



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRBb0062/PZ  
ARG&PJH:kmg:pg

soon  
turned  
in 4/25

RMR  
D-Note

LFB:.....Dyck - MCSIA changes

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION  
SENATE AMENDMENT,  
TO 2003 SENATE BILL 44

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

2 1. Page 967, line 17: delete the material beginning with “of the” and ending  
3 with “106-159,” on line 19 and substitute “of the federal commercial motor vehicle  
4 safety act of 1986, 49 USC 31301 to 31317”.

5 2. Page 969, line 6: delete lines 6 to 12.

6 3. Page 969, line 15: after “USC” insert “30304 (e) and”.

7 4. Page 969, line 15: delete “any” and substitute “384”.

8 5. Page 969, line 16: delete that line.

9 6. Page 970, line 4: delete “No license may”.

10 7. Page 970, line 5: delete that line and substitute “issued under s. 343.10  
11 authorizing the operation of “Class A”, “Class B” or “Class”.”

- 1           **8.** Page 970, line 6: delete “C” vehicles” and substitute “~~C~~ vehicles”.
- 2           **9.** Page 970, line 6: delete “. An” and substitute “. An”.
- 3           **10.** Page 970, line 7: delete “be” and substitute “be”.
- 4           **11.** Page 970, line 8: delete “endorsed to” and substitute “endorsed to”.
- 5           **12.** Page 971, line 1: delete “state” and substitute “jurisdiction”.
- 6           **13.** Page 971, line 2: delete “complete”.
- 7           **14.** Page 971, line 2: before the period insert “as required under 49 CFR
- 8           384.206 (a) (2) (ii)”.
- 9           **15.** Page 971, line 4: delete “a renewal of the” and substitute “or renewed a”.
- 10          **16.** Page 971, line 6: after “previous” insert “issuance or”.
- 11          **17.** Page 971, line 12: delete “states the complete” and substitute
- 12          “jurisdictions the”.
- 13          **18.** Page 971, line 13: after “department” insert “, as required under 49 CFR
- 14          384.206 (a) (2) (iii)”.
- 15          **19.** Page 971, line 15: delete “1.”.
- 16          **20.** Page 971, line 16: on lines 16 and 17, delete “343.23 (2) (am) 2. and 4.” and
- 17          substitute “343.23 (2) (am) 1. b. and c.”.
- 18          **21.** Page 971, line 18: delete “a.” and substitute “1.”.
- 19          **22.** Page 971, line 19: delete “b.” and substitute “2.”.
- 20          **23.** Page 971, line 20: delete “c.” and substitute “3.”.
- 21          **24.** Page 971, line 22: delete “d.” and substitute “4.”.
- 22          **25.** Page 971, line 22: delete “state” and substitute “jurisdiction”.

- 1           **26.** Page 971, line 23: delete “e.” and substitute “5.”
- 2           **27.** Page 971, line 25: delete “f.” and substitute “6.”
- 3           **28.** Page 971, line 25: delete “subd. 1. a. to e.” and substitute “subds. 1. to 5.”
- 4           **29.** Page 972, line 1: delete lines 1 to 3.
- 5           **30.** Page 972, line 13: on lines 13, 23 and 25, delete “state” and substitute  
6 “jurisdiction”.
- 7           **31.** Page 972, line 19: delete “state for” and substitute “jurisdiction for”.
- 8           **32.** Page 972, line 19: delete “state or local law” and substitute “state law or  
9 local ordinance”.
- 10          **33.** Page 973, line 4: delete “state for” and substitute “jurisdiction for”.
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- 17          **38.** Page 974, line 1: delete lines 1 to 10.
- 18          **39.** Page 975, line 19: delete “The” and substitute “The Except as provided in  
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- 20          **40.** Page 975, line 20: delete that line and substitute “person”.
- 21          **41.** Page 976, line 3: delete “Holds” and substitute “Has been or is at the same  
22 time issued”.

- 1           **42.** Page 976, line 9: delete “To the extent that” and substitute “If”.
- 2           **43.** Page 976, line 11: after “required” insert “under this paragraph”.
- 3           **44.** Page 976, line 13: delete “The” and substitute “The Notwithstanding sub.
- 4           (2) (a) and (g), the”.
- 5           **45.** Page 976, line 13: after “endorsement” insert “under sub. (2)”.
- 6           **46.** Page 976, line 14: delete the material beginning with “, authorizing” and
- 7           ending with “vehicle,” on line 15.
- 8           **47.** Page 976, line 18: after “(g).” insert “Notwithstanding sub. (2) (a) and (g),
- 9           the department may issue a school bus endorsement under sub. (2m) to a person who
- 10           is more than 70 years of age if the person meets the requirements specified in subs.
- 11           (2) (c) to (f) and (h) and (2m) (a) to (d) before issuance of the endorsement and
- 12           annually takes and passes a physical examination prior to issuance or renewal of the
- 13           endorsement to determine that the person meets the physical standards established
- 14           under sub. (2) (g).”.
- 15           **48.** Page 976, line 19: delete lines 19 to 24.
- 16           **49.** Page 977, line 1: delete lines 1 and 2.
- 17           **50.** Page 977, line 3: delete lines 3 to 9 and substitute:
- 18           “**SECTION 2547t.** 343.12 (4) (a) (intro.) and 1. of the statutes are consolidated,
- 19           renumbered 343.12 (4) (a) and amended to read:
- 20           343.12 (4) (a) Notwithstanding sub. (1), a person may operate a school bus in
- 21           this state if ~~one or more of the following requirements are met:~~ 1. ~~The~~ the person
- 22           is a nonresident holding a valid commercial driver license with ~~a “P” passenger an~~
- 23           “S” endorsement and the school bus is a commercial motor vehicle or, if the school bus

*resident of Iowa, Illinois,  
Michigan, or Minnesota* (SO) *operator's*

1 is not a commercial motor vehicle, the person is a ~~nonresident~~ holding a valid ~~driver~~  
2 license and any additional endorsements required by the person's home jurisdiction  
3 for the operation of a school bus and the origin or destination of the trip is in another  
4 state."

5 **51.** Page 977, line 11: delete lines 11 to 14 and substitute:

6 "SECTION 2550d. 343.12 (4) (a) 3. of the statutes is repealed."

7 **52.** Page 977, line 17: delete "3." and substitute "3."

8 **53.** Page 977, line 19: delete "(3), or (3m)" and substitute "or (3)".

9 ~~**54.** Page 978, line 5: delete lines 5 to 11 and substitute:~~

10 ~~"SECTION 2552x. 343.175 (2) (a) of the statutes is amended to read:~~

11 ~~343.175 (2) (a) ~~Except as provided in par. (ag), a~~ A part of the reverse side of~~  
12 ~~each license shall be printed to serve as a document of gift under s. 157.06 (2) (b) and~~  
13 ~~(c) or a document of refusal to make an anatomical gift under s. 157.06 (2) (i).~~

14 ~~SECTION 2553b. 343.175 (2) (ag) of the statutes is repealed."~~

15 **55.** Page 978, line 12: delete lines 12 to 18.

16 **56.** Page 978, line 23: after that line insert:

17 "SECTION 2555g. 343.23 (1) (intro.) of the statutes is amended to read:

18 343.23 (1) (intro.) The department shall maintain a record of every application  
19 for license, permit, or endorsement received by it and of every suspension, revocation  
20 ~~and, cancellation, and disqualification~~ by the department and shall maintain  
21 suitable indexes containing:

22 SECTION 2555m. 343.23 (1) (c) of the statutes is amended to read:

1           343.23 (1) (c) The name of every person whose license or operating privilege has  
2           been suspended, revoked, or canceled, or who is disqualified, by the department and  
3           note thereon the reason for such action.”.

4           **57.** Page 978, line 25: after “(am)” insert “1.”.

5           **58.** Page 979, line 1: delete “1.” and substitute “a.”.

6           **59.** Page 979, line 2: on lines 2, 4 and 7, delete “state or”.

7           **60.** Page 979, line 7: delete “in conformity with 49 USC 31311 (a) (8)”.

8           **61.** Page 979, line 8: delete “2.” and substitute “b.”.

9           **62.** Page 979, line 9: delete lines 9 to 25 and substitute “a record of any  
10          violation in another jurisdiction of any law of that jurisdiction, including any local  
11          law of that jurisdiction, or of any law of a federally recognized American Indian tribe  
12          or band in that jurisdiction, in conformity with any law of this state relating to motor  
13          vehicle traffic control, other than a parking violation, as specified in any notice  
14          received from that jurisdiction. The department shall record this information within  
15          10 days after receipt of the notice.”.

16          **63.** Page 980, line 1: delete “4.” and substitute “c.”.

17          **64.** Page 980, line 1: delete “any state,” and substitute “this state or another  
18          jurisdiction,”.

19          **65.** Page 980, line 2: delete “state or local law” and substitute “state law or  
20          local ordinance”.

21          **66.** Page 980, line 4: delete “state law” and substitute “law of this state”.

22          **67.** Page 980, line 6: after that line insert:

1           “2. In maintaining the department’s file specified in subd. 1. and par. (a), the  
2 department may not conceal, withhold, or mask from the department’s file, or  
3 otherwise allow in any way a person to avoid the department’s recording in the  
4 department’s file of, any information required to be recorded in the department’s file  
5 under 49 CFR 384.225 and 384.226, regardless of whether the person has obtained  
6 deferral of imposition of judgment, been allowed to enter a diversion program, or  
7 otherwise obtained delayed or suspended judgment or alternative sentencing from  
8 a court.”.

9           **68.** Page 980, line 11: after “withheld” insert “, or the person disqualified.”.

10          **69.** Page 981, line 9: delete lines 9 to 24.

11          **70.** Page 982, line 1: delete lines 1 to 12.

12          **71.** Page 982, line 16: delete “1987,” and substitute “1987,”.

13          **72.** Page 982, line 17: delete that line and substitute “while driving or  
14 operating a commercial motor vehicle or committed on or after September 30, 2005,  
15 while driving or operating any motor vehicle:”.

16          **73.** Page 982, line 22: delete the material beginning with “based” and ending  
17 with “vehicle” on line 23.

18          **74.** Page 983, line 5: delete “~~a commercial~~ any” and substitute “a commercial”.

19          **75.** Page 983, line 6: after “1987,” insert “, or uses any motor vehicle on or after  
20 September 30, 2005,”.

21          **76.** Page 983, line 15: delete “~~a commercial~~ any” and substitute “a  
22 commercial”.

1           **77.** Page 983, line 16: after "vehicle" insert "or while driving or operating any  
2           motor vehicle if the person holds a commercial driver license".

3           **78.** Page 984, line 3: delete "to which par. (a) 7. applies" and substitute  
4           "described in par. (a) 8".

Insert  
8-4 →

5           **79.** Page 985, line 2: after that line insert:

6           "SECTION 2571y. 343.44 (1) (c) of the statutes is amended to read:

7           343.44 (1) (c) *Operating while ordered out-of-service.* No person may operate  
8           a commercial motor vehicle while the person or the commercial motor vehicle is  
9           ordered out-of-service under state or federal law."

10          **80.** Page 1123, line 20: delete "343.02 (1),".

11          **81.** Page 1123, line 21: delete "343.07 (1m) (intro.),".

12          **82.** Page 1123, line 22: delete "(3m),".

13          **83.** Page 1123, line 23: delete "(a) 1.," and substitute "(a) (intro.), 1.,".

14          ~~**84.** Page 1123, line 23: delete "343.175 (2) (ag)," and substitute "343.175 (2)~~  
15          ~~(a) and (ag),".~~

16          **85.** Page 1123, line 23: delete "343.20 (1) (d),".

17          **86.** Page 1123, line 24: delete "343.23 (2) (am) and (b)," and substitute "343.23  
18          (1) (intro.) and (c) and (2) (am) and (b),".

Insert  
8-19 →

19          **87.** Page 1123, line 24: delete "343.31 (2) and (2m),".

20          **88.** Page 1124, line 6: delete ", (3m),".

21          **89.** Page 1124, line 6: delete "(4) (a) 2.," and substitute "(4) (a) (intro.), 1., 2.,  
22          and 3.,".



1           **90.** Page 1124, line 6: delete "343.23 (2) (am) and (b)," and substitute "343.23  
2 (1) (intro.) and (c) and (2) (am) and (b),".

3           **91.** Page 1124, line 6: delete "343.31".

4           **92.** Page 1124, line 7: delete "(2) and (2m),".

5           **93.** Page 1124, line 8: delete "343.44 (1) (d)," and substitute "343.44 (1) (c) and  
6 (d) and".

7           **94.** Page 1135, line 9: delete "and 343.12 (4) (a) 2." and substitute "343.12 (4)  
8 (a) 2., <sup>and</sup> 343.12 (4) (a) 3. ~~and 343.12 (4) (a) 2.~~".

9           **95.** Page 1135, line 11: after "statutes;" insert "the consolidation,  
10 renumbering, and amendment of section 343.12 (4) (a) (intro.) and 1. of the statutes;".

11           **96.** Page 1135, line 11: delete "343.02 (1),".

12           **97.** Page 1135, line 13: delete "343.07 (1m) (intro.),".

13           **98.** Page 1135, line 14: delete "343.12 (4) (a) 1., 343.12 (4) (a) 3.,".

14           **99.** Page 1135, line 15: delete "~~ag,~~ 343.20 (1) (d)," ~~and substitute "ag,"~~.

15           **100.** Page 1135, line 15: before "343.23" insert "343.23 (1) (intro.), 343.23 (1)  
16 (c),".

17           **101.** Page 1135, line 15: delete "343.31 (2), 343.31".

18           **102.** Page 1135, line 16: delete "(2m),".

19           **103.** Page 1135, line 16: after "343.315 (2) (f) 2.," insert "343.44 (1) (c),".

20           **104.** Page 1135, line 19: delete "343.12 (3m),".

21

(END)

insert  
9-d

8

14

insert  
6-19

343.315 (2) (h),

J. Note

2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBb0062/P2ins  
ARG&PJH:.....

**INSERT 8-4:** ✓

**1.** Page 984, line 19: after that line insert:

“SECTION 2570m. 343.315 (2) (h) of the statutes is amended to read:

343.315 (2) (h) Except as provided in par. (i), a person is disqualified for a period of 90 days from operating a commercial motor vehicle if convicted of an out-of-service violation, or one year if convicted of 2 out-of-service violations, or 3 years if convicted of 3 or more out-of-service violations, arising from separate occurrences committed within a 10-year period while driving or operating a commercial motor vehicle. A disqualification under this paragraph shall be in addition to any penalty imposed under s. 343.44. In this paragraph, “out-of-service violation” means violating s. 343.44 (1) (c) by operating a commercial motor vehicle while the operator or vehicle is ordered out-of-service under state or federal law.”

✓ **INSERT 8-19:**

**2.** Page 1123, line 25: before “and (k)” insert “(h),”.

**INSERT 9-4:**

✓ **3.** Page 1124, line 7: after “6., 7., and 8.,” insert “(h),”.

**INSERT 9-19:**

✓ **4.** Page 1135, line 16: after “343.315 (2) (f) 2.,” insert “343.315 (2) (h),”

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

LRBb0062/P2dn

ARG&PJH:j:...

*img*

ATTN: Jon Dyck and John Sobotik

The attached draft reflects changes directed in our recent e-mail communications regarding nonresidents operating non-CMV school buses and organ donor information on the reverse side of CDLs. As directed, the attached draft does not change the treatment in the "/P1" draft of out-of-service violations under s. 343.44 (1) (c). In addition, an amendment to s. 343.315 (2) (h) should have been made in the "/P1" draft corresponding to the out-of-service violation change, and that amendment is included in the attached draft.

Inclusion of the organ donor treatment in the "/P1" draft serendipitously cured an error made in SECTION 2552 of SB-44. Because this "/P2" draft removes that treatment, the error must be corrected; the error is not treated in this draft because it is separately treated in the "technical amendment."

If the attached draft meets with your approval, please let us know and we will turn it into a "/1."

Aaron R. Gary  
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**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb0062/P2dn  
ARG&PJH:kmg:rs

April 28, 2003

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State of Wisconsin  
2003 - 2004 LEGISLATURE

LRBb0062/PJH /  
ARG&PJH:kmg:rs

AMR

LFB:.....Dyck – MCSIA changes

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11 (2) (c) to (f) and (h) and (2m) (a) to (d) before issuance of the endorsement and  
12 annually takes and passes a physical examination prior to issuance or renewal of the  
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16           **49.** Page 977, line 1: delete lines 1 and 2.

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18           “**SECTION 2547t.** 343.12 (4) (a) (intro.) and 1. of the statutes are consolidated,  
19 renumbered 343.12 (4) (a) and amended to read:

20           343.12 (4) (a) Notwithstanding sub. (1), a person may operate a school bus in  
21 this state if ~~one or more of the following requirements are met:~~ 1. The the person  
22 is a nonresident holding a valid commercial driver license with a “P” passenger an  
23 “S” endorsement and the school bus is a commercial motor vehicle or, if the school bus



1 is not a commercial motor vehicle, the person is a resident of Iowa, Illinois, Michigan,  
2 or Minnesota holding a valid operator's license and any additional endorsements  
3 required by the person's home jurisdiction for the operation of a school bus and the  
4 origin or destination of the trip is in another state."

5 **51.** Page 977, line 11: delete lines 11 to 14 and substitute:

6 "SECTION 2550d. 343.12 (4) (a) 3. of the statutes is repealed."

7 **52.** Page 977, line 17: delete "3." and substitute "3."

8 **53.** Page 977, line 19: delete "(3), or (3m)" and substitute "or (3)".

9 **54.** Page 978, line 12: delete lines 12 to 18.

10 **55.** Page 978, line 23: after that line insert:

11 "SECTION 2555g. 343.23 (1) (intro.) of the statutes is amended to read:

12 343.23 (1) (intro.) The department shall maintain a record of every application  
13 for license, permit, or endorsement received by it and of every suspension, revocation  
14 and, cancellation, and disqualification by the department and shall maintain  
15 suitable indexes containing:

16 SECTION 2555m. 343.23 (1) (c) of the statutes is amended to read:

17 343.23 (1) (c) The name of every person whose license or operating privilege has  
18 been suspended, revoked, or canceled, or who is disqualified, by the department and  
19 note thereon the reason for such action."

20 **56.** Page 978, line 25: after "(am)" insert "1."

21 **57.** Page 979, line 1: delete "1." and substitute "a."

22 **58.** Page 979, line 2: on lines 2, 4 and 7, delete "state or".

23 **59.** Page 979, line 7: delete "in conformity with 49 USC 31311 (a) (8)".

1           **60.** Page 979, line 8: delete “2.” and substitute “b.”.

2           **61.** Page 979, line 9: delete lines 9 to 25 and substitute “a record of any  
3 violation in another jurisdiction of any law of that jurisdiction, including any local  
4 law of that jurisdiction, or of any law of a federally recognized American Indian tribe  
5 or band in that jurisdiction, in conformity with any law of this state relating to motor  
6 vehicle traffic control, other than a parking violation, as specified in any notice  
7 received from that jurisdiction. The department shall record this information within  
8 10 days after receipt of the notice.”.

9           **62.** Page 980, line 1: delete “4.” and substitute “c.”.

10           **63.** Page 980, line 1: delete “any state,” and substitute “this state or another  
11 jurisdiction,”.

12           **64.** Page 980, line 2: delete “state or local law” and substitute “state law or  
13 local ordinance”.

14           **65.** Page 980, line 4: delete “state law” and substitute “law of this state”.

15           **66.** Page 980, line 6: after that line insert:

16           “2. In maintaining the department’s file specified in subd. 1. and par. (a), the  
17 department may not conceal, withhold, or mask from the department’s file, or  
18 otherwise allow in any way a person to avoid the department’s recording in the  
19 department’s file of, any information required to be recorded in the department’s file  
20 under 49 CFR 384.225 and 384.226, regardless of whether the person has obtained  
21 deferral of imposition of judgment, been allowed to enter a diversion program, or  
22 otherwise obtained delayed or suspended judgment or alternative sentencing from  
23 a court.”.

- 1           **67.** Page 980, line 11: after “withheld” insert “, or the person disqualified,”.
- 2           **68.** Page 981, line 9: delete lines 9 to 24.
- 3           **69.** Page 982, line 1: delete lines 1 to 12.
- 4           **70.** Page 982, line 16: delete “1987;” and substitute “1987,”.
- 5           **71.** Page 982, line 17: delete that line and substitute “while driving or  
6 operating a commercial motor vehicle or committed on or after September 30, 2005,  
7 while driving or operating any motor vehicle:”.
- 8           **72.** Page 982, line 22: delete the material beginning with “based” and ending  
9 with “vehicle” on line 23.
- 10          **73.** Page 983, line 5: delete “~~a commercial~~ any” and substitute “a commercial”.
- 11          **74.** Page 983, line 6: after “1987,” insert “, or uses any motor vehicle on or after  
12 September 30, 2005,”.
- 13          **75.** Page 983, line 15: delete “~~a commercial~~ any” and substitute “a  
14 commercial”.
- 15          **76.** Page 983, line 16: after “vehicle” insert “or while driving or operating any  
16 motor vehicle if the person holds a commercial driver license”.
- 17          **77.** Page 984, line 3: delete “to which par. (a) 7. applies” and substitute  
18 “described in par. (a) 8”.
- 19          **78.** Page 984, line 19: after that line insert:
- 20            “**SECTION 2570m.** 343.315 (2) (h) of the statutes is amended to read:
- 21            343.315 (2) (h) Except as provided in par. (i), a person is disqualified for a period  
22 of 90 days from operating a commercial motor vehicle if convicted of an  
23 out-of-service violation, or one year if convicted of 2 out-of-service violations, or 3

1 years if convicted of 3 or more out-of-service violations, arising from separate  
2 occurrences committed within a 10-year period while driving or operating a  
3 commercial motor vehicle. A disqualification under this paragraph shall be in  
4 addition to any penalty imposed under s. 343.44. In this paragraph, “out-of-service  
5 violation” means violating s. 343.44 (1) (c) by operating a commercial motor vehicle  
6 while the operator or vehicle is ordered out-of-service under state or federal law.”.

7 **79.** Page 985, line 2: after that line insert:

8 “SECTION 2571y. 343.44 (1) (c) of the statutes is amended to read:

9 343.44 (1) (c) *Operating while ordered out-of-service.* No person may operate  
10 a commercial motor vehicle while the person or the commercial motor vehicle is  
11 ordered out-of-service under state or federal law.”.

12 **80.** Page 1123, line 20: delete “343.02 (1),”.

13 **81.** Page 1123, line 21: delete “343.07 (1m) (intro.),”.

14 **82.** Page 1123, line 22: delete “(3m),”.

15 **83.** Page 1123, line 23: delete “(a) 1.,” and substitute “(a) (intro.), 1.,”.

16 **84.** Page 1123, line 23: delete “343.20 (1) (d),”.

17 **85.** Page 1123, line 24: delete “343.23 (2) (am) and (b),” and substitute “343.23  
18 (1) (intro.) and (c) and (2) (am) and (b),”.

19 **86.** Page 1123, line 24: delete “343.31 (2) and (2m),”.

20 **87.** Page 1123, line 25: before “and (k)” insert “(h),”.

21 **88.** Page 1124, line 6: delete “, (3m),”.

22 **89.** Page 1124, line 6: delete “(4) (a) 2.,” and substitute “(4) (a) (intro.), 1., 2.,  
23 and 3.,”.

- 1           **90.** Page 1124, line 6: delete “343.23 (2) (am) and (b),” and substitute “343.23  
2 (1) (intro.) and (c) and (2) (am) and (b),”.
- 3           **91.** Page 1124, line 6: delete “343.31”.
- 4           **92.** Page 1124, line 7: delete “(2) and (2m),”.
- 5           **93.** Page 1124, line 7: after “6., 7., and 8.,” insert “(h),”.
- 6           **94.** Page 1124, line 8: delete “343.44 (1) (d),” and substitute “343.44 (1) (c) and  
7 (d) and”.
- 8           **95.** Page 1135, line 9: delete “and 343.12 (4) (a) 2.” and substitute “343.12 (4)  
9 (a) 2., and 343.12 (4) (a) 3.”.
- 10           **96.** Page 1135, line 11: after “statutes;” insert “the consolidation,  
11 renumbering, and amendment of section 343.12 (4) (a) (intro.) and 1. of the statutes;”.
- 12           **97.** Page 1135, line 11: delete “343.02 (1),”.
- 13           **98.** Page 1135, line 13: delete “343.07 (1m) (intro.),”.
- 14           **99.** Page 1135, line 14: delete “343.12 (4) (a) 1., 343.12 (4) (a) 3.,”.
- 15           **100.** Page 1135, line 15: delete “, 343.20 (1) (d),”.
- 16           **101.** Page 1135, line 15: before “343.23” insert “343.23 (1) (intro.), 343.23 (1)  
17 (c),”.
- 18           **102.** Page 1135, line 15: delete “343.31 (2), 343.31”.
- 19           **103.** Page 1135, line 16: delete “(2m),”.
- 20           **104.** Page 1135, line 16: after “343.315 (2) (f) 2.,” insert “343.315 (2) (h), 343.44  
21 (1) (c),”.

1 **105.** Page 1135, line 19: delete “343.12 (3m),”.

2 (END)



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRBb0062/1  
ARG&PJH:kmg:jf

LFB:.....Dyck – MCSIA changes

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION  
**SENATE AMENDMENT ,**  
**TO 2003 SENATE BILL 44**

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

2 **1.** Page 967, line 17: delete the material beginning with “of the” and ending  
3 with “106-159,” on line 19 and substitute “of the federal commercial motor vehicle  
4 safety act of 1986, 49 USC 31301 to 31317”.

5 **2.** Page 969, line 6: delete lines 6 to 12.

6 **3.** Page 969, line 15: after “USC” insert “30304 (e) and”.

7 **4.** Page 969, line 15: delete “any” and substitute “384”.

8 **5.** Page 969, line 16: delete that line.

9 **6.** Page 970, line 4: delete “No license may”.

10 **7.** Page 970, line 5: delete that line and substitute “issued under s. 343.10  
11 authorizing the operation of “Class A”, “Class B” or “Class”.

- 1           **8.** Page 970, line 6: delete “C” vehicles” and substitute “~~C~~ vehicles”.
- 2           **9.** Page 970, line 6: delete “. An” and substitute “. An”.
- 3           **10.** Page 970, line 7: delete “be” and substitute “be”.
- 4           **11.** Page 970, line 8: delete “endorsed to” and substitute “~~endorsed to~~”.
- 5           **12.** Page 971, line 1: delete “state” and substitute “jurisdiction”.
- 6           **13.** Page 971, line 2: delete “complete”.
- 7           **14.** Page 971, line 2: before the period insert “as required under 49 CFR
- 8           384.206 (a) (2) (ii)”.
- 9           **15.** Page 971, line 4: delete “a renewal of the” and substitute “or renewed a”.
- 10          **16.** Page 971, line 6: after “previous” insert “issuance or”.
- 11          **17.** Page 971, line 12: delete “states the complete” and substitute
- 12          “jurisdictions the”.
- 13          **18.** Page 971, line 13: after “department” insert “, as required under 49 CFR
- 14          384.206 (a) (2) (iii)”.
- 15          **19.** Page 971, line 15: delete “1.”.
- 16          **20.** Page 971, line 16: on lines 16 and 17, delete “343.23 (2) (am) 2. and 4.” and
- 17          substitute “343.23 (2) (am) 1. b. and c.”.
- 18          **21.** Page 971, line 18: delete “a.” and substitute “1.”.
- 19          **22.** Page 971, line 19: delete “b.” and substitute “2.”.
- 20          **23.** Page 971, line 20: delete “c.” and substitute “3.”.
- 21          **24.** Page 971, line 22: delete “d.” and substitute “4.”.
- 22          **25.** Page 971, line 22: delete “state” and substitute “jurisdiction”.



- 1           **26.** Page 971, line 23: delete “e.” and substitute “5.”
- 2           **27.** Page 971, line 25: delete “f.” and substitute “6.”
- 3           **28.** Page 971, line 25: delete “subd. 1. a. to e.” and substitute “subds. 1. to 5.”
- 4           **29.** Page 972, line 1: delete lines 1 to 3.
- 5           **30.** Page 972, line 13: on lines 13, 23 and 25, delete “state” and substitute  
6 “jurisdiction”.
- 7           **31.** Page 972, line 19: delete “state for” and substitute “jurisdiction for”.
- 8           **32.** Page 972, line 19: delete “state or local law” and substitute “state law or  
9 local ordinance”.
- 10          **33.** Page 973, line 4: delete “state for” and substitute “jurisdiction for”.
- 11          **34.** Page 973, line 4: delete “state or local law” and substitute “state law or  
12 local ordinance”.
- 13          **35.** Page 973, line 8: on lines 8 and 10, delete “state” and substitute  
14 “jurisdiction”.
- 15          **36.** Page 973, line 17: delete “operator’s license or”.
- 16          **37.** Page 973, line 20: delete lines 20 to 25.
- 17          **38.** Page 974, line 1: delete lines 1 to 10.
- 18          **39.** Page 975, line 19: delete “The” and substitute “The Except as provided in  
19 sub. (2m), the”.
- 20          **40.** Page 975, line 20: delete that line and substitute “person”.
- 21          **41.** Page 976, line 3: delete “Holds” and substitute “Has been or is at the same  
22 time issued”.

1           **42.** Page 976, line 9: delete “To the extent that” and substitute “If”.

2           **43.** Page 976, line 11: after “required” insert “under this paragraph”.

3           **44.** Page 976, line 13: delete “The” and substitute “The Notwithstanding sub.  
4           (2) (a) and (g), the”.

5           **45.** Page 976, line 13: after “endorsement” insert “under sub. (2)”.

6           **46.** Page 976, line 14: delete the material beginning with “, authorizing” and  
7           ending with “vehicle,” on line 15.

8           **47.** Page 976, line 18: after “(g).” insert “Notwithstanding sub. (2) (a) and (g),  
9           the department may issue a school bus endorsement under sub. (2m) to a person who  
10           is more than 70 years of age if the person meets the requirements specified in subs.  
11           (2) (c) to (f) and (h) and (2m) (a) to (d) before issuance of the endorsement and  
12           annually takes and passes a physical examination prior to issuance or renewal of the  
13           endorsement to determine that the person meets the physical standards established  
14           under sub. (2) (g).”.

15           **48.** Page 976, line 19: delete lines 19 to 24.

16           **49.** Page 977, line 1: delete lines 1 and 2.

17           **50.** Page 977, line 3: delete lines 3 to 9 and substitute:

18           “**SECTION 2547t.** 343.12 (4) (a) (intro.) and 1. of the statutes are consolidated,  
19           renumbered 343.12 (4) (a) and amended to read:

20           343.12 (4) (a) Notwithstanding sub. (1), a person may operate a school bus in  
21           this state if ~~one or more of the following requirements are met:~~ 1. ~~The~~ the person  
22           is a nonresident holding a valid commercial driver license with a “P” passenger an  
23           “S” endorsement and the school bus is a commercial motor vehicle or, if the school bus

1 is not a commercial motor vehicle, the person is a resident of Iowa, Illinois, Michigan,  
2 or Minnesota holding a valid operator's license and any additional endorsements  
3 required by the person's home jurisdiction for the operation of a school bus and the  
4 origin or destination of the trip is in another state."

5 **51.** Page 977, line 11: delete lines 11 to 14 and substitute:

6 "SECTION 2550d. 343.12 (4) (a) 3. of the statutes is repealed."

7 **52.** Page 977, line 17: delete "3." and substitute "3."

8 **53.** Page 977, line 19: delete "(3), or (3m)" and substitute "or (3)".

9 **54.** Page 978, line 12: delete lines 12 to 18.

10 **55.** Page 978, line 23: after that line insert:

11 "SECTION 2555g. 343.23 (1) (intro.) of the statutes is amended to read:

12 343.23 (1) (intro.) The department shall maintain a record of every application  
13 for license, permit, or endorsement received by it and of every suspension, revocation  
14 and, cancellation, and disqualification by the department and shall maintain  
15 suitable indexes containing:

16 **SECTION 2555m.** 343.23 (1) (c) of the statutes is amended to read:

17 343.23 (1) (c) The name of every person whose license or operating privilege has  
18 been suspended, revoked, or canceled, or who is disqualified, by the department and  
19 note thereon the reason for such action."

20 **56.** Page 978, line 25: after "(am)" insert "1."

21 **57.** Page 979, line 1: delete "1." and substitute "a."

22 **58.** Page 979, line 2: on lines 2, 4 and 7, delete "state or".

23 **59.** Page 979, line 7: delete "in conformity with 49 USC 31311 (a) (8)".

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5 or band in that jurisdiction, in conformity with any law of this state relating to motor  
6 vehicle traffic control, other than a parking violation, as specified in any notice  
7 received from that jurisdiction. The department shall record this information within  
8 10 days after receipt of the notice.”.

9           **62.** Page 980, line 1: delete “4.” and substitute “c.”.

10           **63.** Page 980, line 1: delete “any state,” and substitute “this state or another  
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12           **64.** Page 980, line 2: delete “state or local law” and substitute “state law or  
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15           **66.** Page 980, line 6: after that line insert:

16           “2. In maintaining the department’s file specified in subd. 1. and par. (a), the  
17 department may not conceal, withhold, or mask from the department’s file, or  
18 otherwise allow in any way a person to avoid the department’s recording in the  
19 department’s file of, any information required to be recorded in the department’s file  
20 under 49 CFR 384.225 and 384.226, regardless of whether the person has obtained  
21 deferral of imposition of judgment, been allowed to enter a diversion program, or  
22 otherwise obtained delayed or suspended judgment or alternative sentencing from  
23 a court.”.

- 1           **67.** Page 980, line 11: after “withheld” insert “, or the person disqualified.”
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- 3           **69.** Page 982, line 1: delete lines 1 to 12.
- 4           **70.** Page 982, line 16: delete “1987,” and substitute “1987,”.
- 5           **71.** Page 982, line 17: delete that line and substitute “while driving or  
6 operating a commercial motor vehicle or committed on or after September 30, 2005,  
7 while driving or operating any motor vehicle.”
- 8           **72.** Page 982, line 22: delete the material beginning with “based” and ending  
9 with “vehicle” on line 23.
- 10          **73.** Page 983, line 5: delete “~~a commercial~~ any” and substitute “a commercial”.
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16 motor vehicle if the person holds a commercial driver license”.
- 17          **77.** Page 984, line 3: delete “to which par. (a) 7. applies” and substitute  
18 “described in par. (a) 8”.
- 19          **78.** Page 984, line 19: after that line insert:
- 20            “**SECTION 2570m.** 343.315 (2) (h) of the statutes is amended to read:
- 21            343.315 (2) (h) Except as provided in par. (i), a person is disqualified for a period  
22 of 90 days from operating a commercial motor vehicle if convicted of an  
23 out-of-service violation, or one year if convicted of 2 out-of-service violations, or 3

1 years if convicted of 3 or more out-of-service violations, arising from separate  
2 occurrences committed within a 10-year period while driving or operating a  
3 commercial motor vehicle. A disqualification under this paragraph shall be in  
4 addition to any penalty imposed under s. 343.44. In this paragraph, “out-of-service  
5 violation” means violating s. 343.44 (1) (c) by operating a commercial motor vehicle  
6 while the operator or vehicle is ordered out-of-service under state or federal law.”.

7 **79.** Page 985, line 2: after that line insert:

8 “SECTION 2571y. 343.44 (1) (c) of the statutes is amended to read:

9 343.44 (1) (c) *Operating while ordered out-of-service.* No person may operate  
10 a commercial motor vehicle while the person or the commercial motor vehicle is  
11 ordered out-of-service under state or federal law.”.

12 **80.** Page 1123, line 20: delete “343.02 (1).”.

13 **81.** Page 1123, line 21: delete “343.07 (1m) (intro.)”.

14 **82.** Page 1123, line 22: delete “(3m).”.

15 **83.** Page 1123, line 23: delete “(a) 1.” and substitute “(a) (intro.), 1.”.

16 **84.** Page 1123, line 23: delete “343.20 (1) (d).”.

17 **85.** Page 1123, line 24: delete “343.23 (2) (am) and (b).” and substitute “343.23  
18 (1) (intro.) and (c) and (2) (am) and (b).”.

19 **86.** Page 1123, line 24: delete “343.31 (2) and (2m).”.

20 **87.** Page 1123, line 25: before “and (k)” insert “(h).”.

21 **88.** Page 1124, line 6: delete “, (3m).”.

22 **89.** Page 1124, line 6: delete “(4) (a) 2.” and substitute “(4) (a) (intro.), 1., 2.,  
23 and 3.”.

- 1           **90.** Page 1124, line 6: delete “343.23 (2) (am) and (b),” and substitute “343.23  
2 (1) (intro.) and (c) and (2) (am) and (b),”.
- 3           **91.** Page 1124, line 6: delete “343.31”.
- 4           **92.** Page 1124, line 7: delete “(2) and (2m),”.
- 5           **93.** Page 1124, line 7: after “6., 7., and 8.,” insert “(h),”.
- 6           **94.** Page 1124, line 8: delete “343.44 (1) (d),” and substitute “343.44 (1) (c) and  
7 (d) and”.
- 8           **95.** Page 1135, line 9: delete “and 343.12 (4) (a) 2.” and substitute “343.12 (4)  
9 (a) 2., and 343.12 (4) (a) 3.”.
- 10          **96.** Page 1135, line 11: after “statutes;” insert “the consolidation,  
11 renumbering, and amendment of section 343.12 (4) (a) (intro.) and 1. of the statutes;”.
- 12          **97.** Page 1135, line 11: delete “343.02 (1),”.
- 13          **98.** Page 1135, line 13: delete “343.07 (1m) (intro.),”.
- 14          **99.** Page 1135, line 14: delete “343.12 (4) (a) 1., 343.12 (4) (a) 3.,”.
- 15          **100.** Page 1135, line 15: delete “, 343.20 (1) (d),”.
- 16          **101.** Page 1135, line 15: before “343.23” insert “343.23 (1) (intro.), 343.23 (1)  
17 (c),”.
- 18          **102.** Page 1135, line 15: delete “343.31 (2), 343.31”.
- 19          **103.** Page 1135, line 16: delete “(2m),”.
- 20          **104.** Page 1135, line 16: after “343.315 (2) (f) 2.,” insert “343.315 (2) (h), 343.44  
21 (1) (c),”.

