

CHAPTER 70 , Laws of 1981

AN ACT to amend 346.74 (5); and to create 343.31 (3) (i) and (j) and 346.74 (5) (c) and (d) of the statutes; and to amend laws of 1981, chapter 20, section 2204 (51) (n), relating to failure to stop at the scene of an accident and revising the penalties.

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

SECTION 1. 343.31 (3) (i) and (j) of the statutes are created to read:

343.31 (3) (i) If a person is convicted for a violation of s. 346.67 where the accident involved great bodily harm, the period of revocation is 2 years.

(j) If a person is convicted for a violation of s. 346.67 where the accident involved death, the period of revocation is 5 years.

SECTION 2. 346.74 (5) of the statutes, as affected by chapter 20, laws of 1981, is amended to read:

346.74 (5) Any person violating any provision of s. 346.67 ~~shall~~:

(a) Shall be fined not less than \$300 nor more than \$1,000 or imprisoned not more than 6 months or both if the accident did not involve death or injury to a person and shall.

(b) Shall be fined not less than \$300 nor more than \$5,000 or imprisoned not less than 10 days nor more than one year or both if the accident involved death or injury to a person but the person did not suffer great bodily harm. A violation of any provision of s. 346.67 is

(e) Is guilty of a felony if the accident involved death or injury to a person.

SECTION 3. 346.74 (5) (c), (d) and (e) [346.74 (5) (c) and (d)] of the statutes are created to read:

346.74 (5) (c) May be fined not more than \$10,000 or imprisoned not more than 2 years or both if the accident involved injury to a person and the person suffered great bodily harm.

(d) May be fined not more than \$10,000 or imprisoned not more than 5 years or both if the accident involved death to a person.

SECTION 4. Laws of 1981, chapter 20, section 2204 (51) (n) is amended to read:

(Laws of 1981, chapter 20) Section 2204 (51) (n) *Operating a motor vehicle under the influence of intoxicant or controlled substance.* The treatment of sections 51.42 (5) (b) (by SECTION 925a), 343.10 (1), (6) and (6m), 343.16 (2) (a), 343.30 (1q) (by SECTION 1568a), 343.303, 343.305 (title), (1), (2) (a), (am), (b), (c) and (d), (3) (a) 2, (b), (c) and (d), (5), (6) (a), (7), (8), (9) (by SECTION 1568q) and (10) (c) and (d), 343.307, 343.31 (1) (am), (3) (e) to (h) and (3m), 343.44 (2), (3) to (5), 345.20 (2) (c), 345.24, 345.60 (3), 345.63 (1), (2) and (4), 346.635, 346.637, 346.65 (2) and (3), ~~346.74 (5)~~, 346.935, 349.03 (2), 349.06 (1), 885.235 (1), (2a), (3) and (4), 940.09, 940.25 and 967.055 of the statutes, the creation of section 343.10 (6) (a) and (b) of the statutes and SECTIONS 2020 (14), 2051 (13) to (16), 2053 (6) and 2201 (20) (t) of this act by this act takes effect on the first day of the 10th month following publication.