

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2994/P1dn
BAB:cjs:pg

October 16, 2007

ATTN: Tom Van Ess

The attached draft has been prepared in preliminary form. Please review the draft carefully to ensure that it is consistent with your intent. Your request specified that the text messaging prohibition apply to all drivers. I have made an exception for law enforcement officers who are on duty. Is that acceptable? Would you like to make exceptions for any other groups of persons who might, in the course of their job duties, use some form of electronic text messaging devices in their vehicles, such as various other emergency response personnel including fire fighters and ambulance drivers, or employees of utilities?

I have utilized the term "operate" rather than the more narrow term "drive" in this draft, as text messaging requires sufficient attention away from controlling the vehicle and observing the conditions around the vehicle that such activity may be unsafe while the driver is manipulating the controls of the vehicle but has not yet put it into motion. Is this acceptable?

Do you want to include an exception to allow text messaging to report an emergency?

Brett A. Balinsky
Legislative Attorney
Phone: (608) 267-7380
E-mail: brett.balinsky@legis.wisconsin.gov