



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-0003/2
ARG:wlj:rw

Handwritten notes: "RMR" in a circle, "EJG" with an arrow pointing to "RMR", and "B-note" in a circle.

DOA:.....Kornely, BB0196 - Implementation of REAL ID Act

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

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- 1 AN ACT ...; relating to: motor vehicle operator's licenses and identification cards
- 2 issued by the Department of Transportation and granting rule-making
- 3 authority.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

DRIVERS AND MOTOR VEHICLES

On May 11, 2005, the federal REAL ID Act of 2005 (the act) was signed into law. Beginning three years after the date of enactment, a federal agency may not accept, for any "official purpose," a motor vehicle operator's license or identification card issued by a state to any person unless the state satisfies requirements contained in the act. Under the act, an "official purpose" includes accessing federal facilities, boarding federally regulated commercial aircraft, and any other purpose identified by the federal Department of Homeland Security (DHS). State compliance with requirements under the act must be certified by the state to DHS. This bill incorporates into state law the requirements contained in the act necessary for federal agencies to recognize for an "official purpose" operator's licenses and identification cards issued by this state.

Under current law, an applicant for an operator's license or identification card issued by DOT must provide certain information, including the person's full name, residence address, date of birth, sex, physically descriptive information, and social

security number or a statement that the person does not have a social security number. DOT must also take a photograph of each applicant for an identification card and, with certain exceptions, of each applicant for an operator's license. In addition, as a result of 2005 Act 126, an applicant for an operator's license or identification card must present documentary proof that the person is either a United States citizen or legally present in the United States. DOT may not issue an operator's license to an applicant who has not provided this documentary proof of citizenship or legal presence, who is not a resident of this state, or who has not provided satisfactory proof of his or her name and date of birth. Each operator's license and identification card issued by DOT must contain, on the front side, the person's full name, date of birth, residence address, a color photograph of the person (unless an exception applies), a physical description of the person (including sex), the license or card number, a facsimile of the person's signature or a space to immediately write the signature, the date of issuance, and the expiration date.

Under current law, DOT may issue a receipt to any applicant for an operator's license, which receipt constitutes a temporary license to operate a motor vehicle while the license application is being processed. This temporary license is not valid for more than 30 days.

Under this bill, DOT may not complete the processing of an application for initial issuance or renewal of an operator's license or identification card received by DOT after May 10, 2008, and no such license or identification card may be issued or renewed, unless the applicant presents or provides, and DOT verifies, all of the following information:

1. An identification document that includes either the applicant's photograph or both the applicant's full legal name and date of birth.
2. Documentation showing the applicant's date of birth, which may be the identification document in item 1.
3. Proof of the applicant's social security number or verification that the applicant is not eligible for a social security number.
4. Documentation showing the applicant's name and address of principal residence.
5. Valid documentary proof that the individual is a citizen or national of the United States or an alien lawfully admitted for permanent or temporary residence in the United States or has any of other specified forms of legal status or authorization.

DOT must, in processing the application for an operator's license or identification card, capture a digital image of each document presented or provided. These digital images must be retained, in electronic storage and in a transferable format, in the applicant's file or record for at least ten years. DOT must verify each document required to be presented or provided to DOT in the manner and to the extent required under federal law. DOT must record in the applicant's file or record the date on which verification is completed. DOT may issue a receipt effective as a temporary operator's license or identification card for the period during which DOT processes an application. The bill also allows DOT to promulgate rules requiring applications for reinstatement of operator's licenses or identification cards, issuance

of occupational licenses, reissuance of operator's licenses, or issuance of duplicate licenses to be processed in the same manner.

The bill does not require that DOT follow this procedure for processing an application for initial issuance or renewal of an operator's license or identification card received by DOT after May 10, 2008, if in connection with a prior application after May 10, 2008, the applicant previously presented or provided, and DOT verified, all of this information and DOT recorded the date on which the verification procedures were completed in DOT's file or record of the applicant. However, DOT must establish an effective procedure to confirm or verify such an applicant's renewal information.

The bill requires that, for certain noncitizen applicants who present or provide specified forms of status or authorization of legal presence in the United States, DOT issue operator's licenses or identification cards displaying, on the front of the license or card, a legend identifying the license as temporary. An operator's license or identification card displaying such a legend may not be renewed unless the applicant presents or provides valid documentary proof showing that DHS extended the status by which the applicant qualified for the license or identification card.

Under current law, as a result of 2005 Act 126, an operator's license or identification card issued to a noncitizen must expire on the date that the person's legal presence in the United States is no longer authorized unless the documentary proof provided to show authorized legal presence does not state an end date for the person's authorized legal presence.

Under this bill, an operator's license or identification card issued to a noncitizen displaying a legend identifying the license or card as temporary must expire on the date that the person's legal presence in the United States is no longer authorized or, if the documentary proof provided to show authorized legal presence does not state an end date for the person's authorized legal presence, one year after the date of license or identification card issuance. The bill also specifies that DOT must cancel an operator's license or identification card upon receiving information from a local, state, or federal government agency that the applicant no longer satisfies the legal presence requirements for issuance of a license or identification card.

Under current law, most operator's licenses issued by DOT must be renewed every eight years, and identification cards must be renewed every four years. To renew most operator's licenses, DOT must administer an examination of the applicant's eyesight and take the applicant's photograph.

Under this bill, for any license renewal at other than an eight-year interval based upon a license expiration related to the period of the person's authorized legal presence, DOT may determine whether to take the applicant's photograph or to examine the applicant, or both, at the time of the renewal, so long as the applicant's photograph is taken, and the applicant is examined, with a license renewal at least once every eight years and the applicant's license at all times includes a photograph. For any identification card renewal at other than a four-year interval based upon a license expiration related to the period of the person's authorized legal presence, DOT may determine whether to take the applicant's photograph at the time of the

renewal, so long as the applicant's photograph is taken with a card renewal at least once every four years and the applicant's card at all times includes a photograph.

The bill specifies that each operator's license or identification card must include the applicant's full legal name, principal residence address, and signature. Every operator's license and identification card must also include a digital color photograph of the applicant, including facial image capture. The bill also specifies that an applicant who does not provide a social security number must provide the basis for his or her ineligibility for a social security number. The bill retains the requirement under current law that the operator's license expiration date appear on the license, which usually will coincide with the date of expiration of a noncitizen's authorized legal presence. However, where the date of expiration of a noncitizen's authorized legal presence is later than the date of expiration of the operator's license, the bill eliminates any requirement created under 2005 Act 126 that the date of expiration of the person's authorized legal presence appear on the license in addition to the date of expiration of the license.

Under current law, each operator's license must be, to the maximum extent practicable, tamper proof. This bill requires that each operator's license and identification card contain physical security features consistent with any requirement under federal law.

Under current law, DOT may not issue an operator's license to a person previously licensed in another state unless the person surrenders to DOT any valid operator's license issued to the person by another state. This bill prohibits DOT from issuing an identification card to a person previously licensed in another state unless the person surrenders to DOT any valid operator's license issued to the person by another state.

Under current law, DOT must, upon request, provide to the commercial driver license information system and the driver licensing agencies of other states any applicant or driver record information maintained by DOT. This bill specifies that DOT must, upon request, provide to any driver licensing agency of another state, the District of Columbia, any province of Canada, or any U.S. commonwealth, territory, or possession electronic access to any record or file of an operator's license or identification card applicant, including any photograph, signature, or social security number appearing in such a record or file. The bill also allows DOT to provide to DHFS certain applicant information for the sole purpose of verification by DHFS of birth certificate information.

The bill requires that DOT record in each licensee's operating record, and in each identification card holder's record, the information in all data fields printed on the person's license or card. DOT must also record in each person's operating record any demerit points assessed to the person.

The bill requires DOT to implement certain security procedures with regard to the issuance of operator's licenses and identification cards. The bill requires DOT to perform background investigations, which may include the use of fingerprint analyses by the Federal Bureau of Investigation, on any person who is hired to fill a position in the division of DOT responsible for issuing operator's licenses and identification cards (presently the Division of Motor Vehicles, DMV). In addition, at

any interval determined appropriate by DOT, DOT may conduct additional background investigations of these newly hired DMV employees and of any other DMV employees. The background investigations are for the purpose of verifying identity and obtaining criminal histories.

DOT must also require, as a precondition to allowing access to any information system in which is stored information maintained by DMV, that any person to whom access is granted submit to a background investigation conducted by the person's employer. This background investigation may include having the person fingerprinted and having the fingerprints submitted to the FBI for purposes of verifying the person's identity and obtaining records of his or her criminal arrests and convictions. The employer must certify the results of the background investigation and, based upon these results, DOT may deny or restrict access to DMV information. DOT must promulgate rules governing these background investigations and the confidentiality of background information obtained by employers or by DOT.

Under current law, to renew most operator's licenses, DOT must administer an examination of the applicant's eyesight and make provisions for giving eyesight examinations at examining stations in each county. The applicant generally must appear at the examining station nearest his or her residence. Under this bill, DOT eyesight examinations at examining stations are not required to be provided in each county, and the applicant need not appear at the examining station nearest his or her residence. The bill also extends, from 10 days to 30 days, the period in which an applicant or holder of an operator's license or identification card must inform DOT of a change of address or name.

For further information see the *state* 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.** 110.09 of the statutes is created to read:
2 **110.09 Background investigations of certain persons. (1) (a)**
3 Notwithstanding ss. 111.321, 111.322, and 111.335, the department of
4 transportation, with the assistance of the department of justice, shall conduct a
5 background investigation of any person who has been selected to fill a position within
6 the division of the department of transportation responsible for issuing operator's
7 licenses and identification cards. This background investigation may include
8 requiring the person to be fingerprinted on 2 fingerprint cards each bearing a

1 complete set of the person's fingerprints, or by other technologies approved by law
2 enforcement agencies. The department of justice shall submit any such fingerprint
3 cards to the federal bureau of investigation for the purposes of verifying the identity
4 of the person fingerprinted and obtaining records of his or her criminal arrests and
5 convictions.

6 (b) Notwithstanding ss. 111.321, 111.322, and 111.335, at any interval
7 determined appropriate by the department, the department may conduct, in the
8 manner specified in par. (a), additional background investigations of any person for
9 whom an initial background investigation has been conducted under par. (a) and
10 background investigations of other persons employed by the department within the
11 division of the department responsible for issuing operator's licenses and
12 identification cards.

13 (c) The department shall promulgate rules governing confidentiality of
14 information obtained under this subsection.

15 (2) Notwithstanding ss. 111.321, 111.322, and 111.335, the department shall
16 require, as a precondition to allowing access to any information system in which is
17 stored information maintained by the division of the department responsible for
18 issuing operator's licenses and identification cards, that any person to whom access
19 is granted submit to a background investigation as provided in this subsection.
20 Notwithstanding ss. 111.321, 111.322, and 111.335, the department shall require the
21 employer, including any state agency, of any person to whom the information will be
22 made available to conduct the background investigation in a manner prescribed by
23 the department. The department may require, as part of this background
24 investigation, that the person be fingerprinted in the manner described in sub. (1)
25 (a) and that these fingerprints be provided to the department of justice for

1 submission to the federal bureau of investigation for the purposes of verifying the
2 identity of the person fingerprinted and obtaining records of his or her criminal
3 arrests and convictions. Notwithstanding ss. 111.321, 111.322, and 111.335, the
4 department shall require that the employer certify the results of the background
5 investigation and, based upon these results, may deny or restrict access to any
6 information requested. In addition to the initial background investigation required
7 under this subsection, the department may require on a periodic basis subsequent
8 background investigations consistent with this subsection for persons with ongoing
9 access to information. Any cost associated with the requirements under this
10 subsection is the responsibility of the employer. For purposes of this subsection,
11 "employer" includes a self-employed person. The department shall promulgate
12 rules governing background investigations, and confidentiality of information
13 obtained, under this subsection.

14 **SECTION 2.** 343.01 (2) (d) of the statutes is amended to read:

15 343.01 (2) (d) "Photograph" means an unretouched image recorded by a camera
16 and reproduced on a photosensitive surface, or a ~~digitized~~ digital image.

17 **SECTION 3.** 343.03 (3) (intro.) of the statutes is amended to read:

18 343.03 (3) LICENSE VARIANTS. (intro.) Except for restricted licenses under s.
19 343.08 or temporary licenses under s. 343.10, 343.11 (1) or (3), 343.16 (6) (b), or
20 343.305 (8) (a), each operator's license issued by the department shall be in one of the
21 following categories with a descriptive legend displayed on the top front side of the
22 license document:

23 **SECTION 4.** 343.03 (3m) of the statutes is created to read:

24 343.03 (3m) NONCITIZEN TEMPORARY LICENSE. If the issuance of any license
25 described under sub. (3) requires the license applicant to present any documentary

1 proof specified in s. 343.14 (2) (es) 4. to 7., the license shall display on the front side
2 of the license, in addition to any legend or label described in sub. (3), a legend
3 identifying the license as temporary. This noncitizen temporary license may not be
4 renewed except as provided in s. 343.165 (4) (c).

5 **SECTION 5.** 343.03 (6) (a) of the statutes is amended to read:

6 343.03 (6) (a) The Notwithstanding ss. 343.027, 343.14 (2j), and 343.237 (2),
7 the department shall, upon request, provide to the commercial driver license
8 information system and the driver licensing agencies of other states jurisdictions any
9 applicant or driver record information maintained by the department of
10 transportation, including providing electronic access to any record or file under s.
11 343.23 (1) or (2).

12 **SECTION 6.** 343.06 (1) (j) of the statutes is repealed.

13 **SECTION 7.** 343.06 (1) (L) of the statutes, as created by 2005 Wisconsin Act 126,
14 is amended to read:

15 343.06 (1) (L) ~~To any person who does not provide the documentary proof~~
16 ~~described in s. 343.14 (2) (er)~~ satisfy the requirements under s. 343.165.

17 **SECTION 8.** 343.10 (2) (a) (intro.) of the statutes is amended to read:

18 343.10 (2) (a) (intro.) Except as provided in pars. (b) to (e), and subject to s.
19 343.165 (5), a person is eligible for an occupational license if the following conditions
20 are satisfied:

21 **SECTION 9.** 343.10 (7) (b) of the statutes is amended to read:

22 343.10 (7) (b) The Subject to s. 343.165 (5), the department shall issue an
23 occupational license as soon as practicable upon receipt of an application to the
24 department under sub. (1) or an order from a court under sub. (4) or s. 351.07 for such
25 a license, if the department determines that the applicant is eligible under sub. (2).

1 **SECTION 10.** 343.10 (7) (d) of the statutes is amended to read:

2 343.10 (7) (d) An occupational license issued by the department under this
3 subsection shall be in the form of a ~~photo~~ license that includes a photograph
4 described in s. 343.14 (3) and any special restrictions cards under s. 343.17 (4). The
5 license shall clearly indicate that restrictions on a special restrictions card apply and
6 that the special restrictions card is part of the person's license.

7 **SECTION 11.** 343.10 (7) (f) of the statutes is amended to read:

8 343.10 (7) (f) The expiration date of the occupational license is the 2nd working
9 day after the date of termination of the period of revocation or suspension as provided
10 by law, or the expiration date determined under s. 343.20 (1m), whichever is earlier.
11 The occupational license may be revoked, suspended or canceled before termination
12 of that period. An occupational license is not renewable when it expires. If an
13 occupational license expires and is not revoked, suspended or canceled, the licensee
14 may obtain a new license upon that expiration but only if he or she complies with the
15 conditions specified in s. 343.38. Revocation, suspension or cancellation of an
16 occupational license has the same effect as revocation, suspension or cancellation of
17 any other license.

18 **SECTION 12.** 343.14 (2) (a) and (br) of the statutes are amended to read:

19 343.14 (2) (a) The full legal name and principal residence address of the
20 applicant;

21 (br) If the applicant does not have a social security number, a statement made
22 or subscribed under oath or affirmation that the applicant does not have a social
23 security number and is not eligible for a social security number. The statement shall
24 provide the basis or reason that the applicant is not eligible for a social security
25 number, as well as any information requested by the department that may be needed

1 by the department for purposes of verification under s. 343.165 (1) (c). The form of
2 the statement shall be prescribed by the department, with the assistance of the
3 department of workforce development. A license that is issued or renewed under s.
4 343.17 in reliance on a statement submitted under this paragraph is invalid if the
5 statement is false.

6 **SECTION 13.** 343.14 (2) (er) 1. and 2. of the statutes, as created by 2005
7 Wisconsin Act 126, are consolidated, renumbered 343.14 (2) (es) (intro.) and
8 amended to read:

9 343.14 (2) (es) (intro.) Documentary Subject to sub. (2g) (a) 2. d. and s. 343.125
10 (2) (a) and (b), valid documentary proof that the individual is a citizen or national of
11 the United States or documentary proof that the individual is legally present an alien
12 lawfully admitted for permanent or temporary residence in the United States. ~~2. If~~
13 ~~the individual is not a citizen of the United States, he or she shall provide~~
14 ~~documentary proof of his or her status as a legal permanent resident or conditional~~
15 ~~resident, a or has any of the following:~~

16 2. A valid, unexpired nonimmigrant visa or nonimmigrant visa status for entry
17 into the United States, a pending or,

18 3. An approved application for asylum in the United States, valid entry or has
19 entered into the United States in refugee status, a.

20 5. A pending or approved application for temporary protected status in the
21 United States, approved.

22 6. Approved deferred action status, or a.

23 7. A pending application for adjustment of status to legal that of an alien
24 lawfully admitted for permanent resident status residence in the United States or
25 conditional permanent resident status in the United States.

1 **SECTION 14.** 343.14 (2) (es) 1. and 4. of the statutes are created to read:

2 343.14 (2) (es) 1. Conditional permanent resident status in the United States.

3 4. A pending application for asylum in the United States.

4 **SECTION 15.** 343.14 (2) (f) of the statutes is amended to read:

5 343.14 (2) (f) ~~Such~~ Subject to s. 343.165 (1), such further information as the
6 department considers appropriate to identify the applicant, including biometric
7 data, and such information as the department may reasonably require to enable it
8 to determine whether the applicant is by law entitled to the license applied for;

9 **SECTION 16.** 343.14 (2j) (a) of the statutes is repealed.

10 **SECTION 17.** 343.14 (2j) (b) of the statutes is renumbered 343.14 (2j).

11 **SECTION 18.** 343.14 (2r) of the statutes is created to read:

12 343.14 (2r) Notwithstanding sub. (2j), the department may, upon request,
13 provide to the department of health and family services any applicant information
14 maintained by the department of transportation and identified in sub. (2), including
15 providing electronic access to the information, for the sole purpose of verification by
16 the department of health and family services of birth certificate information.

17 **SECTION 19.** 343.14 (3) of the statutes is amended to read:

18 343.14 (3) The department shall, as part of the application process, take a
19 digital photograph including facial image capture of the applicant to comply with s.
20 343.17 (3) (a) 2. ~~Except where specifically exempted by statute or by rule of the~~
21 ~~department, no~~ No application may be processed without the photograph being
22 taken. ~~In~~ Except as provided in s. 343.165 (4) (d), in the case of renewal licenses, the
23 photograph shall be taken once every 8 years, and shall coincide with the appearance
24 for examination which is required under s. 343.16 (3). ~~The department may make~~
25 ~~provision for issuance of a license without a photograph if the applicant is stationed~~

1 ~~outside the state in military service and in specific situations where the department~~
2 ~~deems such action appropriate.~~

3 **SECTION 20.** 343.14 (4m) of the statutes is amended to read:

4 343.14 (4m) The Subject to s. 343.17 (2), the department shall develop designs
5 for licenses and identification cards which are resistant to tampering and forgery ~~no~~
6 ~~later than January 1, 1989. Licenses and licenses~~ and identification cards issued on
7 or after January 1, 1989, shall incorporate the designs required under this
8 subsection.

9 **SECTION 21.** 343.16 (3) (a) of the statutes is amended to read:

10 343.16 (3) (a) The Except as provided in s. 343.165 (4) (d), the department shall
11 examine every applicant for the renewal of an operator's license once every 8 years.
12 The department may institute a method of selecting the date of renewal so that such
13 examination shall be required for each applicant for renewal of a license to gain a
14 uniform rate of examinations. The examination shall consist of a test of eyesight.
15 The department shall make provisions for giving such examinations at examining
16 stations ~~in each county~~ to all applicants for an operator's license. ~~The person to be~~
17 ~~examined shall appear at the examining station nearest the person's place of~~
18 ~~residence or at such time and place as the department designates in answer to an~~
19 ~~applicant's request.~~ In lieu of examination, the applicant may present or mail to the
20 department a report of examination of the applicant's eyesight by an
21 ophthalmologist, optometrist or physician licensed to practice medicine. The report
22 shall be based on an examination made not more than 3 months prior to the date it
23 is submitted. The report shall be on a form furnished and in the form required by
24 the department. The department shall decide whether, in each case, the eyesight
25 reported is sufficient to meet the current eyesight standards.

1 **SECTION 22.** 343.165 of the statutes is created to read:

2 **343.165 Processing license and identification card applications. (1)**

3 The department may not complete the processing of an application for initial
4 issuance or renewal of an operator's license or identification card received by the
5 department after May 10, 2008, and no such license or identification card may be
6 issued or renewed, unless the applicant presents or provides, and the department
7 verifies under sub. (3), all of the following information:

8 (a) An identification document that includes either the applicant's photograph
9 or both the applicant's full legal name and date of birth.

10 (b) Documentation showing the applicant's date of birth, which may be the
11 identification document under par. (a).

12 (c) Proof of the applicant's social security number or, except as provided in s.
13 343.14 (2g) (a) 4., verification that the applicant is not eligible for a social security
14 number.

15 (d) Documentation showing the applicant's name and address of principal
16 residence.

17 (e) Subject to ss. 343.125 (2) (a) and (b) and 343.14 (2g) (a) 2. d., the
18 documentary proof described in s. 343.14 (2) (es).

19 **(2) (a)** The department shall, in processing any application for an operator's
20 license or identification card under sub. (1), capture a digital image of each document
21 presented or provided to the department by an applicant. Images captured under
22 this paragraph shall be maintained, in electronic storage and in a transferable
23 format, in the applicant's file or record as provided under ss. 343.23 (2) (a) and 343.50
24 (8) (a).

1 (b) The department shall record in the applicant's file under s. 343.23 (2) (a) or
2 record under s. 343.50 (8) (a) the date on which verification under subs. (1) and (3)
3 is completed.

4 (3) (a) Except as provided in pars. (b) and (c), the department shall verify, in
5 the manner and to the extent required under federal law, each document presented
6 or provided to the department that is required to be presented or provided to the
7 department by an applicant under sub. (1).

8 (b) The department may not accept any foreign document, other than an official
9 passport, to satisfy a requirement under sub. (1).

10 (c) For purposes of par. (a) and sub. (1) (c), if an applicant presents a social
11 security number that is already registered to or associated with another person, the
12 department shall direct the applicant to investigate and take appropriate action to
13 resolve the discrepancy and shall not issue any operator's license or identification
14 card until the discrepancy is resolved. The department shall adopt procedures for
15 purposes of verifying that an applicant is not eligible for a social security number.

16 (4) (a) Subsection (1) does not apply to an application for renewal of an
17 operator's license or identification card received by the department after May 10,
18 2008, if in connection with a prior application after May 10, 2008, the applicant
19 previously presented or provided, and the department verified, the information
20 specified in sub. (1) and the department recorded the date on which the verification
21 procedures were completed as described in sub. (2) (b).

22 (b) The department shall establish an effective procedure to confirm or verify
23 an applicant's information for purposes of any application described in par. (a). The
24 procedure shall include verification of the applicant's social security number or
25 ineligibility for a social security number.

1 (c) Notwithstanding pars. (a) and (b), no operator's license displaying the
2 legend required under s. 343.03 (3m) or identification card displaying the legend
3 required under s. 343.50 (3) may be renewed unless the applicant presents or
4 provides valid documentary proof under sub. (1) (e) and this proof shows that the
5 status by which the applicant qualified for the license or identification card has been
6 extended by the secretary of the federal department of homeland security.

7 (d) With any license renewal following a license expiration established under
8 s. 343.20 (1m) at other than an 8-year interval, the department may determine
9 whether the applicant's photograph is to be taken, or the applicant is to be examined,
10 or both, at the time of such renewal, so long as the applicant's photograph is taken,
11 and the applicant is examined, with a license renewal at least once every 8 years and
12 the applicant's license at all times includes a photograph. With any identification
13 card renewal following an identification card expiration established under s. 353.50
14 (5) (c) at other than a 4-year interval, the department may determine whether the
15 applicant's photograph is to be taken at the time of such renewal, so long as the
16 applicant's photograph is taken with a card renewal at least once every 4 years and
17 the applicant's identification card at all times includes a photograph.

18 (5) The department may, by rule, require that applications for reinstatement
19 of operator's licenses or identification cards, issuance of occupational licenses,
20 reissuance of operator's licenses, or issuance of duplicate licenses, received by the
21 department after May 10, 2008, be processed in a manner consistent with the
22 requirements established under this section for applications for initial issuance or
23 renewal of operator's licenses and identification cards.

24 (6) During the period in which the department processes an application under
25 this section, the department may issue a receipt under s. 343.11 (3) or 343.50 (1) (c).

15-17

1 **SECTION 23.** 343.17 (1) of the statutes is amended to read:

2 343.17 (1) LICENSE ISSUANCE. The Subject to s. 343.165, the department shall
3 issue an operator's license and endorsements, as applied for, to every qualifying
4 applicant who has paid the required fees.

5 **SECTION 24.** 343.17 (2) of the statutes is amended to read:

6 343.17 (2) LICENSE DOCUMENT. The license shall be a single document, in
7 ~~one-part~~ one part, consisting of 2 sides, except as otherwise provided in sub. (4) and
8 s. 343.10 (7) (d). The document shall be, to the maximum extent practicable, tamper
9 proof and shall contain physical security features consistent with any requirement
10 under federal law.

11 **SECTION 25.** 343.17 (3) (a) 1. and 5. of the statutes are amended to read:

12 343.17 (3) (a) 1. The full legal name, date of birth, and principal residence
13 address of the person.

14 5. ~~A facsimile of the~~ The person's signature, or a space upon which the licensee
15 ~~shall immediately write his or her usual signature with a pen and ink on receipt of~~
16 ~~the license, without which the license is not valid.~~

17 **SECTION 26.** 343.17 (3) (a) 14. of the statutes, as created by 2005 Wisconsin Act
18 126, is repealed.

19 **SECTION 27.** 343.17 (5) of the statutes is amended to read:

20 343.17 (5) NO PHOTOS ON CERTAIN TEMPORARY LICENSES. The temporary licenses
21 issued under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b) and 343.305 (8) (a) shall be
22 on forms provided by the department and shall contain the information required by
23 sub. (3), except the license is not required to include a photograph of the licensee.
24 This subsection does not apply to a noncitizen temporary license, as described in s.
25 343.03 (3m).

1 **SECTION 28.** 343.19 (1) of the statutes is amended to read:

2 343.19 (1) If a license issued under this chapter or an identification card issued
3 under s. 343.50 is lost or destroyed or the name or address named in the license or
4 identification card is changed or the condition specified in s. 343.17 (3) (a) 12. or 13.
5 no longer applies, the person to whom the license or identification card was issued
6 may obtain a duplicate thereof or substitute therefor upon furnishing proof
7 satisfactory to the department of full legal name and date of birth and that the license
8 or identification card has been lost or destroyed or that application for a duplicate
9 license or identification card is being made for a change of address or name or
10 because the condition specified in s. 343.17 (3) (a) 12. or 13. no longer applies. If the
11 applicant is a male who is at least 18 years of age but less than 26 years of age, the
12 application shall include the information required under s. 343.14 (2) (em). If the
13 original license or identification card is found it shall immediately be transmitted to
14 the department. ~~Duplicates of nonphoto licenses shall be issued as nonphoto~~
15 ~~licenses.~~

16 **SECTION 29.** 343.20 (1) (a) of the statutes is amended to read:

17 343.20 (1) (a) Except as otherwise expressly provided in this chapter,
18 reinstated licenses, probationary licenses issued under s. 343.085 and original
19 licenses other than instruction permits shall expire 2 years from the date of the
20 applicant's next birthday. Subject to s. 343.125 (3), all other licenses and license
21 endorsements shall expire 8 years after the date of issuance. The department may
22 institute any system of initial license issuance which it deems advisable for the
23 purpose of gaining a uniform rate of renewals. In order to put such a system into
24 operation, the department may issue licenses which are valid for any period less than
25 the ordinary effective period of such license. If the department issues a license that

1 is valid for less than the ordinary effective period as authorized by this paragraph,
2 the fees due under s. 343.21 (1) ~~(a)~~, (b) and (d) shall be prorated accordingly.

3 **SECTION 30.** 343.20 (1) (f) of the statutes, as created by 2005 Wisconsin Act 126,
4 is amended to read:

5 343.20 (1) (f) The department shall cancel an operator's license, regardless of
6 the license expiration date, if the department is notified by receives information from
7 a local, state, or federal government agency that the operator is no longer a citizen
8 of the United States, a legal permanent resident of the United States, or a conditional
9 resident of the United States, or otherwise not legally present in the United States
10 licensee no longer satisfies the requirements for issuance of a license under ss. 343.14
11 (2) (es) and 343.165 (1) (e).

12 **SECTION 31.** 343.20 (1m) of the statutes, as created by 2005 Wisconsin Act 126,
13 is amended to read:

14 343.20 (1m) ~~A~~ Notwithstanding sub. (1) (a) and (e), and except as otherwise
15 provided in this subsection, a license that is issued to a person who is not a United
16 States citizen or permanent resident and who provides documentary proof of legal
17 status as provided under s. 343.14 (2) (er) 2, shall expire on the date that the person's
18 legal presence in the United States is no longer authorized or on the expiration date
19 determined under sub. (1), whichever date is earlier. If the documentary proof as
20 provided under s. 343.14 (2) (er) 2, does not state the date that the person's legal
21 presence in the United States is no longer authorized, sub. (1) shall apply.

22 **SECTION 32.** 343.20 (1m) of the statutes, as affected by 2007 Wisconsin Act
23 (this act), is amended to read:

24 343.20 (1m) Notwithstanding sub. (1) (a) and (e), and except as provided in s.
25 343.165 (4) (c) and as otherwise provided in this subsection, a license that is issued

1 to a person who is not a United States citizen or permanent resident and who
2 provides documentary proof of legal status as provided under s. 343.14 (2) ~~(er) 2.~~ (es)
3 2., 4., 5., 6., or 7. shall expire on the date that the person's legal presence in the United
4 States is no longer authorized or on the expiration date determined under sub. (1),
5 whichever date is earlier. If the documentary proof as provided under s. 343.14 (2)
6 ~~(er) 2.~~ (es) does not state the date that the person's legal presence in the United States
7 is no longer authorized, sub. (1) shall apply except that, if the license was issued or
8 renewed based upon the person's presenting of any documentary proof specified in
9 s. 343.14 (2) (es) 4. to 7., the license shall, subject to s. 343.165 (4) (c), expire one year
10 after the date of issuance or renewal.

11 **SECTION 33.** 343.20 (2) (a) of the statutes is amended to read:

12 343.20 (2) (a) The department shall mail to the last-known address of a
13 licensee at least 30 days prior to the expiration of the license a notice of the date upon
14 which the license must be renewed. If the license was issued or last renewed based
15 upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es)
16 4. to 7., the notice shall inform the licensee of the requirement under s. 343.165 (4)
17 (c).

18 **SECTION 34.** 343.22 (1) of the statutes is repealed.

19 **SECTION 35.** 343.22 (2) (intro.) and (a) of the statutes are amended to read:

20 343.22 (2) (intro.) Whenever any person, after applying for or receiving a
21 license ~~containing a photograph~~ under this chapter, or an identification card under
22 s. 343.50, moves from the address named in the application or in the license or
23 identification card issued to him or her or is notified by the local authorities or by the
24 postal authorities that the address so named has been changed, the person shall,
25 within ~~10~~ 30 days thereafter, do one of the following:

1 (a) Apply for a duplicate license or identification card showing on the
2 application the correct full legal name and address. The licensee or identification
3 card holder shall return the current license or identification card to the department
4 along with the application for duplicate.

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20-5

SECTION 36. 343.22 (2m) of the statutes is amended to read:

6 343.22 (2m) Whenever any person, after applying for or receiving a license
7 ~~containing a photograph~~ under this chapter, or an identification card under s. 343.50,
8 is notified by the local authorities or by the postal authorities that the address named
9 in the application or in the license or identification card issued to him or her has been
10 ~~changed~~ and the person applies for a duplicate license or identification card under
11 sub. (2), no fee shall be charged under s. 343.21 (1) (L) or 343.50 (7) for the duplicate
12 license or identification card.

SECTION 37. 343.22 (3) of the statutes is amended to read:

14 343.22 (3) When the name of a licensee or identification card holder is changed,
15 such person shall, within ~~10~~ 30 days thereafter, apply for a duplicate license or
16 identification card showing the correct full legal name and address. The licensee or
17 identification card holder shall return the current license or identification card to the
18 department along with the application for a duplicate. If the licensee holds more
19 than one type of license under this chapter, the licensee shall return all such licenses
20 to the department along with one application and fee for a duplicate license for which
21 the licensee may be issued a duplicate of each such license.

SECTION 38. 343.23 (2) (a) (intro.) of the statutes is amended to read:

23 343.23 (2) (a) (intro.) The department shall maintain a file for each licensee or
24 other person containing the application for license, permit or endorsement, a record
25 of reports or abstract of convictions, any demerit points assessed under authority of

1 s. 343.32 (2), the information in all data fields printed on any license issued to the
2 person, any notice received from the federal transportation security administration
3 concerning the person's eligibility for an "H" endorsement specified in s. 343.17 (3)
4 (d) 1m., the status of the person's authorization to operate different vehicle groups,
5 a record of any out-of-service orders issued under s. 343.305 (7) (b) or (9) (am), a
6 record of the date on which any background investigation specified in s. 343.12 (6)
7 (a) or (d) was completed, a record of the date on which any verification specified in
8 s. 343.165 (1) and (3) was completed, all documents required to be maintained under
9 s. 343.165 (2) (a), and a record of any reportable accident in which the person has
10 been involved, including specification of any type of license and endorsements issued
11 under this chapter under which the person was operating at the time of the accident
12 and an indication whether or not the accident occurred in the course of any of the
13 following:

14 **SECTION 39.** 343.23 (2) (b) of the statutes is amended to read:

15 343.23 (2) (b) The information specified in pars. (a) and (am) must be filed by
16 the department so that the complete operator's record is available for the use of the
17 secretary in determining whether operating privileges of such person shall be
18 suspended, revoked, canceled, or withheld, or the person disqualified, in the interest
19 of public safety. The record of suspensions, revocations, and convictions that would
20 be counted under s. 343.307 (2) shall be maintained permanently, except that the
21 department shall purge the record of a first violation of s. 23.33 (4c) (a) 2., 30.681 (1)
22 (b) 1., 346.63 (1) (b), or 350.101 (1) (b) after 10 years, if the person who committed the
23 violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the
24 time of the violation, if the person does not have a commercial driver license, if the
25 violation was not committed by a person operating a commercial motor vehicle, and

1 if the person has no other suspension, revocation, or conviction that would be counted
2 under s. 343.307 during that 10-year period. The record of convictions for
3 disqualifying offenses under s. 343.315 (2) (h) shall be maintained for at least 10
4 years. The record of convictions for disqualifying offenses under s. 343.315 (2) (f) and
5 (j), and all records specified in par. (am), shall be maintained for at least 3 years. The
6 record of convictions for disqualifying offenses under s. 343.315 (2) (a) to (e) shall be
7 maintained permanently, except that 5 years after a licensee transfers residency to
8 another state such record may be transferred to another state of licensure of the
9 licensee if that state accepts responsibility for maintaining a permanent record of
10 convictions for disqualifying offenses. Such reports and records may be cumulative
11 beyond the period for which a license is granted, but the secretary, in exercising the
12 power of suspension granted under s. 343.32 (2) may consider only those reports and
13 records entered during the 4-year period immediately preceding the exercise of such
14 power of suspension. The department shall maintain the digital images of
15 documents specified in s. 343.165 (2) (a) for at least 10 years.

16 **SECTION 40.** 343.23 (5) of the statutes is amended to read:

17 343.23 (5) The department shall maintain the files specified in this section in
18 a form that is appropriate to the form of the records constituting those files. Records
19 under sub. (1) and files under sub. (2) shall be maintained in an electronic and
20 transferable format accessible for the purpose specified in s. 343.03 (6) (a).

21 **SECTION 41.** 343.26 of the statutes is amended to read:

22 **343.26 License after cancellation.** Any person whose license has been
23 canceled, whether the license has been canceled by the secretary or stands canceled
24 as a matter of law, may apply for a new license at any time. Upon receipt of the
25 application and the required fee, and after processing the application as provided in

1 s. 343.165, the department shall issue or refuse issuance of the license as upon an
2 original application. The department may, but need not, require the applicant to
3 submit to an examination as provided in s. 343.16.

4 SECTION 42. 343.43 (1) (g) of the statutes is amended to read:

5 343.43 (1) (g) Deface or alter a license except to endorse a change of address
6 authorized by s. 343.22 (1) or (2). *as affected by 2007 Wisconsin Act... (16.3 act)*

7 SECTION ~~43~~ 343.50 (1) of the statutes is renumbered 343.50 (1) (a) and
8 amended to read:

9 343.50 (1) (a) The Subject to par. (b) and s. 343.165, the department shall issue
10 to every qualified applicant, who has paid ~~the~~ *plain → all* required fee ~~an~~ *← plain* identification card as
11 provided in this section.

12 SECTION 44. 343.50 (1) (b) and (c) of the statutes are created to read:

13 343.50 (1) (b) The department may not issue an identification card to a person
14 previously issued an operator's license in another jurisdiction unless the person
15 surrenders to the department any valid operator's license possessed by the person
16 issued by another jurisdiction, which surrender operates as a cancellation of the
17 license insofar as the person's privilege to operate a motor vehicle in this state is
18 concerned. Within 30 days following issuance of the identification card under this
19 section, the department shall destroy any operator's license surrendered under this
20 paragraph and report to the jurisdiction that issued the surrendered operator's
21 license that the license has been destroyed and the person has been issued an
22 identification card in this state.

23 (c) The department may issue a receipt to any applicant for an identification
24 card, which receipt shall constitute a temporary identification card while the
25 application is being processed and shall be valid for a period not to exceed 30 days.

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23-11*

1 **SECTION 45.** 343.50 (2) of the statutes is amended to read:

2 343.50 (2) WHO MAY APPLY. Any resident of this state who does not possess a
3 valid operator's license ~~which contains the resident's photograph~~ issued under this
4 chapter may apply to the department for an identification card pursuant to this
5 section. The card is not a license for purposes of this chapter and is to be used for
6 identification purposes only.

7 **SECTION 46.** 343.50 (3) of the statutes is amended to read:

8 343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as
9 an operator's license but shall be of a design which is readily distinguishable from
10 the design of an operator's license and bear upon it the words "IDENTIFICATION
11 CARD ONLY". The information on the card shall be the same as specified under
12 s. 343.17 (3). If the issuance of the card requires the applicant to present any
13 documentary proof specified in s. 343.14 (2) (es) 4. to 7., the card shall display, on the
14 front side of the card, a legend identifying the card as temporary. The card shall
15 contain physical security features consistent with any requirement under federal
16 law. The card may serve as a document of gift under s. 157.06 (2) (b) and (c) and the
17 holder may affix a sticker thereto as provided in s. 343.175 (3). The card may also
18 serve as a document of refusal to make an anatomical gift under s. 157.06 (2) (i). The
19 card shall contain the holder's photograph and, if applicable, shall be of the design
20 specified under s. 343.17 (3) (a) 12.

21 **SECTION 47.** 343.50 (4) of the statutes, as affected by 2005 Wisconsin Act 126,
22 is amended to read:

23 343.50 (4) APPLICATION. The application for an identification card shall include
24 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),
25 and ~~(er)~~ (es), and such further information as the department may reasonably

1 require to enable it to determine whether the applicant is entitled by law to an
 2 identification card. The Except with respect to renewals described in s. 343.165 (4)
 3 (d), the department shall, as part of the application process, take a digital
 4 photograph including facial image capture of the applicant to comply with sub. (3).
 5 No Except with respect to renewals described in s. 343.165 (4) (d), no application may
 6 be processed without the photograph being taken. Misrepresentations in violation
 of s. 343.14 (5) are punishable as provided in s. 343.14 (9).

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.... (this act)

8 SECTION ~~48~~ 343.50 (5) of the statutes, as affected by 2005 Wisconsin Act 126,
 9 is renumbered 343.50 (5) (a) and amended to read:

10 343.50 (5) (a) The fee for an original card, for renewal of a card, and for the
 11 reinstatement of an identification card after cancellation under sub. (10) shall be \$9.
 12 The

18
← plain

13 (b) Except as provided in par. (c) and s. 343.165 (4) (c), an original or reinstated
 14 card shall be valid for the succeeding period of 4 years ← plain
 15 after the date of issuance, except that a , and a renewed card shall be valid
 16 for the succeeding period of 4 years from the card's last expiration date.

17 (c) Except as provided in s. 343.165 (4) (c) and as otherwise provided in this
 18 paragraph, an identification card that is issued to a person who is not a United States
 19 citizen and who provides documentary proof of legal status as provided under s.
 20 343.14 (2) (er) (es) shall expire on the date that the person's legal presence in the
 21 United States is no longer authorized or on the expiration date determined under
 22 par. (b), whichever date is earlier. If the documentary proof as provided under s.
 23 343.14 (2) (er) (es) does not state the date that the person's legal presence in the
 24 United States is no longer authorized, then the card shall be valid for the succeeding
 25 period of 4 years from the applicant's next birthday after the date of issuance

1 specified in par. (b) except that, if the card was issued or renewed based upon the
 2 person's presenting of any documentary proof specified in s. 343.14 (2) (es) 4. to 7.,
 3 the card shall, subject to s. 343.165 (4) (c), expire one year after the date of issuance
 4 or renewal.

5 SECTION 48 343.50 (6) of the statutes, as affected by 2005 Wisconsin Act 126,
 6 is amended to read:

7 343.50 (6) RENEWAL NOTICE. At least 30 days prior to the expiration of the an
 8 identification card, the department shall mail a renewal application to the
 9 last-known address of each identification the card holder. If the card was issued or
 10 last renewed based upon the person's presenting of any documentary proof specified
 11 in s. 343.14 (2) (es) 4. to 7., the notice shall inform the card holder of the requirement
 12 under s. 343.165 (4) (c). The department shall include with the application
 13 information, as developed by all organ procurement organizations in cooperation
 14 with the department, that promotes anatomical donations and which relates to the
 15 anatomical donation opportunity available under s. 343.175. The fee for a renewal
 16 identification card shall be \$9, which card shall be valid for 1/8 years, except that a card
 17 that is issued to a person who is not a United States citizen and who provides
 18 documentary proof of legal status as provided under s. 343.14 (2) (er) shall expire on
 19 the date that the person's legal presence in the United States is no longer authorized.
 20 If the documentary proof as provided under s. 343.14 (2) (er) does not state the date
 21 that the person's legal presence in the United States is no longer authorized, then
 22 the card shall be valid for 1/8 years.

23 SECTION 50. 343.50 (8) of the statutes is amended to read:

24 343.50 (8) RECORDS AND OTHER INFORMATION. (a) The department shall
 25 maintain current records of all identification card holders under this section in the

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1 same manner as required under s. 343.23 for operator's licenses. For each
2 identification card applicant, the record shall include any application for an
3 identification card received by the department, any reinstatement or cancellation of
4 an identification card by the department, the information in all data fields printed
5 on any identification card issued to the applicant, a record of the date on which any
6 verification specified in s. 343.165 (1) and (3) was completed, and all documents
7 required to be maintained under s. 343.165 (2) (a). The department shall maintain
8 the digital images of documents specified in s. 343.165 (2) (a) for at least 10 years.
9 Records under this paragraph shall be maintained in an electronic and transferable
10 format accessible for the purpose specified in par. (c) 1.

11 (b) The department may not disclose any record or other information
12 concerning or relating to an applicant or identification card holder to any person
13 other than a court, district attorney, county corporation counsel, city, village or town
14 attorney, law enforcement agency, the applicant or identification card holder or, if the
15 applicant or identification card holder is under 18 years of age, his or her parent or
16 guardian. Except for photographs disclosed to a law enforcement agency under s.
17 343.237, persons entitled to receive any record or other information under this
18 paragraph shall not disclose the record or other information to other persons or
19 agencies. This paragraph does not prohibit disclosure under par. (c) or the disclosure
20 of a person's name or address, of the name or address of a person's employer or of
21 financial information that relates to a person when requested under s. 49.22 (2m) by
22 the department of workforce development or a county child support agency under s.
23 59.53 (5).

24 **SECTION 51.** 343.50 (8) (c) of the statutes is created to read:

1 343.50 (8) (c) 1. Notwithstanding par. (b) and ss. 343.027, 343.14 (2j), and
2 343.237 (2), the department shall, upon request, provide to the driver licensing
3 agencies of other jurisdictions any record maintained by the department of
4 transportation under this subsection, including providing electronic access to any
5 such record.

6 2. Notwithstanding par. (b) and s. 343.14 (2j), the department may, upon
7 request, provide to the department of health and family services any applicant
8 information maintained by the department of transportation and identified in s.
9 343.14 (2), including providing electronic access to the information, for the sole
10 purpose of verification by the department of health and family services of birth
11 certificate information.

12 **SECTION 52.** 343.50 (10) (intro.) and (a) of the statutes are amended to read:

13 343.50 (10) CANCELLATION. (intro.) The department shall cancel an
14 identification card under any of the following circumstances:

15 (a) Whenever the department determines that the card was issued upon an
16 application which contains a false statement as to any material matter;~~or,~~

17 **SECTION 53.** 343.50 (10) (c) of the statutes is created to read:

18 343.50 (10) (c) Whenever the department receives information from a local,
19 state, or federal government agency that the card holder no longer satisfies the
20 requirements for issuance of a card under ss. 343.14 (2) (es) and 343.165 (1) (e). A
21 card cancelled under this paragraph may not be reinstated under sub. (5) until these
22 requirements are again satisfied.

23 **SECTION 9348. Initial applicability; Transportation.**

24 (1) DMV BACKGROUND INVESTIGATIONS.

(by SECTION 34m)

(by SECTION 37m)

a.f. (a)

a.f. (B)

1 (a) The treatment of section 110.09 (1) (a) of the statutes first applies to persons
2 selected to fill positions on the effective date of this paragraph.

3 (b) The treatment of section 110.09 (2) of the statutes first applies to persons
4 requesting access to information systems on the effective date of this paragraph.

SECTION 9448. Effective dates; Transportation.

5 (1) LICENSE AND IDENTIFICATION CARD ISSUANCE. The treatment of sections 343.01
6 (2) (d), 343.03 (3) (intro.), (3m), and (6) (a), 343.06 (1) (j) and (L), 343.10 (2) (a) (intro.)
7 and (7) (b) and (d), 343.14 (2) (a), (br), (es) 1. and 4., and (f), (2j) (a) and (b), (2r), (3),
8 and (4m), 343.16 (3) (a), 343.165, 343.17 (1), (2), (3) (a) 1. and 5., and (5), 343.19 (1),
9 343.20 (1) (a) and (f), (1m) (by SECTION 32), and (2) (a), 343.22 (1), (2) (intro.) and (a),
10 (2m), and (3), 343.23 (2) (a) (intro.) and (b) and (5), 343.26, 343.43 (1) (g), 343.50 (2),
11 (3), (4), (6), and (10) (intro.), (a), and (c) of the statutes, the renumbering and
12 amendment of section 343.50 (1) and (5) of the statutes, the consolidation,
13 renumbering, and amendment of section 343.14 (2) (er) 1. and 2. of the statutes, the
14 amendment of section 343.50 (8) of the statutes, and the creation of section 343.50
15 (1) (b) and (c) and (8) (c) of the statutes take effect on May 11, 2008.

(2) DMV BACKGROUND INVESTIGATIONS.

16 (a) The treatment of section 110.09 (2) of the statutes and SECTION 9348 (1) (b)
17 of this act take effect on the first day of the 4th month beginning after publication.

18 (b) The treatment of section 110.09 (1) of the statutes and SECTION 9348 (1) (a)
19 of this act take effect on January 1, 2008.

20 (END)

D-Note

a.f. (f)

a.f. (d)

a.f. (c)

a.f. (e)

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~~SECTION 37m.~~ 343.22 (3) of the statutes, as affected by 2007 Wisconsin Act ... (this act), is amended to read:

343.22 (3) When the name of a licensee or identification card holder is changed, such person shall, within ~~10~~ 30 days thereafter, apply for a duplicate license or identification card showing the correct full legal name and address. The licensee or identification card holder shall return the current license or identification card to the department along with the application for a duplicate. If the licensee holds more than one type of license under this chapter, the licensee shall return all such licenses to the department along with one application and fees for a duplicate license for which the licensee may be issued a duplicate of each such license.

***NOTE: This is reconciled s. 343.22 (2m). This SECTION has been affected by drafts with the following LRB numbers: LRB-0003 and LRB-0973.

INSERT 22-21:

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~~SECTION 41m.~~ 343.26 of the statutes, as affected by 2007 Wisconsin Act ... (this act), is amended to read:

343.26 License after cancellation. Any person whose license has been canceled, whether the license has been canceled by the secretary or stands canceled as a matter of law, may apply for a new license at any time. Upon receipt of the application and all required fees, and after processing the application as provided in s. 343.165, the department shall issue or refuse issuance of the license as upon an original application. The department may, but need not, require the applicant to submit to an examination as provided in s. 343.16.

***NOTE: This is reconciled s. 343.26. This SECTION has been affected by drafts with the following LRB numbers: LRB-0003 and LRB-0973.

INSERT 23-11:

***NOTE: This is reconciled s. 343.50 (1). This SECTION has been affected by drafts with the following LRB numbers: LRB-0003 and LRB-0973.

INSERT 26-4:

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****NOTE: This is reconciled s. 343.50 (5). This SECTION has been affected by drafts with the following LRB numbers: LRB-0003 and LRB-0973.

INSERT 26-22:

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****NOTE: This is reconciled s. 343.50 (6). This SECTION has been affected by drafts with the following LRB numbers: LRB-0003 and LRB-0973.

2007-2008 DRAFTING INSERT
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LEGISLATIVE REFERENCE BUREAU

LRB-0003/3ins
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(d) With any license or identification card renewal following a license or identification card expiration established under s. 343.20 (1m) or 343.50 (5) (c) at other than an 8-year interval, the department may determine whether the applicant's photograph is to be taken, or if the renewal is for a license the applicant is to be examined, or both, at the time of such renewal, so long as the applicant's photograph is taken, and if the renewal is for a license the applicant is examined, with a license or card renewal at least once every 8 years and the applicant's license or identification card at all times includes a photograph.

***NOTE: This is reconciled s. 343.165 (4) (d) This SECTION has been affected by drafts with the following LRB numbers: LRB-0003 and LRB-0973.

INSERT 20-5:

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SECTION ~~36~~ 343.22 (2m) of the statutes, as affected by 2007 Wisconsin Act ... (this act), is amended to read:

343.22 (2m) Whenever any person, after applying for or receiving a license containing a photograph under this chapter, or an identification card under s. 343.50, is notified by the local authorities or by the postal authorities that the address named in the application or in the license or identification card issued to him or her has been changed and the person applies for a duplicate license or identification card under sub. (2), no fees shall be charged under s. 343.21 (1) (L) and (n) or 343.50 (5m) and (7) for the duplicate license or identification card.

***NOTE: This is reconciled s. 343.22 (2m). This SECTION has been affected by drafts with the following LRB numbers: LRB-0003 and LRB-0973.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0003/3dn

ARG:...

kyf

Date

ATTN: Sara Kornely

This draft reconciles LRB-0003/2 and LRB-0973/3. Both LRB-0003 and LRB-0973
should continue to appear in the compiled bill.

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**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0003/3dn
ARG:kjfrs

January 31, 2007

ATTN: Sara Kornely

This draft reconciles LRB-0003/2 and LRB-0973/3. Both LRB-0003 and LRB-0973 should continue to appear in the compiled bill.

Aaron R. Gary
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