

State of Misconsin 2007 - 2008 LEGISLATURE

# 2007 ASSEMBLY BILL 593

November 29, 2007 – Introduced by LAW REVISION COMMITTEE. Referred to Committee on Transportation.

AN ACT to amend 343.305 (8) (d) of the statutes; relating to: the issuance of motor vehicle occupational licenses after certain operating privilege suspensions (suggested as remedial legislation by the Department of Transportation).

### Analysis by the Legislative Reference Bureau

Under current law, with respect to the offense of operating a motor vehicle while under the influence of an intoxicant, controlled substance, or other drug (OWI), if a person submits to a test to determine the presence or quantity in his or her blood of alcohol or restricted controlled substances and the test results indicate a prohibited alcohol concentration or the presence of restricted controlled substances, the law enforcement officer administering the test must report the results to the Department of Transportation. The person's motor vehicle operating privilege is then administratively suspended for six months.

This bill clarifies that a person whose operating privilege is administratively suspended in this manner is immediately eligible for an occupational license.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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

#### **ASSEMBLY BILL 593**

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Transportation and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes a clarifying change in the statutes, and that this change is desirable as a matter of public policy.

#### **SECTION 1.** 343.305 (8) (d) of the statutes is amended to read:

## 2 343.305 (8) (d) A person who has his or her operating privilege

#### 3 administratively suspended under this subsection <u>and sub. (7) (a)</u> is eligible for an

4 occupational license under s. 343.10 at any time.

NOTE: Subsection (7) (a) imposes the administrative suspension. The reference in the current provision to "this subsection" is to sub. (8), which set forth the procedure for the administrative suspension. The additional cross-reference removes any doubt about immediate eligibility for an occupational license.

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#### (END)