



1995 SENATE BILL 322

September 6, 1995 - Introduced by Senator ADELMAN, by request of Muskego-Norway School Board. Referred to Committee on Transportation, Agriculture and Local Affairs.

1 **AN ACT to amend** 118.125 (2) (intro.), 118.163 (title), 118.163 (2) (a) and (2m) and
2 343.10 (1) (a); and **to create** 118.125 (2) (n), 118.163 (1) (c), 118.163 (4) and
3 343.32 (1g) of the statutes; **relating to:** suspension of motor vehicle operating
4 privilege for habitual truancy.

Analysis by the Legislative Reference Bureau

This bill authorizes a school board to notify the department of transportation (DOT) that a pupil enrolled in the school district is a habitual truant. (A habitual truant is a pupil who is absent from school without an acceptable excuse for part or all of 5 or more days out of 10 consecutive school days, or for part or all of 10 or more school days during a semester.) DOT is required to suspend the pupil's operating privilege for not less than 30 days nor more than 90 days, as provided in the notification from the school board. The pupil is not eligible for issuance by DOT of an occupational license (a license that permits limited operation of a motor vehicle for purposes of an occupation or trade, including full-time or part-time study).

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:

5 **SECTION 1.** 118.125 (2) (intro.) of the statutes is amended to read:
6 118.125 (2) **CONFIDENTIALITY.** (intro.) All pupil records maintained by a public
7 school shall be confidential, except as provided in pars. (a) to ~~(m)~~ (n) and sub. (2m).

1 The school board shall adopt regulations to maintain the confidentiality of such
2 records.

3 **SECTION 2.** 118.125 (2) (n) of the statutes is created to read:

4 118.125 (2) (n) A school board may notify the department of transportation that
5 a pupil is a habitual truant, as provided under s. 118.163 (4).

6 **SECTION 3.** 118.163 (title) of the statutes is amended to read:

7 **118.163 (title) Municipal truancy and school dropout ordinances;**
8 **suspension of operating privilege.**

9 **SECTION 4.** 118.163 (1) (c) of the statutes is created to read:

10 118.163 (1) (c) "Operating privilege" has the meaning given in s. 340.01 (40).

11 **SECTION 5.** 118.163 (2) (a) and (2m) of the statutes are amended to read:

12 118.163 (2) (a) Suspension of the child's operating privilege, ~~as defined in s.~~
13 ~~340.01 (40),~~ for not less than 30 days nor more than 90 days. The court shall
14 immediately take possession of any suspended license and forward it to the
15 department of transportation together with a notice stating the reason for and the
16 duration of the suspension.

17 **(2m)** A county, city, village or town may enact an ordinance permitting a court
18 to suspend the operating privilege, ~~as defined in s. 340.01 (40),~~ of a child who is at
19 least 16 years of age but less than 18 years of age and is a dropout. The ordinance
20 shall provide that the court may suspend the child's operating privilege, ~~as defined~~
21 ~~in s. 340.01 (40),~~ until the child reaches the age of 18. The court shall immediately
22 take possession of any suspended license and forward it to the department of
23 transportation together with a notice stating the reason for and the duration of the
24 suspension.

25 **SECTION 6.** 118.163 (4) of the statutes is created to read:

