



1995 ASSEMBLY BILL 231

March 21, 1995 - Introduced by Representatives PORTER, POWERS, ZIEGELBAUER, BLACK, GOETSCH, DOBYNS, MUSSER, BOCK, HAHN, KRUSICK, F. LASEE, GROBSCHMIDT, ALBERS, LADWIG, GREEN, WARD, BRANDEMUEHL, SCHNEIDERS, OURADA, HASENOHRL, AINSWORTH, ROBSON, BOYLE, BRANCEL, MURAT, GUNDERSON, SERATTI and OTT, cosponsored by Senators RUDE, FARROW, ANDREA, BUETTNER and PANZER. Referred to Committee on Highways and Transportation.

1 **AN ACT to amend** 343.23 (2) of the statutes; **relating to:** information contained
2 in the files on licensees maintained by the department of transportation.

Analysis by the Legislative Reference Bureau

Under current law, the department of transportation (DOT) is required to indicate in its files on licensees whether or not any accident in which a driver was involved occurred during the driver's employment as a law enforcement officer, fire fighter, emergency medical technician -- paramedic or a highway winter maintenance worker.

This bill expands the employment categories to include all emergency medical technicians and provides definitions for the categories of law enforcement officer and fire fighter. The definition of fire fighter includes members of volunteer fire departments. The bill also requires DOT to indicate in its licensed driver files whether or not any accident in which a driver was involved occurred in the course of performing duties as a first responder. First responders provide immediate emergency medical care to victims of illness or injury, especially in areas where ambulance response times are longer than is considered desirable.

For further information see the *state* 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:

3 **SECTION 1.** 343.23 (2) of the statutes is renumbered 343.23 (2) (a) and amended
4 to read:

5 343.23 (2) (a) The department shall maintain a file for each licensee containing
6 the application for license, permit or endorsement, a record of reports or abstract of

1 convictions, the status of the licensee's authorization to operate different vehicle
2 groups, a record of any out-of-service orders issued under s. 343.305 (7) (b) or (9)
3 (am) and a record of any reportable accident in which the licensee has been involved,
4 including specification of the type of license and endorsements issued under this
5 chapter under which the licensee was operating at the time of the accident and an
6 indication whether or not the accident occurred in the course of the any of the
7 following:

8 1. The licensee's employment as a law enforcement officer as defined in s.
9 165.85 (2) (c), fire fighter as defined in s. 102.475 (8) (b), or emergency medical
10 technician — paramedic or technician as defined in s. 146.50 (1) (e).

11 2. The licensee's employment as a person engaged, by an authority in charge
12 of the maintenance of the highway, in highway winter maintenance snow and ice
13 removal during either a storm or cleanup following a storm. This information For
14 purposes of this subdivision, "highway winter maintenance snow and ice removal"
15 includes plowing, sanding, salting and the operation of vehicles in the delivery of
16 those services.

17 (b) The information specified in par. (a) must be filed by the department so that
18 the complete operator's record is available for the use of the secretary in determining
19 whether operating privileges of such person shall be suspended, revoked, canceled
20 or withheld in the interest of public safety. The record of suspensions, revocations
21 and convictions that would be counted under s. 343.307 (2) shall be maintained for
22 at least 10 years. The record of convictions for disqualifying offenses under s.
23 343.315 (2) (f) shall be maintained for at least 3 years. The record of convictions for
24 disqualifying offenses under s. 343.315 (2) (a) to (e) shall be maintained permanently,
25 except that 5 years after a licensee transfers residency to another state such record

1 may be transferred to another state of licensure of the licensee if that state accepts
2 responsibility for maintaining a permanent record of convictions for disqualifying
3 offenses. Such reports and records may be cumulative beyond the period for which
4 a license is granted, but the secretary, in exercising the power of revocation granted
5 under s. 343.32 (2) may consider only those reports and records entered during the
6 4-year period immediately preceding the exercise of such power of revocation. For
7 ~~purposes of this subsection, "highway winter maintenance snow and ice removal"~~
8 ~~includes plowing, sanding, salting and the operation of vehicles in the delivery of~~
9 ~~those services.~~

10 **SECTION 2.** 343.23 (2) (a) 3. of the statutes is created to read:

11 343.23 (2) (a) 3. The licensee's performance of duties as a first responder, as
12 defined in s. 146.53 (1) (d).

13 **SECTION 3. Initial applicability.**

14 (1) This act first applies to records of reportable accidents occurring on the
15 effective date of this subsection.

16 **SECTION 4. Effective date.**

17 (1) This act takes effect on the first day of the 6th month beginning after
18 publication.

19 (END)