanently revoke the operating privilege of a person if the person's total number of convictions for homicide by intoxicated use of a motor vehicle and homicide by negligent operation of a motor vehicle, in the person's lifetime, plus the person's total number of operating while intoxicated (OWI) offenses equals four or more.

The bill also requires DOT to permanently revoke a person's license if the person's total number of convictions for homicide by intoxicated use of a motor vehicle and homicide by negligent operation of a motor vehicle, in the person's lifetime, plus the person's total number of OWI offenses, within a 25-year period, equals two or more, and the person has two or more qualifying convictions. The bill defines "qualifying conviction" to mean any of the following:

- A conviction for second-degree reckless homicide; homicide by intoxicated use of a motor vehicle; or homicide by negligent operation of a motor vehicle.
- A conviction for a crime punishable as a felony under the motor vehicle code or a felony in the commission of which a motor vehicle is used.

A person who is permanently revoked under any of these provisions is not eligible for an occupational license. The bill provides that a person may apply for reinstatement after 10 years of the revocation period have elapsed if certain requirements are satisfied.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 modifies the first circumstance described above under which DOT shall permanently revoke a person's license. The amendment requires DOT to

permanently revoke the operating privilege of a person if the person's total number of convictions for homicide by intoxicated use of a motor vehicle and homicide in the person's lifetime, plus the person's total number of OWI offenses equal four or more and the fourth conviction, suspension, or revocation occurs within 15 years of the previous conviction, suspension, or revocation.

BILL HISTORY

Representative Spiros offered Assembly Amendment 1 to 2017 Senate Bill 135 on February 22, 2018. On the same day, the Assembly voted to adopt Assembly Amendment 1 and pass Senate Bill 135, as amended.

DM:jal