

## 1999 ASSEMBLY BILL 591

November 18, 1999 – Introduced by Representatives SYKORA, KELSO, LA FAVE, KREIBICH, MUSSER and PETROWSKI, cosponsored by Senators RISSER, DARLING and COWLES. Referred to Committee on Highway Safety.

1     **AN ACT to amend** 110.07 (1) (a) 1., 110.07 (1) (a) 3. and 110.07 (1) (b); and **to**  
2             **create** 345.11 (1t) and 345.20 (2) (h) of the statutes; **relating to:** enforcement  
3             by the state traffic patrol of restrictions on the possession and use of fireworks.

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### *Analysis by the Legislative Reference Bureau*

Current law grants state traffic patrol officers specific power and duties, including the enforcement of state traffic laws, the enforcement of the conditions placed on the possession and transport of a firearm, bow or crossbow and the enforcement of the prohibition against littering on a highway.

Current law also prohibits a person from possessing or using fireworks without a permit unless certain conditions apply. A person who uses or possesses fireworks without a permit is subject to a fine of not more than \$1000.

This bill expands the powers and duties of state traffic patrol officers to include the enforcement of the permit requirement for the possession and use of fireworks where applicable to highways. In exercising this new power and duty, state traffic patrol officers may issue uniform traffic citations for violations of the permit requirement. This bill also prohibits a court from forwarding records of convictions for violations of the permit requirement to the department of transportation (DOT) and prohibits DOT from assessing persons demerit points for the convictions.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 110.07 (1) (a) 1. of the statutes is amended to read:

2           110.07 (1) (a) 1. Enforce and assist in the administration of this chapter and  
3 chs. 166, 194, 218, 341 to 349 and 351, and ss. 23.33, 125.07 (4) (b), 125.085 (3) (b),  
4 167.10 (3) (a), 167.31 (2) (b) to (d) and 287.81 and ch. 350 where applicable to  
5 highways, or orders or rules issued pursuant thereto.

6           **SECTION 2.** 110.07 (1) (a) 3. of the statutes is amended to read:

7           110.07 (1) (a) 3. Have authority to enter any place where vehicles subject to this  
8 chapter, ss. 167.10 (3) (a), 167.31 (2) (b) to (d) and 287.81 and chs. 194, 218 and 341  
9 to 350 are stored or parked at any time to examine such vehicles, or to stop such  
10 vehicles while en route at any time upon the public highways to examine the same  
11 and make arrests for all violations thereof.

12           **SECTION 3.** 110.07 (1) (b) of the statutes is amended to read:

13           110.07 (1) (b) All municipal judges, judges, district attorneys and law  
14 enforcement officers shall assist in enforcing this chapter, ss. 167.10 (3) (a), 167.31  
15 (2) (b) to (d) and 287.81 and chs. 194, 218 and 341 to 351, and orders or rules issued  
16 pursuant thereto and shall report to the department the disposition of every uniform  
17 traffic citation issued for cases involving those chapters.

18           **SECTION 4.** 345.11 (1t) of the statutes is created to read:

19           345.11 (1t) The uniform traffic citation may be used by a traffic officer  
20 employed under s. 110.07 for a violation of s. 167.10 (3) (a) when committed on a  
21 highway.

