



## 1995 SENATE BILL 212

May 18, 1995 – Introduced by Senators ADELMAN, ANDREA, RISSER and BRESKE, cosponsored by Representatives URBAN, KREUSER, AINSWORTH, R. POTTER, BRANCEL, GROBSCHMIDT, F. LASEE, WIRCH, BALDUS, BOCK, BELL, PLACHE, RUTKOWSKI, BOYLE, RILEY, WASSERMAN and R. YOUNG. Referred to Committee on Transportation, Agriculture and Local Affairs.

1     **AN ACT to amend** 157.06 (2) (a) (intro.), 343.14 (2) (g) 1., 343.175 (1), 343.175 (2)  
2     (a) and 343.175 (2) (ag); and **to create** 343.17 (3) (a) 10m. of the statutes;  
3     **relating to:** driver's licenses and identification cards issued by the department  
4     of transportation and anatomical donations.

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### *Analysis by the Legislative Reference Bureau*

Under current law, a driver's license or identification card (ID card) that is issued by the department of transportation (DOT) may be used by a licensee or ID card holder who is at least 18 years of age as a donor card to make an anatomical gift (organ donation) or as a document of refusal to make an anatomical gift. The use of the license or ID card as either a donor card or document of refusal is optional.

In addition, every applicant for a driver's license or ID card is asked a question whether he or she wishes to be recorded in the files of DOT (but not on the driver's license or ID card itself) as a potential organ donor. This information must be released, upon request, by DOT after the person's death to a law enforcement officer or other appropriate person. An applicant for a driver's license or ID card is not required to answer this question.

This bill requires each licensee and ID card holder who is 18 years of age or older to use his or her driver's license or ID card as a donor card to make an anatomical gift or as a document of refusal to make an anatomical gift. This election must be made immediately upon receipt of the license or ID card, and the driver's license or ID card is not valid unless such election has been made.

The bill also makes it mandatory that each applicant for a driver's license or an ID card answer the question whether he or she wishes to be recorded in the files of DOT as a potential organ donor and requires that the applicant's response to the question appear on the license or ID card itself.

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

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

1           **SECTION 1.** 157.06 (2) (a) (intro.) of the statutes is amended to read:

2           157.06 (2) (a) (intro.) ~~An~~ Subject to s. 343.175 (2) (a) and (ag), an individual who  
3 is at least 18 years of age may do any of the following:

4           **SECTION 2.** 343.14 (2) (g) 1. of the statutes is amended to read:

5           343.14 (2) (g) 1. The applicant is ~~not~~ required to respond to the question under  
6 this paragraph in order to obtain a license. The response to the question shall appear  
7 on the front side of the license document.

8           **SECTION 3.** 343.17 (3) (a) 10m. of the statutes is created to read:

9           343.17 (3) (a) 10m. The person's response to the question as to whether he or  
10 she wishes to include his or her name as a donor of an anatomical gift in the record  
11 of potential donors maintained by the department.

12           **SECTION 4.** 343.175 (1) of the statutes is amended to read:

13           343.175 (1) DEPARTMENT TO SOLICIT AND RECORD INFORMATION. As part of every  
14 application for an original, duplicate, reinstated, reissued or renewal license or  
15 endorsement, the department shall inquire whether the applicant desires to be an  
16 organ donor. The department shall record the organ donor response on the front side  
17 of the person's license and in its file of the person.

18           **SECTION 5.** 343.175 (2) (a) of the statutes is amended to read:

19           343.175 (2) (a) Except as provided in par. (ag), a part of the reverse side of each  
20 license shall be printed to serve as a document of gift under s. 157.06 (2) (b) and (c)  
21 or a document of refusal to make an anatomical gift under s. 157.06 (2) (i) and, if the

1 licensee is at least 18 years of age, the licensee shall immediately make an  
2 anatomical gift or refuse to make an anatomical gift on such space on receipt of the  
3 license, without which the license is not valid.

4 **SECTION 6.** 343.175 (2) (ag) of the statutes is amended to read:

5 343.175 (2) (ag) The department shall print a separate document to be issued  
6 to all persons issued a commercial driver license or a license labeled  
7 “CDL-Occupational” as described in s. 343.03 (3) (b) and (e) and make provisions so  
8 that the document may be attached to the reverse side of the license document along  
9 one edge. This document shall serve as a document of gift under s. 157.06 (2) (b) and  
10 (c) or a document of refusal to make an anatomical gift under s. 157.06 (2) (i) and, if  
11 the licensee is at least 18 years of age, the licensee shall immediately make an  
12 anatomical gift or refuse to make an anatomical gift on such space on receipt of the  
13 license, without which the license is not valid.

14 **SECTION 7. Effective date.**

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

17 (END)