



2013 ASSEMBLY BILL 829

February 27, 2014 - Introduced by Representatives BIES, MASON and PASCH, cosponsored by Senators GROTHMAN, HARRIS, PETROWSKI and RISSER. Referred to Committee on Transportation.

1 **AN ACT to amend** 345.47 (1) (b) and 800.095 (1) (a) (intro.), 3. and 4. of the
2 statutes; **relating to:** suspension of operating privilege for failure to pay
3 monetary judgment.

Analysis by the Legislative Reference Bureau

Current law permits a court to suspend for up to two years the operating privilege of an individual who has failed to pay a monetary judgment entered against the individual. This bill reduces the maximum time for which the operating privilege may be suspended by a court under these circumstances from two years to one year.

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

4 **SECTION 1.** 345.47 (1) (b) of the statutes is amended to read:
5 345.47 (1) (b) In lieu of imprisonment and in addition to any other suspension
6 or revocation, that the defendant's operating privilege be suspended. The operating
7 privilege shall be suspended for 30 days or until the person pays the forfeiture, plus
8 costs, fees, and surcharges imposed under ch. 814, but not to exceed ~~2 years~~ one year.

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1 If the defendant has notified the court that he or she is unable to pay the judgment
2 because of poverty, and if the court, using the criteria in s. 814.29 (1) (d), determines
3 that the defendant is unable to pay the judgment because of poverty, the court may
4 not suspend the defendant's operating privilege without first providing the
5 defendant with an opportunity to pay the judgment in installments, taking into
6 account the defendant's income. Suspension under this paragraph shall not affect
7 the power of the court to suspend or revoke under s. 343.30 or the power of the
8 secretary to suspend or revoke the operating privilege. This paragraph does not
9 apply if the judgment was entered solely for violation of an ordinance unrelated to
10 the violator's operation of a motor vehicle.

11 **SECTION 2.** 800.095 (1) (a) (intro.), 3. and 4. of the statutes are amended to read:

12 800.095 (1) (a) (intro.) Suspension of the defendant's operating privilege until
13 the defendant pays the judgment, but not to exceed ~~2 years~~ one year. If the court
14 orders suspension under this paragraph, all of the following apply:

15 3. If the judgment remains unpaid at the end of the ~~2-year~~ one-year
16 suspension, the court may not order a further suspension of operating privileges in
17 relation to the outstanding judgment.

18 4. Serving the complete ~~2-year~~ one-year suspension of the defendant's
19 operating privilege does not relieve the defendant of the responsibility to pay the
20 judgment.

21 (END)