

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA3-AB52)

Received: 05/12/99

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **Terese Berceau (608) 266-3784**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Transportation - driver licenses**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Secondary enforcement of driving restrictions

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	nilsepe 05/12/99	jgeller 05/12/99		_____			
/1			haugeca 05/12/99	_____	lrb_docadmin 05/12/99	lrb_docadmin 05/12/99	

FE Sent For:

<END>

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1?	nilsepe	1 5/12 jlg	ch 5-12	AM 5-12 HH			

FE Sent For:

<END>

~~Chris ; Kaufert
6-5719~~

~~AB-52 ASA-2~~

~~60311~~

Rep. Berceau

AB-52

10 AM 3/12/69

243085 (2m) (a)

Secondary enforcement for restrictions

1999

Date (time) needed

D-NOTE

LRB a 0391 11

AMENDMENT

Now

PEN: jlg:

See form AMENDMENTS — COMPONENTS & ITEMS.

S A AMENDMENT

TO S A AMENDMENT (LRBa)

TO S A SUBSTITUTE AMENDMENT 3 (LRBs)

TO 1999 SB SJR SR AB AJR AR 52 (LRB)

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

(fill ONLY if "engrossed" or "as shown by")

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :



d-note

2
2



WFO
From s. 347, 48 (2m) (gm)

(e) The department shall, by rule, exempt from the requirements under pars. (b) to (d) persons who, because of a physical or medical condition, cannot be properly restrained in a safety belt.

(f) 1. This subsection does not apply if the motor vehicle is a taxicab or is not required to be equipped with safety belts under sub. (1) or 49 CFR 571.

2. This subsection does not apply to a privately owned motor vehicle while being operated by a rural letter carrier for the delivery of mail or while being operated by a delivery person for the delivery of newspapers or periodicals.

3. This subsection does not apply to a motor vehicle while being operated by a land surveying crew while conducting a land survey along or upon the highway.

7. This subsection does not apply to a farm truck or dual purpose farm truck while being used in conjunction with the planting or harvesting of crops and not being operated upon the highway.

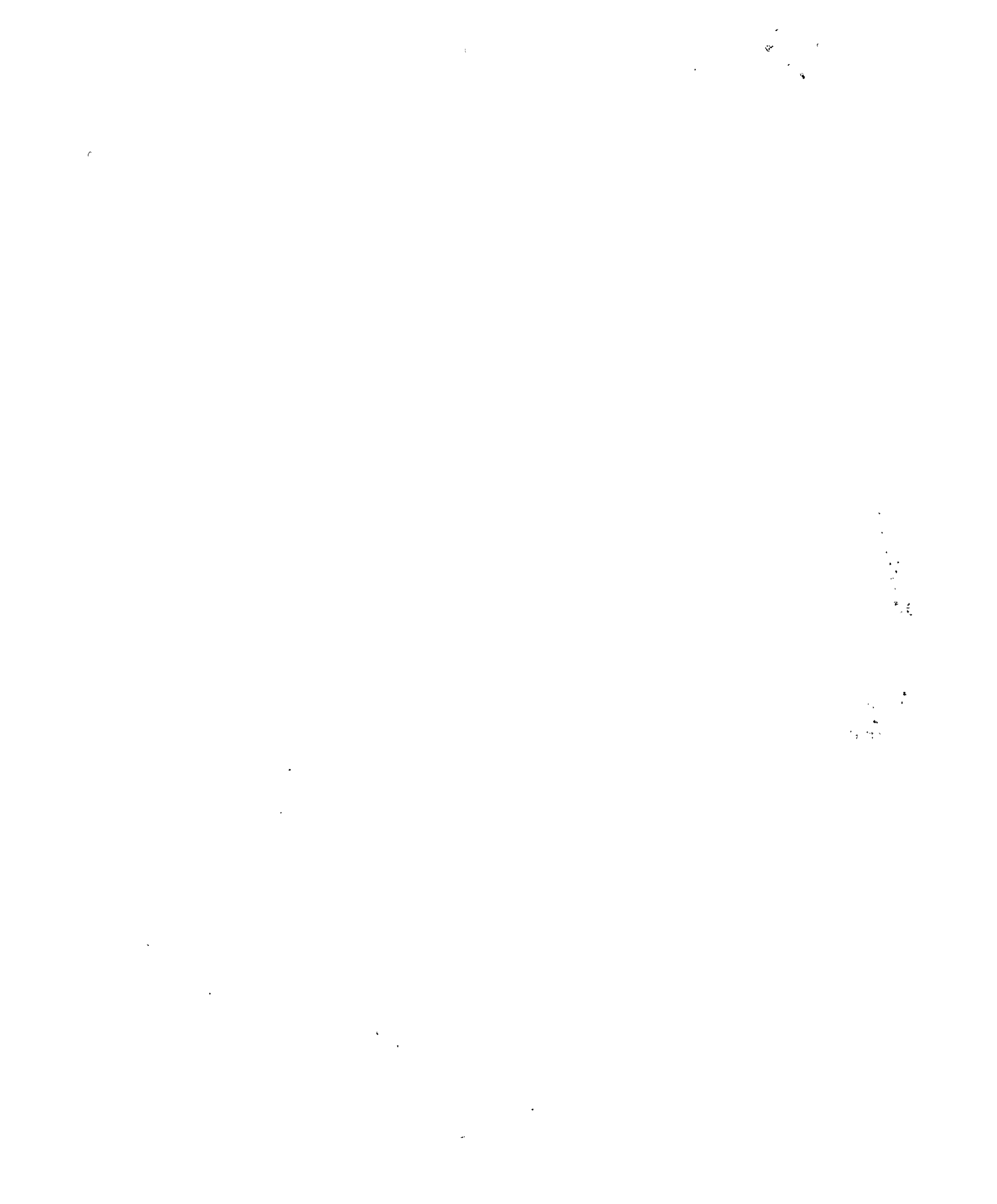
(g) Evidence of compliance or failure to comply with par. (b), (c) or (d) is admissible in any civil action for personal injuries or property damage resulting from the use or operation of a motor vehicle. Notwithstanding s. 895.045, with respect to injuries or damages determined to have been caused by a failure to comply with par. (b), (c) or (d), such a failure shall not reduce the recovery for those injuries or damages by more than 15%. This paragraph does not affect the determination of causal negligence in the action.

About: text

(a5) ~~Notwithstanding s. 349.02, a law enforcement officer may not stop or inspect a vehicle solely to determine compliance with this subsection or sub. (1) or (2) or a local ordinance in conformity with this subsection, sub. (1) or (2) or rules of the department.~~ This paragraph does not limit the authority of a law enforcement officer to issue a citation for a violation of this subsection or sub. (1) or (2) or a local ordinance in conformity with this subsection, sub. (1) or (2) or rules of the department observed in the course of a stop or inspection made for other purposes. ~~Notwithstanding s. 895.045, with respect to injuries or damages determined to have been caused by a failure to comply with par. (b), (c) or (d), such a failure shall not reduce the recovery for those injuries or damages by more than 15%. This paragraph does not affect the determination of causal negligence in the action.~~

(a5)
letter

#. Page 6, line 1: before that line insert:



-a0391/1d4

Rep. Berceau:

¶ This amendment creates
Secondary enforcement for driving
restrictions of applicable to newly licensed youthful
drivers.

-PEN

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11. 11. 11

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**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa0391/1dn
PEN:jlg:ch

May 12, 1999

Rep. Berceau:

This amendment creates secondary enforcement for driving restrictions applicable to newly licensed youthful drivers.

Paul E. Nilsen
Legislative Attorney
Phone: (608) 261-6926