



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBs0257/1
EVM:amn/kjf/klm

**SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 415**

January 29, 2018 - Offered by Senator TESTIN.

1 **AN ACT** *to amend* 343.50 (4); and *to create* 341.08 (2) (ag), 341.08 (8), 343.14 (2)
2 (k) and 343.14 (8) of the statutes; **relating to:** reporting on an operator license
3 or identification card or vehicle registration application the existence of a
4 disability that is not immediately apparent to another.

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

5 **SECTION 1.** 341.08 (2) (ag) of the statutes is created to read:
6 341.08 (2) (ag) A statement that a form on which the applicant may indicate
7 to law enforcement officers the existence of an invisible disability is available on the
8 department's Internet site and at local examining centers. The department shall
9 make available on its Internet site and at each local examining center a separate
10 form on which an applicant may indicate that he or she has a disability that may not
11 be immediately apparent to another. The form shall include the following statement

1 together with a set of check boxes allowing a person to indicate that the person
2 wishes to disclose the condition indicated by the check box. “I have an invisible
3 disability that I wish to disclose to law enforcement officers and that may include:

4 Appears deaf or unable to understand.

5 Has difficulty speaking or communicating.

6 Engages in repetitive or self-stimulating behaviors such as rocking or hand
7 flapping.

8 Appears anxious, nervous, or upset.

9 Becomes agitated due to physical contact or stressful situations.

10 Acts indifferent or unresponsive.

11 Other (provide brief description).” The department shall inform the applicant
12 that an indication under this paragraph will be available to law enforcement officers
13 and employees of the department.

14 **SECTION 2.** 341.08 (8) of the statutes is created to read:

15 341.08 (8) (a) The department shall maintain a record of applicants who file
16 a form under sub. (2) (ag). In the event of a request of a law enforcement officer or
17 other appropriate person, as determined by the department, for application
18 information, the department shall examine its record of applicants who have
19 indicated a disability that may not be immediately apparent to another and shall
20 advise the law enforcement officer or other person as to whether the applicant is
21 recorded as a person who has indicated a disability that may not be immediately
22 apparent to another and as to any condition that has been disclosed under sub. (2)
23 (ag).

24 (b) Upon request by a person, the department shall remove any information
25 related to that person from the record under par. (a).

1 **SECTION 3.** 343.14 (2) (k) of the statutes is created to read:

2 343.14 **(2)** (k) A statement that a form on which the applicant may indicate to
3 law enforcement officers the existence of an invisible disability is available on the
4 department's Internet site and at local examining centers. The department shall
5 make available on its Internet site and at each local examining center a separate
6 form on which an applicant may indicate that he or she has a disability that may not
7 be immediately apparent to another. The form shall include the following statement
8 together with a set of check boxes allowing a person to indicate that the person
9 wishes to disclose the condition indicated by the check box. "I have an invisible
10 disability that I wish to disclose to law enforcement officers and that may include:

11 Appears deaf or unable to understand.

12 Has difficulty speaking or communicating.

13 Engages in repetitive or self-stimulating behaviors such as rocking or hand
14 flapping.

15 Appears anxious, nervous, or upset.

16 Becomes agitated due to physical contact or stressful situations.

17 Acts indifferent or unresponsive.

18 Other (provide brief description)." The department shall inform the applicant
19 that an indication under this paragraph will be available to law enforcement officers
20 and employees of the department.

21 **SECTION 4.** 343.14 (8) of the statutes is created to read:

22 343.14 **(8)** (a) The department shall maintain a record of applicants who file
23 a form under sub. (2) (k). In the event of a request of a law enforcement officer or
24 other appropriate person, as determined by the department, for application
25 information, the department shall examine its record of persons who have indicated

1 a disability that may not be immediately apparent to another and shall advise the
2 law enforcement officer or other person as to whether the person is recorded as a
3 person who has indicated a disability that may not be immediately apparent to
4 another and as to any condition that has been disclosed under sub. (2) (k).

5 (b) Upon request by a person, the department shall remove any information
6 related to that person from the record under par. (a).

7 **SECTION 5.** 343.50 (4) of the statutes is amended to read:

8 343.50 (4) APPLICATION. The application for an identification card shall include
9 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),
10 (es), (gh), and (j), and (k), and such further information as the department may
11 reasonably require to enable it to determine whether the applicant is entitled by law
12 to an identification card. Except with respect to renewals described in s. 343.165 (4)
13 (d) or renewals by mail or electronic means as authorized under sub. (6), and except
14 as provided in sub. (4g), the department shall, as part of the application process for
15 original issuance or renewal of an identification card, take a digital photograph
16 including facial image capture of the applicant to comply with sub. (3).
17 Misrepresentations in violation of s. 343.14 (5) are punishable as provided in s.
18 343.14 (9).

19 **SECTION 6. Initial applicability.**

20 (1) This act first applies to applications that are made on the effective date of
21 this subsection.

22 **SECTION 7. Effective date.**

23 (1) This act takes effect on January 1, 2019.

24 (END)