

CHAPTER 554

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CHAPTER 554

AN ACT to amend 48.36 (1) (a), (2) (a) and (c) and (3) and 343.30 (2); and to create 48.34 (1) (g) of the statutes, relating to juvenile traffic cases.

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

SECTION 1. 48.34 (1) (g) of the statutes is created to read:

48.34 (1) (g) The court shall restrict, suspend or revoke the operating privilege of a person under 18 years of age under the circumstances stated in s. 48.36 and may restrict, suspend or revoke the operating privilege where there is a finding of delinquency.

SECTION 2. 48.36 (1) (a), (2) (a) and (c) and (3) of the statutes are amended to read:

48.36 (1) (a) In cases of moving vehicle violations, it shall either *restrict*, suspend or revoke the child's operating privilege upon the first violation and shall revoke such operating privilege upon a second or subsequent violation. In case of a violation of s. 346.93, whether or not considered to be a moving traffic violation, it may suspend, but may not revoke, the child's operating privilege upon the first violation and may suspend or revoke such operating privilege upon a second or subsequent violation. Immediately upon suspending or revoking the operating privilege, the court shall take possession of any motor vehicle operator's license or instruction permit which had been issued to such child and mail it with a report of the violation to the state motor vehicle department as required by ss. 343.28 and 343.30. In addition the court may require the child to attend traffic safety school as provided in s. 345.16 or may adjudge him delinquent and proceed under s. 48.34.

(2) (a) In cases of moving vehicle violations, it shall not impose a forfeiture but shall either *restrict*, suspend or revoke the child's operating privilege upon the first violation and shall revoke such operating privilege upon a second or subsequent violation. In case of a violation of s. 346.93, whether or not considered to be a moving traffic violation, it may suspend, but may not revoke, the child's operating privilege upon the first violation and may suspend or revoke such operating privilege upon a second or subsequent violation. Immediately upon suspending or revoking the operating privilege, the court shall take possession of any motor vehicle operator's license or instruction permit which had been issued to such child and mail it with a report of the violation to the state motor vehicle department as required by ss. 343.28 and 343.30.

(c) In case of moving traffic violations during a period of *restriction*, suspension or revocation under par. (a), it may impose a forfeiture in accordance with the terms of the ordinance and may enforce payment of the forfeiture by an extension of the period of *restriction*, suspension or revocation for not to exceed one year, or until payment of the forfeiture.

(3) *Restrictions*, suspensions and revocations under subs. (1) (a) and (2) (a) shall be for a period of not less than 30 days nor more than one year, except that if a child is under 16 years of age when his operating privilege is suspended, the period of suspension shall run at least 30 days beyond such child's sixteenth birthday and, in the discretion of the court,

may run for one year beyond such date. *Restrictions under subs. (1) (a) and (2) (a) shall be indorsed upon the operator's license and notice of such restriction forwarded to the motor vehicle department.*

SECTION 3. 343.30 (2) of the statutes is amended to read:

343.30 (2) A court shall * * * *restrict, suspend or revoke* the operating privilege of a person under 18 years of age under the circumstances stated in s. 48.36 and *may restrict, suspend or revoke the operating privilege where there is a finding of delinquency. Any such restrictions shall be indorsed upon the operator's license and notice of such restriction forwarded to the motor vehicle department.*

Approved May 25, 1964.
