

2007 DRAFTING REQUEST

Bill

Received: 02/08/2007

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Fred Risser (608) 266-1627

By/Representing: Sarah Briganti (aide)

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Transportation - traffic laws

Extra Copies: BAB

Submit via email: YES

Requester's email: Sen.Risser@legis.wisconsin.gov

Carbon copy (CC:) to: aaron.gary@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Primary enforcement of safety belt laws

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>
/?	agary 02/09/2007	kfollett 02/09/2007		_____			S&L
/1			rschluet 02/09/2007	_____	mbarman 02/09/2007	cduerst 02/20/2007	

FE Sent For:

@intro

<END>

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FE Sent For:

297
<END>

Gary, Aaron

From: Gary, Aaron
Sent: Thursday, February 08, 2007 2:10 PM
To: Briganti, Sarah
Subject: RE: Message for Aaron Gary

Hi Sarah,

This request has been entered as LRB-1887. Andrew in Rep. Bies office already called authorizing the companion bill. Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Briganti, Sarah
Sent: Thursday, February 08, 2007 2:00 PM
To: LRB.Legal
Cc: Briganti, Sarah
Subject: Message for Aaron Gary

Aaron,

Senator Risser would like to have a companion to LRB 1666 drafted for introduction in the Senate. This bill relates to the primary enforcement of the seatbelt law.

We have spoken with Rep. Bies and his staff regarding this matter.

Thanks,

Sarah

Sarah Briganti
Legislative Assistant
Office of State Senator Fred Risser
220 South, State Capitol
PO Box 7882
Madison, WI 53707
(608)266-1627

soon

-1887/1

LRB-10661

ARG/jld:rs

stays

RMNR

in 2/9

2007 BILL

No changes

Regen

- 1 AN ACT *to amend* 347.48 (2m) (gm) and 347.50 (2m) (a) of the statutes; **relating**
- 2 **to:** enforcement of motor vehicle safety belt violations and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law requires the use of safety belts (seat belts) in certain motor vehicles. With certain exceptions, no person may drive a motor vehicle unless he or she is properly restrained by a seat belt and unless each passenger not required to be in a child safety seat or booster seat is properly restrained by a seat belt. No person who is at least eight years old may be a passenger in the front seat of a motor vehicle, or in a seat other than the front seat for which a seat belt has been installed, unless that person is properly restrained. Current law prohibits a law enforcement officer from stopping or inspecting a motor vehicle solely to determine compliance with seat belt use requirements. The officer may, however, issue a citation for a violation observed in the course of a stop or inspection made for other purposes. A law enforcement officer may not take a person into physical custody solely for a violation of seat belt use requirements.

This bill authorizes a law enforcement officer to stop or inspect a vehicle solely to determine compliance with seat belt use requirements, if the officer has probable cause to believe that a violation has occurred. The bill also increases the penalty for violating this state's laws requiring the use of seat belts from \$10 to \$25 for a first offense and to not less than \$50 nor more than \$75 for the second and each later offense committed within three years. As under current law, violators pay no additional costs, fees, or assessments.

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:

1 **SECTION 1.** 347.48 (2m) (gm) of the statutes is amended to read:

2 347.48 (2m) (gm) ~~Notwithstanding s. 349.02, a law enforcement officer may not~~
3 ~~stop or inspect a vehicle solely to determine compliance with this subsection or sub.~~
4 ~~(1) or (2) or a local ordinance in conformity with this subsection, sub. (1) or (2) or rules~~
5 ~~of the department. This paragraph does not limit the authority of a law enforcement~~
6 ~~officer to issue a citation for a violation of this subsection or sub. (1) or (2) or a local~~
7 ~~ordinance in conformity with this subsection, sub. (1) or (2) or rules of the department~~
8 ~~observed in the course of a stop or inspection made for other purposes, except that~~
9 ~~a~~ A law enforcement officer may not take a person into physical custody solely for
10 a violation of this subsection or sub. (1) or (2) or a local ordinance in conformity with
11 this subsection, sub. (1) or (2) or rules of the department.

12 **SECTION 2.** 347.50 (2m) (a) of the statutes is amended to read:

13 347.50 (2m) (a) Any person who violates s. 347.48 (2m) (b) or (c) and any person
14 16 years of age or older who violates s. 347.48 (2m) (d) may be required to forfeit \$10
15 \$25 for the first offense and not less than \$50 nor more than \$75 for the 2nd or any
16 later offense committed within 3 years.

17 **SECTION 3. Initial applicability.**

18 (1) The treatment of section 347.50 (2m) (a) of the statutes first applies to
19 violations committed on the effective date of this subsection, but does not preclude
20 the counting of other violations as prior violations for sentencing a person.

21 **SECTION 4. Effective date.**

BILL

1 (1) This act takes effect on the first day of the 7th month beginning after
2 publication.

3 (END)

Duerst, Christina

From: Briganti, Sarah
Sent: Tuesday, February 20, 2007 11:34 AM
To: LRB.Legal
Subject: Draft Review: LRB 07-1887/1 Topic: Primary enforcement of safety belt laws

Please Jacket LRB 07-1887/1 for the SENATE.