



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2015 Senate Bill 158**

**Senate Amendments 1 and 2**

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### **2015 SENATE BILL 158**

The bill contains several provisions that prohibit a person who holds a commercial driver license (CDL) from engaging in certain conduct. One provision prohibits a person from driving a commercial motor vehicle (CMV) while using a cellular or other wireless telephone, except to report an emergency.

### **SENATE AMENDMENT 1**

Senate Amendment 1 narrows the provision in the bill that prohibits a person from driving a CMV while using a telephone. Specifically, Senate Amendment 1 prohibits a person from driving a CMV while using a telephone only if doing so requires the driver to: (1) use one or both hands to hold the telephone or any accessory connected to the telephone; (2) press more than a single button in order to dial or answer the telephone; or (3) reach for the telephone in a manner that requires the driver to maneuver so that he or she is no longer in a seated driving position.

### **SENATE AMENDMENT 2**

Federal law provides that a person is ineligible to receive a CDL if he or she has been diagnosed with diabetes that requires insulin for control.

Wisconsin statutes, unchanged by the bill, provide that a person who is ineligible for a CDL because of inability to meet federal physical qualifications is eligible to receive a restricted CDL that authorizes a person to operate a CMV only within the state.

Senate Amendment 2 specifies that a person is ineligible for a restricted CDL if the person has diabetes controlled by insulin and, within the past three years, has had any moving violation

or reportable at-fault accident due to diabetes while operating any motor vehicle. The amendment also prohibits the Wisconsin Department of Transportation from establishing a more restrictive eligibility standard relating to these provisions.

**BILL HISTORY**

Senator Petrowski introduced Senate Amendment 1 and Senator Marklein introduced Senate Amendment 2. On October 13, 2015, the Senate Committee on Transportation and Veterans Affairs recommended adoption of both amendments and passage of the bill, as amended, on votes of Ayes, 5; Noes, 0.

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