



2001 ASSEMBLY BILL 241

March 22, 2001 - Introduced by Representatives STONE, SUDER, LADWIG, FREESE, GRONEMUS, URBAN, OLSEN, ALBERS, TOWNSEND, OTT, COLON, TURNER, MUSSER, KRAWCZYK, LA FAVE, KREUSER and GUNDERSON, cosponsored by Senators BRESKE, SCHULTZ, FARROW, GROBSCHMIDT, BURKE and ROESSLER, by request of United States Department of State. Referred to Committee on Highway Safety.

1 **AN ACT** *to renumber* 345.11 (7); and *to create* 345.11 (7) (b) and 346.70 (4) (i)
2 of the statutes; **relating to:** requiring law enforcement officers to report traffic
3 violations and accidents involving any foreign diplomat to the federal
4 department of state.

Analysis by the Legislative Reference Bureau

Under current law, law enforcement officers use the uniform traffic citation form to cite motor vehicle operators for any of several moving traffic violations. Also under current law, a law enforcement officer is required to prepare an accident report for any motor vehicle accident that results in death or injury to a person or more than \$200 damage to private or government property or more than \$1,000 damage to a government-owned vehicle. The officer must forward the accident report to the department of transportation within 10 days of the accident.

This bill requires law enforcement officers to forward a copy of the uniform traffic citation to the office of foreign missions within the federal department of state whenever a diplomat is cited for a moving traffic violation and to forward a copy of the accident report to the office of foreign missions within the federal department of state whenever a diplomat is involved in a reportable accident. This bill also requires law enforcement officers to verify the status of the person claiming diplomatic status.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 345.11 (7) of the statutes is renumbered 345.11 (7) (a).

2 **SECTION 2.** 345.11 (7) (b) of the statutes is created to read:

3 345.11 (7) (b) Whenever a law enforcement officer issues a uniform traffic
4 citation to an operator who displays a driver's license issued by the federal
5 department of state or otherwise claims immunities or privileges under 22 USC 254a
6 to 258a with respect to the operator's violation of any state traffic law or any local
7 traffic law enacted by any local authority in accordance with s. 349.06, the officer
8 shall:

9 1. As soon as practicable, contact the diplomatic security command center of
10 the office of foreign missions, diplomatic motor vehicle office, within the federal
11 department of state, to verify the status and immunity, if any, of the operator.

12 2. Within 10 days after the citation is issued, forward a copy of the uniform
13 traffic citation, at no charge, to the diplomatic security command center of the office
14 of foreign missions, diplomatic motor vehicle office, within the federal department
15 of state.

16 **SECTION 3.** 346.70 (4) (i) of the statutes is created to read:

17 346.70 (4) (i) Whenever a law enforcement officer investigates or receives a
18 report of a traffic accident subject to sub. (1), in which the operator of any vehicle
19 involved in the accident displays a driver's license issued by the federal department
20 of state or otherwise claims immunities or privileges under 22 USC 254a to 258a with
21 respect to the operator's violation of any state traffic law or any local traffic law

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1 enacted by any local authority in accordance with s. 349.06, the officer shall do all
2 of the following:

3 1. As soon as practicable, contact the diplomatic security command center of
4 the office of foreign missions, diplomatic motor vehicle office, within the the federal
5 department of state, to verify the status and immunity, if any, of the driver claiming
6 diplomatic immunity.

7 2. Within 10 days after the date of the accident, forward a copy of the report of
8 the accident, at no charge, to the diplomatic security command center of the office of
9 foreign missions, diplomatic motor vehicle office, within the federal department of
10 state.

11 **SECTION 4. Initial applicability.**

12 (1) The treatment of section 345.11 (7) (b) of the statutes first applies to traffic
13 citations for violation of any state traffic law, or any local traffic law enacted by any
14 local authority in accordance with section 349.06 of the statutes, issued on the
15 effective date of this subsection.

16 (2) The treatment of section 346.70 (4) (i) of the statutes first applies to
17 accidents occurring on the effective date of this subsection.

18 **SECTION 5. Effective date.**

19 (1) This act takes effect on the first day of the 7th month after publication.

20 (END)