

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0979/1dn

PEN:jlg:km

March 22, 1999

Rep. Ainsworth:

This bill creates a penalty enhancer for someone who commits three or more moving violations within a single course of conduct. The bill does not create a separate "road rage" or "aggressive driving" offense as requested because the penalty requested is based on convictions for separate, existing offenses.

Current law authorizes a court to suspend the operating privilege of a person convicted of any traffic offense. See s. 343.30 (1), stats.

Please check the list of offenses under proposed s. 343.30 (2r) closely. Are these the "aggressive driving" offenses you want to consider? See also, ss. 346.07 and 346.09, stats., overtaking and passing on the left. Do you want to include those offenses or any others?

Section 343.30 (2j) (a), stats., requires a court to revoke a person's operating privilege for six months for a second or subsequent offense of s. 346.44 or 346.62 (2m) (railroad crossing violations). Other violations also require minimum periods of suspension or revocation. Because this draft specifies that the mandatory suspension under the draft is "in addition to any other penalty", other required or permitted periods of revocation or suspension might be added to the suspension period required under this draft. OK?

This draft does not affect the number of demerit points assessed for the separate traffic violations. See s. 343.32, stats. OK?

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