



State of Wisconsin
1999 - 2000 LEGISLATURE

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**SENATE AMENDMENT 4,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 1999 SENATE BILL 125**

March 14, 2000 - Offered by COMMITTEE ON JUDICIARY AND CONSUMER AFFAIRS.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 24, line 18: delete the material beginning with that line and ending
3 with on page 25, line 5, and substitute:

4 **"SECTION 56g.** 346.65 (6) (a) 1. of the statutes is amended to read:

5 346.65 (6) (a) 1. ~~Except as provided in this paragraph, the~~ The court may order
6 a law enforcement officer to seize a the motor vehicle used in the violation or
7 improper refusal and owned by the person, or, if the motor vehicle is not ordered
8 seized, shall order a law enforcement officer to equip the motor vehicle with an
9 ignition interlock device or immobilize any motor vehicle owned by the person, whose
10 operating privilege is revoked under s. 343.305 (10) or who committed a violation of
11 s. 346.63 (1) (a), (b) or (2) (a) 1. or 2., 940.09 (1) (a), or (b), (c) or (d) or 940.25 (1) (a),
12 (b), (c) or (d) if the person whose operating privilege is revoked under s. 343.305 (10)

1 or who is convicted of the violation has 2 or more prior suspensions, revocations or
2 convictions that would be counted under s. 343.307 (1). The court ~~shall~~ may not order
3 a motor vehicle seized, equipped with an ignition interlock device or immobilized if
4 that would result in undue hardship or extreme inconvenience or would endanger
5 the health and safety of a person.

6 **SECTION 56j.** 346.65 (6) (a) 1. of the statutes, as affected by 1999 Wisconsin Act
7 (this act), is amended to read:

8 346.65 (6) (a) 1. The court may order a law enforcement officer to seize the
9 motor vehicle used in the violation or improper refusal and owned by the person, ~~or,~~
10 ~~if the motor vehicle is not ordered seized, shall order a law enforcement officer to~~
11 ~~equip the motor vehicle with an ignition interlock device or immobilize any motor~~
12 ~~vehicle owned by the person,~~ whose operating privilege is revoked under s. 343.305
13 (10) or who committed a violation of s. 346.63 (1) (a) or (b) or (2) (a) 1. or 2., 940.09
14 (1) (a), (b), (c) or (d) or 940.25 (1) (a), (b), (c) or (d) if the person whose operating
15 privilege is revoked under s. 343.305 (10) or who is convicted of the violation has 2
16 or more prior suspensions, revocations or convictions that would be counted under
17 s. 343.307 (1). The court may not order a motor vehicle ~~seized, equipped with an~~
18 ~~ignition interlock device or immobilized~~ if that would result in undue hardship or
19 extreme inconvenience or would endanger the health and safety of a person.”.

20 **2.** Page 27, line 23: after that line insert:

21 **“SECTION 62m.** 346.65 (6) (f) of the statutes is amended to read:

22 346.65 (6) (f) If a motor vehicle forfeited and sold under this subsection is owned
23 ~~in whole or~~ in part by a person other than the person who committed the violation
24 or refusal under par. (a), any moneys remaining from the sale, after making any

1 payment to the lienholders under par. (em) and as provided in par. (e) 1. to 4., shall
2 be paid to that person to the extent of the person's interest in the motor vehicle.”.

3 **3.** Page 37, line 10: delete “, 2., 2m. and 3., (b) and (d)” and substitute “(by
4 SECTION 56j), 2m. and 3. and (b)”.

5 **4.** Page 37, line 22: delete “(c)” and substitute “(a) 1. (by SECTION 56g) and 2.,
6 (c), (d) and (f)”.

7 **5.** Page 38, line 8: delete “, 2., 2m. and 3., (b) and (d)” and substitute “(by
8 SECTION 56j), 2m. and 3. and (b)”.

9 **6.** Page 38, line 12: delete “(c)” and substitute “(a) 1. (by SECTION 56g) and 2.,
10 (c), (d) and (f)”.

11 (END)