

**2001-02**  
**Wisconsin State Budget**

Drafting File For:  
**Enrolled SB-55**

**Part**     **L**    

.....

1 (a) "Brownfields" has the meaning given in s. 560.13 (1) (a).

2 (b) "Local governmental units" has the meaning given in s. 292.75 (1) (b).

3 (2) The department shall administer a program under which the department  
4 awards grants to local governmental units for projects to remedy environmental  
5 contamination of brownfields. A project is eligible for a grant under this section if  
6 it has a long-term public benefit, including the preservation of green space, the  
7 development of recreational areas, or the use of a property by the local government.

8 SECTION 3325. 292.99 (1m) of the statutes is amended to read:

9 292.99 (1m) Any person who violates s. 292.65 (12m) or 292.66 (5) shall forfeit  
10 not less than \$10 nor more than \$10,000.

11 SECTION 3327q. 301.03 (2p) of the statutes is created to read:

12 301.03 (2p) Offer the same level of alcohol or other drug abuse treatment to  
13 female inmates as to male inmates.

14 SECTION 3325k. 295.33 (4) of the statutes is amended to read:

15 295.33 (4) No person may conduct drilling operations for the exploration for or  
16 production of oil or gas ~~from~~ if the drilling extends beneath the beds of the Great  
17 Lakes or bays or harbors that are adjacent to the Great Lakes, ~~unless all drilling~~  
18 ~~operations originate from locations above and on the landward side of the ordinary~~  
19 ~~high-water mark and are conducted according to the terms of a written lease~~  
20 ~~obtained from the department under, notwithstanding s. 30.20 (2) (b).~~

21 SECTION 3325q. 301.029 (2) (a) of the statutes is amended to read:

22 301.029 (2) (a) The department may not enter into any contract or other  
23 agreement if, in the performance of the contract or agreement, a prisoner would  
24 perform data entry or telemarketing services and have access to an individual's  
25 financial transaction card numbers, checking or savings account numbers; or social

(K)

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1 security number or to any personal identifying information, as defined in s. 943.201  
2 (1) (b), of an individual who is not a prisoner.

3 **SECTION 3327j.** 301.03 (2t) of the statutes is created to read:

4 301.03 (2t) Promote efficient use of resources for alcohol and other drug abuse  
5 intervention and treatment services by doing all of the following:

6 (a) Developing one or more methods to evaluate the effectiveness of, and  
7 developing performance standards for, alcohol and other drug abuse intervention  
8 and treatment services that are administered by the department.

9 (b) Adopting policies to ensure that, to the extent possible under state and  
10 federal law, funding for alcohol and other drug abuse intervention and treatment  
11 services that are administered by the department is distributed giving primary  
12 consideration to the effectiveness of the services in meeting department performance  
13 standards for alcohol and other drug abuse services.

14 (c) Requiring every application for funding from the department for alcohol and  
15 other drug abuse intervention or treatment services to include a plan for the  
16 evaluation of the effectiveness of the services in reducing alcohol and other drug  
17 abuse by recipients of the services.

18 (d) Requiring every person receiving funding from the department for alcohol  
19 and other drug abuse intervention or treatment services to provide the department  
20 the results of the evaluation conducted under par. (c).

21 **SECTION 3329f.** 301.03 (16) of the statutes is created to read:

22 301.03 (16) (a) In this subsection, “Intranet site” means an Internet site that  
23 is only accessible to officials and employees of the department.

24 (b) Create and maintain an Intranet site that includes the medical histories of  
25 all inmates who are sentenced to the Wisconsin state prisons. The site shall be

1 created no later than June 30, 2003, and shall include the prescriptions, laboratory  
2 reports, and X-rays ordered for each inmate.

3 **SECTION 3329m.** 301.03 (19) of the statutes is created to read:

4 301.03 (19) Work with the parole commission to minimize, to the greatest  
5 extent possible, the residential population density of sex offenders, as defined in s.  
6 302.116 (1) (b), who are on probation, parole, or extended supervision or placed on  
7 supervised release under s. 980.06 (2) (c), 1997 stats., or 980.08 (5).

8 **SECTION 3329p.** 301.03 (19m) of the statutes is created to read:

9 301.03 (19m) Examine the allocation of mental health services within the  
10 department to ensure that, within available resources, the mental health needs of  
11 inmates are met in an equitable and efficient manner and evaluate the effectiveness  
12 of providing for those needs in an equitable and efficient manner.

13 **SECTION 3329q.** 301.03 (20) of the statutes is created to read:

14 301.03 (20) Require a physician to randomly review on a regular basis the  
15 medical charts of inmates to ensure that proper medical procedures are followed in  
16 the provision of medical care to those inmates and evaluate the outcome and findings  
17 of those medical chart reviews.

18 **SECTION 3329r.** 301.03 (21) of the statutes is created to read:

19 301.03 (21) Prepare written contracts for all health care providers that deliver  
20 basic health care services at correctional facilities.

21 **SECTION 3329s.** 301.03 (22) of the statutes is created to read:

22 301.03 (22) Submit all contracts, agreements, or extensions of contracts or  
23 agreements for the delivery of health care services at correctional facilities that  
24 exceed \$500,000 to the joint committee on finance for that committee's review and  
25 approval.

1           **SECTION 3329t.** 301.03 (23) of the statutes is created to read:

2           301.03 (23) Negotiate in all contracts entered into on or after the effective date  
3 of this subsection .... [revisor inserts date], with hospitals that provide inmate care  
4 a provision that the hospital will accept the medical assistance reimbursement rate  
5 under s. 49.45 for all inmates eligible for that program and evaluate the outcome of  
6 those negotiation efforts.

7           **SECTION 3329u.** 301.03 (24) of the statutes is created to read:

8           301.03 (24) In cooperation with the department of health and family services,  
9 explore options for determining the medical assistance eligibility of inmates and  
10 evaluate the progress of the efforts made to determine that eligibility.

11           **SECTION 3329x.** 301.03 (25) of the statutes is created to read:

12           301.03 (25) Jointly, with the department of health and family services, develop  
13 a gender-specific program for addressing the individual treatment needs of female  
14 inmates.

15           **SECTION 3330g.** 301.03 (34) of the statutes is created to read:

16           301.03 (34) Comply with guidelines established by the U.S. attorney general  
17 under 42 USC 13704 (2) in reporting, on a quarterly basis, information regarding the  
18 death of any person in the custody of the department, including inmates incarcerated  
19 in facilities located outside this state, and provide this information to the Wisconsin  
20 attorney general at the same time that it is submitted to the U.S. attorney general.

21           **SECTION 3330e.** 301.03 (32) of the statutes is created to read:

22           301.03 (32) On its Internet web site that is accessible to the public, publish  
23 statistical information regarding adult corrections, including the total adult  
24 population; adult population in each institution; commitments to the adult  
25 correctional system; releases from the adult correctional system; average adult

1 inmate sentence length; and offenses, race, gender, educational level, marital status,  
2 parental status, religion, and county of commitment of adult inmates.

3 **SECTION 3330f.** 301.03 (33) of the statutes is created to read:

4 301.03 (33) On its Internet web site that is accessible to the public, publish  
5 statistical information regarding juvenile corrections, including the total juvenile  
6 population; juvenile population in each institution; average juvenile population;  
7 admissions to the juvenile correctional system; releases from the juvenile  
8 correctional system; and offenses, race, gender, average age, and county of  
9 commitment of juveniles.

10 **SECTION 3330c.** 301.03 (30) of the statutes is created to read:

11 301.03 (30) Create and maintain an inmate tracking system that includes the  
12 inmate's criminal history, medical and mental health history, alcohol and other drug  
13 abuse history, victimization history, violence history, education and vocational  
14 history, religion, marital status, and status of all of his or her children.

15 **SECTION 3330d.** 301.03 (31) of the statutes is created to read:

16 301.03 (31) Collect and maintain information that determines the number of  
17 inmates that return to prison due to a probation or parole revocation and whether  
18 the revocation is due to the inmate committing a new crime or violating a condition  
19 or rule of probation or parole.

20

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21 **SECTION 3333j.** 301.047 of the statutes is created to read:

22 **301.047 Inmate rehabilitation and aftercare. (1) PROGRAM.** The  
23 department may permit one or more nonprofit community-based organizations  
24 meeting the requirements of this section to operate an inmate rehabilitation  
25 program in any department facility if the department determines that operation of

1 that program does not constitute a threat to the security of the facility or the safety  
2 of inmates or the public and that operation of the program is in the best interest of  
3 the inmates.

4 (2) PROGRAM REQUIREMENTS. (a) An organization seeking to operate a  
5 rehabilitation program under sub. (1) shall submit to the department a detailed  
6 proposal for the operation of the program. The proposal shall include all of the  
7 following:

8 1. A description of the services to be provided, including aftercare services, and  
9 a description of the geographic area in which aftercare services will be provided.

10 2. A description of the activities to be undertaken and the approximate daily  
11 schedule of programming for inmates participating in the program.

12 3. A statement of the qualifications of the individuals providing services.

13 4. A statement of the organization's policies regarding eligibility of inmates to  
14 participate in the program.

15 5. A statement of the goals of the program.

16 6. A description of the methods by which the organization will evaluate the  
17 effectiveness of the program in attaining the goals under subd. 5.

18 7. Any other information specified by the department.

19 (b) An organization seeking to operate a rehabilitation program under sub. (1)  
20 shall agree in writing to all of the following:

21 1. The organization may not receive compensation from the department for  
22 services provided in the rehabilitation program.

23 2. The organization may not deny an inmate the opportunity to participate in  
24 the program for any reason related to the inmate's religious beliefs or nonbelief.

25 3. An inmate may stop participating in the program at any time.

1           4. Upon the inmate's release, the organization shall provide community-based  
2 aftercare services for each inmate who completes the program and who resides in the  
3 geographic area described in par. (a) 1.

4           **(3) DUTIES AND AUTHORITY OF THE DEPARTMENT.** (a) The department shall  
5 establish policies that provide an organization operating a rehabilitation program  
6 under sub. (1) reasonable access to inmates.

7           (b) The department shall designate a specific portion of the facility for  
8 operation of a rehabilitation program, if one is established, under sub. (1). To the  
9 extent possible, inmates participating in the program shall be housed in the portion  
10 of the facility in which the program is operated.

11           (c) The department may not require an inmate to participate in a rehabilitation  
12 program under sub. (1).

13           (d) The department may not base any decision regarding an inmate's conditions  
14 of confinement, including discipline, or an inmate's eligibility for release, on an  
15 inmate's decision to participate or not to participate in a rehabilitation program  
16 under sub. (1).

17           (e) The treatment of inmates, including the provision of housing, activities in  
18 which an inmate may participate, freedom of movement, and work assignments,  
19 shall be substantially the same for inmates who participate in a rehabilitation  
20 program under sub. (1) and inmates who do not participate in such a program.

21           (f) The department may restrict an inmate's participation in a rehabilitation  
22 program under sub. (1) only if the restriction is necessary for the security of the  
23 facility or the safety of the inmates or the public.

24           (g) The department may suspend or terminate operation of a rehabilitation  
25 program under sub. (1) if the organization operating the program fails to comply with



1 any of the requirements under this section and shall suspend or terminate the  
2 operation of a program if the department determines that suspension or termination  
3 of the program is necessary for the security of the facility or the safety of the inmates  
4 or the public or is in the best interests of the inmates.

5 (h) 1. Except as provided in subd. 2., if an organization operating a  
6 rehabilitation program under sub. (1) promotes or informs the department that the  
7 organization intends to promote sectarian worship, instruction, or proselytization in  
8 connection with the rehabilitation program, the department shall permit all other  
9 religious organizations meeting the requirements of this section to operate an  
10 inmate rehabilitation program under sub. (1).

11 2. The department is not required under subd. 1. to permit a religious  
12 organization to operate an inmate rehabilitation program under sub. (1) if the  
13 department determines that the organization's operation of that program  
14 constitutes a threat to the security of the facility or the safety of the inmates or the  
15 public.

16 (4) EVALUATION. The department shall evaluate or contract with a public or  
17 private agency for an evaluation of the effectiveness of each rehabilitation program  
18 operated under sub. (1) in reducing recidivism and alcohol and other drug abuse  
19 among program participants. The department shall collect the data and information  
20 necessary to evaluate the program. No later than 3 years from the date on which the  
21 rehabilitation program begins operating, the department shall submit a report of the  
22 evaluation to the governor and to the appropriate standing committees of the  
23 legislature, as determined by the speaker of the assembly and the president of the  
24 senate, under s. 13.172 (3).

1 (5) SUSPENSION OR TERMINATION OF AN INMATE'S PARTICIPATION. Notwithstanding  
2 sub. (2) (b) 2., an organization operating a rehabilitation program under sub. (1) may  
3 suspend or terminate an inmate's participation in a program for reasons unrelated  
4 to religious beliefs, including the inmate's failure to participate meaningfully in the  
5 program.

6 SECTION 3334j. 301.065 of the statutes is created to read:

7 **301.065 Religious organizations; contract powers.** (1) RELIGIOUS  
8 ORGANIZATIONS; LEGISLATIVE PURPOSE. The purpose of this section is to allow the  
9 department to contract with, or award grants to, religious organizations, under any  
10 program administered by the department relating to the prevention of delinquency  
11 and crime or the rehabilitation of offenders, on the same basis as any other  
12 nongovernmental provider, without impairing the religious character of such  
13 organizations, and without diminishing the religious freedom of beneficiaries of  
14 assistance funded under such program.

15 (2) NONDISCRIMINATION AGAINST RELIGIOUS ORGANIZATIONS. If the department is  
16 authorized under ch. 16 to contract with a nongovernmental entity, or to award  
17 grants to a nongovernmental entity, religious organizations are eligible, on the same  
18 basis as any other private organization, to be contractors and grantees under any  
19 program administered by the department so long as the programs are implemented  
20 consistently with the first amendment to the U.S. Constitution and article I, section  
21 18, of the Wisconsin constitution. Except as provided in sub. (11), the department  
22 may not discriminate against an organization that is or applies to be a contractor or  
23 grantee on the basis that the organization does or does not have a religious character  
24 or because of the specific religious nature of the organization.

1           **(3) RELIGIOUS CHARACTER AND FREEDOM.** (a) The department shall allow a  
2 religious organization with which the department contracts or to which the  
3 department awards a grant to retain its independence from government, including  
4 the organization's control over the definition, development, practice, and expression  
5 of its religious beliefs.

6           (b) The department may not require a religious organization to alter its form  
7 of internal governance or to remove religious art, icons, scripture, or other symbols  
8 to be eligible for a contract or grant.

9           **(4) RIGHTS OF BENEFICIARIES OF ASSISTANCE.** (a) If the department contracts with  
10 or awards grants to a religious organization for the provisions of crime prevention  
11 or offender rehabilitation assistance under a program administered by the  
12 department, an individual who is eligible for this assistance shall be informed in  
13 writing that assistance of equal value and accessibility is available from a  
14 nonreligious provider upon request.

15           (b) The department shall provide an individual who is otherwise eligible for  
16 assistance from an organization described under par. (a) with assistance of equal  
17 value from a nonreligious provider if the individual objects to the religious character  
18 of the organization described under par. (a) and requests assistance from a  
19 nonreligious provider. The department shall provide such assistance within a  
20 reasonable period of time after the date of the objection and shall ensure that it is  
21 accessible to the individual.

22           **(6) NONDISCRIMINATION AGAINST BENEFICIARIES.** A religious organization may not  
23 discriminate against an individual in regard to rendering assistance that is funded  
24 under any program administered by the department on the basis of religion, a  
25 religious belief or nonbelief, or a refusal to actively participate in a religious practice.

1           (7) FISCAL ACCOUNTABILITY. (a) Except as provided in par. (b), any religious  
2 organization that contracts with, or receives a grant from, the department is subject  
3 to the same laws and rules as other contractors and grantees regarding accounting,  
4 in accord with generally accepted auditing principles, for the use of the funds  
5 provided under such programs.

6           (b) If the religious organization segregates funds provided under programs  
7 administered by the department into separate accounts, only the financial  
8 assistance provided with those funds shall be subject to audit.

9           (8) COMPLIANCE. Any party that seeks to enforce its rights under this section  
10 may bring a civil action for injunctive relief against the entity that allegedly commits  
11 the violation.

12           (9) LIMITATIONS ON USE OF FUNDS FOR CERTAIN PURPOSES. No funds provided  
13 directly to religious organizations by the department may be expended for sectarian  
14 worship, instruction, or proselytization.

15           (10) CERTIFICATION OF COMPLIANCE. Every religious organization that contracts  
16 with, or receives a grant from, the department to provide delinquency and crime  
17 prevention or offender rehabilitation services to eligible recipients shall certify in  
18 writing that it has complied with the requirements of subs. (6) and (9) and submit  
19 to the department a copy of this certification and a written description of the policies  
20 the organization has adopted to ensure that it has complied with the requirements  
21 under subs. (6) and (9).

22           (11) PREEMPTION. Nothing in this section may be construed to preempt any  
23 other statute that prohibits or restricts the expenditure of federal or state funds by  
24 or the granting of federal or state funds to religious organizations.

25           SECTION 3336. 301.16 (1s) of the statutes is created to read:

1           301.16 (1s) In addition to the institutions under sub. (1), the department shall  
2 establish a medium security correctional institution that is a part of the correctional  
3 facilities enumerated in 1997 Wisconsin Act 27, section 9107 (1) (b), and that is  
4 located in Redgranite.

5           **SECTION 3337.** 301.16 (1t) of the statutes is created to read:

6           301.16 (1t) In addition to the institutions under sub. (1), the department shall  
7 establish a medium security correctional institution that is a part of the correctional  
8 facilities enumerated in 1997 Wisconsin Act 27, section 9107 (1) (b), and that is  
9 located in New Lisbon.

10          **SECTION 3337m.** 301.19 of the statutes is created to read:

11          **301.19 Restriction on construction of correctional facilities.** (1) In this  
12 section:

13          (a) “Authorized jurisdiction” means a county, 2 counties acting jointly under s.  
14 302.44, the United States, or a federally recognized American Indian tribe or band  
15 in this state.

16          ✓ (b) “Correctional facility” means an institution or facility, or a portion of an  
17 institution or facility, that is used to confine juveniles alleged or found to be  
18 delinquent or a prison, jail, house of correction, or lockup facility but does not include  
19 a secured group home, as defined in s. 938.02 (15p).

20          (2) No person may commence construction of a correctional facility or  
21 commence conversion of an existing building, structure, or facility into a correctional  
22 facility unless the building, structure, or facility is enumerated in the authorized  
23 state building program.

24          (3) Subsection (2) does not apply to any of the following:

1 (a) A building, structure, or facility that is constructed or converted under a  
2 contract with and for use by an authorized jurisdiction.

3 (b) A building, structure, or facility the construction of which was completed  
4 before January 1, 2001, if the building, structure, or facility was designed to confine  
5 persons convicted of a criminal offense.

6 **SECTION 3338.** 301.26 (4) (b) of the statutes is amended to read:

7 301.26 (4) (b) Assessment of costs under par. (a) shall be made periodically on  
8 the basis of the per person per day cost estimate specified in par. (d) 2. ~~to 4.~~ and 3.  
9 Except as provided in pars. (bm), (c), and (cm), liability shall apply to county  
10 departments under s. 46.21, 46.22, or 46.23 in the county of the court exercising  
11 jurisdiction under chs. 48 and 938 for each person receiving services from the  
12 department of corrections under s. 48.366, 938.183, or 938.34 or the department of  
13 health and family services under s. 46.057 or 51.35 (3). Except as provided in pars.  
14 (bm), (c), and (cm), in multicounty court jurisdictions, the county of residency within  
15 the jurisdiction shall be liable for costs under this subsection. Assessment of costs  
16 under par. (a) shall also be made according to the general placement type or level of  
17 care provided, as defined by the department, and prorated according to the ratio of  
18 the amount designated under sub. (3) (c) to the total applicable estimated costs of  
19 care, services, and supplies provided by the department of corrections under ss.  
20 48.366, 938.183, and 938.34 and the department of health and family services under  
21 s. 46.057 or 51.35 (3).

22 **SECTION 3339.** 301.26 (4) (cm) 3. of the statutes is amended to read:

23 301.26 (4) (cm) 3. The per person daily reimbursement rate for juvenile  
24 correctional services under this paragraph shall be equal to the per person daily cost  
25 assessment to counties under par. (d) 2. ~~to 4.~~ and 3. for juvenile correctional services.

1           **SECTION 3340d.** 301.26 (4) (d) 2. of the statutes is amended to read:

2           301.26 (4) (d) 2. Beginning on July 1, ~~1999~~ 2001, and ending on  
3           ~~December 31, 1999~~ June 30, 2002, the per person daily cost assessment to counties  
4           shall be ~~\$153.01~~ \$167.57 for care in a Type 1 secured correctional facility, as defined  
5           in s. 938.02 (19), ~~\$153.01~~ \$167.57 for care for juveniles transferred from a juvenile  
6           correctional institution under s. 51.35 (3), ~~\$183.72~~ \$213 for care in a child caring  
7           institution, including a secured child caring institution, ~~\$118.93~~ \$129 for care in a  
8           group home for children, ~~\$26.17~~ \$41 for care in a foster home, ~~\$75.37~~ \$81 for care in  
9           a treatment foster home, ~~\$72.66~~ \$82.56 for departmental corrective sanctions  
10          services, and ~~\$19.76~~ \$21.96 for departmental aftercare services.

11          **SECTION 3341d.** 301.26 (4) (d) 3. of the statutes is amended to read:

12          301.26 (4) (d) 3. ~~In calendar year 2000~~ Beginning on July 1, 2002, and ending  
13          on June 30, 2003, the per person daily cost assessment to counties shall be ~~\$153.55~~  
14          \$172.51 for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19),  
15          ~~\$153.55~~ \$172.51 for care for juveniles transferred from a juvenile correctional  
16          institution under s. 51.35 (3), ~~\$187.21~~ \$226 for care in a child caring institution,  
17          including a secured child caring institution, ~~\$121.19~~ \$135 for care in a group home  
18          for children, ~~\$26.67~~ \$43 for care in a foster home, ~~\$76.80~~ \$85 for care in a treatment  
19          foster home, ~~\$74.68~~ \$84.50 for departmental corrective sanctions services, and  
20          ~~\$19.15~~ \$22.66 for departmental aftercare services.

21          **SECTION 3342.** ~~301.26~~ (4) (d) 4. of the statutes is repealed.

22          **SECTION 3343.** 301.26 (7) (intro.) of the statutes is amended to read:

23          301.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability  
24          of federal funds and of the appropriations under s. 20.410 (3) (cd) and (ko), the  
25          department shall allocate funds for community youth and family aids for the period

1 beginning on July 1, ~~1999~~ 2001, and ending on June 30, ~~2001~~ 2003, as provided in  
2 this subsection to county departments under ss. 46.215, 46.22 and 46.23 as follows:

3 **SECTION 3344e.** 301.26 (7) (a) (intro.) of the statutes is renumbered 301.26 (7)  
4 (a) and amended to read:

5 301.26 (7) (a) For community youth and family aids under this section,  
6 amounts not to exceed ~~\$42,091,800~~ \$43,615,200 for the last 6 months of ~~1999~~,  
7 ~~\$85,183,700 for 2000~~ 2001, ~~\$87,760,300 for 2002~~, and ~~\$43,091,900~~ \$44,145,100 for  
8 the first 6 months of ~~2001~~ 2003.

9 (b) Of ~~these~~ the amounts specified in par. (a), the department shall allocate  
10 ~~\$1,000,000~~ \$2,000,000 for the last 6 months of ~~1999~~, ~~\$3,000,000 for 2000~~ and  
11 ~~\$2,000,000~~ 2001, ~~\$4,000,000 for 2002~~, and ~~\$2,000,000~~ for the first 6 months of 2001  
12 2003 to counties based on each of the following factors weighted equally:

13 **SECTION 3344f.** 301.26 (7) (a) 1. to 3. of the statutes are renumbered 301.26 (7)

14 (b) 1. to 3.

15 **SECTION 3344g.** 301.26 (7) (c) of the statutes is created to read:

16 301.26 (7) (c) Of the amounts specified in par. (a), the department shall allocate  
17 \$523,300 for the last 6 months of 2001, \$1,576,600 for 2002, and \$1,053,300 for the  
18 first 6 months of 2003 to counties based on each of the factors specified in par. (b) 1.  
19 to 3. weighted equally, except that no county may receive an allocation under this  
20 paragraph that is less than 93% nor more than 115% of the amount that the county  
21 would have received under this paragraph if the allocation had been distributed only  
22 on the basis of the factor specified in par. (b) 3.

23 **SECTION 3345.** 301.26 (7) (e) of the statutes is amended to read:

24 301.26 (7) (e) For emergencies related to community youth and family aids  
25 under this section, amounts not to exceed \$125,000 for the last 6 months of 1999



1 ~~2001~~, \$250,000 for ~~2000~~ 2002 and \$125,000 for the first 6 months of ~~2001~~ 2003. A  
2 county is eligible for payments under this paragraph only if it has a population of not  
3 more than 45,000. ✓

4 **SECTION 3346.** 301.26 (7) (h) of the statutes is amended to read:

5 301.26 (7) (h) For counties that are participating in the corrective sanctions  
6 program under s. 938.533 (2), \$1,062,400 in the last 6 months of ~~1999~~ 2001,  
7 \$2,124,800 in ~~2000~~ 2002 and \$1,062,400 in the first 6 months of ~~2001~~ 2003 for the  
8 provision of corrective sanctions services for juveniles from that county. In  
9 distributing funds to counties under this paragraph, the department shall determine  
10 a county's distribution by dividing the amount allocated under this paragraph by the  
11 number of slots authorized for the program under s. 938.533 (2) and multiplying the  
12 quotient by the number of slots allocated to that county by agreement between the  
13 department and the county. The department may transfer funds among counties as  
14 necessary to distribute funds based on the number of slots allocated to each county.

15 **SECTION 3347.** 301.26 (8) of the statutes is amended to read:

16 301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the  
17 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last  
18 6 months of ~~1999~~ 2001, \$1,333,400 in ~~2000~~ 2002 and \$666,700 in the first 6 months  
19 of ~~2001~~ 2003 for alcohol and other drug abuse treatment programs.

20 **SECTION 3348.** 301.265 (title) of the statutes is repealed.

21 **SECTION 3349d.** 301.265 (1) of the statutes is renumbered 16.964 (8) (a) and  
22 amended to read:

23 16.964 (8) (a) From the appropriations under s. ~~20.410 (3)~~ 20.505 (6) (d) and  
24 (kj), the ~~department~~ office shall allocate \$500,000 in each fiscal year to enter into a  
25 contract with an organization to provide services in a county having a population of

1 500,000 or more for the diversion of youths from gang activities into productive  
2 activities, including placement in appropriate educational, recreational and  
3 employment programs. Notwithstanding s. 16.75, the ~~department~~ office may enter  
4 into a contract under this ~~subsection~~ paragraph without soliciting bids or proposals  
5 and without accepting the lowest responsible bid or offer.

6 **SECTION 3350.** 301.265 (2) of the statutes is renumbered 16.964 (8) (b) and  
7 amended to read:

8 16.964 (8) (b) From the appropriation under s. ~~20.410 (3) (kp)~~ 20.505 (6) (km),  
9 the ~~department~~ office may not distribute more than \$300,000 in each fiscal year to  
10 the organization that it has contracted with under ~~sub. (1) par. (a)~~ for alcohol and  
11 other drug abuse education and treatment services for participants in that  
12 organization's youth diversion program.

13 **SECTION 3351d.** 301.265 (3) of the statutes is renumbered 16.964 (8) (c) and  
14 amended to read:

15 16.964 (8) (c) From the appropriations under s. ~~20.410 (3)~~ 20.505 (6) (d) and (kj),  
16 the ~~department~~ office shall allocate \$150,000 in each fiscal year to enter into a  
17 contract with an organization to provide services in Racine County, \$150,000 in each  
18 fiscal year to enter into a contract with an organization to provide services in  
19 Kenosha County, \$150,000 in each fiscal year to enter into a contract with an  
20 organization that is located in ward 1 in the city of Racine to provide services in  
21 Racine County, and \$150,000 in each fiscal year to enter into a contract with an  
22 organization to provide services in Brown County, for the diversion of youths from  
23 gang activities into productive activities, including placement in appropriate  
24 educational, recreational, and employment programs, and for alcohol or other drug  
25 abuse education and treatment services for participants in that organization's youth

1 diversion program. The organization that is located in ward 1 in the city of Racine  
2 shall have a recreational facility, shall offer programs to divert youths from gang  
3 activities, may not be affiliated with any national or state association, and may not  
4 have entered into a contract under s. 301.265 (3), 1995 stats. Notwithstanding s.  
5 16.75, the ~~department~~ office may enter into a contract under this ~~subsection~~  
6 paragraph without soliciting bids or proposals and without accepting the lowest  
7 responsible bid or offer.

8 **SECTION 3352m.** ✓ 301.295 of the statutes is created to read:

9 **301.295 Recruitment of department employees.** The department may not  
10 use billboards or similar structures to recruit its employees.

11 **SECTION 3352u.** 301.46 (2s) of the statutes is created to read:

12 301.46 (2s) PROVIDING INFORMATION TO THE UNIVERSITY OF WISCONSIN SYSTEM.

13 (a) In this subsection:

14 1. “Board of regents” means the board of regents of the University of Wisconsin  
15 System.

16 2. “University of Wisconsin employee” means a person employed by the board  
17 of regents.

18 3. “University of Wisconsin student” means a person attending an institution  
19 within the University of Wisconsin System.

20 (b) When a University of Wisconsin employee or student registers with the  
21 department under s. 301.45 (2) or a person who is registered with the department  
22 under s. 301.45 (2) becomes a University of Wisconsin employee or student, the  
23 department shall immediately provide in writing the following information about  
24 the person to the board of regents:

25 1. The person’s name, including any aliases used by the person.

1           2. Information sufficient to identify the person, including date of birth, gender,  
2 race, height, weight, and hair and eye color.

3           3. The statute that the person violated, the date of conviction, adjudication, or  
4 commitment, and the county or, if the state is not this state, the state in which the  
5 person was convicted, adjudicated, or committed.

6           4. The address at which the person is residing.

7           5. If the person is a University of Wisconsin employee, the name and address  
8 of any institution at which the person works.

9           6. If the person is a University of Wisconsin student, the name and address of  
10 the institution that the person attends.

11          7. The most recent date on which the information under s. 301.45 was updated.

12          (c) When an individual described in par. (b) (intro.) updates information under  
13 s. 301.45 (4), the department shall immediately provide the updated information in  
14 writing to the board of regents.

15          **SECTION 3352w.** 301.46 (5) (a) (intro.) of the statutes is amended to read:

16          301.46 (5) (a) (intro.) The department or a police chief or sheriff may provide  
17 the information specified in par. (b) concerning a specific person required to register  
18 under s. 301.45 to a person who is not provided notice or access under ~~subs.~~ sub. (2)  
19 ~~to, (2m), (3), or~~ (4) if, in the opinion of the department or the police chief or sheriff,  
20 providing the information is necessary to protect the public and if the person  
21 requesting the information does all of the following:

22          **SECTION 3352r.** 301.46 (4) (d) of the statutes is created to read:

23          301.46 (4) (d) The department shall coordinate with the department of health  
24 and family services the sharing of address information of persons regarding whom  
25 notification bulletins are issued under sub. (2m) (a) or (am).

1           **SECTION 3353m.** 302.01 of the statutes is amended to read:

2           **302.01 State prisons named and defined.** The penitentiary at Waupun is  
3 named "Waupun Correctional Institution". The correctional treatment center at  
4 Waupun is named "Dodge Correctional Institution". The penitentiary at Green Bay  
5 is named "Green Bay Correctional Institution". The medium/maximum  
6 penitentiary at Portage is named "Columbia Correctional Institution". The medium  
7 security institution at Oshkosh is named "Oshkosh Correctional Institution". The  
8 medium security penitentiary near Fox Lake is named "Fox Lake Correctional  
9 Institution". The penitentiary at Taycheedah is named "Taycheedah Correctional  
10 Institution". The medium security penitentiary at Plymouth is named "Kettle  
11 Moraine Correctional Institution". The penitentiary at the village of Sturtevant in  
12 Racine county is named "Racine Correctional Institution". The medium security  
13 correctional institution near Black River Falls is named "Jackson Correctional  
14 Institution." The medium security penitentiary at Racine is named "Racine Youthful  
15 Offender Correctional Facility". The resource facility at Oshkosh is named  
16 "Wisconsin Resource Center". The institutions named in this section, the medium  
17 security correctional institutions at Redgranite and New Lisbon, the correctional  
18 institutions authorized under s. 301.16 (1n) and (1v), correctional institution  
19 authorized under 1997 Wisconsin Act 4, section 4 (1) (a), correctional institution  
20 authorized under s. 301.046 (1), correctional institution authorized under s. 301.048  
21 (4) (b), the correctional institution at Stanley authorized under 2001 Wisconsin Act  
22 ... (this act), section 9107 (1) (b), minimum security correctional institutions  
23 authorized under s. 301.13, the probation and parole holding facilities authorized  
24 under s. 301.16 (1q), and state-local shared correctional facilities when established  
25 under s. 301.14, are state prisons.

1           **SECTION 3354g.** 302.11 (1) of the statutes is amended to read:

2           302.11 (1) The warden or superintendent shall keep a record of the conduct of  
3 each inmate, specifying each infraction of the rules. Except as provided in subs. (1g),  
4 (1m), (1q), (1z), (4m), (7) and (10), each inmate is entitled to mandatory release on  
5 parole by the department. The mandatory release date is established at two-thirds  
6 of the sentence. Any calculations under this subsection or sub. (1q) (b) or (2) (b)  
7 resulting in fractions of a day shall be rounded in the inmate's favor to a whole day.

8           **SECTION 3354j.** 302.11 (1g) (b) 2. of the statutes is amended to read:

9           302.11 (1g) (b) 2. Refusal by the inmate to participate in counseling or  
10 treatment that the social service and clinical staff of the institution determines is  
11 necessary for the inmate, including pharmacological treatment using an  
12 antiandrogen or the chemical equivalent of an antiandrogen if the inmate is a serious  
13 child sex offender as defined in s. 304.06 (1q) (a). The parole commission may not  
14 deny presumptive mandatory release to an inmate because of the inmate's refusal  
15 to participate in a rehabilitation program under s. 301.047.

16           **SECTION 3354r.** 302.11 (1g) (b) 3. of the statutes is created to read:

17           302.11 (1g) (b) 3. Refusal by the inmate to live in a residence that the parole  
18 commission has approved under s. 304.06 (2m) (ak), if applicable.

19           **SECTION 3357m.** 302.11 (4m) of the statutes is amended to read:

20           302.11 (4m) An inmate may not be paroled under this section is subject to the  
21 restriction unless he or she agrees to live in a residence that the parole commission  
22 or the department has approved under s. 304.06 (2m) (ak), if applicable, relating to  
23 the counties to which inmates may be paroled.

24           *remove blank line*

25           **SECTION 3367g.** 302.113 (7) of the statutes is amended to read:

1           302.113 (7) Any inmate released to extended supervision under this section is  
2 subject to all conditions and rules of extended supervision until the expiration of the  
3 term of extended supervision portion of the bifurcated sentence. The department  
4 may set conditions of extended supervision in addition to any conditions of extended  
5 supervision required under s. 302.116, if applicable, or set by the court under s.  
6 973.01 (5) if the conditions set by the department do not conflict with the court's  
7 conditions.

8 *Delete blank line*

9           **SECTION 3377m.** 302.114 (8) of the statutes is amended to read:

10           302.114 (8) Any inmate released to extended supervision under this section is  
11 subject to all conditions and rules of extended supervision. The department may set  
12 conditions of extended supervision in addition to any conditions of extended  
13 supervision required under s. 302.116, if applicable, or set by the court under sub.  
14 (5) (d) if the conditions set by the department do not conflict with the court's  
15 conditions.

16 *Delete blank line*

17           **SECTION 3385g.** 302.115 of the statutes is renumbered 302.105.

18           **SECTION 3385r.** 302.116 of the statutes is created to read:

19           **302.116 Extended supervision conditions for sex offenders.** (1) In this  
20 section:

21           (a) "Serious sex offense" means a violation of s. 940.225 (1) or (2), 948.02 (1) or  
22 (2), 948.025, 948.06, or 948.07 or a solicitation, conspiracy, or attempt to commit a  
23 violation of s. 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.06, or 948.07.

24           (b) "Sex offender" means a person serving a sentence for a serious sex offense.

1           (2) As a condition of extended supervision, a sex offender shall agree to live in  
2 a residence that the department has approved under sub. (3).

3           (3) Subject to the requirements of subs. (4) to (6) and s. 301.03 (19), before  
4 releasing a sex offender to extended supervision, the department shall assess the  
5 appropriateness of the sex offender's prospective residence by doing at least all of the  
6 following:

7           (a) Considering the sex offender's access to potential victims if he or she lives  
8 there. If the victim of the serious sex offense that the sex offender committed was  
9 a child, the department, in meeting this requirement, shall contact the department  
10 of health and family services, the local county department responsible for  
11 certification of child care providers under s. 48.651, and the local school board to  
12 determine whether there are any day care providers located near the sex offender's  
13 prospective residence.

14           (b) Ensuring that others living in the prospective residence are aware of the sex  
15 offender's offense history.

16           (4) The department shall use its best efforts to select a residence under sub.  
17 (3) that is in the sex offender's county of residence.

18           (5) If the victim of the serious sex offense that the sex offender committed was  
19 a child who resided with the sex offender at the time of the offense, the department  
20 may not permit the sex offender to return home, unless the extended supervision  
21 officer and any person providing sex offender treatment to the sex offender  
22 determines that the sex offender's return will not jeopardize the safety of anyone  
23 residing in the home.

24           (6) The department may not approve a residence under sub. (3) if it is located  
25 in a county where there is a correctional institution that has a specialized sex



1 offender treatment program, unless that county is also the sex offender's county of  
2 residence.

3 (7) The department shall determine a sex offender's county of residence under  
4 this section by doing all of the following:

5 (a) Considering residence as the voluntary concurrence of physical presence  
6 with intent to remain in a place of fixed habitation and considering physical presence  
7 as prima facie evidence of intent to remain.

8 (b) Applying the criteria for consideration of residence and physical presence  
9 under par. (a) to the facts that existed on the date on which the sex offender  
10 committed the serious sex offense that resulted in the sentence that the sex offender  
11 is serving.

12 **SECTION 3386d.** 302.18 (7) of the statutes is amended to read:

13 302.18 (7) Except as provided in s. 973.013 (3m), the department shall keep all  
14 ~~prisoners~~ a person under 15 years of age who has been sentenced to the Wisconsin  
15 state prisons in a secured juvenile correctional facilities or facility or a secured child  
16 caring institutions institution, but the department may transfer ~~them~~ that person  
17 to an adult correctional institutions institution after ~~they attain~~ the person attains  
18 15 years of age. The department may not transfer any person under 18 years of age  
19 to the correctional institution authorized in s. 301.16 (1n).

20 **SECTION 3388.** 302.386 (3) (a) of the statutes is amended to read:

21 302.386 (3) (a) Except as provided in par. (b), the department may require a  
22 resident housed in a prison identified in s. 302.01 or in a secured correctional facility,  
23 as defined in s. 938.02 (15m), ~~who earns wages during residency and who receives~~  
24 ~~medical or dental services to pay a deductible, coinsurance, copayment, or similar~~

1 charge upon the medical or dental service that he or she receives. The department  
2 shall collect the allowable deductible, coinsurance, copayment, or similar charge.

3 **SECTION 3389f.** 302.46 (1) (a) of the statutes is amended to read:

4 302.46 (1) (a) On or after October 1, 1987, if a court imposes a fine or forfeiture  
5 for a violation of state law or for a violation of a municipal or county ordinance except  
6 for a violation of s. 101.123 (2) (a), (am) 1., (ar) ~~or~~, (bm), or (br) or (5) or state laws or  
7 municipal or county ordinances involving nonmoving traffic violations or safety belt  
8 use violations under s. 347.48 (2m), the court, in addition, shall impose a jail  
9 assessment in an amount of 1% of the fine or forfeiture imposed or \$10, whichever  
10 is greater. If multiple offenses are involved, the court shall determine the jail  
11 assessment on the basis of each fine or forfeiture. If a fine or forfeiture is suspended  
12 in whole or in part, the court shall reduce the jail assessment in proportion to the  
13 suspension.

14 **SECTION 3389g.** 303.01 (2) (em) of the statutes is amended to read:

15 303.01 (2) (em) Lease space, with or without equipment, within the precincts  
16 of state prisons, as specified in s. 302.02, or within the confines of correctional  
17 institutions operated by the department for holding in secure custody persons  
18 adjudged delinquent, to not more than ~~6~~ 2 private businesses to employ prison  
19 inmates and institution residents to manufacture products or components or to  
20 provide services for sale on the open market. The department shall comply with s.  
21 16.75 in selecting businesses under this paragraph. The department may enter into  
22 a contract under this paragraph only with the approval of the joint committee on  
23 finance. The department may not enter into or amend a contract under this  
24 paragraph unless the contract or amendment specifies each state prison or juvenile  
25 correctional institution at which the private business will employ inmates or

1 institution residents. The department shall consult with appropriate trade  
2 organizations and labor unions prior to issuing requests for proposals and prior to  
3 selecting proposals under this paragraph. Each such private business may conduct  
4 its operations as a private business, subject to the wage standards under sub. (4), the  
5 disposition of earnings under sub. (8), the provisions regarding displacement in sub.  
6 (11), the requirements for notification and hearing under sub. (1) (c), the requirement  
7 for prison industries board approval under s. 303.015 (1) (b) and the authority of the  
8 department to maintain security and control in its institutions. The private business  
9 and its operations are not a prison industry. Inmates employed by the private  
10 business are not subject to the requirements of inmates participating in prison  
11 industries, except as provided in this paragraph;

12 **SECTION 3389gm.** 303.04 of the statutes is amended to read:

13 **303.04 Correctional farms.** The board of commissioners of public lands, the  
14 department of natural resources, the department of forestry, and the department  
15 may select from the state forest reserves a quantity of land not to exceed 5,000 acres  
16 and convert the same into farms for the state prisons.

17 **SECTION 3389m.** 304.01 (3) of the statutes is created to read:

18 304.01 (3) The parole commission shall work with the department to minimize,  
19 to the greatest extent possible, the residential population density of sex offenders,  
20 as defined in s. 304.06 (2m) (a) 2., who are on probation, parole, or extended  
21 supervision or placed on supervised release under s. 980.06 (2) (c), 1997 stats., or s.  
22 980.08 (5).

23 **SECTION 3389p.** 304.02 (4m) of the statutes is amended to read:

24 304.02 (4m) A prisoner may not be paroled under this section is subject to the  
25 restriction unless he or she agrees to live in a residence that the department has

1 approved under s. 304.06 (2m) (ak), if applicable, ~~relating to the counties to which~~  
2 ~~prisoners may be paroled.~~

3 **SECTION 3389q.** 304.06 (2m) (a) of the statutes is renumbered 304.06 (2m) (a)  
4 (intro.) and amended to read:

5 304.06 (2m) (a) (intro.) In this subsection, ~~“serious;~~

6 1. “Serious sex offense” means a violation of s. 940.225 (1) or (2), 948.02 (1) or  
7 (2), 948.025, 948.06 or 948.07 or a solicitation, conspiracy or attempt to commit a  
8 violation of s. 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.06 or 948.07.

9 **SECTION 3389r.** 304.06 (2m) (a) 2. of the statutes is created to read:

10 304.06 (2m) (a) 2. “Sex offender” means a person serving a sentence for a  
11 serious sex offense.

12 **SECTION 3389s.** 304.06 (2m) (af) of the statutes is created to read:

13 304.06 (2m) (af) Neither the parole commission nor the department may parole  
14 a sex offender unless he or she agrees to live in a residence that the parole  
15 commission or the department has approved under par. (ak).

16 **SECTION 3389t.** 304.06 (2m) (ak) of the statutes is created to read:

17 304.06 (2m) (ak) Subject to the requirements of pars. (ap), (at), and (b) and ss.  
18 301.03 (19) and 304.01 (3), before releasing a sex offender on parole, the parole  
19 commission or the department shall assess the appropriateness of the sex offender’s  
20 prospective residence by doing at least all of the following:

21 1. Considering the sex offender’s access to potential victims if he or she lives  
22 there. If the victim of the serious sex offense that the sex offender committed was  
23 a child, the parole commission or the department, in meeting this requirement, shall  
24 contact the department of health and family services, the local county department  
25 responsible for certification of child care providers under s. 48.651, and the local

1 school board to determine whether there are any day care providers located near the  
2 sex offender's prospective residence.

3 2. Ensuring that others living in the prospective residence are aware of the sex  
4 offender's offense history.

5 **SECTION 3389u.** 304.06 (2m) (ap) of the statutes is created to read:

6 304.06 (2m) (ap) The parole commission or the department shall use its best  
7 efforts to select a residence under par. (ak) that is in the sex offender's county of  
8 residence.

9 **SECTION 3389v.** 304.06 (2m) (at) of the statutes is created to read:

10 304.06 (2m) (at) If the victim of the serious sex offense that the sex offender  
11 committed was a child who resided with the sex offender at the time of the offense,  
12 neither the parole commission nor the department may permit the sex offender to  
13 return home, unless the parole officer and any person providing sex offender  
14 treatment to the sex offender determines that the sex offender's return will not  
15 jeopardize the safety of anyone residing in the home.

16 **SECTION 3389w.** 304.06 (2m) (b) of the statutes is amended to read:

17 304.06 (2m) (b) Except as provided in par. (c), no ~~prisoner who is serving a~~  
18 ~~sentence for a serious sex offense~~ offender may be paroled to any county where there  
19 is a correctional institution that has a specialized sex offender treatment program.

20 **SECTION 3389x.** 304.06 (2m) (c) of the statutes is amended to read:

21 304.06 (2m) (c) A ~~prisoner who is serving a sentence for a serious sex offense~~  
22 offender may be paroled to a county where there is a correctional institution that has  
23 a specialized sex offender treatment program if that county is also the ~~prisoner's~~ sex  
24 offender's county of residence.

25 **SECTION 3389y.** 304.06 (2m) (d) of the statutes is amended to read:

1           304.06 (2m) (d) The parole commission or the department shall determine a  
2 prisoner's sex offender's county of residence for the purposes of this subsection by  
3 doing all of the following:

4           1. ~~The parole commission or the department shall consider~~ Considering  
5 residence as the voluntary concurrence of physical presence with intent to remain  
6 in a place of fixed habitation and ~~shall consider~~ considering physical presence as  
7 prima facie evidence of intent to remain.

8           2. ~~The parole commission or the department shall apply~~ Applying the criteria  
9 for consideration of residence and physical presence under subd. 1. to the facts that  
10 existed on the date ~~that the prisoner on which the sex offender~~ committed the serious  
11 sex offense that resulted in the sentence that the prisoner sex offender is serving.

12 *Delete blank line*

13           **SECTION 3390t.** 340.01 (2g) of the statutes is amended to read:

14           340.01 (2g) "All-terrain vehicle" means an engine-driven device which has a  
15 net weight of ~~650~~ 900 pounds or less, which has a width of 48 inches or less, which  
16 is equipped with a seat designed to be straddled by the operator and which is  
17 designed to travel on 3 or more low-pressure tires. A low-pressure tire is a tire which  
18 has a minimum width of 6 inches, which is designed to be mounted on a rim with a  
19 maximum diameter of 12 inches and which is designed to be inflated with an  
20 operating pressure not to exceed 6 pounds per square inch as recommended by the  
21 manufacturer.

22           **SECTION 3390u.** 340.01 (4) (a) of the statutes is amended to read:

23           340.01 (4) (a) Type 1 is a motor vehicle designed and used primarily for carrying  
24 persons but which does not come within the definition of a low-speed vehicle, motor  
25 bus, motorcycle, moped or motor bicycle.

1           **SECTION 3390v.** 340.01 (19d) of the statutes is created to read:

2           340.01 (19d) “Golf cart” means a vehicle whose speed attainable in one mile  
3 does not exceed 20 miles per hour on a paved, level surface, and is used to convey one  
4 or more persons and equipment to play the game of golf in an area designated as a  
5 golf course.

6           **SECTION 3390x.** 340.01 (27m) of the statutes is created to read:

7           340.01 (27m) “Low-speed vehicle” means a low-speed vehicle, as defined in 49  
8 CFR 571.3, that satisfies the equipment standards under 49 CFR 571.500 and which  
9 was originally manufactured to meet the applicable equipment standards under 49  
10 CFR 571.500. “Low-speed vehicle” does not include a golf cart.

11           **SECTION 3390y.** 341.067 of the statutes is amended to read:

12           **341.067 Registration of special vehicles.** The department shall register a  
13 specially designed vehicle which is authorized for operation by a person holding a  
14 special restricted operator’s license under s. 343.135 if the special vehicle meets the  
15 equipment standards established under s. 347.02 (6) or (8).

16           **SECTION 3390v.** 341.09 (8) of the statutes is amended to read:

17           341.09 (8) The department may issue a temporary operation plate to a person  
18 who is eligible for the issuance of a special plate for a motorcycle under s. 341.14 (1e)  
19 if the department determines that the person’s disability is temporary. The plate  
20 shall contain the information specified in sub. (1m) and comply with s. 341.13 (2m),  
21 if applicable. The plate shall otherwise be similar to or identical to plates issued  
22 under s. 341.14 (1e). No charge in addition to the registration fee may be made for  
23 the issuance of a plate under this subsection.

24           **SECTION 3390w.** 341.13 (2m) of the statutes is created to read:

1           341.13 (2m) A registration plate issued for a motorcycle shall have a white  
2 background and black lettering and shall be 4 inches by 7 inches in size. No plates  
3 may be issued under this subsection until the manufacturer of such plates for the  
4 department has depleted the existing stock of sheeting material used to manufacture  
5 the plates or until July 1, 2003, whichever occurs first.

6           **SECTION 3390v.** 340.01 (3) (b) of the statutes is amended to read:

7           340.01 (3) (b) Conservation wardens' vehicles, state forest rangers' vehicles or  
8 foresters' trucks, whether publicly or privately owned.

9           **SECTION 3391.** 341.135 (1) of the statutes is amended to read:

10           341.135 (1) DESIGN. Every ~~6th~~ 7th year, the department shall establish new  
11 designs of registration plates to be issued under ss. 341.14 (1a), (1m), (1q), (2), (2m),  
12 (6m) ~~or, and~~ (6r), 341.25 (1) (a), (c), (h), and (j) and (2) (a), (b), and (c), and 341.26 (2)  
13 and (3) (a) 1. and (am). Any design for registration plates issued for automobiles and  
14 for vehicles registered on the basis of gross weight shall comply with the applicable  
15 design requirements of ss. 341.12 (3), 341.13, and 341.14 (6r) (c). The designs for  
16 registration plates specified in this subsection shall be as similar in appearance as  
17 practicable during each ~~6-year~~ 7-year design interval. Each registration plate  
18 issued under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m), or (6r), 341.25 (1) (a), (c), (h),  
19 or (j) or (2) (a), (b), or (c), or 341.26 (2) or (3) (a) 1. or (am) during each ~~6-year~~ 7-year  
20 design interval shall be of the design established under this subsection. The  
21 department may not redesign registration plates for the special ~~group~~ groups under  
22 s. 341.14 (6r) (f) ~~53., 54., or 55.~~ until ~~January 1, 2005~~ July 1, 2007. Except for  
23 registration plates issued under s. 341.14 (6r) (f) 53., 54., or 55., the first design cycle  
24 for registration plates issued under ss. 341.14 (1a), (1m), (1q), (2), (2m), (6m), and



1 (6r), 341.25 (1) (a), (c), (h), and (j) and (2) (a), (b), and (c), and 341.26 (2) and (3) (a)  
2 1. and (am) began July 1, 2000.

3 **SECTION 3392.** 341.135 (2) (a) 1. of the statutes is amended to read:

4 341.135 (2) (a) 1. Beginning with registrations initially effective on  
5 July 1, 2000, upon receipt of a completed application to initially register a vehicle  
6 under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m), or (6r), except s. 341.14 (6r) (f) 53.,  
7 54., or 55., or s. 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c) or 341.26 (2) or (3) (a)  
8 1. or (am), the department shall issue and deliver prepaid to the applicant 2 new  
9 registration plates of the design established under sub. (1).

10 **SECTION 3393.** 341.135 (2) (a) 2. of the statutes is amended to read:

11 341.135 (2) (a) 2. Notwithstanding s. 341.13 (3), beginning with registrations  
12 initially effective on July 1, ~~2005~~ 2007, upon receipt of a completed application to  
13 initially register a vehicle under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m), or (6r), or  
14 s. 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c) or 341.26 (2) or (3) (a) 1. or (am), or  
15 to renew the registration of a vehicle under those sections for which a registration  
16 plate has not been issued during the previous ~~6~~ 7 years, the department shall issue  
17 and deliver prepaid to the applicant 2 new registration plates of the design  
18 established for that ~~6-year~~ 7-year period under sub. (1).

19 **SECTION 3394.** 341.135 (2) (am) of the statutes is amended to read:

20 341.135 (2) (am) Notwithstanding ~~ss. s.~~ s. 341.13 (3) and (3m), beginning with  
21 registrations initially effective on July 1, 2000, upon receipt of a completed  
22 application to renew the registration of a vehicle registered under s. 341.14 (1a),  
23 (1m), (1q), (2), (2m), (6m), or (6r), except s. 341.14 (6r) (f) 53., 54., or 55., or s. 341.25  
24 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c) for which a registration plate of the design  
25 established under sub. (1) has not been issued, the department may issue and deliver

1 prepaid to the applicant 2 new registration plates of the design established under  
2 sub. (1). This paragraph does not apply to registration plates issued under s. 341.14  
3 (6r) (f) 52., 1997 stats. This paragraph does not apply after June 30, ~~2005~~ 2007.

4 ✓ **SECTION 3395.** 341.135 (2) (e) of the statutes is amended to read:

5 341.135 (2) (e) The department shall issue new registration plates of the design  
6 established under sub. (1) for every vehicle registered under s. 341.14 (1a), (1m), (1q),  
7 (2), (2m), (6m), or (6r), 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c), or 341.26 (2)  
8 or (3) (a) 1. or (am) after ~~January 1, 2005~~ July 1, 2007.

9 ✓ **SECTION 3396.** 341.14 (2) of the statutes is amended to read:

10 341.14 (2) Upon compliance with the laws relating to registration of  
11 automobiles and motor homes; motor trucks, dual purpose motor homes, and dual  
12 purpose farm trucks which have a gross weight of not more than 8,000 pounds; and  
13 farm trucks which have a gross weight of not more than 12,000 pounds, including  
14 payment of the prescribed registration fees therefor plus an additional fee of ~~\$10~~ \$15  
15 when registration plates are issued accompanied by an application showing  
16 satisfactory proof that the applicant is the holder of an unexpired amateur radio  
17 station license issued by the federal communications commission, the department  
18 shall issue registration plates on which, in lieu of the usual registration number,  
19 shall be inscribed in large legible form the call letters of such applicant as assigned  
20 by the federal communications commission. The fee for reissuance of a plate under  
21 this subsection shall be ~~\$10~~ \$15.

22 ✓ **SECTION 3397.** 341.14 (2m) of the statutes is amended to read:

23 341.14 (2m) Upon compliance with laws relating to registration of motor  
24 vehicles, including payment of the prescribed fee, and an additional fee of ~~\$5~~ \$15  
25 when the original or new registration plates are issued and accompanied by an

1 application showing satisfactory proof that the applicant has a collector's  
2 identification number as provided in s. 341.266 (2) (d), the department shall issue  
3 registration plates on which, in lieu of the usual registration number, shall be  
4 inscribed the collector's identification number issued under s. 341.266 (2) (d). The  
5 words "VEHICLE COLLECTOR" shall be inscribed across the lower or upper portion  
6 of the plate at the discretion of the department. Additional registrations under this  
7 subsection by the same collector shall bear the same collector's identification number  
8 followed by a suffix letter for vehicle identification. Registration plates issued under  
9 this subsection shall expire annually.

10 **SECTION 3398.** 341.14 (6) (d) of the statutes is amended to read:

11 341.14 (6) (d) For each additional vehicle, a person who maintains more than  
12 one registration under this subsection at one time shall be charged a fee of \$10 \$15  
13 for issuance or reissuance of the plates in addition to the annual registration fee for  
14 the vehicle. Except as provided in par. (c), a motor truck or dual purpose farm truck  
15 registered under this subsection shall be registered under this paragraph.

16 **SECTION 3399.** 341.14 (6) (e) of the statutes is repealed.

17 **SECTION 3400.** 341.14 (6m) (a) of the statutes is amended to read:

18 341.14 (6m) (a) Upon application to register an automobile or motor truck  
19 which has a gross weight of not more than 8,000 pounds by any person who is a  
20 resident of this state and a member or retired member of the national guard, the  
21 department shall issue to the person special plates whose colors and design shall be  
22 determined by the department and which have the words "Wisconsin guard member"  
23 placed on the plates in the manner designated by the department. The department  
24 shall consult with or obtain the approval of the adjutant general with respect to any  
25 word or symbol used to identify the national guard. An additional fee of \$10 \$15 shall

1 be charged for the issuance or reissuance of the plates. Registration plates issued  
2 under this subsection shall expire annually.

3 SECTION 3401. 341.14 (6r) (b) 2. of the statutes is amended to read:

4 341.14 (6r) (b) 2. An additional fee of \$10 \$15 shall be charged for the issuance  
5 or reissuance of the plates for special groups specified under par. (f) ~~1. to 34., 48., 49.~~  
6 and 51.

7

SECTION 3402. 341.14 (6r) (b) 3. of the statutes is amended to read:

*Delete one space (y 2)*

8 341.14 (6r) (b) 3. An additional fee of \$15 shall be charged for the issuance or  
9 reissuance of a plate issued ~~on an annual basis for a special group specified under~~  
10 ~~par. (f) 35. to 47., 53., 54., or 55. or designated by the department under par. (fm).~~  
11 ~~An additional fee of \$15 shall be charged for the issuance or reissuance of a plate~~  
12 ~~issued on a biennial basis for a special group specified under par. (f) 35. to 47., 53.,~~  
13 ~~54., or 55. or designated by the department under par. (fm) if the plate is issued~~  
14 ~~during the first year of the biennial registration period or \$15 for the issuance or~~  
15 ~~reissuance if the plate is issued during the 2nd year of the biennial registration~~  
16 ~~period. The department shall deposit in the general fund and credit to the~~  
17 ~~appropriation account under s. 20.395 (5) (cj) all fees collected under this subdivision~~  
18 ~~for the issuance or reissuance of a plate for a special group designated by the~~  
19 ~~department under par. (fm).~~

20 SECTION 3403. 341.14 (6r) (b) 4. of the statutes is amended to read:

21 341.14 (6r) (b) 4. An additional fee of \$20 that is in addition to the fee under  
22 ~~subd. 2. or 3.~~ shall be charged for the issuance or renewal of a plate issued on an  
23 annual basis for a special group specified under par. (f) 35. to 47. An additional fee  
24 of \$40 that is in addition to the fee under ~~subd. 2. or 3.~~ shall be charged for the  
25 issuance or renewal of a plate issued on a biennial basis for a special group specified

1 under par. (f) 35. to 47. if the plate is issued or renewed during the first year of the  
2 biennial registration period or \$20 for the issuance or renewal if the plate is issued  
3 or renewed during the 2nd year of the biennial registration period. The fee under  
4 this subdivision is deductible as a charitable contribution for purposes of the taxes  
5 under ch. 71.

6 **SECTION 3404.** 341.14 (6r) (b) 6. of the statutes is amended to read:

7 341.14 (6r) (b) 6. An additional fee of \$20 that is in addition to the fee under  
8 subd. ~~3.~~ 2. shall be charged for the issuance or renewal of a plate issued on an annual  
9 basis for the special group specified under par. (f) 53. An additional fee of \$40 that  
10 is in addition to the fee under subd. ~~3.~~ 2. shall be charged for the issuance or renewal  
11 of a plate issued on a biennial basis for the special group specified under par. (f) 53.  
12 if the plate is issued or renewed during the first year of the biennial registration  
13 period or \$20 for the issuance or renewal if the plate is issued or renewed during the  
14 2nd year of the biennial registration period. All moneys received under this  
15 subdivision in excess of the initial costs of data processing for the special group plate  
16 under par. (f) 53. or \$35,000, whichever is less, shall be deposited in the children's  
17 trust fund. To the extent permitted under ch. 71, the fee under this subdivision is  
18 deductible as a charitable contribution for purposes of the taxes under ch. 71.

19 **SECTION 3405.** 341.14 (6r) (b) 7. of the statutes is amended to read:

20 341.14 (6r) (b) 7. An additional fee of \$25 that is in addition to the fee under  
21 subd. ~~3.~~ 2. shall be charged for the issuance or renewal of a plate issued on an annual  
22 basis for the special group specified under par. (f) 54. An additional fee of \$50 that  
23 is in addition to the fee under subd. ~~3.~~ 2. shall be charged for the issuance or renewal  
24 of a plate issued on the biennial basis for the special group specified under par. (f) 54.  
25 if the plate is issued or renewed during the first year of the biennial registration

1 period or \$25 for the issuance or renewal if the plate is issued or renewed during the  
2 2nd year of the biennial registration period. All moneys received under this  
3 subdivision in excess of the initial costs of production of the special group plate under  
4 par. (f) 54. or \$196,700, whichever is less, shall be deposited in the conservation fund  
5 and credited to the appropriation under s. 20.370 (5) (au). To the extent permitted  
6 under ch. 71, the fee under this subdivision is deductible as a charitable contribution  
7 for purposes of the taxes under ch. 71.

8 **SECTION 3406.** 341.14 (6r) (b) 8. (intro.) of the statutes is amended to read:

9 341.14 (6r) (b) 8. (intro.) An additional fee of \$25 that is in addition to the fee  
10 under subd. ~~3.~~ 2. shall be charged for the issuance or renewal of a plate issued on an  
11 annual basis for the special group specified under par. (f) 55. An additional fee of \$50  
12 that is in addition to the fee under subd. ~~3.~~ 2. shall be charged for the issuance or  
13 renewal of a plate issued on the biennial basis for the special group specified under  
14 par. (f) 55. if the plate is issued or renewed during the first year of the biennial  
15 registration period or \$25 for the issuance or renewal if the plate is issued or renewed  
16 during the 2nd year of the biennial registration period. For each professional football  
17 team for which plates are produced under par. (f) 55., all moneys received under this  
18 subdivision in excess of the initial costs of data processing for the special group plate  
19 related to that team under par. (f) 55. or \$35,000, whichever is less, shall be deposited  
20 in the general fund and credited as follows:

21 **SECTION 3406p.** 341.14 (6w) of the statutes is created to read:

22 341.14 (6w) Upon application to register a motorcycle by any person who is a  
23 resident of this state and a veteran of the U.S. armed forces, the department shall  
24 issue to the person a special plate whose colors and design shall indicate that the  
25 vehicle is owned by a veteran of the U.S. armed forces. The department shall specify

1 the design of the special plate. Notwithstanding s. 341.13 (2m), the special plate  
2 shall be colored red, white, and blue and be 4 inches by 7 inches in size. An additional  
3 fee of \$15 shall be charged for the issuance or reissuance of the plate.

4 **SECTION 3407.** 341.14 (8) of the statutes is amended to read:

5 341.14 (8) If a special plate for a group associated with a branch of the armed  
6 services or otherwise military in nature has been issued to a person under this  
7 section, upon application by the surviving spouse of the person, the department may  
8 permit the surviving spouse to retain the plate. If the plate has been returned to the  
9 department or surrendered to another state, the department may reissue the plate  
10 to the surviving spouse. The department shall charge an additional fee of \$10 \$15  
11 to reissue the plate. This subsection does not apply to a special plate issued under  
12 s. 341.14 (1) or (1r).

13 **SECTION 3407e.** 341.25 (title) of the statutes is amended to read:

14 **341.25 (title) Annual and biennial registration fees; ~~biennial~~**  
15 **~~motorcycle~~ fees.**

16 **SECTION 3407h.** 341.25 (1) (b) of the statutes is amended to read:

17 341.25 (1) (b) For each motorcycle or moped with a curb weight of 1,499 pounds  
18 or less, except a specially designed vehicle under s. 341.067, which is designed for the  
19 transportation of persons rather than property, and for each low-speed vehicle, a  
20 biennial fee of \$23.

21 **SECTION 3407p.** 341.297 (1) of the statutes is amended to read:

22 341.297 (1) A motorcycle ~~or~~, moped, or low-speed vehicle, as specified in s.  
23 341.25 (1) (b).

24 **SECTION 3407r.** 341.31 (1) (b) 5. of the statutes is amended to read:

1           341.31 (1) (b) 5. The vehicle is a motorcycle ~~which~~ or low-speed vehicle that has  
2 been transferred or leased to the applicant and for which a current registration  
3 ~~plates~~ plate had been issued to the previous owner; or

4           **SECTION 3407v.** 341.31 (4) (c) of the statutes is amended to read:

5           341.31 (4) (c) A person retaining a ~~set of plates~~ plate removed from a motorcycle  
6 or low-speed vehicle may receive credit for the unused portion of the registration fee  
7 paid when registering a ~~replacement motorcycle~~ vehicle of the same type.

8           **SECTION 3407g.** 341.145 (1) (f) of the statutes is created to read:

9           341.145 (1) (f) A registration plate of the same color and design as provided in  
10 s. 341.14 (6w) for a vehicle specified in s. 341.14 (6w), which displays a registration  
11 number composed of numbers or letters, or both, not exceeding 5 positions and not  
12 less than one position, requested by an applicant.

13           **SECTION 3407n.** 341.145 (1g) (e) of the statutes is created to read:

14           341.145 (1g) (e) The department may issue personalized registration plates  
15 under sub. (1) (f) to a person who qualifies for special plates under s. 341.14 (6w).

16           **SECTION 3407s.** 341.16 (1) (b) of the statutes is amended to read:

17           341.16 (1) (b) Upon satisfactory proof of the loss or destruction of a special plate  
18 issued under s. 341.14 (6m) (a) ~~or~~, (6r) (b), or (6w) or a special personalized plate  
19 issued under s. 341.145 (1) (b) ~~or~~, (c), or (f) and upon payment of a fee of \$5 for each  
20 plate or, if the plate is for a special group specified under s. 341.14 (6r) (f) 35. to 47.  
21 or 53., \$6 for each plate, the department shall issue a replacement.

22           **SECTION 3407m.** 341.65 (2) (b) of the statutes is amended to read:

23           341.65 (2) (b) Any municipal or university police officer, sheriff's deputy, county  
24 traffic patrolman, state traffic officer, state forest ranger or conservation warden who  
25 discovers any unregistered motor vehicle located upon any highway may cause the



1 motor vehicle to be immobilized with an immobilization device or removed to a  
2 suitable place of impoundment. Upon immobilization or removal of the motor  
3 vehicle, the officer, state forest ranger or conservation warden shall notify the sheriff  
4 or chief of police of the location of the immobilized or impounded motor vehicle and  
5 the reason for the immobilization or impoundment.

6 **SECTION 3408g.** ✓ 342.14 (1r) of the statutes is amended to read:

7 342.14 (1r) ~~Upon filing an application under sub. (1) or (3) before December 1,~~  
8 ~~1999, an environmental impact fee of \$5, by the person filing the application.~~ Upon  
9 filing an application under sub. (1) or (3) ~~on or after December 1, 1999,~~ an  
10 environmental impact fee of \$6, by the person filing the application. All moneys  
11 collected under this subsection shall be credited to the environmental fund for  
12 environmental management. This subsection does not apply after ~~June 30, 2001~~  
13 December 31, 2003.

14 **SECTION 3408r.** ✓ 342.14 (1r) of the statutes, as affected by 2001 Wisconsin Act  
15 .... (this act), is amended to read:

16 342.14 (1r) Upon filing an application under sub. (1) or (3), an environmental  
17 impact fee of ~~\$6~~ \$9, by the person filing the application. All moneys collected under  
18 this subsection shall be credited to the environmental fund for environmental  
19 management. This subsection does not apply after December 31, 2003.

20 **SECTION 3408t.** ✓ 342.15 (4) (a) of the statutes is amended to read:

21 342.15 (4) (a) If the vehicle being transferred is a motorcycle or low-speed  
22 vehicle or an automobile registered under s. 341.27 or a motor home or a motor truck,  
23 dual purpose motor home, or dual purpose farm truck which has a gross weight of  
24 not more than 8,000 pounds or a farm truck which has a gross weight of not more than  
25 12,000 pounds, the owner shall remove the registration plate or plates and retain and

1 preserve ~~them~~ the plate or plates for use on any other vehicle of the same type and  
2 gross weight which may subsequently be registered in his or her name.

3 **SECTION 3408v.** 342.34 (1) (c) of the statutes is amended to read:

4 342.34 (1) (c) If the vehicle is a motorcycle or low-speed vehicle or an  
5 automobile registered under s. 341.27 or a motor home or a motor truck, dual purpose  
6 motor home, or dual purpose farm truck which has a gross weight of not more than  
7 8,000 pounds or a farm truck which has a gross weight of not more than 12,000  
8 pounds, the owner shall remove the registration plate or plates and retain and  
9 preserve ~~them~~ the plate or plates for use on any other vehicle of the same type which  
10 may subsequently be registered in his or her name. If the vehicle is not a motorcycle  
11 or low-speed vehicle or an automobile registered under s. 341.27, or a motor home  
12 or a motor truck, dual purpose motor home, or dual purpose farm truck which has  
13 a gross weight of not more than 8,000 pounds or a farm truck which has a gross  
14 weight of not more than 12,000 pounds, he or she shall remove and destroy the plate  
15 or plates.

16 **SECTION 3408y.** 343.08 (1) (a) and (2) (a) of the statutes are amended to read:

17 343.08 (1) (a) The department must be satisfied that it is necessary for the  
18 applicant to operate an automobile, farm truck, dual purpose farm truck, low-speed  
19 vehicle, Type 1 motorcycle powered with an engine of not more than 125 cubic  
20 centimeters displacement, Type 2 motorcycle, moped or motor bicycle owned and  
21 registered by the applicant's parent or guardian or a farm truck leased to the  
22 applicant's parent or guardian.

23 (2) (a) A restricted license issued pursuant to this section is valid only until the  
24 licensee secures an operator's license issued pursuant to s. 343.03 or reaches 18 years  
25 of age and, except as provided in par. (b), entitles the licensee to operate an

1 automobile, farm truck, dual purpose farm truck, low-speed vehicle, Type 1  
2 motorcycle powered with an engine of not more than 125 cubic centimeters  
3 displacement, Type 2 motorcycle, moped or motor bicycle owned and registered by  
4 the licensee's parent or guardian or a farm truck leased to the licensee's parent or  
5 guardian or any combination of these vehicles, depending on the restrictions placed  
6 by the department on the particular license.

7 **SECTION 3408t.** 342.40 (3) (a) of the statutes is amended to read:

8 342.40 (3) (a) Any municipal or university police officer, police officer appointed  
9 under s. 16.84 (2), sheriff's deputy, county traffic patrolman, state traffic officer, state  
10 forest ranger or conservation warden who discovers any motor vehicle, trailer,  
11 semitrailer, or mobile home on any public highway or private or public property  
12 which has been abandoned shall cause the vehicle to be removed to a suitable place  
13 of impoundment. Upon removal of the vehicle the officer, state forest ranger or  
14 conservation warden shall notify the sheriff or chief of police of the abandonment and  
15 of the location of the impounded vehicle.

16 **SECTION 3409f.** 343.10 (5) (a) 3. of the statutes is amended to read:

17 343.10 (5) (a) 3. If the applicant has 2 or more prior convictions, suspensions  
18 or revocations, as counted under s. 343.307 (1), the occupational license of the  
19 applicant shall restrict the applicant's operation under the occupational license to  
20 vehicles that are equipped with a functioning ignition interlock device if the court  
21 has ordered under s. ~~346.65 (6) (a) 1. that a motor vehicle owned by the person~~  
22 343.301 (1) that each motor vehicle for which the person's name appears on the  
23 vehicle's certificate of title or registration be equipped with an ignition interlock  
24 device or has ordered under s. 346.65 (6) (a) 1. that the motor vehicle owned by the  
25 person and used in the violation or improper refusal be equipped with an ignition

1 interlock device. A person to whom a restriction under this subdivision applies  
2 violates that restriction if he or she requests or permits another to blow into an  
3 ignition interlock device or to start a motor vehicle equipped with an ignition  
4 interlock device for the purpose of providing the person an operable motor vehicle  
5 without the necessity of first submitting a sample of his or her breath to analysis by  
6 the ignition interlock device. If the occupational license restricts the applicant's  
7 operation to a vehicle that is equipped with an ignition interlock device, the applicant  
8 shall be liable for the reasonable costs of equipping the vehicle with the ignition  
9 interlock device.

10 **SECTION 3409g.** 343.10 (5) (a) 3. of the statutes, as affected by 2001 Wisconsin  
11 Act .... (this act), is amended to read:

12 343.10 (5) (a) 3. If the applicant has 2 or more prior convictions, suspensions,  
13 or revocations, as counted under s. 343.307 (1), the occupational license of the  
14 applicant shall restrict the applicant's operation under the occupational license to  
15 vehicles that are equipped with a functioning ignition interlock device if the court  
16 has ordered under s. 343.301 (1) that each motor vehicle for which the person's name  
17 appears on the vehicle's certificate of title or registration be equipped with an  
18 ignition interlock device or has ordered under s. 346.65 (6) (a) 1., 1999 stats., that the  
19 motor vehicle owned by the person and used in the violation or improper refusal be  
20 equipped with an ignition interlock device. A person to whom a restriction under this  
21 subdivision applies violates that restriction if he or she requests or permits another  
22 to blow into an ignition interlock device or to start a motor vehicle equipped with an  
23 ignition interlock device for the purpose of providing the person an operable motor  
24 vehicle without the necessity of first submitting a sample of his or her breath to  
25 analysis by the ignition interlock device. If the occupational license restricts the

1 applicant's operation to a vehicle that is equipped with an ignition interlock device,  
2 the applicant shall be liable for the reasonable costs of equipping the vehicle with the  
3 ignition interlock device.

4 **SECTION 3409n.** 343.135 (2) (a) 1. of the statutes is amended to read:

5 343.135 (2) (a) 1. Motor bicycles or mopeds; ~~or.~~

6 **SECTION 3409r.** 343.135 (2) (a) 1m. of the statutes is created to read:

7 343.135 (2) (a) 1m. Low-speed vehicles.

8 **SECTION 3410.** 343.24 (2) (a) of the statutes is amended to read:

9 343.24 (2) (a) For each file search, \$~~3~~ \$5.

10 **SECTION 3410k.** 343.24 (2) (a) of the statutes, as affected by 2001 Wisconsin Act

11 ... (this act), is amended to read:

12 343.24 (2) (a) For each file search, \$~~5~~ \$5.20.

13 **SECTION 3411.** 343.24 (2) (b) of the statutes is amended to read:

14 343.24 (2) (b) For each computerized search, \$~~3~~ \$5.

15 **SECTION 3411k.** 343.24 (2) (b) of the statutes, as affected by 2001 Wisconsin Act

16 ... (this act), is amended to read:

17 343.24 (2) (b) For each computerized search, \$~~5~~ \$5.20.

18 **SECTION 3412.** 343.24 (2) (c) of the statutes is amended to read:

19 343.24 (2) (c) For each search requested by telephone, \$~~4~~ \$6, or an established  
20 monthly service rate determined by the department.

21 **SECTION 3412k.** 343.24 (2) (c) of the statutes, as affected by 2001 Wisconsin Act

22 ... (this act), is amended to read:

23 343.24 (2) (c) For each search requested by telephone, \$~~6~~ \$6.20, or an  
24 established monthly service rate determined by the department.

25 **SECTION 3413.** 343.24 (2m) of the statutes is amended to read:

1           343.24 (2m) If the department, in maintaining a computerized operating  
2 record system, makes copies of its operating record file database, or a portion thereof,  
3 on computer tape or other electronic media, copies of the tape or media may be  
4 furnished to any person on request. The department may also furnish to any person  
5 upon request records on computer tape or other electronic media that contain  
6 information from files of uniform traffic citations or motor vehicle accidents and that  
7 were produced for or developed by the department for purposes related to  
8 maintenance of the operating record file database. The department shall charge a  
9 fee of ~~\$3~~ \$5 for each file of vehicle operators' records contained in the tape or media.  
10 The department shall charge a fee of not more than ~~\$3~~ \$5 for each file of uniform  
11 traffic citations or motor vehicle accidents contained in the tape or media. Nothing  
12 in this subsection requires the department to produce records of particular files or  
13 data in a particular format except as those records or data are made by the  
14 department for its purposes.

15           **SECTION 3413k.** 343.24 (2m) of the statutes, as affected by 2001 Wisconsin Act  
16 .... (this act), is amended to read:

17           343.24 (2m) If the department, in maintaining a computerized operating  
18 record system, makes copies of its operating record file database, or a portion thereof,  
19 on computer tape or other electronic media, copies of the tape or media may be  
20 furnished to any person on request. The department may also furnish to any person  
21 upon request records on computer tape or other electronic media that contain  
22 information from files of uniform traffic citations or motor vehicle accidents and that  
23 were produced for or developed by the department for purposes related to  
24 maintenance of the operating record file database. The department shall charge a  
25 fee of ~~\$5~~ \$5.20 for each file of vehicle operators' records contained in the tape or

1 media. The department shall charge a fee of not more than ~~\$5~~ \$5.20 for each file of  
2 uniform traffic citations or motor vehicle accidents contained in the tape or media.  
3 Nothing in this subsection requires the department to produce records of particular  
4 files or data in a particular format except as those records or data are made by the  
5 department for its purposes.

6 **SECTION 3414.** 343.245 (3m) (b) of the statutes is amended to read:

7 343.245 (3m) (b) The department shall establish and collect reasonable fees  
8 from employers in the program sufficient to defray the costs of instituting and  
9 maintaining the program, including the registration and withdrawal of employees.  
10 The fee for each notification by the department to an employer under par. (a) shall  
11 be ~~\$3~~ \$5.

12 **SECTION 3414k.** 343.245 (3m) (b) of the statutes, as affected by 2001 Wisconsin  
13 Act .... (this act), is amended to read:

14 343.245 (3m) (b) The department shall establish and collect reasonable fees  
15 from employers in the program sufficient to defray the costs of instituting and  
16 maintaining the program, including the registration and withdrawal of employees.  
17 The fee for each notification by the department to an employer under par. (a) shall  
18 be ~~\$5~~ \$5.20.

19 **SECTION 3415m.** 343.30 (1q) (b) 3. of the statutes is amended to read:

20 343.30 (1q) (b) 3. Except as provided in subd. 4m., if the number of convictions  
21 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other  
22 convictions, suspensions, and revocations counted under s. 343.307 (1) within a  
23 10-year period, equals 2, the court shall revoke the person's operating privilege for  
24 not less than one year nor more than 18 months. After the first 60 days of the  
25 revocation period or, if the total number of convictions, suspensions, and revocations

1 counted under this subdivision within any 5-year period equals 2 or more, after one  
2 year of the revocation period has elapsed, the person is eligible for an occupational  
3 license under s. 343.10 if he or she has completed the assessment and is complying  
4 with the driver safety plan ordered under par. (c).

5 **SECTION 3416m.** 343.30 (1q) (b) 4. of the statutes is amended to read:

6 343.30 (1q) (b) 4. Except as provided in subd. 4m., if the number of convictions  
7 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other  
8 convictions, suspensions, and revocations counted under s. 343.307 (1), equals 3 or  
9 more, the court shall revoke the person's operating privilege for not less than 2 years  
10 nor more than 3 years. After the first 90 days of the revocation period or, if the total  
11 number of convictions, suspensions, and revocations counted under this subdivision  
12 within any 5-year period equals 2 or more, after one year of the revocation period has  
13 elapsed, the person is eligible for an occupational license under s. 343.10 if he or she  
14 has completed the assessment and is complying with the driver safety plan ordered  
15 under par. (c).

16 **SECTION 3417m.** 343.301 of the statutes is created to read:

17 **343.301 Installation of ignition interlock device or immobilization of**  
18 **a motor vehicle. (1) IGNITION INTERLOCK.** (a) If a person improperly refuses to take  
19 a test under s. 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the  
20 person has a total of 2 or more convictions, suspensions, or revocations, counted  
21 under s. 343.307 (1) within any 5-year period, the court shall order that the person's  
22 operating privilege for the operation of "Class D" vehicles be restricted to operating  
23 vehicles that are equipped with an ignition interlock device and shall order that each  
24 motor vehicle for which the person's name appears on the vehicle's certificate of title  
25 or registration be equipped with an ignition interlock device. If equipping each motor



1 vehicle with an ignition interlock device under this paragraph would cause an undue  
2 financial hardship, the court may order that one or more motor vehicles subject to  
3 this paragraph not be equipped with an ignition interlock device. This paragraph  
4 does not apply if the court enters an order under sub. (2) (a) or, if the person has 2  
5 or more prior convictions, suspensions, or revocations for purposes of this paragraph,  
6 to the motor vehicle owned by the person and used in the violation or refusal if the  
7 court orders the vehicle to be seized and forfeited under s. 346.65 (6).

8 (b) The court shall order the operating privilege restriction and the installation  
9 of an ignition interlock device under par. (a) for a period of not less than one year nor  
10 more than the maximum operating privilege revocation period permitted for the  
11 refusal or violation, beginning one year after the operating privilege revocation  
12 period begins.

13 (c) If the court enters an order under par. (a), the person shall be liable for the  
14 reasonable cost of equipping and maintaining any ignition interlock device installed  
15 on his or her motor vehicle.

16 (d) A person to whom an order under par. (a) applies violates that order if he  
17 or she requests or permits another to blow into an ignition interlock device or to start  
18 a motor vehicle equipped with an ignition interlock device for the purpose of  
19 providing the person an operable motor vehicle without the necessity of first  
20 submitting a sample of his or her breath to analysis by the ignition interlock device.

21 **(2) IMMOBILIZATION.** (a) If a person improperly refuses to take a test under s.  
22 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the person has a total  
23 of 2 or more convictions, suspensions, or revocations counted under s. 343.307 (1)  
24 within any 5-year period, the court shall order that each motor vehicle for which the  
25 person's name appears on the vehicle's certificate of title or registration be

1 immobilized. If immobilizing each motor vehicle under this paragraph would cause  
2 undue hardship to any person, except the person to whom the order applies, who is  
3 completely dependent on a motor vehicle subject to immobilization for the necessities  
4 of life, including a family member or any person who holds legal title to a motor  
5 vehicle with the person to whom the order applies, the court may order that one or  
6 more motor vehicles subject to this paragraph not be immobilized. This paragraph  
7 does not apply if the court enters an order under sub. (1) (a) or, if the person has 2  
8 or more prior convictions, suspensions, or revocations for purposes of this paragraph,  
9 to the motor vehicle owned by the person and used in the violation or refusal if the  
10 court orders the vehicle to be seized and forfeited under s. 346.65 (6).

11 (b) The court shall order the immobilization under par. (a) for a period of not  
12 less than one year nor more than the maximum operating privilege revocation period  
13 permitted for the refusal or violation, beginning on the first day of the operating  
14 privilege revocation period.

15 (c) If the court orders that the person's motor vehicle be immobilized, the person  
16 shall be liable for the reasonable cost of equipping and maintaining any  
17 immobilization device installed on his or her motor vehicle.

18 (d) The court shall notify the department, in a form and manner prescribed by  
19 the department, that an order to immobilize a motor vehicle has been entered. The  
20 registration records of the department shall reflect that the order has been entered  
21 against the motor vehicle and remains unexecuted. Any law enforcement officer may  
22 execute that order based on the information provided by the department. The law  
23 enforcement agency shall notify the department when an order has been executed  
24 under this paragraph and the department shall amend its vehicle registration  
25 records to reflect that notification.

1 (e) Within 10 days after immobilizing a motor vehicle under par. (d), the law  
2 enforcement agency that immobilized the vehicle shall provide notice of the  
3 immobilization to all lienholders of record. The notice shall set forth the year, make,  
4 model, and vehicle identification number of the motor vehicle, where the motor  
5 vehicle is located and the reason for the immobilization.

6 **SECTION 3418m.** 343.301 (1) (a) of the statutes, as created by 2001 Wisconsin  
7 Act .... (this act), is renumbered 343.301 (1) (a) 2. and amended to read:

8 343.301 (1) (a) 2. If a person improperly refuses to take a test under s. 343.305  
9 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the person has a total of 2  
10 or more convictions, suspensions, or revocations, counted under s. 343.307 (1) within  
11 any 5-year period, the court shall order that the person's operating privilege for the  
12 operation of "Class D" vehicles be restricted to operating vehicles that are equipped  
13 with an ignition interlock device and shall order that each motor vehicle for which  
14 the person's name appears on the vehicle's certificate of title or registration be  
15 equipped with an ignition interlock device. If equipping each motor vehicle with an  
16 ignition interlock device under this ~~paragraph~~ subdivision would cause an undue  
17 financial hardship, the court may order that one or more motor vehicles subject to  
18 this ~~paragraph~~ subdivision not be equipped with an ignition interlock device. This  
19 ~~paragraph~~ subdivision does not apply if the court enters an order under sub. (2) (a)  
20 2. or, if the person has 2 or more prior convictions, suspensions, or revocations for  
21 purposes of this ~~paragraph~~ subdivision, to the motor vehicle owned by the person and  
22 used in the violation or refusal if the court orders the vehicle to be seized and forfeited  
23 under s. 346.65 (6).

24 **SECTION 3419m.** 343.301 (1) (a) 1. of the statutes is created to read:

1           343.301 (1) (a) 1. Except as provided in subd. 2., if a person improperly refuses  
2 to take a test under s. 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25,  
3 and the person has a total of one or more prior convictions, suspensions, or  
4 revocations, counting convictions under ss. 940.09 (1) and 940.25 in the person's  
5 lifetime and other convictions, suspensions, and revocations counted under s.  
6 343.307 (1), the court may order that the person's operating privilege for the  
7 operation of "Class D" vehicles be restricted to operating "Class D" vehicles that are  
8 equipped with an ignition interlock device.

9           **SECTION 3420m.** 343.301 (1) (b) of the statutes, as created by 2001 Wisconsin  
10 Act .... (this act), is renumbered 343.301 (1) (b) 2. and amended to read:

11           343.301 (1) (b) 2. The court shall order the operating privilege restriction and  
12 the installation of an ignition interlock device under par. (a) 2. for a period of not less  
13 than one year nor more than the maximum operating privilege revocation period  
14 permitted for the refusal or violation, beginning on the first day of the operating  
15 privilege revocation period.

16           **SECTION 3420n.** 343.301 (1) (b) 1. of the statutes is created to read:

17           343.301 (1) (b) 1. The court may restrict the operating privilege restriction  
18 under par. (a) 1. for a period of not less than one year nor more than the maximum  
19 operating privilege revocation period permitted for the refusal or violation.

20           **SECTION 3420p.** 343.301 (2) (a) of the statutes, as created by 2001 Wisconsin  
21 Act .... (this act), is renumbered 343.301 (2) (a) 2. and amended to read:

22           343.301 (2) (a) 2. If a person improperly refuses to take a test under s. 343.305  
23 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the person has a total of 2  
24 or more convictions, suspensions, or revocations counted under s. 343.307 (1) within  
25 any 5-year period, the court shall order that each motor vehicle for which the

1 person's name appears on the vehicle's certificate of title or registration be  
2 immobilized. If immobilizing each motor vehicle under this ~~paragraph~~ subdivision  
3 would cause undue hardship to any person, except the person to whom the order  
4 applies, who is completely dependent on a motor vehicle subject to immobilization  
5 for the necessities of life, including a family member or any person who holds legal  
6 title to a motor vehicle with the person to whom the order applies, the court may order  
7 that one or more motor vehicles subject to this ~~paragraph~~ subdivision not be  
8 immobilized. This ~~paragraph~~ subdivision does not apply if the court enters an order  
9 under sub. (1) (a) 1. or, if the person has 2 or more prior convictions, suspensions, or  
10 revocations for purposes of this ~~paragraph~~ subdivision, to the motor vehicle owned  
11 by the person and used in the violation or refusal if the court orders the vehicle to be  
12 seized and forfeited under s. 346.65 (6).

13 **SECTION 3420r.** 343.301 (2) (a) 1. of the statutes is created to read:

14 343.301 (2) (a) 1. Except as provided in subd. 2., if a person improperly refuses  
15 to take a test under s. 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25,  
16 and the person has a total of one or more prior convictions, suspensions, or  
17 revocations, counting convictions under ss. 940.09 (1) and 940.25 in the person's  
18 lifetime and other convictions, suspensions, and revocations counted under s.  
19 343.307 (1), the court may order that the motor vehicle used during the refusal or  
20 violation and owned by the person be immobilized.

21 **SECTION 3420s.** 343.301 (2) (b) of the statutes, as created by 2001 Wisconsin  
22 Act .... (this act), is renumbered 343.301 (2) (b) 2. and amended to read:

23 343.301 (2) (b) 2. The court shall order the immobilization under par. (a) 2. for  
24 a period of not less than one year nor more than the maximum operating privilege

1 revocation period permitted for the refusal or violation, beginning on the first day of  
2 the operating privilege revocation period.

3 **SECTION 3420t.** 343.301 (2) (b) 1. of the statutes is created to read:

4 343.301 (2) (b) 1. The court may order the immobilization under par. (a) 1. for  
5 a period of not less than one year nor more than the maximum operating privilege  
6 revocation period permitted for the refusal or violation.

7 **SECTION 3421m.** 343.305 (10) (b) 3. of the statutes is amended to read:

8 343.305 (10) (b) 3. Except as provided in subd. 4m., if the number of convictions  
9 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other  
10 convictions, suspensions, and revocations counted under s. 343.307 (2) within a  
11 10-year period, equals 2, the court shall revoke the person's operating privilege for  
12 2 years. After the first 90 days of the revocation period or, if the total number of  
13 convictions, suspensions, and revocations counted under this subdivision within any  
14 5-year period equals 2 or more, after one year of the revocation period has elapsed,  
15 the person is eligible for an occupational license under s. 343.10 if he or she has  
16 completed the assessment and is complying with the driver safety plan.

17 **SECTION 3422m.** 343.305 (10) (b) 4. of the statutes is amended to read:

18 343.305 (10) (b) 4. Except as provided in subd. 4m., if the number of convictions  
19 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other  
20 convictions, suspensions, and revocations counted under s. 343.307 (2) within a  
21 10 year period, equals 3 or more, the court shall revoke the person's operating  
22 privilege for 3 years. After the first 90 days of the revocation period or, if the total  
23 number of convictions, suspensions, and revocations counted under this subdivision  
24 within any 5-year period equals 2 or more, after one year of the revocation period has

1 elapsed, the person is eligible for an occupational license under s. 343.10 if he or she  
2 has completed the assessment and is complying with the driver safety plan.

3 **SECTION 3423g.** 343.305 (10m) of the statutes is amended to read:

4 343.305 (10m) REFUSALS; SEIZURE, IMMOBILIZATION OR IGNITION INTERLOCK OF A  
5 MOTOR VEHICLE. If the person whose operating privilege is revoked under sub. (10)  
6 has 2 or more ~~prior~~ convictions, suspensions, or revocations, as counted under s.  
7 343.307 (1) within any 5-year period, the procedure under s. 343.301 shall be  
8 followed if the court enters an order regarding operating privilege restriction and the  
9 installation of an ignition interlock device or enters an order regarding  
10 immobilization. If the number of convictions under ss. 940.09 (1) and 940.25 in the  
11 lifetime of the person whose operating privilege is revoked under sub. (10), plus the  
12 total number of other convictions, suspensions, and revocations counted under s.  
13 343.307 (1), equals 2 or more, the procedure under s. 346.65 (6) shall be followed  
14 regarding the immobilization or seizure and forfeiture of a motor vehicle owned by  
15 the person or the equipping of a motor vehicle owned by the person with an ignition  
16 interlock device.

17 **SECTION 3423h.** 343.305 (10m) of the statutes, as affected by 2001 Wisconsin  
18 Act ... (this act), is renumbered 343.305 (10m) (b) and amended to read:

19 343.305 (10m) (b) If the person whose operating privilege is revoked under sub.  
20 (10) has 2 or more convictions, suspensions, or revocations, as counted under s.  
21 343.307 (1) within any 5-year period, the procedure under s. 343.301 shall be  
22 followed if the court enters an order regarding operating privilege restriction and the  
23 installation of an ignition interlock device or enters an order regarding  
24 immobilization. If the number of convictions under ss. 940.09 (1) and 940.25 in the  
25 lifetime of the person whose operating privilege is revoked under sub. (10), plus the

1 total number of other convictions, suspensions, and revocations counted under s.  
2 343.307 (1), equals 2 or more, the procedure under s. 346.65 (6) shall be followed  
3 ~~regarding the immobilization or if the court orders~~ seizure and forfeiture of ~~a~~ the  
4 motor vehicle used in the improper refusal and owned by the person ~~or the equipping~~  
5 ~~of a motor vehicle owned by the person with an ignition interlock device.~~

6 **SECTION 3423j.** 343.305 (10m) (a) of the statutes is created to read:

7 343.305 (10m) (a) Except as provided in par. (b), if the person whose operating  
8 privilege is revoked under sub. (10) has one or more prior convictions, suspensions,  
9 or revocations, as counted under s. 343.307 (1), the procedure under s. 343.301 shall  
10 be followed if the court enters an order regarding operating privilege restriction or  
11 enters an order regarding immobilization. If the number of convictions under ss.  
12 940.09 (1) and 940.25 in the lifetime of the person whose operating privilege is  
13 revoked under sub. (10), plus the total number of other convictions, suspensions, and  
14 revocations counted under s. 343.307 (1), equals 2 or more, the procedure under s.  
15 346.65 (6) shall be followed if the court orders seizure and forfeiture of the motor  
16 vehicle used in the improper refusal and owned by the person.

17 **SECTION 3424b.** 343.31 (3) (bm) 3. of the statutes is amended to read:

18 343.31 (3) (bm) 3. Except as provided in subd. 4m., if the number of convictions  
19 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of  
20 suspensions, revocations, and other convictions counted under s. 343.307 (1) within  
21 a 10-year period, equals 2, the department shall revoke the person's operating  
22 privilege for not less than one year nor more than 18 months. If an Indian tribal court  
23 in this state revokes the person's privilege to operate a motor vehicle on tribal lands  
24 for not less than one year nor more than 18 months for the conviction specified in par.  
25 (bm) (intro.), the department shall impose the same period of revocation. After the



1 first 60 days of the revocation period or, if the total number of convictions,  
2 suspensions, and revocations counted under this subdivision within any 5-year  
3 period equals 2 or more, after one year of the revocation period has elapsed, the  
4 person is eligible for an occupational license under s. 343.10.

5 **SECTION 3425.** 343.31 (3) (bm) 4. of the statutes is amended to read:

6 343.31 (3) (bm) 4. Except as provided in subd. 4m., if the number of convictions  
7 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other  
8 suspensions, revocations and convictions counted under s. 343.307 (1), equals 3 or  
9 more, the department shall revoke the person's operating privilege for not less than  
10 2 years nor more than 3 years. If an Indian tribal court in this state revokes the  
11 person's privilege to operate a motor vehicle on tribal lands for not less than 2 years  
12 nor more than 3 years for the conviction specified in par. (bm) (intro.), the department  
13 shall impose the same period of revocation. After the first 90 days one year of the  
14 revocation period has elapsed, the person is eligible for an occupational license under  
15 s. 343.10.

16 **SECTION 3426m.** 343.31 (3m) (a) of the statutes is amended to read:

17 343.31 (3m) (a) Any person who has his or her operating privilege revoked  
18 under sub. (3) (c) or (f) is eligible for an occupational license under s. 343.10 after the  
19 first 120 days of the revocation period, except that if the total number of convictions,  
20 suspensions, or revocations for any offense that is counted under s. 343.307 (1) within  
21 any 5-year period equals 2 or more, the person is eligible for an occupational license  
22 under s. 343.10 after one year of the revocation period has elapsed.

23 **SECTION 3427m.** 343.31 (3m) (b) of the statutes is amended to read:

24 343.31 (3m) (b) Any person who has his or her operating privilege revoked  
25 under sub. (3) (e) is eligible for an occupational license under s. 343.10 after the first

1 60 days of the revocation period, except that if the total number of convictions,  
2 suspensions, or revocations for any offense that is counted under s. 343.307 (1) within  
3 any 5-year period equals 2 or more, the person is eligible for an occupational license  
4 under s. 343.10 after one year of the revocation period has elapsed.

5 **SECTION 3427t.** 345.11 (1t) of the statutes is created to read:

6 345.11 (1t) The uniform traffic citation may be used by a traffic officer  
7 employed under s. 110.07 for a violation of s. 167.10 (3) (a) when committed on a  
8 highway.

9 **SECTION 3427tg.** 345.20 (2) (h) of the statutes is created to read:

10 345.20 (2) (h) Sections 23.50 to 23.85 apply to actions in circuit court to recover  
11 forfeitures for violations of s. 167.10 (3) (a). No demerit points may be assessed  
12 against the driving record of a person convicted of a violation of s. 167.10 (3) (a). No  
13 report of conviction of a violation of s. 167.10 (3) (a) may be forwarded to the  
14 department.

15 **SECTION 3428.** 345.26 (1) (b) 1. of the statutes is amended to read:

16 345.26 (1) (b) 1. If the person makes a deposit for a violation of a traffic  
17 regulation, the person need not appear in court at the time fixed in the citation, and  
18 the person will be deemed to have tendered a plea of no contest and submitted to a  
19 forfeiture and a penalty assessment, if required by s. 757.05, a jail assessment, if  
20 required by s. 302.46 (1), a truck driver education assessment, if required by s.  
21 349.04, a railroad crossing improvement assessment, if required by s. 346.177,  
22 346.495 or 346.65 (4r), and a crime laboratories and drug law enforcement  
23 assessment, if required by s. 165.755, plus any applicable fees prescribed in ch. 814,  
24 not to exceed the amount of the deposit that the court may accept as provided in s.  
25 345.37; and

1           **SECTION 3429.** 345.26 (2) (b) of the statutes is amended to read:

2           345.26 (2) (b) In addition to the amount in par. (a), the deposit shall include  
3 court costs, including any applicable fees prescribed in ch. 814, any applicable  
4 penalty assessment, any applicable jail assessment, any applicable truck driver  
5 education assessment, any applicable railroad crossing improvement assessment,  
6 and any applicable crime laboratories and drug law enforcement assessment.

7           **SECTION 3430.** 345.36 (2) (b) of the statutes is amended to read:

8           345.36 (2) (b) Deem the nonappearance a plea of no contest and enter judgment  
9 accordingly. If the defendant has posted bond for appearance at that date, the court  
10 may also order the bond forfeited. The court shall promptly mail a copy of the  
11 judgment to the defendant. The judgment shall allow not less than 20 days from the  
12 date thereof for payment of any forfeiture, penalty assessment, jail assessment,  
13 railroad crossing improvement assessment, truck driver education assessment,  
14 crime laboratories and drug law enforcement assessment, and costs imposed. If the  
15 defendant moves to open the judgment within 20 days after the date set for trial, and  
16 shows to the satisfaction of the court that the failure to appear was due to mistake,  
17 inadvertence, surprise, or excusable neglect, the court shall open the judgment,  
18 reinstate the not guilty plea, and set a new trial date. The court may impose costs  
19 under s. 814.07. The court shall immediately notify the department to delete the  
20 record of conviction based upon the original judgment.

21           **SECTION 3432.** 345.37 (2) of the statutes is amended to read:

22           345.37 (2) If the defendant has made a deposit under s. 345.26, the citation may  
23 serve as the initial pleading and the defendant shall be deemed to have tendered a  
24 plea of no contest and submitted to a forfeiture and a penalty assessment, if required  
25 by s. 757.05, a jail assessment, if required by s. 302.46 (1), a truck driver education

1 assessment, if required by s. 349.04, a railroad crossing improvement assessment,  
2 if required by s. 346.177, 346.495 or 346.65 (4r), and a crime laboratories and drug  
3 law enforcement assessment, if required by s. 165.755, plus costs, including any  
4 applicable fees prescribed in ch. 814, not exceeding the amount of the deposit. The  
5 court may either accept the plea of no contest and enter judgment accordingly, or  
6 reject the plea and issue a summons under ch. 968. If the defendant fails to appear  
7 in response to the summons, the court shall issue a warrant under ch. 968. If the  
8 court accepts the plea of no contest, the defendant may move within 6 months after  
9 the date set for the appearance to withdraw the plea of no contest, open the judgment,  
10 and enter a plea of not guilty upon a showing to the satisfaction of the court that the  
11 failure to appear was due to mistake, inadvertence, surprise, or excusable neglect.  
12 If on reopening the defendant is found not guilty, the court shall immediately notify  
13 the department to delete the record of conviction based on the original proceeding  
14 and shall order the defendant's deposit returned.

15 **SECTION 3433.** 345.37 (5) of the statutes is amended to read:

16 345.37 (5) Within 5 working days after forfeiture of deposit or entry of default  
17 judgment, the official receiving the forfeiture, the penalty assessment, if required by  
18 s. 757.05, the jail assessment, if required by s. 302.46 (1), the truck driver education  
19 assessment, if required by s. 349.04, the railroad crossing improvement assessment,  
20 if required by s. 346.177, 346.495 or 346.65 (4r), and the crime laboratories and drug  
21 law enforcement assessment, if required by s. 165.755, shall forward to the  
22 department a certification of the entry of default judgment or a judgment of  
23 forfeiture.

24 **SECTION 3434.** 345.375 (2) of the statutes is amended to read:

1           345.375 (2) Upon default of the defendant corporation or limited liability  
2 company or upon conviction, judgment for the amount of the forfeiture, the penalty  
3 assessment, if required under s. 757.05, the jail assessment, if required by s. 302.46  
4 (1), the truck driver education assessment, if required by s. 349.04, and the crime  
5 laboratories and drug law enforcement assessment, if required under s. 165.755,  
6 shall be entered.

7           **SECTION 3435.** 345.47 (1) (intro.) of the statutes is amended to read:

8           345.47 (1) (intro.) If the defendant is found guilty, the court may enter  
9 judgment against the defendant for a monetary amount not to exceed the maximum  
10 forfeiture, penalty assessment, if required by s. 757.05, the jail assessment, if  
11 required by s. 302.46 (1), the truck driver education assessment, if required by s.  
12 349.04, the railroad crossing improvement assessment, if required by s. 346.177,  
13 346.495 or 346.65 (4r), and the crime laboratories and drug law enforcement  
14 assessment, if required by s. 165.755, provided for the violation and for costs under  
15 s. 345.53 and, in addition, may suspend or revoke his or her operating privilege under  
16 s. 343.30. If the judgment is not paid, the court shall order:

17           **SECTION 3436.** 345.47 (1) (b) of the statutes is amended to read:

18           345.47 (1) (b) In lieu of imprisonment and in addition to any other suspension  
19 or revocation, that the defendant's operating privilege be suspended. The operating  
20 privilege shall be suspended for 30 days or until the person pays the forfeiture, the  
21 penalty assessment, if required by s. 757.05, the jail assessment, if required by s.  
22 302.46 (1), the truck driver education assessment, if required by s. 349.04, the  
23 railroad crossing improvement assessment, if required by s. 346.177, 346.495 or  
24 346.65 (4r), and the crime laboratories and drug law enforcement assessment, if  
25 required by s. 165.755, but not to exceed 2 years. Suspension under this paragraph

1 shall not affect the power of the court to suspend or revoke under s. 343.30 or the  
2 power of the secretary to suspend or revoke the operating privilege. This paragraph  
3 does not apply if the judgment was entered solely for violation of an ordinance  
4 unrelated to the violator's operation of a motor vehicle.

5 **SECTION 3437.** 345.47 (1) (c) of the statutes is amended to read:

6 345.47 (1) (c) If a court or judge suspends an operating privilege under this  
7 section, the court or judge shall immediately take possession of the suspended license  
8 and shall forward it to the department together with the notice of suspension, which  
9 shall clearly state that the suspension was for failure to pay a forfeiture, a penalty  
10 assessment, if required by s. 757.05, a truck driver education assessment, if required  
11 by s. 349.04, a jail assessment, if required by s. 302.46 (1), a railroad crossing  
12 improvement assessment, if required by s. 346.177, 346.495 or 346.65 (4r), and a  
13 crime laboratories and drug law enforcement assessment, if required by s. 165.755,  
14 imposed by the court. The notice of suspension and the suspended license, if it is  
15 available, shall be forwarded to the department within 48 hours after the order of  
16 suspension. If the forfeiture, penalty assessment, jail assessment, truck driver  
17 education assessment, railroad crossing improvement assessment, and crime  
18 laboratories and drug law enforcement assessment are paid during a period of  
19 suspension, the court or judge shall immediately notify the department. Upon  
20 receipt of the notice and payment of the reinstatement fee under s. 343.21 (1) (j), the  
21 department shall return the surrendered license.

22 **SECTION 3438.** 345.47 (2) of the statutes is amended to read:

23 345.47 (2) The payment of any judgment may be suspended or deferred for not  
24 more than 60 days in the discretion of the court. In cases where a deposit has been  
25 made, any forfeitures, penalty assessments, jail assessments, truck driver education

1 assessments, railroad crossing improvement assessments, crime laboratories and  
2 drug law enforcement assessments, and costs shall be taken out of the deposit and  
3 the balance, if any, returned to the defendant.

4 **SECTION 3439.** 345.47 (3) of the statutes is amended to read:

5 345.47 (3) When a defendant is imprisoned for nonpayment of a forfeiture, a  
6 penalty assessment, a jail assessment, a truck driver education assessment, a  
7 railroad crossing improvement assessment, or a crime laboratories and drug law  
8 enforcement assessment for an action brought by a municipality located in more  
9 than one county, any commitment to a county institution shall be to the county in  
10 which the action was tried.

11 **SECTION 3440.** 345.49 (1) of the statutes is amended to read:

12 345.49 (1) Any person imprisoned under s. 345.47 for nonpayment of a  
13 forfeiture, a penalty assessment, if required by s. 757.05, a jail assessment, if  
14 required by s. 302.46 (1), a truck driver education assessment, if required by s.  
15 349.04, a railroad crossing improvement assessment, if required by s. 346.177,  
16 346.495 or 346.65 (4r), or a crime laboratories and drug law enforcement assessment,  
17 if required by s. 165.755, may, on request, be allowed to work under s. 303.08. If the  
18 person does work, earnings shall be applied on the unpaid forfeiture, penalty  
19 assessment, truck driver education assessment, jail assessment, railroad crossing  
20 improvement assessment, or crime laboratories and drug law enforcement  
21 assessment after payment of personal board and expenses and support of personal  
22 dependents to the extent directed by the court.

23 **SECTION 3441.** 345.49 (2) of the statutes is amended to read:

24 345.49 (2) Any person who is subject to imprisonment under s. 345.47 for  
25 nonpayment of a forfeiture, penalty assessment, truck driver education assessment,

1 jail assessment, railroad crossing improvement assessment, or crime laboratories  
2 and drug law enforcement assessment may be placed on probation to some person  
3 satisfactory to the court for not more than 90 days or until the forfeiture, penalty  
4 assessment, truck driver education assessment, jail assessment, railroad crossing  
5 improvement assessment, or crime laboratories and drug law enforcement  
6 assessment is paid if that is done before expiration of the 90-day period. The  
7 payment of the forfeiture, penalty assessment, truck driver education assessment,  
8 jail assessment, railroad crossing improvement assessment, or crime laboratories  
9 and drug law enforcement assessment during that period shall be a condition of the  
10 probation. If the forfeiture, penalty assessment, truck driver education assessment,  
11 jail assessment, railroad crossing improvement assessment, or crime laboratories  
12 and drug law enforcement assessment is not paid or the court deems that the  
13 interests of justice require, probation may be terminated and the defendant  
14 imprisoned as provided in sub. (1) or s. 345.47.

15 **SECTION 3442.** 345.61 (2) (c) of the statutes is amended to read:

16 345.61 (2) (c) "Guaranteed arrest bond certificate" as used in this section means  
17 any printed card or other certificate issued by an automobile club, association or  
18 insurance company to any of its members or insureds, which card or certificate is  
19 signed by the member or insureds and contains a printed statement that the  
20 automobile club, association or insurance company and a surety company, or an  
21 insurance company authorized to transact both automobile liability insurance and  
22 surety business, guarantee the appearance of the persons whose signature appears  
23 on the card or certificate and that they will in the event of failure of the person to  
24 appear in court at the time of trial, pay any fine or forfeiture imposed on the person,  
25 including the penalty assessment required by s. 757.05, the truck driver education



1 assessment required by s. 349.04, the jail assessment required by s. 302.46 (1), the  
2 railroad crossing improvement assessment required by s. 346.177, 346.495 or 346.65  
3 (4r), and the crime laboratories and drug law enforcement assessment required by  
4 s. 165.755, in an amount not exceeding \$200, or \$1,000 as provided in sub. (1) (b).

5 **SECTION 3442d.** 346.16 (2) (a) of the statutes is amended to read:

6 346.16 (2) (a) Except as provided in par. (b), no pedestrian or person riding a  
7 bicycle or other nonmotorized vehicle and no person operating a low-speed vehicle,  
8 moped or motor bicycle may go upon any expressway or freeway when official signs  
9 ~~have been erected~~ prohibiting such person from using the expressway or freeway  
10 have been erected as provided in s. 349.105.

11 **SECTION 3442g.** 346.57 (4) (L) of the statutes is created to read:

12 346.57 (4) (L) Thirty-five miles per hour on STH 58 from I 90/94 in the city of  
13 Mauston to Fairway Lane in the town of Lisbon, in Juneau County.

14 **SECTION 3442h.** 346.57 (4) (m) of the statutes is created to read:

15 346.57 (4) (m) Forty-five miles per hour on STH 58 from Fairway Lane to  
16 Welch Prairie Road in the town of Lisbon, in Juneau County.

17 **SECTION 3442j.** 346.57 (6) (a) of the statutes is amended to read:

18 346.57 (6) (a) On state trunk highways and connecting highways and on county  
19 trunk highways or highways marked and signed as county trunks, the speed limits  
20 specified in sub. (4) (e) ~~and (f), (L), and (m)~~ are not effective unless official signs  
21 giving notice thereof have been erected by the authority in charge of maintenance of  
22 the highway in question. The speed limit specified in sub. (4) (g) and (k) is not  
23 effective on any highway unless official signs giving notice thereof have been erected  
24 by the authority in charge of maintenance of the highway in question. The signs shall  
25 be erected at such points as the authority in charge of maintenance deems necessary

1 to give adequate warning to users of the highway in question, but an alleged failure  
2 to post a highway as required by this paragraph is not a defense to a prosecution for  
3 violation of the speed limits specified in sub. (4) (e), (f), (g) ~~or~~, (L), or (m), or in an  
4 ordinance enacted in conformity therewith, if official signs giving notice of the speed  
5 limit have been erected at those points on the highway in question where a person  
6 traversing such highway would enter it from an area where a different speed limit  
7 is in effect. ✓

8 **SECTION 3442k.** 346.60 (2) (a) of the statutes is amended to read:

9 346.60 (2) (a) Except as provided in sub. (3m) or (5), any person violating s.  
10 346.57 (4) (d) to (g) ~~or~~, (h), (L), or (m) or (5) or 346.58 may be required to forfeit not  
11 less than \$30 nor more than \$300.

12 **SECTION 3442m.** 346.60 (3m) (a) of the statutes is amended to read:

13 346.60 (3m) (a) If an operator of a vehicle violates s. 346.57 (2), (3), (4) (d) to  
14 (h), (L), or (m) or (5) where persons engaged in work in a highway maintenance or  
15 construction area or in a utility work area are at risk from traffic, any applicable  
16 minimum and maximum forfeiture specified in sub. (2) or (3) for the violation shall  
17 be doubled. ✓

18 **SECTION 3443c.** 346.65 (2g) (d) of the statutes is created to read:

19 346.65 (2g) (d) With respect to imprisonment under sub. (2) (b), the court shall  
20 ensure that the person is imprisoned for not less than 5 days or ordered to perform  
21 not less than 30 days of community service work under s. 973.03 (3) (a).

22 **SECTION 3443g.** 346.65 (6) (a) 1. of the statutes is amended to read:

23 346.65 (6) (a) 1. ~~The~~ Except as provided in s. 343.301, the court may order a law  
24 enforcement officer to seize the motor vehicle used in the violation or improper  
25 refusal and owned by the person, or, if the motor vehicle is not ordered seized, shall

1 order a law enforcement officer to equip the motor vehicle with an ignition interlock  
2 device or immobilize any motor vehicle owned by the person, whose operating  
3 privilege is revoked under s. 343.305 (10) or who committed a violation of s. 346.63  
4 (1) (a), (b) or (2) (a) 1. or 2., 940.09 (1) (a) or (b), (c) or (d) or 940.25 (1) (a), (b), (c) or  
5 (d) if the person whose operating privilege is revoked under s. 343.305 (10) or who  
6 is convicted of the violation has 2 or more prior suspensions, revocations or  
7 convictions, counting convictions under ss. 940.09 (1) and 940.25 in the person's  
8 lifetime, plus other convictions, suspensions or revocations counted under s. 343.307  
9 (1). The court may not order a motor vehicle seized, equipped with an ignition  
10 interlock device or immobilized if that would result in undue hardship or extreme  
11 inconvenience or would endanger the health and safety of a person.

12 **SECTION 3443k.** 346.65 (6) (a) 1. of the statutes, as affected by 2001 Wisconsin  
13 Act ... (this act), is amended to read:

14 346.65 (6) (a) 1. ~~Except as provided in s. 343.301, the~~ The court may order a law  
15 enforcement officer to seize the motor vehicle used in the violation or improper  
16 refusal and owned by the person, ~~or, if the motor vehicle is not ordered seized, shall~~  
17 ~~order a law enforcement officer to equip the motor vehicle with an ignition interlock~~  
18 ~~device or immobilize any motor vehicle owned by the person, whose operating~~  
19 ~~privilege is revoked under s. 343.305 (10) or who committed a violation of s. 346.63~~  
20 ~~(1) (a), or (b) or (2) (a) 1. or 2., 940.09 (1) (a) or (b), (c), or (d), or 940.25 (1) (a), (b), (c),~~  
21 ~~or (d) if the person whose operating privilege is revoked under s. 343.305 (10) or who~~  
22 ~~is convicted of the violation has 2 or more prior suspensions, revocations, or~~  
23 ~~convictions, counting convictions under ss. 940.09 (1) and 940.25 in the person's~~  
24 ~~lifetime, plus other convictions, suspensions, or revocations counted under s. 343.307~~  
25 (1). The court may not order a motor vehicle seized, ~~equipped with an ignition~~

1 ~~interlock device or immobilized if that~~ if the court enters an order under s. 343.301  
2 to immobilize the motor vehicle or equip the motor vehicle with an ignition interlock  
3 device or if seizure would result in undue hardship or extreme inconvenience or  
4 would endanger the health and safety of a person.

5 **SECTION 3443m.** 346.65 (6) (m) of the statutes is amended to read:

6 346.65 (6) (m) The Except as provided in s. 343.301, the court may order a  
7 vehicle to be immobilized under this subsection for not more than the period that the  
8 person's operating privilege is revoked under s. 343.30 or 343.31. The court may  
9 order a vehicle to be equipped with an ignition interlock device under this subsection  
10 for not more than 2 years more than the period that the person's operating privilege  
11 is revoked under s. 343.30 or 343.31. If the court orders any motor vehicle  
12 immobilized or equipped with an ignition interlock device under this subsection, the  
13 owner shall be liable for the reasonable costs of the immobilization or the equipping  
14 of the ignition interlock device. If a motor vehicle that is immobilized is subject to  
15 a security agreement, the court shall release the motor vehicle to the secured party  
16 upon the filing of an affidavit by the secured party that the security agreement is in  
17 default and upon payment of the accrued cost of immobilizing the motor vehicle.

18 **SECTION 3444.** 346.655 (1) of the statutes is amended to read:

19 346.655 (1) If a court imposes a fine or a forfeiture for a violation of s. 346.63  
20 (1) or (5), or a local ordinance in conformity therewith, or s. 346.63 (2) or (6) or 940.25,  
21 or s. 940.09 where the offense involved the use of a vehicle, it shall impose a driver  
22 improvement surcharge in an amount of ~~\$345~~ \$355 in addition to the fine or  
23 forfeiture, penalty assessment, jail assessment ~~and~~, crimes laboratories and drug  
24 law enforcement assessment, and, if required by s. 349.04, truck driver education  
25 assessment.

1           **SECTION 3445.** 346.655 (2) (b) of the statutes is amended to read:

2           346.655 (2) (b) If the forfeiture is imposed by a municipal court, the court shall  
3 transmit the amount to the treasurer of the county, city, town, or village, and that  
4 treasurer shall make payment of 38.5% of the amount to the state treasurer as  
5 provided in s. 66.0114 (1) ~~(b)~~ (bm). The treasurer of the city, town, or village shall  
6 transmit the remaining 61.5% of the amount to the treasurer of the county.

7           **SECTION 3445c.** 346.94 (18) of the statutes is created to read:

8           346.94 (18) **LOW-SPEED VEHICLES ON ROADWAY.** (a) A person may operate a  
9 low-speed vehicle upon any roadway that is under the jurisdiction of a local  
10 authority and that has a speed limit of 25 or less miles per hour.

11           (b) No person may operate a low-speed vehicle upon any roadway that is under  
12 the jurisdiction of a local authority and that has a speed limit of more than 25 miles  
13 per hour but not more than 35 miles per hour unless the roadway is designated for  
14 low-speed vehicle operation by municipal or county ordinance enacted under s.  
15 349.237 (1).

16           (c) No person may operate a low-speed vehicle upon any highway that has a  
17 speed limit of more than 35 miles per hour. Except at crossings authorized under s.  
18 349.237 (2), and at intersections where traffic is controlled by an official traffic  
19 control device, no person may operate a low-speed vehicle upon a state trunk  
20 highway or connecting highway. This paragraph does not apply to vehicles  
21 registered under s. 341.26 (2m) or vehicles exempted from this paragraph by the  
22 department by rule.

23           **SECTION 3445d.** 346.95 (8) of the statutes is created to read:

24           346.95 (8) Any person violating s. 346.94 (18) may be required to forfeit not less  
25 than \$30 nor more than \$300.

1           **SECTION 3445e.** 347.02 (8) of the statutes is created to read:

2           347.02 (8) Notwithstanding the requirements of this chapter or s. 340.01  
3 (27m), the department may, by rule, establish for low-speed vehicles special  
4 equipment standards that differ from the equipment standards established under  
5 this chapter. Special equipment standards established under this subsection shall  
6 be identical to the federal standards established in 49 CFR 571.500, except that the  
7 department may establish additional standards for equipment not required under  
8 49 CFR 571.500.

9           **SECTION 3445dg.** 347.14 (2) of the statutes is amended to read:

10          347.14 (2) A stop lamp shall be so constructed as to be actuated upon  
11 application of the service or foot brake or separate trailer brake and shall emit a red  
12 ~~or amber~~ light. The stop lamp for a motorcycle may emit, in addition to the red light,  
13 a blue light that is located in the center of the lamp and that comprises less than 10%  
14 of the surface area of the lamp. A stop lamp under this subsection shall be plainly  
15 visible and understandable from all distances up to 300 feet to the rear during  
16 normal sunlight when viewed from the driver's seat of the vehicle following.

17          **SECTION 3445dm.** 347.25 (4) of the statutes is amended to read:

18          347.25 (4) ~~No~~ Except as provided in s. 347.14 (2), no vehicle may be equipped  
19 with or display any blue colored light or lamp unless the vehicle is used in police work  
20 authorized by the state or a political subdivision of the state or is used by a fire  
21 department as authorized under sub. (1s).

22          **SECTION 3445c.** 347.06 (1) of the statutes is amended to read:

23          347.06 (1) Except as provided in subs. (2) ~~and~~, (4), and (5), no person may  
24 operate a vehicle upon a highway during hours of darkness unless all headlamps, tail

1 lamps, and clearance lamps with which such vehicle is required to be equipped are  
2 lighted. Parking lamps as defined in s. 347.27 shall not be used for this purpose.

3 **SECTION 3445d.** 347.06 (5) of the statutes is created to read:

4 347.06 (5) A state forest ranger appointed under s. 28.92 may operate a vehicle  
5 owned or leased by the department of forestry upon a highway during hours of  
6 darkness without lighted headlamps, tail lamps, or clearance lamps in the  
7 performance of his or her duties.

8 **SECTION 3445f.** 347.413 (1) of the statutes is amended to read:

9 347.413 (1) No person may remove, disconnect, tamper with or otherwise  
10 circumvent the operation of an ignition interlock device installed in response to the  
11 court order under s. 343.301 (1) or 346.65 (6). This subsection does not apply to the  
12 removal of an ignition interlock device upon the expiration of the order requiring the  
13 motor vehicle to be so equipped or to necessary repairs to a malfunctioning ignition  
14 interlock device by a person authorized by the department.

15 **SECTION 3445g.** 347.413 (1) of the statutes, as affected by 2001 Wisconsin Act  
16 .... (this act), is amended to read:

17 347.413 (1) No person may remove, disconnect, tamper with, or otherwise  
18 circumvent the operation of an ignition interlock device installed in response to the  
19 court order under s. ~~343.301 (1) or 346.65 (6)~~, 1999 stats., or s. 343.301 (1). This  
20 subsection does not apply to the removal of an ignition interlock device upon the  
21 expiration of the order requiring the motor vehicle to be so equipped or to necessary  
22 repairs to a malfunctioning ignition interlock device by a person authorized by the  
23 department.

24 **SECTION 3445h.** 347.417 (1) of the statutes is amended to read:

1           347.417 (1) No person may remove, disconnect, tamper with or otherwise  
2 circumvent the operation of any immobilization device installed in response to a  
3 court order under s. 343.301 (2) or 346.65 (6). This subsection does not apply to the  
4 removal of an immobilization device pursuant to a court order or to necessary repairs  
5 to a malfunctioning immobilization device.

6           **SECTION 3445j.** 347.417 (1) of the statutes, as affected by 2001 Wisconsin Act  
7 .... (this act), is amended to read:

8           347.417 (1) No person may remove, disconnect, tamper with, or otherwise  
9 circumvent the operation of any immobilization device installed in response to a  
10 court order under s. ~~343.301 (2) or 346.65 (6), 1999 stats., or s. 343.301 (2)~~. This  
11 subsection does not apply to the removal of an immobilization device pursuant to a  
12 court order or to necessary repairs to a malfunctioning immobilization device.

13           **SECTION 3445k.** 347.417 (2) of the statutes is amended to read:

14           347.417 (2) The department shall design a warning label which shall be affixed  
15 by the owner of each immobilization device before the device is used to immobilize  
16 any motor vehicle under s. ~~343.301 (2) or 346.65 (6)~~. The label shall provide notice  
17 of the penalties for removing, disconnecting, tampering with or otherwise  
18 circumventing the operation of the immobilization device.

19           **SECTION 3445m.** 347.417 (2) of the statutes, as affected by 2001 Wisconsin Act  
20 .... (this act), is amended to read:

21           347.417 (2) The department shall design a warning label which shall be affixed  
22 by the owner of each immobilization device before the device is used to immobilize  
23 any motor vehicle under s. ~~343.301 (2) or 346.65 (6), 1999 stats., or s. 343.301 (2)~~.  
24 The label shall provide notice of the penalties for removing, disconnecting,



1 tampering with, or otherwise circumventing the operation of the immobilization  
2 device.

3 **SECTION 3445p.** 348.16 (3) of the statutes is amended to read:

4 348.16 (3) Any motor vehicle whose operation is pickup or delivery, including  
5 operation for the purpose of moving or delivering supplies or commodities to or from  
6 any place of business or residence that has an entrance on a class "B" highway, may  
7 pick up or deliver on a class "B" highway ~~if the gross weight imposed on the highway~~  
8 ~~by the wheels of any one axle does not exceed 16,500 pounds, subject to the approval~~  
9 ~~of the county highway commissioner or the county highway committee in the case of~~  
10 ~~highways maintained by the county~~ without complying with the gross vehicle weight  
11 limitations imposed by sub. (2).

12 **SECTION 3446k.** 348.25 (8) (a) 1. of the statutes is amended to read:

13 348.25 (8) (a) 1. For a vehicle or combination of vehicles ~~which~~ that exceeds  
14 length limitations, \$15, except that if the application for a permit for a vehicle  
15 described in this subdivision is submitted to the department after  
16 December 31, ~~1999~~ 2001, and before ~~July 1, 2003~~ March 1, 2009, the fee is \$17.

17 **SECTION 3447k.** 348.25 (8) (a) 2. of the statutes is amended to read:

18 348.25 (8) (a) 2. For a vehicle or combination of vehicles ~~which~~ that exceeds  
19 either width limitations or height limitations, \$20, except that if the application for  
20 a permit for a vehicle described in this subdivision is submitted to the department  
21 after December 31, ~~1999~~ 2001, and before ~~July 1, 2003~~ March 1, 2009, the fee is ~~\$22~~  
22 \$23.

23 **SECTION 3448k.** 348.25 (8) (a) 2m. of the statutes is amended to read:

24 348.25 (8) (a) 2m. For a vehicle or combination of vehicles ~~which~~ that exceeds  
25 both width and height limitations, \$25, except that if the application for a permit for

1 a vehicle described in this subdivision is submitted to the department after  
2 December 31, ~~1999~~ 2001, and before ~~July 1, 2003~~ March 1, 2009, the fee is ~~\$28~~ \$29.

3 **SECTION 3449k.** 348.25 (8) (b) 1. of the statutes is amended to read:

4 348.25 (8) (b) 1. For a vehicle or combination of vehicles ~~which~~ that exceeds  
5 length limitations, \$60, except that if the application for a permit for a vehicle  
6 described in this subdivision is submitted to the department after  
7 December 31, ~~1999~~ 2001, and before ~~July 1, 2003~~ March 1, 2009, the fee is ~~\$66~~ \$69.

8 **SECTION 3450k.** 348.25 (8) (b) 2. of the statutes is amended to read:

9 348.25 (8) (b) 2. For a vehicle or combination of vehicles ~~which~~ that exceeds  
10 width limitations or height limitations or both, \$90, except that if the application for  
11 a permit for a vehicle described in this subdivision is submitted to the department  
12 after December 31, ~~1999~~ 2001, and before ~~July 1, 2003~~ March 1, 2009, the fee is ~~\$99~~  
13 \$104.

14 **SECTION 3451k.** 348.25 (8) (b) 3. a. of the statutes is amended to read:

15 348.25 (8) (b) 3. a. If the gross weight is 90,000 pounds or less, \$200, except that  
16 if the application for a permit for a vehicle described in this subd. 3. a. is submitted  
17 to the department after December 31, ~~1999~~ 2001, and before ~~July 1, 2003~~ March 1,  
18 2009, the fee is ~~\$220~~ \$230.

19 **SECTION 3452k.** 348.25 (8) (b) 3. b. of the statutes is amended to read:

20 348.25 (8) (b) 3. b. If the gross weight is more than 90,000 pounds but not more  
21 than 100,000 pounds, \$350, except that if the application for a permit for a vehicle  
22 described in this subd. 3. b. is submitted to the department after December 31, ~~1999~~  
23 2001, and before ~~July 1, 2003~~ March 1, 2009, the fee is ~~\$385~~ \$403.

24 **SECTION 3453k.** 348.25 (8) (b) 3. c. of the statutes is amended to read:

1           348.25 (8) (b) 3. c. If the gross weight is greater than 100,000 pounds, \$350 plus  
2           \$100 for each 10,000-pound increment or fraction thereof by which the gross weight  
3           exceeds 100,000 pounds, except that if the application for a permit for a vehicle  
4           described in this subd. 3. c. is submitted to the department after December 31, 1999  
5           2001, and before ~~July 1, 2003~~ March 1, 2009, the fee is ~~\$385 plus \$110~~ \$403 plus \$115  
6           for each 10,000-pound increment or fraction thereof by which the gross weight  
7           exceeds 100,000 pounds.

8           **SECTION 3454k.** 348.25 (8) (bm) 1. of the statutes is amended to read:

9           348.25 (8) (bm) 1. Unless a different fee is specifically provided, the fee for a  
10          consecutive month permit is one-twelfth of the fee under par. (b) for an annual  
11          permit times the number of months for which the permit is desired, plus \$15 for each  
12          permit issued. This subdivision does not apply to applications for permits submitted  
13          after December 31, 1999, and before ~~July 1, 2003~~ March 1, 2009.

14          **SECTION 3455k.** 348.25 (8) (bm) 2. of the statutes is amended to read:

15          348.25 (8) (bm) 2. Unless a different fee is specifically provided, the fee for a  
16          consecutive month permit is one-twelfth of the fee under par. (b) for an annual  
17          permit times the number of months for which the permit is desired, plus ~~\$16.50~~  
18          \$17.25 for each permit issued, rounded to the nearest whole dollar. This subdivision  
19          does not apply to applications submitted before January 1, ~~2000~~ 2002, or submitted  
20          after ~~June 30, 2003~~ February 28, 2009.

21          **SECTION 3456.** 348.27 (10) of the statutes is amended to read:

22          348.27 (10) TRANSPORTATION OF GRAIN OR COAL OR IRON. The department may  
23          issue annual or consecutive month permits for the transportation of loads of grain,  
24          as defined in s. ~~127.01 (18)~~ 126.01 (13), coal, iron ore concentrates or alloyed iron on  
25          a vehicle or a combination of 2 or more vehicles that exceeds statutory weight or

1 length limitations and for the return of the empty vehicle or combination of vehicles  
2 over any class of highway for a distance not to exceed 5 miles from the Wisconsin state  
3 line. If the roads desired to be used by the applicant involve streets or highways other  
4 than those within the state trunk highway system, the application shall be  
5 accompanied by a written statement of route approval by the officer in charge of  
6 maintenance of the other highway. This subsection does not apply to highways  
7 designated as part of the national system of interstate and defense highways.

8 **SECTION 3456k.** 349.04 of the statutes is created to read:

9 **349.04 Truck driver education assessments.** (1) If a court imposes a fine  
10 or forfeiture for a violation of a provision of chs. 346 to 348 or a rule issued under chs.  
11 346 to 348 and the violation involved a commercial motor vehicle, the court shall  
12 impose a truck driver education assessment of \$8.

13 (2) If a fine or forfeiture is suspended in whole or in part, the truck driver  
14 education assessment shall be reduced in proportion to the suspension.

15 (3) If any deposit is made for an offense to which this section applies, the person  
16 making the deposit shall also deposit a sufficient amount to include the truck driver  
17 education assessment under this section. If the deposit is forfeited, the amount of  
18 the truck driver education assessment shall be transmitted to the state treasurer  
19 under sub. (4). If the deposit is returned, the amount of the truck driver education  
20 assessment shall also be returned.

21 (4) The clerk of the circuit court shall collect and transmit to the county  
22 treasurer the truck driver education assessment as required under s. 59.40 (2) (m).

23 The county treasurer shall then pay the state treasurer <sup>AS</sup> provided in s. 59.25 (3) (f)

24 2. The state treasurer shall deposit all amounts received under this subsection in  
25 the general fund to be credited to the appropriation account under s. 20.292 (1) (hm).