

Fiscal Estimate Narratives

DOT 5/4/2005

LRB Number	05-2138/1	Introduction Number	AB-344	Estimate Type	Original
Subject					
Prohibited alcohol concentration					

Assumptions Used in Arriving at Fiscal Estimate

BACKGROUND AND SUMMARY

2003 Act 30 requires WisDOT to purge records of certain first offense Operating While Intoxicated (OWI) convictions from our records after 10 years. This requirement covers convictions under s. 346.63(1)(b) for having a prohibited alcohol concentration (PAC) with an alcohol concentration of .08 - .099. The law requires WisDOT to keep other OWI-type convictions for a person's lifetime.

AB 344 expands the 10-year record-purging requirement to cover all first offense convictions under 346.63 (1), including both PAC and OWI convictions, if the blood alcohol concentration was between .08 and .099, the person does not have a commercial driver's license, and the person does not commit any more PAC or OWI offenses.

It should also be noted that Act 30 exempts those convicted under s. 346.63(1)(b) for having a first offense prohibited alcohol concentration (PAC) with an alcohol concentration of .08 - .099 from the alcohol and drug assessment required of all other OWI-type first offenders and exempts them from paying additional fees and surcharges normally charged. AB 344 only addresses the record purging requirement and does NOT expand the assessment and monetary exemptions for OWI first offenders.

WisDOT estimates no costs associated with implementing this proposal.

Long-Range Fiscal Implications

None.