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LRB-3670/1 ARG:bjk:md

## **2009 SENATE BILL 487**

January 25, 2010 - Introduced by LAW REVISION COMMITTEE. Referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

1 AN ACT to repeal 351.07 (1m); and to amend 351.07 (2) of the statutes; relating

**to:** motor vehicle occupational licenses issued by the Department of Transportation (suggested as remedial legislation by the Department of Transportation).

## Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions and limitations, a person may apply to the Department of Transportation (DOT) for an occupational license if the person's operating privilege is revoked or suspended for various specified offenses and the person is engaged in an occupation or trade, including study or homemaking, making it essential that he or she operate a motor vehicle. However, DOT may not issue an occupational license authorizing the operation of a commercial motor vehicle.

This bill clarifies current law by repealing a provision indicating that the holder of an occupational license may apply for authorization to operate commercial motor vehicles.

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:

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Transportation and introduced by the Law

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Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

- **Section 1.** 351.07 (1m) of the statutes is repealed.
- 2 **Section 2.** 351.07 (2) of the statutes is amended to read:
  - 351.07 **(2)** Upon conviction of a person who is issued an occupational license as provided by sub. (1) or (1m) of 2 offenses under s. 351.02 (1) (b) committed within one year following issuance of the occupational license or of one offense under s. 351.02 (1) (a) or 4 offenses under s. 351.02 (1) (b) committed within 3 years following issuance of the occupational license, the secretary shall proceed under s. 351.025.

Note: Both federal and state laws prohibit the issuance of occupational licenses for the operation of commercial motor vehicles. This bill repeals a section of current law that was not repealed when this change to state law was made in 2003 Wisconsin Act 33.

8 (END)