



**SENATE AMENDMENT 1,  
TO 2003 ASSEMBLY BILL 88**

June 26, 2003 – Offered by Senator ROESSLER.

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

2 **1.** Page 4, line 16: delete “between 0.08 and 0.099” and substitute “of 0.08 or  
3 more but less than 0.1”.

4 **2.** Page 4, line 24: delete “between” and substitute “of”.

5 **3.** Page 4, line 25: delete “and 0.099” and substitute “or more but less than 0.1”.

6 **4.** Page 5, line 21: delete “between 0.08 and 0.099” and substitute “of 0.08 or  
7 more but less than 0.1”.

8 **5.** Page 5, line 22: after “license,” insert “if the violation was not committed by  
9 a person operating a commercial motor vehicle,”.

10 **6.** Page 6, line 10: after that line insert:

11 “**SECTION 10r.** 343.30 (1q) (c) 1. (intro.) of the statutes is amended to read:

12 343.30 (**1q**) (c) 1. (intro.) Except as provided in subd. 1. a. or b., and except for  
13 a first violation of s. 346.63 (1) (b), if the person who committed the violation had a

1 blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the  
2 violation, the court shall order the person to submit to and comply with an  
3 assessment by an approved public treatment facility as defined in s. 51.45 (2) (c) for  
4 examination of the person’s use of alcohol, controlled substances or controlled  
5 substance analogs and development of a driver safety plan for the person. The court  
6 shall notify the department of transportation of the assessment order. The court  
7 shall notify the person that noncompliance with assessment or the driver safety plan  
8 will result in revocation of the person’s operating privilege until the person is in  
9 compliance. The assessment order shall:”.

10 **7.** Page 7, line 6: after that line insert:

11 “**SECTION 14m.** 346.655 (1) of the statutes is amended to read:

12 346.655 (1) If a court imposes a fine or a forfeiture for a violation of s. 346.63  
13 (1) or (5), except for a first violation of s. 346.63 (1) (b), if the person who committed  
14 the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at  
15 the time of the violation, or a local ordinance in conformity therewith, or s. 346.63  
16 (2) or (6) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, it shall  
17 impose a driver improvement surcharge in an amount of \$355 in addition to the fine  
18 or forfeiture, penalty assessment, jail assessment, crime laboratories and drug law  
19 enforcement assessment, and, if required by s. 349.04, truck driver education  
20 assessment.”.

21 **8.** Page 8, line 6: on lines 6 and 18, delete “between 0.08 and 0.099” and  
22 substitute “of 0.08 or more but less than 0.1”.

23 **9.** Page 8, line 25: delete “between” and substitute “of”.

