

2007 SENATE JOINT RESOLUTION 82

January 24, 2008 – Introduced by Senators TAYLOR and MILLER, cosponsored by Representatives GRIGSBY, FIELDS, KESSLER, MASON, PARISI, SINICKI, TOLES and TURNER. Referred to Committee on Transportation and Tourism.

1 **Relating to:** opposing a federal mandate requiring the suspension or revocation of
2 driver’s licenses in all circumstances where a person has been convicted of a
3 drug or other controlled substances violation and exercising the state’s option
4 to opt out of this federal mandate.

5 Whereas, federal law, under 23 USC 159 and regulations promulgated under
6 this federal statute, including 23 CFR 192, requires states, as a prerequisite to
7 receiving certain federal transportation–related funds, either to enact a state law
8 mandating the suspension or revocation of driver’s licenses in all circumstances
9 where a person has been convicted of a drug or other controlled substances violation
10 or to resolve that the state is opposed to a federal mandate requiring the suspension
11 or revocation of driver’s licenses in these circumstances; and

12 Whereas, this state adopted legislation in accordance with this federal law in
13 chapters 938 and 961 of the Wisconsin statutes, mandating driver’s license
14 suspensions for adults and juveniles convicted or adjudicated of a violation of this
15 state’s Uniform Controlled Substances Act; and

1 Whereas, the number of suspensions for violations of this state's uniform
2 controlled substances rose from 8,130 in 2001 to 14,849 in 2006; and

3 Whereas, 37 states have adopted resolutions in opposition to the federal
4 mandate, in accordance with the provisions of federal law described above; and

5 Whereas, the state desires to modify its legislation that was adopted in
6 accordance with this federal law and to instead opt out of this federal mandate, and
7 to do so without loss of federal transportation-related funds to the state; now,
8 therefore, be it

9 ***Resolved by the senate, the assembly concurring, That*** the state of
10 Wisconsin opposes a federal mandate requiring the suspension or revocation of
11 driver's licenses in all circumstances where a person has been convicted of a drug or
12 other controlled substances violation and exercises its option to opt out of this federal
13 mandate; and, be it further

14 ***Resolved, That*** the assembly chief clerk shall send copies of this joint
15 resolution to the secretary of the U.S. department of transportation and to each
16 member of the congressional delegation from this state.

17

(END)