

1987 Assembly Bill 581

Date of enactment: April 20, 1988  
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## 1987 Wisconsin Act 302

AN ACT to amend 346.71; and to create 346.71 (3) of the statutes, relating to reporting deaths resulting from motor vehicle accidents and taking of blood specimens from certain accident victims.

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

SECTION 1. 346.71 of the statutes is amended to read:

**346.71 Coroners or medical examiners to report; require blood specimen.** (1) Every coroner or medical examiner shall, on or before the 10th day of each month, report in writing any accident involving a motor vehicle occurring within the coroner's or medical examiner's jurisdiction resulting in the death of any person within the jurisdiction during the preceding calendar month as the result of an accident involving a motor vehicle and the circumstances of such accidents. If the accident involved an all-terrain vehicle, the report shall be made to the department of natural resources and shall include the information specified by that department. If the accident involved any other motor vehicle, the report shall be made to the department and shall include the information specified by the department. The coroner or medical examiner of the county where the death occurs, if the accident occurred in another jurisdiction, shall, immediately upon learning of the death, report it to the coroner or medical examiner of the county where the accident occurred, as provided in s. 979.01 (1).

(2) In cases of death involving a motor vehicle in which the decedent was the operator of a motor vehicle or, a pedestrian ~~46~~ 14 years of age or older or a

bicycle operator 14 years of age or older and who died within 6 hours of the time of the accident, the coroner or medical examiner of the county where the death occurred shall require that a blood specimen of at least 10 cc. be withdrawn from the body of the decedent within 12 hours after his or her death, by the coroner or medical examiner or by a physician so designated by the coroner or medical examiner or by a qualified person at the direction of ~~such~~ the physician. All funeral directors shall obtain a release from the coroner or medical examiner of the county where the accident occurred as provided in s. 979.01 (4) prior to proceeding with embalming any body coming under the scope of this section. The blood so drawn shall be forwarded to a laboratory approved by the department of health and social services for analysis of the alcoholic content of ~~such~~ the blood specimen. The coroner or medical examiner causing the blood to be withdrawn shall be notified of the results of each analysis made and shall forward the results of each such analysis to the department of health and social services. If the death involved a motor vehicle, the department shall keep a record of all such examinations to be used for statistical purposes only and the department shall disseminate and make public the cumulative results of the examinations without identifying the individuals involved. If the death involved an all-terrain vehicle, the department of natural resources shall keep a record of all such examinations

to be used for statistical purposes only and the department of natural resources shall disseminate and make public the cumulative results of the examinations without identifying the individuals involved.

SECTION 2. 346.71 (3) of the statutes is created to read:

346.71 (3) In a case of death involving a motor vehicle in which the accident and the death occur in

different counties, the county where the death occurs may charge the county where the accident occurs a reasonable fee for withdrawing the blood specimen from the body of the decedent as required under sub. (2).

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