

1999 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB668)

Received: 03/01/2000

Received By: nilsepe

Wanted: As time permits

Identical to LRB:

For: David Brandemuehl (608) 266-1170

By/Representing:

This file may be shown to any legislator: NO

Drafter: nilsepe

May Contact:

Alt. Drafters:

Subject: **Transportation - driver licenses**

Extra Copies: **TNF**

Pre Topic:

No specific pre topic given

Topic:

OWS/OAR remedial and implementation

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 03/01/2000	chanaman 03/01/2000		_____			
/1	nilsepe 03/01/2000	chanaman 03/01/2000	jfrantze 03/01/2000	_____	lrb_docadmin 03/01/2000	lrb_docadmin 03/01/2000	
/2			haugeca 03/01/2000	_____	lrb_docadmin 03/01/2000	lrb_docadmin 03/01/2000	

FE Sent For:

<END>

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/?	nilsepe 03/01/2000	chanaman 03/01/2000		_____			
/1			jfrantze 03/01/2000	_____	lrb_docadmin 03/01/2000	lrb_docadmin 03/01/2000	

EE Sent For:

*CH 2/1
1/2*

CH 3-1

*CH 3-1
2/1*

<END>

*Please
jacket / 2
-PEW*

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1/?	nilsepe	cmh 1/1	7/3/1	7/6/2/4 3/1			
FE Sent For:		7/1					

<END>

Nilsen, Paul

From: Krause, Sheri
Sent: Monday, February 28, 2000 2:10 PM
To: Nilsen, Paul
Subject: RE: AB 668 - Julie's note to you

Yes, please take this as a drafting request. I don't know what the problem is, but everyone is in agreement that we need an amendment.

Thanks!

-----Original Message-----

From: Nilsen, Paul
Sent: Monday, February 28, 2000 2:07 PM
To: Krause, Sheri
Subject: FW: AB 668 - Julie's note to you

Should I take that as a drafting request from your office?
Apart from alluding to a concern about a problem that never actually comes up, nobody has asked me to draft anything relating to this thread.

Attorney Paul E. Nilsen
Wisconsin Legislative Reference Bureau
P.O. Box 2037
Madison, WI 53701-2307
Tel: (608) 261-6926
Fax: (608) 264-8522
Email: Paul.Nilsen@legis.state.wi.us

-----Original Message-----

From: Sobotik, John
Sent: Thursday, February 24, 2000 5:50 PM
To: Nilsen, Paul
Cc: Ford, William
Subject: FW: AB 668 - Julie's note to you

FYI -- a note I sent to Bill ford on the same AB668 problem Julie Clark wrote to you about.

I think Bill's note explains the problem clearly. I offer two suggestions for ways to fix it for what they may be worth to you.

Bill: Julie Clark sent a message to Paul asking him to draft this amendment already. DMV agrees with you. Would you coordinate with Paul the logistics of delivering stripes, etc.? Thanks.

- John

John Sobotik
Assistant General Counsel
Wisconsin Dept. of Transportation
4802 Sheboygan Ave. Rm 115B
P.O. Box 7910
Madison WI 53707-7910
Ph: (608) 267-9320
Fx: (608) 267-6734

> -----Original Message-----
> From: Sobotik, John
> Sent: Thursday, February 24, 2000 5:40 PM
> To: Ford, William
> Cc: Clark, Julie; Maassen, Joe
> Subject: RE: AB 668
>
>
> You're right, excluding the operating while ordered
> out-of-service offenses wouldn't be that hard to put in that
> provision. It is more in line with intent. (I don't think
> we get many -- or perhaps any -- of these violations anyway.
> None appear in the 1997 DMV statistic book).
>
> I suppose the statute could be amended to read " or s.
> 343.44(1), 1997, Stats., except operating while ordered
> out-of-service violations,..."
>
> or perhaps
> "s. 343.44(1)(a), (b) or (d), or similar violations under s.
> 343.44(1), 1997, Stats.,..."
>
> Either way would probably be more precise and exclude the
> operating while out-of-service violations. Frankly, I like
> the second option better because I think it expresses intent
> more clearly.
>
> I will ask DMV (1) whether they get any of these citations
> and (2) whether putting that addl. language in the amendment
> would cause us any problems.
>
> Unless I tell you to the contrary, assume making such a
> change is Ok with us.

> - John

> -----
> John Sobotik
> Assistant General Counsel
> Wisconsin Dept. of Transportation
> 4802 Sheboygan Ave. Rm 115B
> P.O. Box 7910
> Madison WI 53707-7910
> Ph: (608) 267-9320
> Fx: (608) 267-6734

>> -----Original Message-----
>> From: Ford, William
>> Sent: Thursday, February 24, 2000 4:04 PM
>> To: Sobotik, John
>> Subject: RE: AB 668
>>
>>
>> Hi John. Act 84 broke s.343.44 into 4 paragraphs. Paragraph
>> (c), relating to operating after being ordered out of
>> service, is NOT included in many of the statutes affected by
>> AB668. However, when you add references to s.344.01, 1977
>> stats., to the bill you (I think, inadvertently) pick up the
>> reference in the old s.343.44 relating to operating after
>> being ordered out of service. If this is not clear, call
>> me at 266-0680.

>> -----Original Message-----
>> From: Sobotik, John

>> Sent: Thursday, February 24, 2000 3:07 PM
>> To: Ford, William
>> Subject: AB 668
>>
>>
>> Bill:
>>
>> Joe Maassen asked me to get in touch with you regarding an
>> AB668 question. He said it had something to do with out of
>> service violations, but can't tell me which section is
>> involved or exactly what your question was.
>>
>> Why don't you give me a call if you get back to your desk
>> this aft or on Monday. (I am on vacation, but came in to
>> work on a project at 2:00)
>>
>> - John
>>
>> -----
>> John Sobotik
>> Assistant General Counsel
>> Wisconsin Dept. of Transportation
>> 4802 Sheboygan Ave. Rm 115B
>> P.O. Box 7910
>> Madison WI 53707-7910
>> Ph: (608) 267-9320
>> Fx: (608) 267-6734
>>
>>
>

-----Original Message-----

> From: Clark, Julie
> Sent: Thursday, February 24, 2000 4:56 PM
> To: Nilsen, Paul; Sobotik, John; Maassen, Joe
> Cc: Krause, Sheri; Ford, William; Biermeier, Anna; Jackson,
> Mary; Buehler, Kent
> Subject: FW: AB 668 - Technical changes to ACT 84, OAR
> law - LRB 300/1 and 1388/l
>
> Paul: At the hearing today on AB 668, technical corrections
> to Act 84, OAR, Bill Ford asked if we had looked at the
> language in the sub....because now we count "operating while
> placed out of service" priors, but under Act 84, we will
> not...do we want to count prior 343.44(1)(c) or not? After
> conferring with DMV staff, we feel that there are very few
> "operating while ordered out of service" convictions, and
> they are mainly for commercial vehicle type violations or log
> violations that can be corrected once the violation has been
> corrected. That's probably why they were not included in the
> Act 84 language for counting of priors. We recommend not
> including "operating while ordered out of service
> convictions" which will be 343.44(1)(c) under Act
> 84.....so if you could amend the substitute amendment you
> are drafting for AB 668 to say something like, "or
> s.343.44(1),1997 stats, except for operating while placed out
> of service under 343.44(1), 1997"thanks//Julie
>

Nilsen, Paul

From: Clark, Julie
Sent: Thursday, February 24, 2000 4:56 PM
To: Nilsen, Paul; Sobotik, John; Maassen, Joe
Cc: Krause, Sheri; Ford, William; Biermeier, Anna; Jackson, Mary; Buehler, Kent
Subject: FW: AB 668 - Technical changes to ACT 84, OAR law - LRB 300/1 and 1388/

Paul: At the hearing today on AB 668, technical corrections to Act 84, OAR, Bill Ford asked if we had looked at the language in the sub....because now we count "operating while placed out of service" priors, but under Act 84, we will not...do we want to count prior 343.44(1)(c) or not? After conferring with DMV staff, we feel that there are very few "operating while ordered out of service" convictions, and they are mainly for commercial vehicle type violations or log violations that can be corrected once the violation has been corrected. That's probably why they were not included in the Act 84 language for counting of priors. We recommend not including "operating while ordered out of service convictions" which will be 343.44(1)(c) under Act 84.....so if you could amend the substitute amendment you are drafting for AB 668 to say something like, "or s.343.44(1), 1997 stats, except for operating while placed out of service under 343.44(1), 1997".....thanks//Julie

-----Original Message-----

From: Clark, Julie
Sent: Tuesday, February 22, 2000 8:02 AM
To: Krause, Sheri; DOT-DMV-BDS Chiefs; Maassen, Joe; Sobotik, John; Nilsen, Paul
Subject: AB 668 - Technical changes to ACT 84, OAR law - LRB 300/1 and 1388/

Sheri: Thanks for faxing me a copy of LRB 300/1 ASA to AB 668....this draft is not complete...It should also contain a section to repeal s.343.31(1)(f).

LRB1388/1 is the simple amendment that makes the change requested by Joe Maassen to include "in the county jail" This simple amendment to the bill is fine, however, we still need another simple amendment for the repeal of 343.31(1)(f). Sheri: I don't have any preference as to whether we should go with the sub. or the 2 simple amendments....whatever Rep. D. prefers is fine with me. I will be at the Children & Families hearing this AM...and will stop by.

Joe/John/Chiefs: I'll put copies of these in your mailboxes.....please let me know ASAP (preferably by voice mail) if there are any changes....We need to have any amendments ready for the hearing this Thurs 2/24...Thanks

10 AM 3/1
Today

ASSEMBLY SUBSTITUTE AMENDMENT,
TO 1999 ASSEMBLY BILL 668

50349/1

d-note

repen cat

1 AN ACT to repeal 343.31 (1) (f); and to amend 343.30 (1g) (b), 343.31 (1) (hm),
2 343.38 (1) (c) 2. d., 343.44 (2) (am), 343.44 (2) (b) and 343.44 (2r) of the statutes;
3 relating to: counting prior offenses of, and penalties for, operating a motor
4 vehicle with an operating privilege that is suspended or revoked, or of operating
5 a commercial motor vehicle while disqualified or ordered out of service.

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

6 SECTION 1. 343.30 (1g) (b) of the statutes, as affected by 1997 Wisconsin Act 84,
7 is amended to read:

8 343.30 (1g) (b) A court shall revoke a person's operating privilege upon the
9 person's conviction for violating s. 343.44 (1) (a), (b) or (d) or a local ordinance in
10 conformity therewith if the person has been convicted of 3 or more prior violations
11 of s. 343.44 (1) (a), (b) or (d), or s. 343.44 (1), 1997 stats. or a local ordinance in
12 conformity therewith, within the 5-year period preceding the violation. The

similar violations
under

1 revocation shall be for a period of 6 months, unless the court orders a period of
2 revocation of less than 6 months and places its reasons for ordering the lesser period
3 of revocation on the record.

4 **SECTION 2.** 343.31 (1) (f) of the statutes is repealed.

5 **SECTION 3.** 343.31 (1) (hm) of the statutes, as created by 1997 Wisconsin Act
6 84, is amended to read:

7 343.31 (1) (hm) A violation of s. 343.44 (1) (a), (b) or (d), or a local ordinance in
8 conformity therewith, if the person has been convicted of 3 or more prior violations
9 of s. 343.44 (1) (a), (b) or (d), or s. 343.44 (1), 1997 stats., or a local ordinance in
10 conformity therewith within the 5-year period preceding the violation. Revocation
11 under this paragraph shall be for a period of 6 months unless a lesser period of
12 revocation is ordered under s. 343.30 (1g) (b).

13 **SECTION 4.** 343.38 (1) (c) 2. d. of the statutes, as created by 1997 Wisconsin Act
14 84, is amended to read:

15 343.38 (1) (c) 2. d. Reinstatement of an operating privilege revoked under s.
16 343.31 (1) (b) or (2) if, within the 5-year period preceding the violation, the person
17 has not been convicted of a prior offense that may be counted under s. 343.307 (2) and
18 if, within the 10-year period preceding the violation, the person has not been
19 convicted of 2 or more prior offenses that may be counted under s. 343.307 (2).

20 **SECTION 5.** 343.44 (2) (am) of the statutes, as affected by 1997 Wisconsin Act
21 84 and 1999 Wisconsin Act 9, is amended to read:

22 343.44 (2) (am) Any person who violates sub. (1) (b) before May 1, 2002, may
23 be required to forfeit not more than \$600, except that, if the person has been
24 convicted of a previous violation ~~described in~~ of sub. (1) (b), or of operating a motor

1 vehicle in violation of s. 343.44 (1), 1997 stats., with an operating privilege that is
2 revoked, within the preceding 5-year period, the penalty under par. (b) shall apply.

3 **SECTION 6.** 343.44 (2) (b) of the statutes, as affected by 1997 Wisconsin Act 84,
4 is amended to read:

5 343.44 (2) (b) Except as provided in par. (am), any person who violates sub. (1)
6 (b), (c) or (d) shall be fined not more than \$2,500 or imprisoned for not more than one
7 year in the county jail or both. In imposing a sentence under this paragraph, or a
8 local ordinance in conformity with this paragraph, the court shall review the record
9 and consider the following:

10 **SECTION 7.** 343.44 (2r) of the statutes, as affected by 1997 Wisconsin Act 84, is
11 amended to read:

12 343.44 (2r) PRIOR CONVICTIONS. For purposes of determining prior convictions
13 under this section, the 5-year period shall be measured from the dates of the
14 violations that resulted in the convictions and each conviction under sub. (2) shall
15 be counted. Convictions of s. 343.44 (1), 1997 stats., shall be counted under this
16 section as prior convictions.

17 **SECTION 8. Initial applicability.**

18 (1) The treatment of section 343.44 (2) (b) of the statutes first applies to motor
19 vehicles operated on the effective date of this subsection.

20 **SECTION 9. Effective date.**

21 (1) This act takes effect on May 1, 2001, or on the date stated in the notice
22 published by the secretary of transportation in the Wisconsin Administrative
23 Register under section 85.515 of the statutes, whichever is earlier.

24

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0349/1dn

PEN.....

emh

March 1, 2000

This substitute amendment is identical to LRBs0300/2, with the addition of language in s. 343.30 (1g) (b) (relating to not counting out-of-service orders as prior offenses) that was recommended by Atty. John Sobotik.

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

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FROM THE
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PEN:cmh:jf

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Phone: (608) 261-6926

3/1
Today sorry

2

**ASSEMBLY SUBSTITUTE AMENDMENT,
TO 1999 ASSEMBLY BILL 668**

neg cat

1 **AN ACT to repeal** 343.31 (1) (f); and **to amend** 343.30 (1g) (b), 343.31 (1) (hm),
2 343.38 (1) (c) 2. d., 343.44 (2) (am), 343.44 (2) (b) and 343.44 (2r) of the statutes;
3 **relating to:** counting prior offenses of, and penalties for, operating a motor
4 vehicle with an operating privilege that is suspended or revoked, or of operating
5 a commercial motor vehicle while disqualified or ordered out of service.

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9 person's conviction for violating s. 343.44 (1) (a), (b) or (d) or a local ordinance in
10 conformity therewith if the person has been convicted of 3 or more prior violations
11 of s. 343.44 (1) (a), (b) or (d), or similar violations under s. 343.44 (1), 1997 stats., or

1 a local ordinance in conformity therewith, within the 5-year period preceding the
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3 a period of revocation of less than 6 months and places its reasons for ordering the
4 lesser period of revocation on the record.

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7 84, is amended to read:

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9 conformity therewith, if the person has been convicted of 3 or more prior violations
10 of s. 343.44 (1) (a), (b) or (d), or s. 343.44 (1), 1997 stats., or a local ordinance in
11 conformity therewith within the 5-year period preceding the violation. Revocation
12 under this paragraph shall be for a period of 6 months unless a lesser period of
13 revocation is ordered under s. 343.30 (1g) (b).

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15 84, is amended to read:

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5 343.44 (2) (b) Except as provided in par. (am), any person who violates sub. (1)
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7 year in the county jail or both. In imposing a sentence under this paragraph, or a
8 local ordinance in conformity with this paragraph, the court shall review the record
9 and consider the following:

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16 section as prior convictions.

*other than for operating a
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24 (END)

3/1

Please copy contents

of 50300 and put

originals in 50349, copies

in 50300. Thanks,

Paul N.

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By/Representing: **Sheri**

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/1		cm# 2/22 h	martykr 02/15/2000 hm 2/22	_____	lrb_docadmin 02/15/2000	lrb_docadmin 02/15/2000	

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/?	nilsepe	1 WLj 3/11	WJ 2/15	JK 2/15			

FE Sent For:

<END>

50300/1

~~1999 ASSEMBLY BILL 668~~

AJA - AB668

~~January 19, 2000 - Introduced by Representatives BRANDEMUEHL, STONE, LA FAVE, GOETSCH, HUNDERTMARK, SPILLNER, LADWIG, KELSO, ALBERS, AINSWORTH and OWENS, cosponsored by Senators BRESKE, ROESSLER, DARLING, HUELSMAN, BAUMGART and ROSENZWEIG. Referred to Committee on Transportation.~~

inserts

, and penalties for,

regen
cat

1 AN ACT to amend 343.30 (1g) (b), 343.31 (1) (hm), 343.38 (1) (c) 2. d., 343.44 (2)
2 (am) and 343.44 (2r) of the statutes; relating to: counting prior offenses of
3 operating a motor vehicle with an operating privilege that is suspended or
4 revoked, or of operating a commercial motor vehicle while disqualified or
5 ordered out of service.

Analysis by the Legislative Reference Bureau

Numerous changes to the law were made by 1997 Wisconsin Act 84 regarding operating a motor vehicle with an operating privilege that is suspended or revoked and regarding operating a commercial motor vehicle while ordered out of service or while disqualified. The changes take effect May 1, 2001, or when implemented by the department of transportation, whichever is sooner. It is unclear under that act whether convictions of certain offenses committed before the implementation of 1997 Wisconsin Act 84 must be counted as prior convictions after the implementation of 1997 Wisconsin Act 84. The number of prior convictions is used, before and after implementation of 1997 Wisconsin Act 84, to determine the appropriate penalty or administrative sanction to impose on a person convicted of a second, or subsequent, similar offense.

This bill clarifies that convictions for certain offenses (operating a motor vehicle with an operating privilege that is suspended or revoked, or operating a commercial motor vehicle while ordered out of service or while disqualified) that are committed

ASSEMBLY BILL 668

before the implementation of 1997 Wisconsin Act 84 must be counted as prior convictions after the implementation of 1997 Wisconsin Act 84.

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

1 **SECTION 1.** 343.30 (1g) (b) of the statutes, as affected by 1997 Wisconsin Act 84,
2 is amended to read:

3 343.30 (1g) (b) A court shall revoke a person's operating privilege upon the
4 person's conviction for violating s. 343.44 (1) (a), (b) or (d) or a local ordinance in
5 conformity therewith if the person has been convicted of 3 or more prior violations
6 of s. 343.44 (1) (a), (b) or (d), or s. 343.44 (1), 1997 stats., or a local ordinance in
7 conformity therewith, within the 5-year period preceding the violation. The
8 revocation shall be for a period of 6 months, unless the court orders a period of
9 revocation of less than 6 months and places its reasons for ordering the lesser period
10 of revocation on the record.

11 **SECTION 2.** 343.31 (1) (hm) of the statutes, as created by 1997 Wisconsin Act
12 84, is amended to read:

13 343.31 (1) (hm) A violation of s. 343.44 (1) (a), (b) or (d), or a local ordinance in
14 conformity therewith, if the person has been convicted of 3 or more prior violations
15 of s. 343.44 (1) (a), (b) or (d), or s. 343.44 (1), 1997 stats., or a local ordinance in
16 conformity therewith within the 5-year period preceding the violation. Revocation
17 under this paragraph shall be for a period of 6 months unless a lesser period of
18 revocation is ordered under s. 343.30 (1g) (b).

19 **SECTION 3.** 343.38 (1) (c) 2. d. of the statutes, as created by 1997 Wisconsin Act
20 84, is amended to read:

**ASSEMBLY AMENDMENT,
TO 1999 ASSEMBLY BILL 668**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 10: after that line insert:

3 **"SECTION 1m. 343.31 (1) (f) of the statutes is repealed."**

4 **(END)**

Wed am

12

**ASSEMBLY SUBSTITUTE AMENDMENT ,
TO 1999 ASSEMBLY BILL 668**

f-note

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1 **AN ACT to amend** 343.30 (1g) (b), 343.31 (1) (hm), 343.38 (1) (c) 2. d., 343.44 (2)
2 (am), 343.44 (2) (b) and 343.44 (2r) of the statutes; **relating to:** counting prior
3 offenses of, and penalties for, operating a motor vehicle with an operating
4 privilege that is suspended or revoked, or of operating a commercial motor
5 vehicle while disqualified or ordered out of service.

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

6 **SECTION 1.** 343.30 (1g) (b) of the statutes, as affected by 1997 Wisconsin Act 84,
7 is amended to read:

8 343.30 (1g) (b) A court shall revoke a person's operating privilege upon the
9 person's conviction for violating s. 343.44 (1) (a), (b) or (d) or a local ordinance in
10 conformity therewith if the person has been convicted of 3 or more prior violations
11 of s. 343.44 (1) (a), (b) or (d), or s. 343.44 (1), 1997 stats., or a local ordinance in
12 conformity therewith, within the 5-year period preceding the violation. The

Section #. RP; 343.31 (1) (f). ⁽²⁾

1 revocation shall be for a period of 6 months, unless the court orders a period of
2 revocation of less than 6 months and places its reasons for ordering the lesser period
3 of revocation on the record.

4 SECTION 2. 343.31 (1) (hm) of the statutes, as created by 1997 Wisconsin Act
5 84, is amended to read:

6 343.31 (1) (hm) A violation of s. 343.44 (1) (a), (b) or (d), or a local ordinance in
7 conformity therewith, if the person has been convicted of 3 or more prior violations
8 of s. 343.44 (1) (a), (b) or (d), or s. 343.44 (1), 1997 stats., or a local ordinance in
9 conformity therewith within the 5-year period preceding the violation. Revocation
10 under this paragraph shall be for a period of 6 months unless a lesser period of
11 revocation is ordered under s. 343.30 (1g) (b).

12 SECTION 3. 343.38 (1) (c) 2. d. of the statutes, as created by 1997 Wisconsin Act
13 84, is amended to read:

14 343.38 (1) (c) 2. d. Reinstatement of an operating privilege revoked under s.
15 343.31 (1) (b) or (2) if, within the 5-year period preceding the violation, the person
16 has not been convicted of a prior offense that may be counted under s. 343.307 (2) and
17 if, within the 10-year period preceding the violation, the person has not been
18 convicted of 2 or more prior offenses that may be counted under s. 343.307 (2).

19 SECTION 4. 343.44 (2) (am) of the statutes, as affected by 1997 Wisconsin Act
20 84 and 1999 Wisconsin Act 9, is amended to read:

21 343.44 (2) (am) Any person who violates sub. (1) (b) before May 1, 2002, may
22 be required to forfeit not more than \$600, except that, if the person has been
23 convicted of a previous violation described in of sub. (1) (b), or of operating a motor
24 vehicle in violation of s. 343.44 (1), 1997 stats., with an operating privilege that is
25 revoked, within the preceding 5-year period, the penalty under par. (b) shall apply.

1 **SECTION 5.** 343.44 (2) (b) of the statutes, as affected by 1997 Wisconsin Act 84,
2 is amended to read:

3 343.44 (2) (b) Except as provided in par. (am), any person who violates sub. (1)
4 (b), (c) or (d) shall be fined not more than \$2,500 or imprisoned for not more than one
5 year in the county jail or both. In imposing a sentence under this paragraph, or a
6 local ordinance in conformity with this paragraph, the court shall review the record
7 and consider the following:

8 **SECTION 6.** 343.44 (2r) of the statutes, as affected by 1997 Wisconsin Act 84, is
9 amended to read:

10 343.44 (2r) PRIOR CONVICTIONS. For purposes of determining prior convictions
11 under this section, the 5-year period shall be measured from the dates of the
12 violations that resulted in the convictions and each conviction under sub. (2) shall
13 be counted. Convictions of s. 343.44 (1), 1997 stats., shall be counted under this
14 section as prior convictions.

15 **SECTION 7. Initial applicability.**

16 (1) The treatment of section 343.44 (2) (b) of the statutes first applies to motor
17 vehicles operated on the effective date of this subsection.

18 **SECTION 8. Effective date.**

19 (1) This act takes effect on May 1, 2001, or on the date stated in the notice
20 published by the secretary of transportation in the Wisconsin Administrative
21 Register under section 85.515 of the statutes, whichever is earlier.

22

(END)

pen/emit
50300/2du

This draft is a compilation of
LRB 50300/1 (which includes LRB a 1388/1g)
and LRB a 1420/1.

-PEN

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

LRBs0300/2dn
PEN:cmh:km

February 22, 2000

This draft is a compilation of LRBs0300/1 (which includes LRBa1388/1) and LRBa1420/1.

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