

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

LRB-1468/1dn  
ARG:jld:rs

February 19, 2001

1. The attached bill requires the department of transportation (DOT) to include in its uniform traffic accident report form an area designating whether use of a cellular or other mobile telephone contributed to causing the accident. The investigating officer completing the form may have difficulty making this determination. Would you like to instead amend the form to require the investigating officer to identify whether a cellular telephone was in use at the time of the accident?
2. Section 346.70 (4), stats., requires law enforcement agencies to submit traffic accident reports to DOT on the uniform traffic accident report form or automated format created by DOT under s. 346.70 (3m) (c), stats. Under s. 346.70 (2), stats., if a law enforcement agency does not complete an accident report, a person involved in a reportable accident must submit a written self-report to DOT. As a practical matter, I believe that DOT provides a form for self-reporting that is different from the uniform traffic accident report form used by law enforcement agencies. Would you like to require operators who self-report under s. 346.70 (2) to identify whether they were using a cellular telephone at the time of the accident? I believe that asking operators who self-report to state whether their use of a cellular telephone contributed to causing the accident could pose self-incrimination problems.
3. I have included a delayed effective date for this bill to allow DOT time to revise and distribute the amended uniform traffic accident form required by this bill.

Please call or e-mail me if you have any questions.

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