

2001 DRAFTING REQUEST

Bill

Received: 09/05/2000

Received By: phurley

Wanted: As time permits

Identical to LRB:

For: Roger Breske (608) 266-2509

By/Representing: elizabeth piliouras

This file may be shown to any legislator: NO

Drafter: phurley

May Contact:

Alt. Drafters:

Subject: Transportation - miscellaneous

Extra Copies: TNF

Pre Topic:

No specific pre topic given

Topic:

Require law officers to report traffic violations by foreign missions personnel to the United States State Department

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	phurley 11/16/2000 phurley 02/15/2001	gilfokm 11/16/2000 gilfokm 02/15/2001	martykr 11/17/2000	_____	lrb docadmin 11/17/2000		S&L
/2			jfrantze 02/16/2001	_____	lrb docadmin 02/16/2001	lrb docadmin	S&L 02/26/2001

FE Sent For:

<END>

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Handwritten signatures and dates:
 11/16/00 (under Typed)
 11/16/00 (under Proofed)

FE Sent For:

<END>

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/?	phurley	11-11/16 King	km 11/7	JZ 11/17 km 11/17			State

FE Sent For:

<END>

ROGER BRESKE

STATE SENATOR

12th District

Capitol Address:

State Capitol, South Wing
P.O. Box 7882
Madison, WI 53707-7882
(608) 266-2509

Toll Free:

1 (800) 334-8773



Home Address:

8800 Hwy. 29
Eland, WI 54427
(715) 454-6575

E-Mail Address:

Sen.Breske@legis.state.wi.us

MEMORANDUM

August 22, 2000

TO: Timothy Fast, Senior Attorney
Legislative Reference Bureau
FR: Elizabeth Piliouras for
Senator Roger Breske
RE: Traffic Violations by Foreign Missions Personnel

Roger is requesting that legislation be drafted to require that law enforcement agencies and officers be responsible for reporting traffic violations by foreign missions personnel to the U.S. Department of State, Office of Foreign Missions. Draft language is attached for your reference.

As always, please feel free to give me a call if you have any questions or concerns regarding this request.

1 Model Legislation
2 Revised Maryland Bill 1194
3 Legislative Initiative
4 OFM/DMV
5
6

7 An Act concerning
8

9 **Vehicle Laws – Diplomatic Immunities and Privileges – Requirements**
10

11 For the purpose of requiring a police officer who has probable cause to
12 believe that a driver has committed certain violations to contact the U.S.
13 Department of State, record certain information, and send certain copies of
14 certain documents to the U.S. Department of State if the driver displays a driver's
15 license issued by the U.S. Department of State or otherwise claims certain
16 immunities or privileges. The provisions of this Act are severable and generally
17 relating to drivers who claim certain immunities or privileges under certain
18 circumstances.
19

20 SECTION 1. BE IT ENACTED BY xxxxxxxxxxxxxxxx
21

22 SUBTITLE x. Vehicle Laws – Diplomatic Immunities and Privileges –
23 Requirements
24

25 This subtitle applies only to an individual who displays a driver's license
26 issued by the U.S. Department of State to a police officer or who otherwise
27 claims immunities or privileges under Title 22, chapter 6 of the United States
28 Code with respect to the individual's violation of Article 27 § 388, § 388A, of
29 S388B of the Code, or a moving violation under the Vehicle Laws or Regulations
30 of the this State or any local authority.
31

32 If a driver who is subject to this subtitle is stopped by a police officer who
33 has probable cause to believe that the driver has committed a violation described
34 in this subtitle, the police officer shall:
35

- 36 (1) As soon as practicable contact the U.S. Department of State
37 office in order to verify the driver's status and immunity, if any;
38
- 39 (2) Record all relevant information from any driver's license or
40 identification card, including a driver's license or identification
41 card issued by the U.S. Department of State; and
42
- 43 (3) Within 5 workdays after the date of the stop, forward the
44 following to the Bureau of Diplomatic Security Office of Foreign
45 Missions, of the U.S. Department of State the U.S. Department
46 of State:

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- (I) A vehicle accident report, if the driver was involved in a vehicle accident;
- (II) If a citation or other charging document was issued to the driver, a copy of the citation or other charging document; and
- (III) If a citation or other charging document was not issued to the driver, a written report of the incident.

The Provisions of this subtitle do not prohibit or limit the application of any Law to a criminal or motor vehicle violation by an individual who has or claims immunities or privileges under Title 22 of the United State Code.

SECTION 2. BE IT FURTHER ENACTED, that if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act which can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.



**UNITED STATES
DEPARTMENT OF STATE
DRIVER LICENSE**

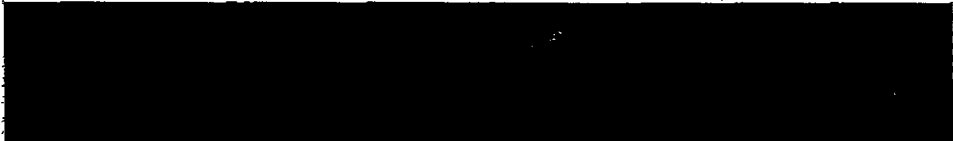
LIC#: 9999-9999 ISSUED: 11/28/95
DOB: 08/10/68 EXPIRES: 11/30/00
HGT: 5 09 RESTR: X
SEX: F CLASS: C



DIPLOMAT, JANE A.
23456 ANYWHERE ST NE
ANYCITY, MD 12345

Jane A. Diplomat

SAMPLE



Any incidents, citations or inquiries involving the licensee should be directed to (202) 895-3521 between 8 a.m. - 5 p.m. EST. All other times, call (202) 647-7277. Fax all citations or reports to (202) 895-3533.

- Code:
- 0- No Restrictions
 - X- Corrective Lenses
 - 1- Auto Transmission Only
 - 2- All Hand Controls
 - 3- Minor, State Restrictions
 - 4- Daylight Driving Only
 - 5- Artificial Limb
 - 6- Two visable mirrors
 - 7- Other

8-17-00

T/C to Eliza Pichon - 62509

NY Va Mpl & San Frans already "in system"

OK to talk w/ Dept of State? Yes -

someone from US Dept of State contacted

~~just citations~~ OK ^{her - still send}
page # over along
w/ more model legis.

Wants notice of citations, not just consultations.

ROGER BRESKE
STATE SENATOR

Capitol Address:
State Capitol, South Wing
P.O. Box 7882
Madison, WI 53707-7882
(608) 266-2509

Legislative Hotlines:
1 (800) 362-9696



Home Address:
8800 Hwy. 29
Eland, WI 54427
(715) 454-6575

PEGGY —

'LET ME KNOW IF YOU
HAVE MORE QUESTIONS.

THANKS,
BETH

email:

Piliouras, Elizabeth

8/1/00 - Anna sending copy of USDS license and model legislation

Peggy
Sorry
about

the messy
notes!

Beth

→ Ana Maria Mieles
Legislative Program
Office of Foreign M
Diplomatic Motor Ve
3507 International Place, NW
Washington, DC 20008

Phone: (202) 895-3517
Fax: (202) 895-3646
E-mail: mielesam@state.gov

Or
Clay Hays
Chief of Community Relations
Office of Foreign Missions
Diplomatic Motor Vehicles (OFM/DMV)
3507 International Place, NW
Washington, DC 20008
Phone: (202) 895-3519

citation
copy for courts

move to local DMV

looking for police officers
to contact directly

24 hour

go thru regular
process

require that police dept.
contact

don't want to get DMV's
involved

there is a hotline

just looking copies of citations

their model legislation
their are instances
need to know
waivers of immunity



PARRIS N. GLENDENING
GOVERNOR

KATHLEEN KENNEDY TOWNSEND
LT GOVERNOR

STATE OF MARYLAND
MARYLAND STATE POLICE
1201 REISTERSTOWN ROAD
PIKESVILLE, MARYLAND 21208-3899
(410) 486-3101
TDD: 410-486-0677



COLONEL DAVID B. MITCHELL
SUPERINTENDENT

August 16, 2000

Ms. Beth Piliouras
Legislative Assistant
Wisconsin State Senator Roger Breske, 12th District
Room 18 South, Capitol Building
Madison, Wisconsin 53707-7882

Ref: Vehicle Laws - Diplomatic Immunities and Privileges

Dear Ms. Piliouras,

This is in response to your email in which you inquired about the handling of violations committed by diplomatic personnel. The Maryland Legislature requires reporting of these violations to the U.S. State Department. The Maryland State Police has established a policy and protocol to report such matters. I have attached a copy of our General Order No. 01-9902 that details our response and reporting actions.

We have not created a separate database for this or established new positions within the State Police. It is handled by the trooper and duty officer at the time of the incident. The general order should help in understanding the procedures we utilize.

I hope that this information is useful to you and should you need any further assistance do not hesitate to contact me at 410 653-4387.

Sincerely,

Clarence W. Bell, Jr.
Lieutenant
Commanding Traffic Operations

"Maryland's Finest"



PARRIS N. GLENDENING
GOVERNOR
PHILEEN KENNEDY TOWNSEND
LT. GOVERNOR

STATE OF MARYLAND
MARYLAND STATE POLICE
1201 REISTERSTOWN ROAD
PIKESVILLE, MARYLAND 21208-3899
(410) 486-3101
TDD: 410-486-0677



COLONEL DAVID B. MITCHELL
SUPERINTENDENT

January 27, 1999

GENERAL ORDER NO. 01-9902

TO: All Sworn Personnel

SUBJECT: Vehicle Laws - Diplomatic Immunities and Privileges

PURPOSE

To establish procedures to notify the U.S. State Department and the Maryland Motor Vehicle Administration when foreign diplomats are stopped for motor vehicle violations.

POLICY

Effective immediately, all sworn personnel will comply with the changes to the Maryland Transportation Article that require the U.S. State Department and the Maryland Motor Vehicle Administration to be notified when foreign diplomats are stopped for probable cause violations of motor vehicle laws.

PROCEDURES

- A. After stopping an individual who displays a driver's license issued by the U.S. Department of State or who otherwise claims immunities or privileges as a foreign diplomat the trooper will notify the installation and request the Duty Officer (DO) telephone the U.S. State Department to verify the driver's status and immunity, if any. The telephone numbers of the U.S. State Department are as follows:
1. Monday through Friday, 8:00 a.m. to 5:00 p.m. **202-895-3532**
 2. All other times of day or night: **202-647-7277**
- B. If the DO is not able to contact the U.S. State Department:
1. The DO will so inform the trooper.
 2. The trooper will not detain the driver any longer than is necessary to record the appropriate information.
 3. The trooper will, as soon as practicable, contact the U.S. State Department, even if the driver has already been released.
- C. If a citation or other charging document is not issued, the patrol trooper will record on a form MSP 88, Incident Report, all relevant information from any driver's license or identification card, including a driver's license or identification card issued by the U.S. State Department and the reason for the stop.

"Maryland's Finest"

GENERAL ORDER NO. 01-9902 (Cont'd)

SUBJECT: Vehicle Laws - Diplomatic Immunities and Privileges

D. Within five days after the date of a stop, the trooper will forward to the Maryland Motor Vehicle Administration, the following:

1. A Vehicle Accident Report if the driver was involved in a vehicle accident.
2. A copy of the citation or other charging document if issued to the driver.
3. A copy of the form MSP 88, if a citation or other charging document was not issued.

Mail to:

Motor Vehicle Administration
Administrative Adjudication, Room 212
6601 Ritchie Highway, NE
Glen Burnie MD 21062

FULL CRIMINAL IMMUNITY

- A. Full criminal immunity is given to diplomatic agents, administrative and technical staff of missions, and their families.
- B. Full criminal immunity means more than immunity from prosecution. It means that the residence, vehicles, papers, and correspondence of an individual with this immunity classification cannot be searched, the person cannot be detained or arrested and is not required to give evidence as a witness.

LIMITED CRIMINAL IMMUNITY

Service staff members have limited criminal immunity. They can be detained, arrested, and prosecuted for criminal acts. If prosecuted, service staff members can raise "official acts" immunity as an affirmative defense. The court will determine whether or not the member was acting in an official capacity at the time of the offense. Service staff can be required to give evidence as witnesses and, in accordance with local law, their persons and effects can be searched.

TRAFFIC VIOLATIONS INVOLVING DIPLOMATS

A. Moving Violations

When a driver with proper and valid identification indicating diplomatic immunity is stopped for any moving traffic violation, the trooper may issue an appropriate traffic citation or warning notice. The issuance of a traffic citation does not constitute an arrest or detention. The arrest/detention of members of the Diplomatic Corps for any violation of the Transportation Code of Maryland is not authorized.

1. The diplomat does not have to sign the citation and cannot be arrested for refusal to sign or accept the citation. If diplomat refuses to sign, trooper will write "Refused to Sign" on citation.

GENERAL ORDER NO. 01-9902

(Cont'd)

SUBJECT: Vehicle Laws - Diplomatic Immunities and Privileges

2. Failure of the diplomat to appear in court to answer the citation may cause action by the Motor Vehicle Administration (MVA) in relation to the diplomat's driving privileges within this state.

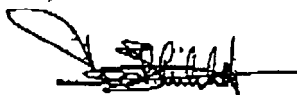
B. Driving While Intoxicated

1. Individuals with diplomatic immunity stopped for DWI will not be allowed to operate a motor vehicle. The trooper's primary concern in this situation should be the safety of the community and of the intoxicated individual. The trooper will provide assistance in parking the vehicle or securing another driver. If the vehicle is parked, the location will be recorded on the form MSP 23B, Disabled and Unattended Vehicle Log.
2. A trooper may issue a traffic citation to the person for DWI and any other related traffic charges. However, no physical arrest can be made.
3. If the diplomat refuses assistance or a claim is made that the trooper's requested action would restrict the effective exercise of diplomatic functions, the trooper will inform the diplomat that the diplomat is free to go, but the vehicle may not be moved. The embassy or legation concerned will be contacted immediately for advice or assistance in obtaining a driver and removing the vehicle.
4. If the driver is entitled to diplomatic immunity, the driver should not be restrained except in extreme cases. Sobriety tests should be offered, but a diplomat may not be compelled to take any tests. Force must not be used except when necessary to prevent injury to the diplomat or others and then only the absolute minimum should be applied.

C. Towing

When it becomes necessary to have a vehicle bearing diplomatic registration towed, troopers will comply with current towing policy. A diplomat's vehicle is considered secure from violation and cannot be searched.

This Order supersedes all orders and memorandum in conflict therewith.



David B. Mitchell
Superintendent

DMB:TLV:jds



United States Department of State
Office of Foreign Missions
Washington, D.C. 20520

August 1, 2000

Beth Piliouras
Legislative Assistant
Wisconsin State Senator Roger Breske
Room 18 South, Capitol Building
P.O. box 7882
Madison, WI-53707-7882

Dear Ms. Piliouras,

As per our conversation August 1, 2000, enclosed you will find a sample of U.S. Department of State driver's license and model legislation proposed by this Office. The model bill is a revised version of Maryland Bill 1194, which contemplates a simpler and more efficient mechanism of reporting motor vehicle incidents involving individuals who display drivers' licenses issued by the U.S. Department of State, or who otherwise claim immunities or privileges.

Furthermore, I have included all points of contact where police officers may report or send copies of incident reports and citations.

For inquiries of current status of U.S. Department of State license tags, registrations, or other motor vehicle information

Normal business Hours– Phone (202) 895-3532

After Business Hours (24-hours) – Phone (202) 647-7277

For sending copies of incident reports and/or citations,

Diplomatic Motor Vehicles - Fax (202) 895-3646 or

Diplomatic Security Service - Fax (202) 895-3613.

I greatly appreciate the attention you have given this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Ana Maria Miele".

Ana Maria Miele
Legislative Programs Officer
Diplomatic Motor Vehicles



Bell - let's discuss
United States Department of State
Office of Foreign Missions
Washington, D.C. 20520

July 12, 2000

Senator Roger M. Breske
Room 18 South
State Capitol
P.O. Box 7882
Madison, WI, 53707-7882

Dear Senator,

The Diplomatic Motor Vehicles Division (OFM/DMV) located within the Office of Foreign Missions at the U.S. Department of State is seeking your cooperation in a legislative project designed to insure that members of diplomatic missions abide by United States traffic laws and regulations. As of July 1, 1988, this office has assumed responsibility for the issuance of driver licenses to and the exercise of driver control over the members of the foreign mission community and their *bona fide* dependents. This mandate was taken on with the support of the American Association of Motor Vehicle Administrators. In accordance with this mandate, OFM/DMV has enforced court ordered actions against the driving privileges of its licensees; and has imposed administrative sanctions against the privileges of those whose driving records display a pattern of dangerous driving practices.

Although a great majority of members of foreign missions operate motor vehicles responsibly and in compliance with traffic regulations, there have been a few distressing incidents. As you may be aware, on January 3, 1997 a Georgian diplomat, who was intoxicated and driving recklessly, drove his vehicle into the rear of a small car that had stopped for a red signal. The force of the impact propelled the struck car several yards into the air before it landed atop a convertible tragically killing a 16 year-old girl and injuring four others.

The diplomat had been in the United States approximately 26 months. Within a few days of his arrival, he fulfilled the requirements for licensing in this country, applied for and received a U.S. Department of State driver license. In the following months, police officers from various jurisdictions stopped and cited him for moving violations, each one more serious than the last. The diplomat pleaded guilty to each charge *in absentia* and remitted the statutory fine to the responsible court. Unfortunately, however, none of these incidents were reported to the Department of State. The courts processed the convictions and forwarded the notices of conviction to their servicing motor vehicle administrations assuming that this information would be forwarded to the individual's driver licensing authority (OFM/DMV).

Had this office been informed, the point accrual on this individual's driving record by mid summer 1996 would have resulted in the initiation of driver control measures by OFM/DMV. Regrettably, OFM/DMV had not been made aware of this person's recklessness, thus had to assume he was a responsible driver. Circumstances such as this one have prompted the Department of State to urge the adoption of legislation ensuring that all motor vehicle related incidents in which foreign mission personnel, who enjoy some level of immunity from the police and judicial jurisdiction, are reported to this office in a timely manner.

At the request of his constituency, the chairman of the Maryland Legislature's Judiciary Subcommittee and Committee Counsel collaborated with OFM/DMV personnel to draft and introduce such a bill. HB1194, which passed both legislative houses without opposition, went into effect October 1, 1998. I have included a copy of this bill for your consideration.

The Diplomatic Motor Vehicle office is committed to collaborating with you in a legislative initiative designed to address this issue. In order to ensure that you and your staff receive any and all support needed I have appointed Ana Maria Mieles as your contact in OFM/DMV.

I greatly appreciate your assistance in this matter, and we look forward to hearing from you.

Sincerely,



Jacqueline D. Robinson
Director
Diplomatic Motor Vehicles

Enclosure: Contact Sheet



The State of Maryland
Executive Department

I, JOHN T. WILLIS, SECRETARY OF STATE OF THE STATE OF MARYLAND, under and by virtue of the authority vested in me by Section 7-106 of the State Government Article of the Annotated Code of Maryland (1993 Vol., 1995 Cum. Supp.) Do Hereby Certify that the attached photocopies are true copies of the record in my office as the same are taken from and compared with the original record now on file in my office.



In Testimony Whereof, I have hereunto set my hand and have caused to be affixed the official seal of the Secretary of State at Annapolis, Maryland, this Twenty-Seventh day of May, in the year of our Lord One Thousand Nine Hundred and Ninety-Eight.

John T. Willis
John T. Willis
Secretary of State

HOUSE BILL 1194

8lr0104

JDR
CALENDAR # R7 39

By: Delegates Genn, Doory, Exum, M. Burns, R. Baker, Franchot, Valderrama, Petzold, Grosfeld, Conroy, Menes, Pitkin, Goldwater, and Kopp

Introduced and read first time: February 13, 1998
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 23, 1998

APR 12 1998
S.O. by Colburn
UNTIL 10:30

CHAPTER 734

MAY 21 1998

- 1 AN ACT concerning
- 2 **Vehicle Laws - Diplomatic Immunities and Privileges - Requirements**
- 3 FOR the purpose of requiring a police officer who has probable cause to believe that a
- 4 driver has committed certain violations to contact the U.S. Department of State,
- 5 record certain information, and send certain copies of certain documents to the
- 6 Motor Vehicle Administration if the driver displays a driver's license issued by
- 7 the U.S. Department of State or otherwise claims certain immunities or
- 8 privileges; requiring the Administration to file certain documents, and keep
- 9 certain records or make certain notations showing certain court dispositions and
- 10 vehicle accidents; requiring the Administration to send copies of certain
- 11 documents to the U.S. Department of State, making the provisions of this Act
- 12 severable; and generally relating to drivers who claim certain immunities or
- 13 privileges under certain circumstances.
- 14 BY adding to
- 15 Article - Transportation
- 16 Section 16-901 through 16-905, inclusive, to be under the new subtitle "Subtitle
- 17 9. Drivers' Licenses - Immunities and Privileges - Requirements"
- 18 Annotated Code of Maryland
- 19 (1992 Replacement Volume and 1997 Supplement)
- 20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 21 MARYLAND, That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
 [Brackets] indicate matter deleted from existing law.
 Underlining indicates amendments to bill.
 Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Article - Transportation

1

2 SUBTITLE 9. DRIVERS' LICENSES - IMMUNITIES AND PRIVILEGES - REQUIREMENTS.

3 16-901.

4 THIS SUBTITLE APPLIES ONLY TO AN INDIVIDUAL WHO DISPLAYS A DRIVER'S
5 LICENSE ISSUED BY THE U.S. DEPARTMENT OF STATE TO A POLICE OFFICER OR WHO
6 OTHERWISE CLAIMS IMMUNITIES OR PRIVILEGES UNDER TITLE 22, CHAPTER 6 OF
7 THE UNITED STATES CODE WITH RESPECT TO THE INDIVIDUAL'S VIOLATION OF
8 ARTICLE 27, § 388, § 388A, OR § 388B OF THE CODE, OR A MOVING VIOLATION UNDER
9 THE VEHICLE LAWS OR REGULATIONS OF THIS STATE OR ANY LOCAL AUTHORITY.

10 16-902.

11 IF A DRIVER WHO IS SUBJECT TO THIS SUBTITLE IS STOPPED BY A POLICE
12 OFFICER WHO HAS PROBABLE CAUSE TO BELIEVE THAT THE DRIVER HAS
13 COMMITTED A VIOLATION DESCRIBED IN THIS SUBTITLE, THE POLICE OFFICER
14 SHALL:

15 (1) IMMEDIATELY AS SOON AS PRACTICABLE CONTACT THE U.S.
16 DEPARTMENT OF STATE OFFICE IN ORDER TO VERIFY THE DRIVER'S STATUS AND
17 IMMUNITY, IF ANY;

18 (2) RECORD ALL RELEVANT INFORMATION FROM ANY DRIVER'S
19 LICENSE OR IDENTIFICATION CARD, INCLUDING A DRIVER'S LICENSE OR
20 IDENTIFICATION CARD ISSUED BY THE U.S. DEPARTMENT OF STATE; AND

21 (3) WITHIN 5 WORKDAYS AFTER THE DATE OF THE STOP, FORWARD THE
22 FOLLOWING TO THE ADMINISTRATION:

23 (I) A VEHICLE ACCIDENT REPORT, IF THE DRIVER WAS INVOLVED
24 IN A VEHICLE ACCIDENT;

25 (II) IF A CITATION OR OTHER CHARGING DOCUMENT WAS ISSUED
26 TO THE DRIVER, A COPY OF THE CITATION OR OTHER CHARGING DOCUMENT; AND

27 (III) IF A CITATION OR OTHER CHARGING DOCUMENT WAS NOT
28 ISSUED TO THE DRIVER, A WRITTEN REPORT OF THE INCIDENT.

29 16-903.

30 THE ADMINISTRATION SHALL:

31 (1) FILE EACH VEHICLE ACCIDENT REPORT, CITATION OR OTHER
32 CHARGING DOCUMENT, AND INCIDENT REPORT THAT THE ADMINISTRATION
33 RECEIVES UNDER THIS SUBTITLE; AND

34 (2) KEEP CONVENIENT RECORDS OR MAKE SUITABLE NOTATIONS
35 SHOWING EACH:

HOUSE BILL 1194

3

(I) CONVICTION;

2 (II) PROBATION BEFORE JUDGMENT DISPOSITION OF ANY
3 VIOLATION OF § 21-902 OF THIS ARTICLE; AND

4 (III) VEHICLE ACCIDENT.

5 16-904.

6 THE ADMINISTRATION SHALL SEND A COPY OF EACH DOCUMENT AND RECORD
7 DESCRIBED UNDER § 16-903 OF THIS SUBTITLE TO THE BUREAU OF DIPLOMATIC
8 SECURITY, OFFICE OF FOREIGN MISSIONS, OF THE U.S. DEPARTMENT OF STATE.

9 16-905.

10 THE PROVISIONS OF THIS SUBTITLE DO NOT PROHIBIT OR LIMIT THE
11 APPLICATION OF ANY LAW TO A CRIMINAL OR MOTOR VEHICLE VIOLATION BY AN
12 INDIVIDUAL WHO HAS OR CLAIMS IMMUNITIES OR PRIVILEGES UNDER TITLE 22,
13 CHAPTER 6 OF THE UNITED STATES CODE.

14 SECTION 2. AND BE IT FURTHER ENACTED, That if any provision of this
15 Act or the application thereof to any person or circumstance is held invalid for any
16 reason in a court of competent jurisdiction, the invalidity does not affect other
17 provisions or any other application of this Act which can be given effect without the
18 invalid provision or application, and for this purpose the provisions of this Act are
19 declared severable.

20 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 1998.

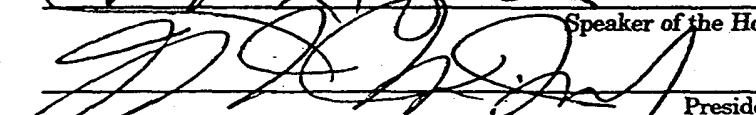
Approved:



Governor.



Speaker of the House of Delegates.



President of the Senate.

Sealed with the Great Seal and Presented to the Governor, for his approval

this _____ 3 day of May

at _____ o'clock _____

Charles R. Hoar, Jr.

Speaker.

RULES SUSPENDED

BY THE SENATE

APR 13 1998

1998

Read third time and passed by _____ Yeas and _____ Nays.

By order

William B.C. Addison, Jr.

Secretary.

BY THE HOUSE OF DELEGATES

_____ 1998

Senate amendment concurred in and bill passed by Yeas and Nays as amended.

By order,

Chief Clerk.

Read and Examined by Proofreaders:

D. Gregory
Proofreader.
D. Thompson
Proofreader.

BY THE HOUSE OF DELEGATES

MAR 25 1998

Read the third time and passed by Yeas and Nays

Mary Norahan
By order,

Chief Clerk.

BY THE SENATE

MAR 26 1998

Read the first time and referred to JUDICIAL PROCEEDINGS

By order,
William B.C. Addison, Jr.
Secretary.

REPORT OF COMMITTEE

FAVORABLE

Walter M. Baber 4/13/98
Chairman.

BY THE SENATE JUDICIAL PROCEEDINGS

APR 13 1998

Reported favorably from the _____
and read the second time.

JUDICIAL PROCEEDINGS

By order,
William B.C. Addison, Jr.
Secretary.

BY THE SENATE

1998

Reported favorably from the _____
with amendment; amendment adopted, read the second time.

By order,

Secretary.

RULES SUSPENDED



U.S. Department of State

Daily Press Briefing

January 14, 1997

Briefer: Nicholas Burns

DEPARTMENT

1-2 Secretary Christopher's Farewell Speech at John F. Kennedy School at Harvard

2 Statement on Burundi-Violence/Call for Ceasefire/Talks

3-4,23 Suspicious Package on Second Floor of Dept.

26-27 Funding for Foreign Affairs/Dept. Reorganization

FORMER YUGOSLAVIA

2-4 Statement by Belgrade Election Commission re: Together Coalition Victory

5 Blocking of Nis Election Results

3 Assistant Secretary John Kornblum's Trip to Region

5 U.S. Trade/U.S. Official Contact/Aid to Pro-Democracy Groups

SOUTH AFRICA

5-7 Proposed Arms Sales to Syria

DIPLOMATIC SECURITY

7-13 Procedures for Monitoring Traffic Records of Foreign Diplomats

--Case of Georgian Diplomat Makaradze

TERRORISM

QUESTION: But there were no contacts in the last 24 hours?

MR. BURNS: I suppose there were contacts in the past 24 hours. I don't know every time an American diplomat talks to a South African diplomat. I'm sure there were contacts in recent days because this is a prominent issue. It's in the news. We've said that we're seriously concerned by it and we are.

QUESTION: I just wondered, after your remarks yesterday whether there had been any contacts in which the South Africans may have said to you, "We don't understand the nature of our sale," or said anything -- provided you with any information that perhaps alleviated some of your concerns?

MR. BURNS: I don't believe we have yet received - I think we're in the process of receiving from the South African Government a full description of what may or may not be in the works. Until we receive a full description, we're not going to be able to determine the relevance of this issue to U.S. law and, frankly, the degree of seriousness of this issue. But I do want to repeat again today what we said yesterday. We don't believe that countries should provide military assistance to state sponsors of terrorism, Syria being clearly one of those states.

QUESTION: New subject?

MR. BURNS: Yes.

QUESTION: Are you prepared to give us more on the traffic violations of Mr. Makharadze today?

MR. BURNS: Yes, I am. In fact, I think we ought to do that in a little bit of depth and detail because it's quite complex and I don't want to leave anything unsaid.

We have been reviewing the issue of Mr. Makharadze's behavior since the tragedy of a week ago Friday. We have verified that Mr. Makharadze was issued a District of Columbia notice of a traffic violation on May 8, 1995, for passing through a red light for which he paid a fine of \$75.00. In addition to that, he was twice cited in Virginia: On April 22, 1996, for speeding in excess of 80 miles per hour for which he paid a \$179.00 fine; and again on January 3, 1995, for improper lane change for which he paid a \$56.00 fine. This was in connection with a minor traffic accident.

We're also aware that he was stopped on August 22, 1996, in the District of Columbia. We have not been able to verify in the DC records that he was issued any citations in connection with this stop.

That's the specifics about Mr. Makharadze, and that's what we're aware of. We were not aware of any of these traffic violations, as I understand it, until we actually checked with the relevant police authorities. The standard procedure that we have put into place and that we'll certainly try to re-enforce is that when diplomats are stopped in the DC area or the New York area, where they principally are, or in San Francisco where we have a lot of foreign diplomats, we ask the local police departments to let us know when people have been stopped for serious violations or even minor traffic violations. I'll tell you in a minute the reason why we do that.

We don't have our own law enforcement jurisdiction here at the Department of State so we're dependent upon the District of Columbia, the Virginia counties, and the Maryland countries. We depend entirely on them. We actually conduct training seminars with the local law enforcement authorities here in the DC area and in New York to explain our concerns about violations of U.S. and local law by diplomats. We especially emphasize the need for police to contact us when diplomats are cited.

In fact, on the back of every Department of State-issued driver's license, and all foreign diplomats have driver's licenses issued by the Department of State, we provide two telephone numbers and a fax number requesting that the police send us citations - and those are our numbers - if a driver has been ticketed. We actually assign points to diplomats when they incur infractions. These points are based upon the Association of American Motor Vehicles. They're just like the points that you or I would get if we're guilty of a traffic infraction.

If a diplomat builds up 12 points or more on their State Department driver's license for violations occurring within a two-year period, we automatically suspend driving privileges for 90 days.

In the case of Mr. Makharadze, as I said, we did not know, I think until last week, about the four traffic infractions that I've just told you about. We wish that we had been in position to know that.

Let me just continue because it gets actually a little bit more interesting.

QUESTION: (Inaudible) ever get to know?

MR. BURNS: It's episodic. It's an imperfect system, Barry. We rely upon the cooperation of local police authorities. They do tell us about other diplomats who have been either convicted or accused of traffic violations or other misdemeanors or criminal offenses. But in terms of driving violations, we do have records. In this particular case, for some reason - and it must be pure coincidence because we're dealing here with two different police - maybe three different police departments - we just didn't get the information.

Now let me just finish this because I want to be comprehensive. Every time we are apprised that there's been a violation of our traffic laws - in this case, by a diplomat - we notify the embassy of the diplomat. We send a letter informing the embassy of the type of violation cited and then we follow up with the relevant court or the relevant administrative agency to make sure that there's been a fine paid or some action has been taken.

Here's where it gets particularly interesting. If the citation can be resolved with payment of a fine, the diplomat is expected to either pay the fine or contest the matter in court. If a diplomat wants to contest the violation, then he needs to waive his or her diplomatic immunity. The diplomat is expected to obtain a waiver to appear in court.

For more serious traffic violations, for which payment of a fine is not an option, where there's some suspicion of a greater violation of the law, then the Department formally requests a waiver of diplomatic immunity, and that is the case that we're in right now with Mr. Makharadze. We have formally requested that his diplomatic immunity be waived. If the waiver is not granted, then essentially we assign points to that diplomat's record. If the points build up, we take unilateral action to take his driver's license away. If the offenses are particularly egregious, we expel that diplomat from the country.

So we take this obligation that we have very seriously. I think I told you yesterday that in 1996, we suspended the driver's licenses of ten diplomats; in the last four years, we have expelled eight diplomats from the United States because of a consistent pattern of driving under the influence of alcohol.

So I wanted to go through this in some detail because we do have a system in place. It does work if we get the cooperation of the local police authorities.

QUESTION: Do his offenses add up to 12 points?

MR. BURNS: The four infractions, I think, would add up to eight, not 12.

QUESTION: Wait a minute. If you use the 12-point system, isn't speeding a six-pointer in the District?

MR. BURNS: We're dealing here with a couple of different jurisdictions. We're dealing with Virginia. I'm not sure if there are various counties in Virginia, as well as the District of Columbia.

QUESTION: Nick, I don't want to make it more complicated than it is. I'm just saying, the fact that you say 12 is a critical line for you, if that's the approach you use, it would stand to reason that six would be the points for speeding; and I just wonder - not to be scientific about this, but there's a third way in the District. You can pay the fine without admitting guilt?

MR. BURNS: That's right.

QUESTION: Okay. So it isn't the fine, certainly to a monied person. It's not the fine that's the problem, if you can afford to pay the fine. It's the points which will cost you your license. Okay?

MR. BURNS: Barry, let's remember what's relevant here. In the case of Mr. Makharadze -

QUESTION: They can dig into the embassy petty cash and pay the fine.

MR. BURNS: In the case of Mr. Makharadze, we did not know until last week about these various traffic offenses. So therefore, we were not in the position to build up the points and to warn him and his embassy. But that's what our system allows us to do when we have the information from the police departments. We have taken action against diplomats. We've taken away driver's licenses and we've expelled people from this country for inappropriate behavior and for breaking our laws.

QUESTION: (Inaudible) did not have the record, did not know the points until last week -

MR. BURNS: Of Mr. Makharadze; that's right.

QUESTION: -- and did not at any point ask Georgia for his driver's record, when he sees the points adding up or -

MR. BURNS: Bill, we didn't have the information. Therefore, we were not in the position to have any suspicion. Therefore, we didn't make any request of the Government of Georgia.

QUESTION: So this is basically a lack of reporting -

MR. BURNS: And we're not cast any blame here. We're just trying to say, there's a system, we need the cooperation of the law enforcement - the police departments - and we're going to redouble our efforts to make sure that they understand how interested we are in the driving record of people who are stopped.

QUESTION: One more point, Nick. Had he been asked to take a breathalyzer on any of those stops?

MR. BURNS: I have no idea. I wasn't the police officer in question. You'll have to ask the local police authorities.

QUESTION: Nick, in talking about the points assigned by the State Department to each diplomat, what are the criteria? How do you assess - the report comes to you from -

MR. BURNS: The local police department.

QUESTION: The local police department?

MR. BURNS: Yes.

QUESTION: So they don't go into that. They will give it to you and you will assign that -

MR. BURNS: We assign it based on the point system which is established by the Association of American Motor Vehicle authorities. I think it's a commonly understood point system.

QUESTION: So you think it's basically not common for a foreign diplomat, for his government to provide his driver's record to the State Department before you give him any kind of license; is that correct?

MR. BURNS: It's not the question here. A person is given a license and then the person resides in the United States. I'm talking here about what happens about their behavior in the United States once they're given a driver's license.

QUESTION: But you weren't tipped off, then, that he had a drinking and driving problem?

MR. BURNS: The State Department - I'm not aware that any part of the State Department was tipped off by anybody; that there were episodes of this -- and I can't say that we're aware of any episodes where alcohol was a factor except for possibly the last one, but that's not for us to decide. That's for the U.S. Attorney to decide.

QUESTION: Would it not be wise for the State Department to ask Georgia and other governments for the driving records of new diplomats?

MR. BURNS: We assume when people apply for driver's licenses as diplomats that they fill out the application forms truthfully and honestly. In this particular case. I don't know what the facts are pertaining to Mr. Makharadze. I'm not aware of what his driving record may have been in the Republic of Georgia.

QUESTION: Was he asked on the application about offenses in Georgia?

MR. BURNS: As I say, we assume that those applications are filled out truthfully and honestly. I haven't seen the application form.

Carol.

QUESTION: On Cyprus, there seems -

Q (Inaudible) you said that this would have added up to eight points on the four violations. But we don't know what that fourth violation was, so how do you know what the points would be?

MR. BURNS: Okay, let me do this. Since I'm not adding the points and since I've never received a traffic violation, so I'm just completely - never, never, never. Perfect record. Pardon? (Laughter)

QUESTION: You have the limo, don't you?

MR. BURNS: I don't have the limo, Barry. Glyn's got the limo. Where is Glyn? The PA limo? That's Glyn. No, no, I drive myself.

QUESTION: (Inaudible) is driving in a limo.

MR. BURNS: Jamie maybe, Glyn maybe, but I'm not. (Laughter) I have never received a parking ticket in a foreign capital. However, I have for parking illegally outside Fenway Park in Boston. But that was warranted, under the circumstances as an officer. Come on, I'm just trying to get to the ballgame.

QUESTION: (Inaudible) trying to parse this too finely. If you were to yank the driver's license for accumulation of points of a diplomat, and the diplomat continued to drive -

MR. BURNS: No.

QUESTION: --if a diplomat continued to drive without a driver's license?

MR. BURNS: No, it's illegal. Diplomats -

QUESTION: I understand it's illegal. I understand it's illegal but people do it all the time. Even non-diplomats.

MR. BURNS: I don't know anybody who does that, Charlie. You hang around a different crowd that I do.

QUESTION: Well, perhaps, but it's a fact.

MR. BURNS: Here's the deal, as I understand it. If you rack up sufficient points to have your license revoked by the Department of State - you're a foreign diplomat - you cannot drive for 90 days because you don't have a driver's license. If you drive without a driver's license, you're breaking our law and you would incur the further wrath of the State Department and further punishment.

QUESTION: My question, to finish it, is, but one is still covered by diplomatic immunity, is one not - a diplomat, that is?

MR. BURNS: Yes, that is true. But we have to rely here upon the truthfulness and the honor of the embassies involved. I must accentuate one point. A great, great majority of diplomats in the United States follow our laws, observe our laws and do not break our laws. We're talking about a minority of people.

QUESTION: Does that also include paying the fines if they are in violation of traffic laws? The great majority do, is that what you're saying?

MR. BURNS: The great majority of diplomats in the United States are not running around violating our laws. I can't tell you whether they're paying fines or not paying fines. I know that some diplomats do pay fines. Some diplomats lift their immunity for traffic violations and face the consequences. Others do not.

Steve.

QUESTION: On the system that you have, doesn't it imply some judgment on the part of the State Department to assign points? As in the case in New York, which is not exactly the same, some of these

tickets may be disputed. If they refuse to pay or recognize that ticket for a traffic violation, it doesn't necessarily imply that they were guilty of it?

MR. BURNS: We assume in relatively minor matters - relatively; crimes that are not felonies like speeding or reckless driving - we assume that if someone is unwilling to lift his diplomatic immunity, then perhaps there is some reason to doubt. We have to err on the side of caution here. We have to err on the side of protecting the American public from people who may be making improper use of their driver's license and who may be endangering the public safety. We err on that side. I think it's appropriate for us to do that.

QUESTION: If they pay the fine, so I understand then the points are not assigned by the State Department?

MR. BURNS: You know what, let me do this. Let me take that question. I can give you an answer at the end of the briefing. I want to be absolutely sure of that. It's quite complicated, obviously.

Sid.

QUESTION: Do diplomats who don't pay their traffic fines get towed or booted as all American citizens do?

MR. BURNS: That's a question for the local police authorities. It may vary by jurisdiction. I don't know. The State Department doesn't have a tow truck and we don't write tickets. Wish we did. We really have to rely on, in this area, the police jurisdictions of two different states and DC - the District of Columbia.

QUESTION: New subject, I hope. President Mubarak seems to suggest, at least, that it's impossible for these letter bombs to have originated in Egypt. He says that the postmarks and the stamps could have been faked. I'm wondering whether the U.S. shares that doubt?

MR. BURNS: We think it's proper to investigate this. The facts are that at least the first round of letter bombs were postmarked "Alexandria, Egypt."

The FBI is looking into this. The FBI has been in Egypt. It's also been up in New York looking at the letter bombs delivered at al-Hayat in the United Nations building yesterday. The FBI is in charge of this investigation. The State Department is trying to cooperate and give all assistance to the FBI.

It is not possible to say that they did not originate from Egypt. We don't know. That's under investigation. But it's at least a suspicion because the FBI showed you on television and told you about the fact that the original batch was postmarked "Alexandria."

Carol.

QUESTION: Given the fact that there have been so many of these letter bombs here in the United States in the last two weeks, how come we haven't established a reward program?

MR. BURNS: We normally establish a reward program - and I just speak normally; I don't know if in all cases - when we have some idea, after a thorough investigation of who may have been responsible for a crime. For instance, Pan Am 103, we know who did it. We have strong suspicions that there are two Libyans, affiliated with the Libyan Government, who are being harbored by the Libyan Government



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-0020/1

PJH:j...
King

2001 BILL

11-16-00

Gen. Cat.

1 AN ACT ...; relating to: requiring law enforcement officers to report traffic
2 violations and accidents involving any foreign diplomat to the federal
3 department of state.

2

Analysis by the Legislative Reference Bureau

Under current law, law enforcement officers use the uniform traffic citation form to cite motor vehicle operators for any of several moving traffic violations. Also under current law, a law enforcement officer is required to prepare an accident report for any motor vehicle accident that results in death or injury to a person or more than \$200 damage to private or government property or more than ~~\$1000~~ damage to a government-owned vehicle. The officer must forward the accident report to ~~them~~ within 10 days of the accident. *the department of transportation*

\$1,000

This bill requires law enforcement officers to forward a copy of the uniform traffic citation to the federal department of state whenever a diplomat is charged with a moving traffic violation and to forward a copy of the accident report to the federal department of state whenever a diplomat is involved in a reportable accident. This bill also requires law enforcement officers to verify the status of the person claiming diplomatic status.

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

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

BILL**SECTION 1**

1 **SECTION 1.** 345.11 (7) of the statutes is renumbered 345.11 (7) (a).

2 **SECTION 2.** 345.11 (7) (b) of the statutes is created to read:

3 345.11 (7) (b) Whenever a law enforcement officer issues a uniform traffic
4 citation to an operator who displays a driver's license issued by the federal
5 department of state or otherwise claims immunities or privileges under 22 USC 6
6 with respect to the operator's violation of any state traffic law or any local traffic law
7 enacted by any local authority in accordance with s. 349.06, the officer shall:

8 ~~(1)~~ ^{1.} As soon as practicable, contact the federal department of state to verify the
9 status and immunity, if any, of the operator.

10 ~~(2)~~ ^{2.} Within 10 days after the charge is issued, forward a copy of the uniform
11 traffic citation to the federal department of state.

12 **SECTION 3.** 346.70 (4) (i) of the statutes is created to read:

13 346.70 (4) (i) Whenever a law enforcement officer investigates or receives a
14 report of a traffic accident subject to sub. (1), in which the operator of any vehicle
15 involved in the accident displays a driver's license issued by the federal department
16 of state or otherwise claims immunities or privileges under 22 USC 6 with respect
17 to the operator's violation of any state traffic law or any local traffic law enacted by
18 any local authority in accordance with s. 349.06, the officer shall do all of the
19 following:

20 1. As soon as practicable, contact the federal department of state to verify the
21 status and immunity, if any, of the driver claiming diplomatic immunity.

22 2. Within 10 days after the date of the accident, forward a copy of the report of
23 the accident to the federal department of state.

24 **SECTION 4. Initial applicability.**

Hurley, Peggy

From: Piliouras, Elizabeth
Sent: Tuesday, February 13, 2001 1:37 PM
To: Hurley, Peggy
Subject: FW: LRB 0020 / Diplomatic violations

Peggy - okay, I think I have my head screwed on straight now....

1. Law Enforcement officers should report the information to the Office of Foreign Missions, Diplomatic Vehicle Office... specifically the Diplomatic Security Command Center within the Diplomatic MV O Command Center is available 24 hours/day. Law Enforcement officers can also confirm diplomatic status through the Command Center. ←
2. You were going to check into the fees incurred for making copies and make the Department of State exempt.
3. No, the Department of State is not concerned with third party diplomats. That's Canada's or Mexico's. As far as they're concerned once a diplomat from Canada or Mexico crosses the border, they're subject to the same laws as you and me.

Let me know if you have any questions.

Thanks again,
Beth Piliouras

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

From: Brumund, Lorelee
Sent: Monday, February 12, 2001 7:59 AM
To: Piliouras, Elizabeth
Cc: VanBuren, Doug; Young, Robert; Maassen, Joe
Subject: RE: LRB 0020 / Diplomatic violations

Thank you very much for responding to our concerns. Please let me know if you have additional questions or if there is something we can do to assist you.

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

From: Piliouras, Elizabeth
Sent: Friday, February 09, 2001 3:14 PM
To: Brumund, Lorelee
Cc: VanBuren, Doug; Young, Robert; Maassen, Joe
Subject: RE: LRB 0020 / Diplomatic violations

To All:

1. I've contacted the Legislative Programs Officer at the U.S. Department of State to inquire about the specific title of the office/division within the State Department that should receive the information from the law enforcement officers as well as the office/division that law enforcement officers can confirm diplomatic status in an expedient manner. These titles would be included in the legislation. Do you want a specific phone number provided in the legislation? Or, will the office/division title be sufficient?
2. I'm having the LRB come up with language to exempt diplomatic traffic stops from the administrative procedures and copy fees.
3. I've also contacted the Legislative Programs Officer to address their need of information on third party diplomats.

I hope to get the information back as soon as possible so that we can address this legislation in committee in the near future. Please let me know if I've misconstrued the suggestions you were making or if you have

further questions.

Thanks,
Beth Piliouras
Senator Roger Breske

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

From: Brumund, Loralee
Sent: Friday, February 09, 2001 1:21 PM
To: Piliouras, Elizabeth
Cc: VanBuren, Doug; Young, Robert; Maassen, Joe
Subject: LRB 0020 / Diplomatic violations

The State Patrol introduced LBR 0020 and lead the discussion on its merits at the DOT Legislative Committee meeting today. Upon our recommendation, the DOT Legislative Committee authorized a position of "*support*" for this proposal relating to citations/crash reports for traffic violations committed by persons with diplomatic immunity.

The issues that remain of concern to State Patrol include:

- 1) The provision of telephone and other contact numbers directly to the appropriate persons at the US Dept. of State to permit law enforcement officers expedient confirmation of the diplomatic status of the motorist stopped.
- 2) Proposal language that permits law enforcement officers to make copies of the traffic stop documents to submit to the US Dept. of State without having to go through administrative procedures relative to WisDOT Division of Motor Vehicles and/or charging fees for the copies.
- 3) Clarification of to whom to send the traffic stop documentation if the person with diplomatic status is a diplomat from a third country to Canada or Mexico, rather than to the US. The US Dept. of State may or may not want that information if the diplomat in question is simply travelling in the US though their office is in Mexico or Canada.

Please contact me if you have additional questions or concerns (email or 267-3622).



redraft not yet in

2001 BILL

In 2-15-01

soon

Gen. Cat.

1 AN ACT to renumber 345.11 (7); and to create 345.11 (7) (b) and 346.70 (4) (i)
2 of the statutes; relating to: requiring law enforcement officers to report traffic
3 violations and accidents involving any foreign diplomat to the federal
4 department of state.

Analysis by the Legislative Reference Bureau

Under current law, law enforcement officers use the uniform traffic citation form to cite motor vehicle operators for any of several moving traffic violations. Also under current law, a law enforcement officer is required to prepare an accident report for any motor vehicle accident that results in death or injury to a person or more than \$200 damage to private or government property or more than \$1,000 damage to a government-owned vehicle. The officer must forward the accident report to the department of transportation within 10 days of the accident.

This bill requires law enforcement officers to forward a copy of the uniform traffic citation to the federal department of state whenever a diplomat is charged with a moving traffic violation and to forward a copy of the accident report to the federal department of state whenever a diplomat is involved in a reportable accident. This bill also requires law enforcement officers to verify the status of the person claiming diplomatic status.

office of foreign missions within the

cited for

Office of foreign missions
diplomatic motor vehicle officers within the

BILL

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

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

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diplomatic security command center of the office of foreign missions
AMM
Ave

8 1. As soon as practicable, contact the federal department of state to verify the
9 status and immunity, if any, of the operator.

citation

diplomatic motor vehicle office, within the

10 2. Within 10 days after the ~~change~~ is issued, forward a copy of the uniform
11 traffic citation to the federal department of state.

diplomatic security command center of the office of foreign missions, diplomatic motor vehicle office, within the

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18 any local authority in accordance with s. 349.06, the officer shall do all of the
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21 status and immunity, if any, of the driver claiming diplomatic immunity.

diplomatic motor vehicle office, within the

diplomatic security command center of the office of foreign missions
AMM
Ave

at no charge



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

February 16, 2001

MEMORANDUM

To: Senator Breske

From: Peggy J. Hurley, Legislative Attorney

Re: LRB-0020 Require law officers to report traffic violations by foreign missions personnel to the United States State Department

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

____ JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-8906 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.