

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2317/P2dn
ARG:kmg:pg

August 4, 2003

ATTN: Tom Van Ess

The attached draft makes those changes discussed at our meeting on July 21, 2003. The changes are as follows:

1. The draft removes the "rehabilitation" determination provisions related to school bus endorsements and school van operator employment. Instead, the attached draft provides for a type of grandfathering for certain persons gainfully employed or licensed on the effective date of the bill. These new provisions appear in created ss. 121.555 (3) (d) 2. and 343.12 (7) (d) 2.
2. The draft amends s. 343.12 (4) (b) to require that nonresident operators licensed in adjacent states comply with certain conviction record requirements.
3. The draft retains penalties imposed upon the driver of a school van but removes penalties imposed upon a school district, private school, or contractor.
4. The draft requires DOJ to cooperate with DOT in developing a computer linkup to the DOJ criminal history database.
5. The draft narrows created s. 343.28 (3m) to require conviction information to be furnished only if the offender holds a school bus endorsement. This provision is somewhat similar to the particularized information that courts are required to furnish DOT under s. 343.28 (1). As we discussed, it may be more cost-effective to simply require DOT to conduct a criminal history search monthly than to require the courts to provide DOT with this information.
6. The draft makes other minor changes discussed at our meeting and changes necessitated by the enactment of 2003 Wisconsin Acts 33 and 36.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us