



State of Wisconsin
2007 - 2008 LEGISLATURE

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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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1 AN ACT *to repeal* 343.10 (2) (a) 3., 343.30 (1q) (c) 1. b., 343.305 (10) (c) 1. b., 343.31

2 (1) (hm), 343.31 (2m), 343.31 (3) (b), 343.32 (1), 343.32 (1m) (a), 343.38 (4) (a),

3 343.38 (4) (b), 344.32 and 345.48 (3); *to renumber and amend* 343.30 (2j) (a),

4 343.36 (3) and 344.19 (2); *to consolidate, renumber and amend* 343.30 (1q)

5 (c) 1. (intro.), a. and c. and 343.305 (10) (c) 1. (intro.), a. and c.; *to amend* 23.33

6 (13) (e), 118.163 (2) (a), 118.163 (2m) (a), 125.07 (4) (cm), 125.085 (3) (bp), 342.12

7 (4) (a) and (b), 343.027, 343.03 (5) (a), 343.03 (6) (a), 343.05 (1) (a), 343.05 (5)

8 (b) 1., 343.06 (1) (j), 343.06 (2), 343.085 (4), 343.14 (2j) (b), 343.16 (5) (a), 343.20

9 (1) (e) 1., 343.23 (2) (a) (intro.), 343.23 (2) (b), 343.23 (4) (b), 343.235 (3) (a),

10 343.237 (2), 343.237 (3) (intro.), 343.24 (3), 343.24 (4) (c) 1., 343.28 (2), 343.30

11 (1g) (b), 343.30 (1q) (b) 4., 343.30 (4), 343.30 (5), 343.301 (2) (d), 343.305 (7) (a),

12 343.305 (7) (b), 343.305 (9) (a) (intro.), 343.305 (9) (am) (intro.), 343.305 (10) (b)

13 3., 343.305 (10) (b) 4., 343.305 (11), 343.31 (1) (intro.), 343.31 (2), 343.31 (2r),

14 343.31 (3) (a), 343.31 (3) (bm) (intro.), 343.31 (3) (c), 343.31 (3) (d) (intro.), 343.31

15 (3) (e), 343.31 (3) (f), 343.31 (3) (i), 343.31 (3) (j), 343.315 (2) (f) 7., 343.315 (2)

1 (fm), 343.315 (2) (h), 343.315 (2) (j) (intro.), 343.315 (3) (a), 343.315 (3) (b),
2 343.315 (3) (d), 343.32 (1m) (b) (intro.), 343.32 (1s), 343.32 (2) (a), 343.32 (3),
3 343.325 (4), 343.34 (1), 343.34 (2), 343.345, 343.36 (title), 343.38 (1) (c) 2. c.,
4 343.38 (2), 343.38 (4) (intro.), 343.39 (1) (a), 343.39 (2), 343.44 (1) (a), 343.44 (1)
5 (b), 343.44 (1) (c), 343.44 (2) (am), 343.44 (2r), 343.44 (2s), 343.44 (4r), 343.50
6 (8) (b), 344.02 (3), 344.13 (2), 344.18 (1m) (a), 344.18 (3m) (a), 344.19 (1), 344.19
7 (3), 344.24, 344.26 (1), 344.27 (2), 344.27 (3), 344.29, 344.30 (1), 344.33 (1),
8 344.34, 344.42, 345.23 (2) (c), 345.28 (5) (b) 1., 345.28 (5) (b) 2. a., 345.47 (1) (c),
9 345.48 (2), 345.48 (4), 346.65 (2c), 346.65 (2e), 346.65 (6) (a) 3., 346.65 (6) (km),
10 350.11 (3) (d), 351.02 (1) (intro.), 351.02 (1m), 351.025 (1), 351.027 (2), 351.03,
11 351.04, 631.37 (4) (e), 800.09 (1) (c), 938.17 (2) (d) 2., 938.34 (8), 938.34 (8d) (d),
12 938.34 (14m), 938.34 (14r) (a), 938.342 (1g) (a), 938.343 (2), 938.344 (2e) (b),
13 938.355 (6) (d) 2., 938.355 (6m) (a) 1m., 938.396 (4), 961.50 (1) (intro.) and
14 961.50 (2); and **to create** 343.01 (2) (bc), 343.01 (2) (bm), 343.02 (3), 343.06 (1)
15 (bm), 343.23 (2m), 343.23 (3m), 343.301 (1) (e), 343.31 (2z), 343.31 (3) (bg),
16 343.315 (3) (bm), 343.32 (1v), 343.36 (3) (b), (c) and (d), 344.08 (1m), 344.14 (1r),
17 344.19 (2) (a) and 344.25 (7) of the statutes; **relating to:** driver licensing
18 changes to implement the national Driver License Agreement, extending the
19 time limit for emergency rule procedures, providing an exemption from
20 emergency rule procedures, providing an exemption from rule-making
21 procedures, and requiring the exercise of rule-making authority.

Analysis by the Legislative Reference Bureau

This bill requires the state, through the Department of Transportation (DOT), to enter into the national Driver License Agreement (DLA) that establishes standards for the treatment and exchange of driver licensing and conviction information and other data pertinent to the licensing process. DOT must promulgate

rules that identify all violations of, and administrative actions under, the laws of this state and describe by type or category all equivalent violations of, and administrative actions under, the laws of other jurisdictions that, under the DLA, must be recognized as violations or authorized administrative actions among all jurisdictions that are parties to the DLA (DLA Code violations).

Current law allows or requires DOT or a court, in a variety of circumstances, to suspend or revoke the operating privilege of any person, whether a resident or nonresident, who commits specified offenses in this state. In addition, in a variety of circumstances, current law allows or requires DOT to suspend or revoke the operating privilege of a resident for committing specified offenses in other jurisdictions and allows or requires DOT or a court to treat convictions in other jurisdictions as prior offenses. DOT must revoke the operating privilege of a resident who is convicted in another jurisdiction of an offense that would require the person's operating privilege to be revoked in this state if the offense had been committed in this state. DOT must also revoke the operating privilege of a nonresident, except with respect to a commercial driver license (CDL), upon receiving similar notice from another jurisdiction. DOT may suspend or revoke the operating privilege of a resident who is convicted in another jurisdiction of operating a motor vehicle while the person's operating privilege is suspended or revoked or while the person is disqualified or while the person or vehicle is ordered out-of-service. DOT may also suspend or revoke the operating privilege of a nonresident (except with respect to a CDL) upon receiving similar notice from another jurisdiction.

Under current law, upon conviction of a person for a traffic violation or other specified violation, the court must forward the record of conviction to DOT, and DOT must maintain a file for the person containing a record of any such report of conviction. Also, under current law, DOT must maintain a record of every application for license, permit, or endorsement received by it and of every suspension, revocation, cancellation, and disqualification by DOT. DOT must also maintain a file for each licensee or other person that includes the application for license, permit, or endorsement, a record of reports or abstract of convictions, the status of the person's authorization to operate different vehicle groups, a record of out-of-service orders, and a record of reportable accidents (driver record). The driver record must also include, for a person holding a CDL issued by DOT, a record of certain disqualifications from operating a commercial motor vehicle (CMV) or revocations, suspensions, or cancellations by another jurisdiction of the person's CDL, or a record of certain traffic violations in another jurisdiction, and, for a person holding a CDL issued by any jurisdiction, a record of any violation of a traffic law in any jurisdiction while operating any motor vehicle, not just a CMV.

This bill substantially modifies the procedure for administrative suspensions and revocations of motor vehicle operating privileges, and of record keeping related to both administrative and court-ordered suspensions or revocations, related to the state's joinder of the DLA. Under the bill, DOT may generally suspend or revoke the operating privilege only of persons who hold an operator's license issued by DOT or are residents of this state and do not hold an operator's license issued by another jurisdiction (Wisconsin licensees or residents). A nonresident who commits a

violation in this state is generally subject to the penalty provided for the violation except that, in lieu of suspension or revocation of the nonresident's operating privilege in this state, notice is provided to the person's state of licensure or residency. However, certain exceptions allow DOT to suspend or revoke the operating privilege of a nonresident upon receiving a record of conviction in this state for certain offenses if the person is licensed by or resides in another jurisdiction that is not a member of the DLA or if the offense is not a DLA Code violation. DOT may suspend or revoke the operating privilege of a Wisconsin licensee or resident upon receiving notice of the suspension or revocation in another jurisdiction for an offense that would be cause for suspension or revocation under the law of this state or under the DLA Code. DOT may revoke the operating privilege of a Wisconsin licensee or resident for DLA Code violations in another jurisdiction, but DOT may not suspend or revoke a nonresident's operating privilege if the person was licensed in or residing in another jurisdiction at the time of the conviction for the offense or if the person has reinstated or is eligible to reinstate his or her operating privilege in the other jurisdiction. The bill also eliminates the provisions that require or allow DOT to suspend or revoke the operating privilege of a nonresident for an offense committed in another jurisdiction and of a resident for specified offenses committed in another jurisdiction. In relation to numerous offenses, the bill allows certain offenses committed in other jurisdictions that, if committed in this state would have been violations in this state, to be grounds for suspension or revocation by DOT and to be counted as prior violations for purposes of court-ordered suspensions or revocations.

Under the bill, although a nonresident is disqualified as a matter of law upon conviction of specified offenses related to a CMV or CDL, the nonresident is not administratively disqualified by DOT, and DOT does not record the disqualification of the nonresident in DOT's driver records unless required to do so by federal law. If DOT receives a record of conviction of a nonresident for an offense not required by federal law to be recorded in DOT's records, DOT must provide notice of the conviction and disqualification to the person's jurisdiction of licensure or residency. The bill also adds certain convictions in other jurisdictions that may result in disqualification. In relation to numerous offenses, the bill allows certain offenses committed in other jurisdictions that, if committed in this state would have been violations in this state, to be grounds for disqualification.

Under the bill, in most circumstances, DOT must maintain a driver record only for persons who are Wisconsin licensees or residents. For such persons, DOT must maintain in the driver record any notice received from another jurisdiction of the revocation, suspension, or cancellation of the person's operating privilege in that jurisdiction. Rather than maintain a driver record for nonresidents, DOT must forward the record of conviction (as required under current law) or notice of any administrative action, including suspension or revocation of an operating privilege or disqualification by DOT, or of any test refusal test results, out-of-service order, or DOT hearing results related to driving or operating a motor vehicle while under the influence of an intoxicant (OWI), to the nonresident's state of licensure or residency. However, DOT must maintain files other than the driver record (the sub-driver record) for nonresidents convicted of certain violations in this state that

includes the record of conviction, certain suspensions or revocations of operating privileges, and notices of OWI-related refusals, test results, and out-of-service orders.

Upon receiving notice that a Wisconsin licensee or resident has applied for an operator's license or transferred residency to another jurisdiction, DOT must transfer the person's driver record information to the other jurisdiction if the jurisdiction is a member of the DLA or if the jurisdiction accepts responsibility for maintaining the person's driver record. With two exceptions, DOT may not thereafter update the person's driver record unless required by federal law. Under one exception, if DOT transfers the driver record to a jurisdiction that is not a member of the DLA, DOT may continue to update the driver record with respect to any conviction or suspension or revocation of the person's operating privilege for an offense committed in this state that is not recorded by the other jurisdiction on the person's driver record maintained in that jurisdiction. Under the other exception, even if DOT transfers the driver record, DOT may continue to maintain and update the sub-driver record. If the person returns to this state, DOT may use the sub-driver record to update the driver record with respect to any conviction or suspension or revocation of the person's operating privilege for an offense committed in this state that does not appear on the driver record transferred back to DOT from the person's former jurisdiction of licensure or residency. If a person licensed in another jurisdiction applies for an operator's license in this state, DOT must request that the person's driver record be transferred from the other jurisdiction. DOT may not issue an operator's license to any person whose operating privilege is currently suspended, revoked, or canceled by another jurisdiction for an offense specified by DOT as a DLA Code violation unless the suspension, revocation, or cancellation was for failure to comply with a judgment in that jurisdiction and at least five years have elapsed since the suspension, revocation, or cancellation.

Various provisions of current law control the issuance of an operator's license, or the reinstatement of an operating privilege, after suspension or revocation. DOT may not issue an operator's license to a person whose operating privilege has been revoked in this state unless the period of revocation has expired and the person satisfies certain requirements including, with exceptions, filing and maintaining proof of financial responsibility if less than three years have elapsed since the expiration of the period of revocation. DOT may issue an operator's license to a person who is moving to this state and whose operating privilege was previously suspended or revoked in another state if the person's operating privilege has been reinstated by the other state, the period of suspension or revocation that would be required under the laws of this state had the offense been committed in this state has expired, the person submits proof of financial responsibility, and the person satisfies certain other requirements.

This bill eliminates, as a condition of issuing an operator's license to a person moving to this state, the following requirements: that the person's operating privilege be reinstated by another state as long as the person is eligible for reinstatement in the other state; that the period of suspension or revocation that

would be required under the laws of this state had the offense been committed in this state has expired; and that the person submit proof of financial responsibility to DOT.

Under current law, a nonresident's operating privilege revoked in this state is reinstated as a matter of law when the period of revocation has expired, the nonresident pays the required fee, and the nonresident obtains a valid operator's license in his or her state of residence. For both residents and nonresidents alike, with limited exceptions, an operating privilege that has been suspended in this state is automatically reinstated when the period of suspension has terminated, the required fee has been paid, and, for reinstatement of an operating privilege suspended for failure to satisfy financial responsibility requirements related to a motor vehicle accident, the person files with DOT any required proof of financial responsibility. Whenever a person's operating privilege is automatically reinstated, DOT must notify the person and return any surrendered and unexpired license in its possession.

This bill eliminates the requirement that a nonresident whose operating privilege is revoked in this state obtain a valid operator's license issued by his or her resident state as a condition of reinstatement by DOT of the nonresident's operating privilege.

Under current law, under certain circumstances, the owner or operator of a motor vehicle involved in an accident may have his or her operating privilege or vehicle registrations suspended as a result of the accident. Any person whose operating privilege or vehicle registration has been suspended for failure to deposit security or demonstrate financial responsibility after an accident or judgment arising from an accident must provide (and maintain in effect) proof of financial responsibility as a condition of reinstatement of the operating privilege or vehicle registration unless at least three years have elapsed since the person became eligible for reinstatement of the operating privilege or vehicle registration. These provisions apply to any resident or nonresident operator or owner of a motor vehicle involved in an accident in this state. Also under current law, DOT may require proof of financial responsibility in other circumstances, including for issuance of an operator's license after revocation by this state of a person's operating privilege.

This bill eliminates any requirement that nonresidents provide proof of financial responsibility with respect to reinstatement of a suspended operating privilege or registration in this state, and repeals a provision specifying the form of, and requirements related to, proof of financial responsibility provided by nonresidents.

The bill also requires that DOT maintain vehicle registration records related to a court order that a vehicle be seized, immobilized, or equipped with an ignition interlock device arising from an OWI-related offense only if the vehicle is titled and registered in this state. The bill further prohibits DOT from transferring title to a vehicle under certain circumstances only if the vehicle was previously titled in this state.

Under current law, if a court suspends or revokes a person's operating privilege, the court must take possession of the person's operator's license and forward it to DOT. If a person is arrested for OWI, a law enforcement officer requests the person

to take a test to determine the amount of alcohol in his or her blood or breath, and the person either refuses to take the test or the test results indicate a prohibited alcohol concentration, the officer must take possession of the person's operator's license and forward it to DOT.

Under this bill, a court that suspends or revokes a person's operating privilege may take possession of a person's operator's license but is not required to do so. If a court does take possession of a person's operator's license, the court must destroy the license. Upon reinstatement of the person's operating privilege, instead of returning the license, DOT must issue a new license. Also, a law enforcement officer who arrests a person for OWI may not take possession of a person's operator's license.

Under current law, with certain exceptions, a person whose operating privilege is suspended or revoked and who applies for an occupational license authorizing the person to operate a motor vehicle for limited purposes must surrender his or her suspended or revoked operator's license. Under this bill, a person who is otherwise eligible to obtain an occupational license may do so without surrendering his or her revoked operator's license.

Under current law, DOT is required to keep certain records and information confidential, including signatures submitted to DOT, records of conviction and suspensions or revocations related to underage drinking offenses, social security numbers, certain driving records and identification card records, and photographs and fingerprints taken of operator's license applicants. In most cases, there are specified exceptions allowing the information or records to be disclosed only to specified persons, usually governmental entities such as courts, district attorneys, and law enforcement agencies. This bill creates an exception allowing DOT to disclose certain records and information to any driver licensing agency of another jurisdiction. The bill also creates an exception allowing DOT to disclose signatures submitted to DOT to certain specified governmental entities such as courts, district attorneys, and law enforcement agencies. The bill also specifies that any photograph that DOT provides to a law enforcement agency as allowed under current law may be in print or electronic form.

Under current law, if a person is arrested for a traffic regulation, the law enforcement officer must issue a citation and must release the person if, among other things, the person makes a specified monetary deposit or deposits the person's Wisconsin operator's license with the officer. This bill provides for the release of a person under these circumstances if the person deposits an operator's license issued by any jurisdiction, not just Wisconsin.

The bill requires DOT, within approximately six months, to submit proposed rules to administer the provisions of the bill to the Legislative Council Staff and to promulgate emergency rules to administer the provisions of the bill until the proposed rules submitted to the Legislative Council Staff become final. The bill delays the applicability of all other provisions for approximately one year.

Because this bill proposes to revoke a person's operating privilege upon conviction for an offense, DOT, as required by law, will prepare a report to be printed as an appendix to this 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.** 23.33 (13) (e) of the statutes is amended to read:

2 23.33 (13) (e) *Alcohol, controlled substances or controlled substance analogs;*
3 *assessment.* In addition to any other penalty or order, a person who violates sub. (4c)
4 (a) or (b) or (4p) (e) or who violates s. 940.09 or 940.25 if the violation involves the
5 operation of an all-terrain vehicle, shall be ordered by the court to submit to and
6 comply with an assessment by an approved public treatment facility for an
7 examination of the person's use of alcohol, controlled substances or controlled
8 substance analogs. The assessment order shall comply with s. 343.30 (1q) (c) 1. a-
9 to e. Intentional failure to comply with an assessment ordered under this paragraph
10 constitutes contempt of court, punishable under ch. 785.

11 **SECTION 2.** 118.163 (2) (a) of the statutes is amended to read:

12 118.163 (2) (a) Suspension of the person's operating privilege for not less than
13 30 days nor more than one year. The court shall ~~immediately~~ may take possession
14 of, ~~and if possession is taken, shall destroy,~~ any suspended license and forward it.
15 The court shall forward to the department of transportation ~~together with~~ a notice
16 stating the reason for and the duration of the suspension.

17 **SECTION 3.** 118.163 (2m) (a) of the statutes is amended to read:

18 118.163 (2m) (a) A county, city, village or town may enact an ordinance
19 permitting a court to suspend the operating privilege of a person who is at least 16
20 years of age but less than 18 years of age and is a dropout. The ordinance shall
21 provide that the court may suspend the person's operating privilege until the person

1 reaches the age of 18. The court ~~shall immediately~~ may take possession of, and if
2 possession is taken, shall destroy, any suspended license and forward it. The court
3 shall forward to the department of transportation together with a notice stating the
4 reason for and the duration of the suspension.

5 **SECTION 4.** 125.07 (4) (cm) of the statutes is amended to read:

6 125.07 (4) (cm) When a court revokes or suspends a person's operating privilege
7 under par. (bs) or (c), the department of transportation may not disclose information
8 concerning or relating to the revocation or suspension to any person other than a
9 court, district attorney, county corporation counsel, city, village or town attorney, law
10 enforcement agency, driver licensing agency of another jurisdiction, or the person
11 whose operating privilege is revoked or suspended. A person entitled to receive
12 information under this paragraph may not disclose the information to any other
13 person or agency.

14 **SECTION 5.** 125.085 (3) (bp) of the statutes is amended to read:

15 125.085 (3) (bp) When a court suspends a person's operating privilege under
16 par. (bd), the department of transportation may not disclose information concerning
17 or relating to the suspension to any person other than a court, district attorney,
18 county corporation counsel, city, village or town attorney, law enforcement agency,
19 driver licensing agency of another jurisdiction, or the person whose operating
20 privilege is suspended. A person entitled to receive information under this
21 paragraph may not disclose the information to any other person or agency.

22 **SECTION 6.** 342.12 (4) (a) and (b) of the statutes are amended to read:

23 342.12 (4) (a) The district attorney shall notify the department when he or she
24 files a criminal complaint against a person who has been arrested for violating s.
25 346.63 (1) or (2), 940.09 (1) or 940.25 and who has 2 or more prior convictions,

1 suspensions or revocations, as counted under s. 343.307 (1). Except as provided
2 under par. (c), if the department has previously issued a valid certificate of title for
3 the motor vehicle owned by the person and involved in the violation, the department
4 may not issue a certificate of title transferring ownership of ~~the motor~~ this vehicle
5 ~~owned by the person and involved in the violation~~ upon receipt of a notice under this
6 subsection until the court assigned to hear the criminal complaint issues an order
7 permitting the department to issue a certificate of title.

8 (b) Except as provided under par. (c), if the department has previously issued
9 a valid certificate of title for the motor vehicle owned by the person and involved in
10 the violation, the department may not issue a certificate of title transferring
11 ownership of ~~the motor~~ this vehicle ~~owned by a person and involved in the violation~~
12 upon receipt of a notice of intent to revoke the person's operating privilege under s.
13 343.305 (9) (a), if the person has 3 or more prior convictions, suspensions or
14 revocations, as counted under s. 343.307 (1), until the court assigned to the hearing
15 under s. 343.305 (9) issues an order permitting the department to issue a certificate
16 of title.

17 **SECTION 7.** 343.01 (2) (bc) of the statutes is created to read:

18 343.01 (2) (bc) "Home jurisdiction" means another jurisdiction that has most
19 recently issued an operator's license to a person or, if the person has not been issued
20 an operator's license by another jurisdiction, another jurisdiction where the person
21 resides.

****NOTE: I have modified this definition in response to Paul Nilsen's comments,
but not exactly in the manner described. Is this definition OK?

22 **SECTION 8.** 343.01 (2) (bm) of the statutes is created to read:

1 343.01 (2) (bm) "Member jurisdiction" means another jurisdiction that has
2 entered into the driver license agreement, as described in s. 343.02 (3) (a).

3 SECTION 9. 343.02 (3) of the statutes is created to read:

4 343.02 (3) (a) To promote the efficient administration and enforcement of the
5 provisions of this chapter, this state, through the department, shall join the
6 agreement facilitated by the American Association of Motor Vehicle Administrators
7 that, as of the effective date of this paragraph [revisor inserts date], is known as
8 the "Driver License Agreement" that establishes standards among participating
9 jurisdictions for the treatment and exchange of driver licensing and conviction
10 information and other data pertinent to the licensing process.

11 (b) The department shall promulgate rules as the secretary considers
12 necessary to effectuate the purposes of the driver license agreement and shall
13 promulgate rules, timed to become effective with the effective date of the state's
14 joinder in the driver license agreement, that identify all violations of, and
15 administrative actions under, the laws of this state and describe by type or category
16 all equivalent violations of, and administrative actions under, the laws of other
17 jurisdictions that, under the driver license agreement, are required to be recognized
18 as violations or authorized administrative actions among all jurisdictions that are
19 parties to the driver license agreement.

20 (c) The department shall provide for publication of notice of the state's joinder
21 in the driver license agreement, including the effective date of such joinder, by notice
22 published by the revisor of statutes in the Wisconsin Administrative Register under
23 s. 35.93 (4).

as affected by 2005 Wisconsin Acts 25 and 59

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SECTION 10. 343.027 of the statutes is amended to read:

repealed and
recreated

1 **343.027 Confidentiality of signatures.** Any signature collected under this
 2 chapter may be maintained by the department and shall be kept confidential, except
 3 that the department shall release a signature or a facsimile of a signature to the
 4 department of revenue for the purposes of administering state taxes and collecting
 5 debt ^{to} ~~or,~~ to the person to whom the signature relates, to a court, district attorney,
 6 county corporation counsel, city, village, or town attorney, law enforcement agency,
 7 or to the driver licensing agency of another jurisdiction.

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8 **SECTION 11.** 343.03 (5) (a) of the statutes is amended to read:

9 343.03 (5) (a) Before issuing or renewing any license under this chapter, the
 10 department shall obtain driver record information from the national driver registry
 11 and commercial driver license information system to determine whether the
 12 applicant holds a commercial driver license, or a license that is revoked, suspended
 13 or canceled, or is otherwise disqualified. If the applicant is currently licensed in
 14 another state jurisdiction, the department shall obtain information on the
 15 applicant's license status with the state jurisdiction of licensure before issuing a
 16 license, including requesting transfer to the department of the applicant's driver
 17 record information from the other jurisdiction if that jurisdiction is a member
 18 jurisdiction.

19 **SECTION 12.** 343.03 (6) (a) of the statutes is amended to read:

20 343.03 (6) (a) The department shall, upon request, provide to the commercial
 21 driver license information system and the driver licensing agencies of other states
 22 jurisdictions any applicant or driver record information maintained by the
 23 department.

24 **SECTION 13.** 343.05 (1) (a) of the statutes is amended to read:

1 343.05 (1) (a) Except as provided in this subsection, no person may at any time
2 have more than one operator's license. This prohibition includes, without limitation,
3 having licenses from more than one state, having licenses under more than one name
4 or birthdate, ~~having an occupational license without having surrendered the revoked~~
5 ~~or suspended license document,~~ and having more than one license issued for the
6 operation of different types or classes of vehicles. This paragraph does not apply to
7 any person who has only operator's licenses issued by this state and by a country,
8 province, or subdivision that is a party to an agreement under s. 343.16 (1) (d).

9 **SECTION 14.** 343.05 (5) (b) 1. of the statutes is amended to read:

10 343.05 (5) (b) 1. Except as provided in subd. 2. and sub. (6), any person who
11 violates sub. (3) (a) may be required to forfeit not more than \$200 for the first offense,
12 may be fined not more than \$300 and imprisoned for not more than 30 days for the
13 2nd offense occurring within 3 years, and may be fined not more than \$500 and
14 imprisoned for not more than 6 months for the 3rd or subsequent offense occurring
15 within 3 years. A violation of a local ordinance in conformity with this section ~~or a~~
16 ~~violation of,~~ a law of a federally recognized American Indian tribe or band in this
17 state in conformity with this section, or the law of another jurisdiction for an offense
18 therein which, if committed in this state, would have been a violation under this
19 section, shall count as a previous offense.

20 **SECTION 15.** 343.06 (1) (bm) of the statutes is created to read:

21 343.06 (1) (bm) To any person whose operating privilege is currently
22 suspended, revoked, or canceled by another jurisdiction for an offense or combination
23 of offenses identified in the rules under s. 343.02 (3) (b), except if the operating
24 privilege was suspended, revoked, or canceled by another jurisdiction for failure to
25 comply with a judgment in that other jurisdiction and at least 5 years have elapsed

1 since the operating privilege was suspended, revoked, or canceled for failure to
2 comply.

3 **SECTION 16.** 343.06 (1) (j) of the statutes is amended to read:

4 343.06 (1) (j) To any person applying for his or her first license or identification
5 card ~~or for a reinstated license~~ in this state unless the person has submitted
6 satisfactory proof of his or her name and date of birth, identity, and, if applicable,
7 residency, or to any person applying for a reinstated license in this state unless the
8 person has submitted satisfactory proof of his or her identity.

9 **SECTION 17.** 343.06 (2) of the statutes is amended to read:

10 343.06 (2) The department shall not issue a commercial driver license,
11 including a renewal or reinstated license, to any person during any period of
12 disqualification under s. 343.315 or 49 CFR 383.51 or the law of another jurisdiction
13 in substantial conformity therewith, as the result of one or more disqualifying
14 offenses committed on or after July 1, 1987, or to any person whose operating
15 privilege is revoked, suspended, or canceled. ~~Any~~ With respect to any person who is
16 known to the department to be subject to disqualification as described in s. 343.44
17 (1) (d), the department shall be disqualified by the department as provided disqualify
18 the person or provide notice as specified in s. 343.315.

19 **SECTION 18.** 343.085 (4) of the statutes is amended to read:

20 343.085 (4) The secretary may require that a person be continued on
21 probationary status beyond the period of first issuance if such person appears by the
22 records of the department to have repeatedly violated any of the state traffic laws or
23 any local ordinance in conformity therewith or any law of a federally recognized
24 American Indian tribe or band in this state in conformity with any of the state traffic
25 laws or any law of another jurisdiction for an offense therein which, if committed in

as affected by 2005 Wisconsin Acts 25 and 59A

1 this state, would have been a violation of this state's traffic laws. A person may not
2 be continued on probationary status due to a suspension under s. 343.30 (6).

3 SECTION 19. 343.10 (2) (a) 3. of the statutes is repealed.

repealed and recreated

4 **SECTION 20.** 343.14 (2j) (b) of the statutes is amended to read:

Please fix comp.

delete scoring plain text

5 343.14 (2j) (b) Except as provided in sub. (2g) (b) and as otherwise required to
6 administer and enforce this chapter, the department of transportation may not
7 disclose a social security number obtained from an applicant for a license under sub.
8 (2) (bm) to any person except to the department of workforce development for the sole
9 purpose of administering s. 49.22 ~~or~~ to the department of revenue for the purposes
10 of administering state taxes and collecting debt, or to the driver licensing agency of
11 another jurisdiction.

NOTE: This may need to be reconciled with a revisor's bill.

12 SECTION 21. 343.16 (5) (a) of the statutes is amended to read:

13 343.16 (5) (a) The secretary may require any applicant for a license or any
14 licensed operator to submit to a special examination by such persons or agencies as
15 the secretary may direct to determine incompetency, physical or mental disability,
16 disease, or any other condition that might prevent such applicant or licensed person
17 from exercising reasonable and ordinary control over a motor vehicle. If the
18 department requires the applicant to submit to an examination, the applicant shall
19 pay for the examination. If the department receives an application for a renewal or
20 duplicate license after voluntary surrender under s. 343.265 or receives a report from
21 a physician, advanced practice nurse prescriber certified under s. 441.16 (2), or
22 optometrist under s. 146.82 (3), or if the department has a report of 2 or more arrests
23 within a one-year period for any combination of violations of s. 346.63 (1) or (5) or
24 a local ordinance in conformity with s. 346.63 (1) or (5) or a law of a federally

1 recognized American Indian tribe or band in this state in conformity with s. 346.63
2 (1) or (5), or s. 346.63 (1m), 1985 stats., or s. 346.63 (2) or (6) or 940.25, or s. 940.09
3 where the offense involved the use of a vehicle, or the law of another jurisdiction for
4 an offense therein which, if committed in this state, would have been a violation of
5 any of these provisions, the department shall determine, by interview or otherwise,
6 whether the operator should submit to an examination under this section. The
7 examination may consist of an assessment. If the examination indicates that
8 education or treatment for a disability, disease or condition concerning the use of
9 alcohol, a controlled substance or a controlled substance analog is appropriate, the
10 department may order a driver safety plan in accordance with s. 343.30 (1q). If there
11 is noncompliance with assessment or the driver safety plan, the department shall
12 revoke the person's operating privilege in the manner specified in s. 343.30 (1q) (d).

13 **SECTION 22.** 343.20 (1) (e) 1. of the statutes is amended to read:

14 343.20 (1) (e) 1. The person is moving to this state, surrenders his or her valid
15 commercial driver license issued by another state jurisdiction, and makes
16 application for a commercial driver license in this state.

17 **SECTION 23.** 343.23 (2) (a) (intro.) of the statutes is amended to read:

18 343.23 (2) (a) (intro.) The Subject to par. (am) 1. c., the department shall
19 maintain a file for each licensee ~~or other person~~ who is a licensee under this chapter
20 or is a resident to whom another jurisdiction has not issued an operator's license
21 containing the application for license, permit or endorsement, a record of reports or
22 abstract of convictions, any notice received from another jurisdiction of the
23 revocation, suspension, or cancellation of the person's operating privilege in that
24 other jurisdiction, any notice received from the federal transportation security
25 administration concerning the person's eligibility for an "H" endorsement specified

1 in s. 343.17 (3) (d) 1m., the status of the person's authorization to operate different
2 vehicle groups, a record of any out-of-service orders issued under s. 343.305 (7) (b)
3 or (9) (am), a record of the date on which any background investigation specified in
4 s. 343.12 (6) (a) or (d) was completed, and a record of any reportable accident in which
5 the person has been involved, including specification of any type of license and
6 endorsements issued under this chapter under which the person was operating at
7 the time of the accident and an indication whether or not the accident occurred in the
8 course of any of the following:

9 **SECTION 24.** 343.23 (2) (b) of the statutes is amended to read:

10 343.23 (2) (b) The information specified in pars. (a) and (am) must be filed by
11 the department so that the complete operator's record is available for the use of the
12 secretary in determining whether operating privileges of such person shall be
13 suspended, revoked, canceled, or withheld, or the person disqualified, in the interest
14 of public safety. The secretary may also consider the information specified in sub.
15 (2m) for purposes of this paragraph, and, except as provided in sub. (3) (a), any
16 information maintained under sub. (2m) that is described in this paragraph shall be
17 maintained for the periods specified in this paragraph. The record of suspensions,
18 revocations, and convictions that would be counted under s. 343.307 (2) shall be
19 maintained permanently, except that the department shall purge the record of a first
20 violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b) after
21 10 years, if the person who committed the violation had a blood alcohol concentration
22 of 0.08 or more but less than 0.1 at the time of the violation, if the person does not
23 have a commercial driver license, if the violation was not committed by a person
24 operating a commercial motor vehicle, and if the person has no other suspension,
25 revocation, or conviction that would be counted under s. 343.307 during that 10-year

^ Subject to
50343023 (3m)^

1 period. The record of convictions for disqualifying offenses under s. 343.315 (2) (h)
 2 shall be maintained for at least 10 years. The record of convictions for disqualifying
 3 offenses under s. 343.315 (2) (f) and (j), and all records specified in par. (am), shall
 4 be maintained for at least 3 years. The record of convictions for disqualifying offenses
 5 under s. 343.315 (2) (a) to (e) shall be maintained permanently, ^{plain} except that ^{plain} 5 years
 6 after a licensee transfers residency to another state such record may be transferred
 7 to another state of licensure of the licensee if that state accepts responsibility for
 8 maintaining a permanent record of convictions for disqualifying offenses. Such
 9 reports and records may be cumulative beyond the period for which a license is
 10 granted, but the secretary, in exercising the power of suspension granted under s.
 11 343.32 (2) may consider only those reports and records entered during the 4-year
 12 period immediately preceding the exercise of such power of suspension.

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SECTION 25. 343.23 (2m) of the statutes is created to read:

14 343.23 (2m) (a) Subject to sub. (3m) (b), the department shall maintain a file,
 15 other than the operator's record file specified in sub. (2) (a), for each nonresident who
 16 is convicted of a violation, or who otherwise commits an offense, in this state that
 17 shall include all of the following:

1. A record of reports or abstract of convictions resulting from any offense
 defined in s. ^{343.305(10)(cm)} ~~343.31(1)~~ or ³⁴³⁰³⁰⁷ ~~(2)~~.

~~record of reports or abstract of convictions resulting from any offense for
 which a suspension or revocation of the person's operating privilege is
 ordered or any such court-ordered suspension or revocation of the~~

① ²⁸ 3 A record of any suspension or revocation by the department of the person's
 ② operating privilege under par. (b) or as provided under s. 343.31 (2z), 343.34 (2),
 ③ 344.08 (1m), 344.14 (1r), 344.25 (7), or 351.025 (3).

④ ³⁰ 4 A record of any administrative suspension, notice of refusal, notice of intent
 5 to revoke, issuance of an out-of-service order, or report of test results under s.
 6 343.305 (7) or (9).

⑦ 5. A record of any revocation under s. 343.305 (10) (em).

****NOTE: Is this sub-driver record now consistent with your intent?

8 (b) The department may use the file under par. (a), and the file specified in sub.
 9 (2) (a) if updated as provided in sub. (3m) (b), to suspend or revoke the operating
 10 privilege of, or to disqualify, a nonresident if any of the following apply:

11 1. The person is licensed by or resides in another jurisdiction that is not a
 12 member jurisdiction.

13 2. The offense for which the suspension, revocation, or disqualification occurs
 14 was committed in this state and is not an offense identified in the rules under s.
 15 343.02 (3) (b).

16 (c) Nothing in this subsection requires the department to maintain a record of
 17 any conviction if, at the time of the conviction, the person was licensed in or resided
 18 in another jurisdiction.

19 SECTION 26. 343.23 (3m) of the statutes is created to read:

Subject to
 343.03 (7) ^

⑩ 20 343.23 (3m) (a) Upon receiving notice that a person for whom the department
 21 maintains a file under sub. (2) (a) has applied for or been issued an operator's license
 22 in another jurisdiction or has transferred residency to another jurisdiction, the
 23 department shall transfer to the other jurisdiction all file information specified in
 24 sub. (2) (a) and (am) within 30 days of receiving such notice if the other jurisdiction

1 is a member jurisdiction or if the other jurisdiction accepts responsibility for
2 maintaining the person's operator's record. Subject to par. (b), upon such transfer,
3 the department shall not update the file described in sub. (2) (a) with any information
4 described in sub. (2) (a) and (am) except as provided under sub. (2) (am) 1. c. and
5 except as required under federal law.

6 (b) If the department transfers the operator's record file information to another
7 jurisdiction as provided in par. (a), and that other jurisdiction is not a member
8 jurisdiction, the department may continue to update the file specified in sub. (2) (a)
9 with respect to any conviction or other information described in sub. (2) (a) and (am)
10 related to an offense committed in this state that is not recorded by the other
11 jurisdiction on the person's operator's record.

12 (c) If the department transfers a person's operator's record file information to
13 another jurisdiction as provided in par. (a), the department may continue to
14 maintain and update the file specified in sub. (2m). If a person subsequently applies
15 for or is issued an operator's license under this chapter or transfers residency back
16 to this state, the department may use the file specified in sub. (2m) to update the file
17 specified in sub. (2) (a) with respect to any conviction, suspension, revocation,
18 disqualification, or other information contained in the file specified in sub. (2m)
19 related to an offense committed in this state that does not appear on an operator's
20 record transferred to the department from the person's former jurisdiction of
21 licensure or residency.

22 **SECTION 27.** 343.23 (4) (b) of the statutes is amended to read:

23 343.23 (4) (b) Any record of issuance of an out-of-service order under s. 343.305
24 (7) (b) or (9) (am) upon receipt of a report from the court hearing the action arising
25 out of the same incident or occurrence that the action has been dismissed or the

1 person has been found innocent of the charge of violating s. 346.63 (7) arising out of
2 that incident or occurrence. ~~In the case of a nonresident, the department shall also~~
3 ~~inform the state of licensure of the dismissal or finding of innocence.~~

4 **SECTION 28.** 343.235 (3) (a) of the statutes is amended to read:

5 343.235 (3) (a) A law enforcement agency, a state authority, a district attorney,
6 a driver licensing agency of another jurisdiction, or a federal governmental agency,
7 to perform a legally authorized function.

8 **SECTION 29.** 343.237 (2) of the statutes is amended to read:

9 343.237 (2) Any photograph taken of an applicant under s. 343.14 (3) or 343.50
10 (4), and any fingerprint taken of an applicant under s. 343.12 (6) (b), may be
11 maintained by the department and, except as provided in this section, shall be kept
12 confidential. Except as provided in this section, the department may release a
13 photograph or fingerprint only to the person whose photograph or fingerprint was
14 taken or to the driver licensing agency of another jurisdiction.

15 **SECTION 30.** 343.237 (3) (intro.) of the statutes is amended to read:

16 343.237 (3) (intro.) The department shall provide a Wisconsin law enforcement
17 agency or a federal law enforcement agency with a print or electronic copy of a
18 photograph taken on or after September 1, 1997, of an applicant under s. 343.14 (3)
19 or 343.50 (4), or a printed or electronic copy of a fingerprint taken of an applicant
20 under s. 343.12 (6) (b), if the department receives a written request on the law
21 enforcement agency's letterhead that contains all of the following:

****NOTE: This small change should allow DOT to provide electronic photos to law
enforcement agencies. All other requirements of s. 343.237, including the warning
language of s. 343.237 (4m), would still apply.

22 **SECTION 31.** 343.24 (3) of the statutes is amended to read:

1 343.24 (3) The department shall not disclose information concerning or related
2 to a violation as defined by s. 343.30 (6) to any person other than a court, district
3 attorney, county corporation counsel, city, village, or town attorney, law enforcement
4 agency, driver licensing agency of another jurisdiction, or the minor who committed
5 the violation or his or her parent or guardian.

6 **SECTION 32.** 343.24 (4) (c) 1. of the statutes is amended to read:

7 343.24 (4) (c) 1. A law enforcement agency, a state authority, a district attorney,
8 a driver licensing agency of another jurisdiction, or a federal governmental agency,
9 to perform a legally authorized function.

10 **SECTION 33.** 343.28 (2) of the statutes is amended to read:

11 343.28 (2) Whenever a person is convicted of any offense for which s. 343.31
12 makes mandatory the revocation by the secretary of such person's operating
13 privilege, the court in which the conviction occurred ~~shall~~ may require the surrender
14 to it of any license then held by such person and, if the court requires surrender of
15 a license, the court shall destroy the license. The clerk of the court, or the justice,
16 judge or magistrate if the court has no clerk, shall, as provided in s. 345.48, forward
17 to the department the record of conviction ~~and any surrendered licenses. The record~~
18 ~~of conviction forwarded to the department, which~~ shall state whether the offender
19 was involved in an accident at the time of the offense, whether the offender was
20 operating a commercial motor vehicle at the time of the offense and, if so, whether
21 the offender was transporting hazardous materials requiring placarding or any
22 quantity of a material listed as a select agent or toxin under 42 CFR 73, or was
23 operating a vehicle designed to carry, or actually carrying, 16 or more passengers,
24 including the driver.

25 **SECTION 34.** 343.30 (1g) (b) of the statutes is amended to read:

1 343.30 (1g) (b) A court ~~shall~~ ^{strike} revoke a person's operating privilege upon the
2 person's conviction for violating s. 343.44 (1) (a), (b) or (d) or a local ordinance in
3 conformity therewith if the person has been convicted of 3 or more prior violations
4 of s. 343.44 (1) (a), (b) or (d), or of similar violations under s. 343.44 (1), 1997 stats.,
5 ~~or a local ordinance in conformity therewith,~~ with s. 343.44 (1) (a), (b), or (d), or the
6 law of another jurisdiction prohibiting operating a motor vehicle with a suspended
7 or revoked license or while disqualified or ordered out of service, as those terms or
8 substantially similar terms are used in that other jurisdiction's laws, within the
9 5-year period preceding the violation. The revocation shall be for a period of 6
10 months, unless the court orders a period of revocation of less than 6 months and
11 places its reasons for ordering the lesser period of revocation on the record.

12 **SECTION 35.** 343.30 (1q) (b) 4. of the statutes is amended to read:

13 343.30 (1q) (b) 4. Except as provided in subd. 4m., if the number of convictions
14 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other
15 convictions, suspensions, and revocations counted under s. 343.307 (1), equals 3 or
16 more, the court shall revoke the person's operating privilege for not less than 2 years
17 nor more than 3 years. After the first 90 days of the revocation period or, if the total
18 number of convictions, suspensions, and revocations counted under this subdivision
19 within any 5-year period equals 2 or more, after one year of the revocation period has
20 elapsed, the person is eligible for an occupational license under s. 343.10 if he or she
21 has completed the assessment, if applicable, and is complying with the driver safety
22 plan ordered under par. (c), if applicable.

23 **SECTION 36.** 343.30 (1q) (c) 1. (intro.), a. and c. of the statutes are consolidated,
24 renumbered 343.30 (1q) (c) 1. and amended to read:

1 343.30 (1q) (c) 1. Except as provided in ~~subd. 1. a. or b.~~ this subdivision, and
2 except for a first violation of s. 346.63 (1) (b), if the person who committed the
3 violation is a licensee under this chapter or is a resident to whom another jurisdiction
4 has not issued an operator's license and had a blood alcohol concentration of 0.08 or
5 more but less than 0.1 at the time of the violation, the court shall order the person
6 to submit to and comply with an assessment by an approved public treatment facility
7 as defined in s. 51.45 (2) (c) for examination of the person's use of alcohol, controlled
8 substances or controlled substance analogs and development of a driver safety plan
9 for the person. The court shall notify the department of transportation of the
10 assessment order. The court shall notify the person that noncompliance with
11 assessment or the driver safety plan will result in revocation of the person's
12 operating privilege until the person is in compliance. The assessment order shall:
13 ~~a. If the person is a resident,~~ refer the person to an approved public treatment facility
14 in the county in which the person resides. The facility named in the order may
15 provide for assessment of the person in another approved public treatment facility.
16 The order shall provide that if the person is temporarily residing in another state,
17 the facility named in the order may refer the person to an appropriate treatment
18 facility in that state for assessment and development of a driver safety plan for the
19 person satisfying the requirements of that state. ~~Require~~ ^{c-24} The assessment order shall
20 require a person who is referred to a treatment facility in another state under ~~subd.~~
21 ~~1. a. or b.~~ this subdivision to furnish the department written verification of his or her
22 compliance from the agency which administers the assessment and driver safety
23 plan program. The person shall provide initial verification of compliance within 60
24 days after the date of his or her conviction. The requirement to furnish verification

1 of compliance may be satisfied by receipt by the department of such verification from
2 the agency which administers the assessment and driver safety plan program.

3 **SECTION 37.** 343.30 (1q) (c) 1. b. of the statutes is repealed.

4 **SECTION 38.** 343.30 (2j) (a) of the statutes is renumbered 343.30 (2j) and
5 amended to read:

6 343.30 (2j) A court may revoke a person's operating privilege upon the person's
7 first conviction for violating s. 346.44 or 346.62 (2m) and shall revoke a person's
8 operating privilege upon the person's ~~2nd or subsequent~~ conviction for violating s.
9 346.44 or 346.62 (2m) if within a 5-year period, the person was previously convicted
10 for violating s. 346.44 or 346.62 (2m) or the law of another jurisdiction for an offense
11 therein which, if committed in this state, would have been cause for revocation under
12 this subsection. The revocation shall be for a period of 6 months. For purposes of
13 determining prior convictions for purposes of this paragraph subsection, the 5-year
14 period shall be measured from the dates of the violations that resulted in the
15 convictions. Each conviction under s. 346.44 or 346.62 (2m) or the applicable law of
16 another jurisdiction shall be counted, except that convictions under s. 346.44 and
17 346.62 (2m) or the applicable law of another jurisdiction arising out of the same
18 incident or occurrence shall be counted as a single conviction.

****NOTE: I revised this provision from the "/P1" draft, as it didn't seem correct to
me.

19 **SECTION 39.** 343.30 (4) of the statutes is amended to read:

20 343.30 (4) Whenever a court or judge suspends or revokes an operating
21 privilege under this section, the court or judge ~~shall immediately~~ may take
22 possession of, and if possession is taken, shall destroy, any suspended or revoked
23 license and. The court or judge shall forward it, as provided in s. 345.48, to the

1 department ~~together with~~ the record of conviction and notice of suspension or
2 revocation. Whenever a court or judge restricts the operating privilege of a person,
3 the court or judge shall forward notice of the restriction to the department.

4 **SECTION 40.** 343.30 (5) of the statutes is amended to read:

5 343.30 (5) No court may suspend or revoke an operating privilege except as
6 authorized by this chapter or ch. 345, 351, or 938 or s. 767.73, 800.09 (1) (c), 800.095
7 (4) (b) 4., 943.21 (3m), or 961.50. When a court revokes, suspends, or restricts a
8 juvenile's operating privilege under ch. 938, the department of transportation shall
9 not disclose information concerning or relating to the revocation, suspension, or
10 restriction to any person other than a court, district attorney, county corporation
11 counsel, city, village, or town attorney, law enforcement agency, driver licensing
12 agency of another jurisdiction, or the minor whose operating privilege is revoked,
13 suspended, or restricted, or his or her parent or guardian. Persons entitled to receive
14 this information shall not disclose the information to other persons or agencies.

15 **SECTION 41.** 343.301 (1) (e) of the statutes is created to read:

16 343.301 (1) (e) The court shall notify the department, in a form and manner
17 prescribed by the department, that an order requiring a motor vehicle to be equipped
18 with an ignition interlock device has been entered. If the motor vehicle is registered
19 in this state under ch. 341 and the department has issued a valid certificate of title
20 for the vehicle under ch. 342, the registration records of the department shall reflect
21 that the order has been entered against the motor vehicle and remains unexecuted.
22 Any law enforcement officer may execute that order based on the information
23 provided by the department. The law enforcement agency shall notify the
24 department when an order has been executed under this paragraph and the
25 department shall amend its vehicle registration records to reflect that notification

1 if the motor vehicle is registered in this state under ch. 341 and the department has
2 issued a valid certificate of title for the vehicle under ch. 342.

3 **SECTION 42.** 343.301 (2) (d) of the statutes is amended to read:

4 343.301 (2) (d) The court shall notify the department, in a form and manner
5 prescribed by the department, that an order to immobilize a motor vehicle has been
6 entered. The If the motor vehicle is registered in this state under ch. 341 and the
7 department has issued a valid certificate of title for the vehicle under ch. 342, the
8 registration records of the department shall reflect that the order has been entered
9 against the motor vehicle and remains unexecuted. Any law enforcement officer may
10 execute that order based on the information provided by the department. The law
11 enforcement agency shall notify the department when an order has been executed
12 under this paragraph and the department shall amend its vehicle registration
13 records to reflect that notification if the motor vehicle is registered in this state under
14 ch. 341 and the department has issued a valid certificate of title for the vehicle under
15 ch. 342.

16 **SECTION 43.** 343.305 (7) (a) of the statutes is amended to read:

17 343.305 (7) (a) If a person submits to chemical testing administered in
18 accordance with this section and any test results indicate the presence of a detectable
19 amount of a restricted controlled substance in the person's blood or a prohibited
20 alcohol concentration, the law enforcement officer shall report the results to the
21 department ~~and take possession of the person's license and forward it to the~~
22 ~~department.~~ The person's operating privilege is administratively suspended for 6
23 months.

24 **SECTION 44.** 343.305 (7) (b) of the statutes is amended to read:

1 343.305 (7) (b) If a person who was driving or operating or on duty time with
2 respect to a commercial motor vehicle submits to chemical testing administered in
3 accordance with this section and any test results indicate an alcohol concentration
4 above 0.0, the law enforcement officer ~~may take possession of the person's license and~~
5 ~~retain the license for 24 hours. The person may reclaim a seized license in person~~
6 ~~or request return of the license by mail. The law enforcement officer shall issue a~~
7 citation for violation of s. 346.63 (7) (a) 1., issue citations for such other violations as
8 may apply and issue an out-of-service order to the person for the 24 hours after the
9 testing, and report both the out-of-service order and the test results to the
10 department in the manner prescribed by the department. ~~If the person is a~~
11 ~~nonresident, the department shall report issuance of the out-of-service order to the~~
12 ~~driver licensing agency in the person's home jurisdiction.~~

13 **SECTION 45.** 343.305 (9) (a) (intro.) of the statutes is amended to read:

14 343.305 (9) (a) (intro.) If a person refuses to take a test under sub. (3) (a), the
15 law enforcement officer shall immediately ~~take possession of the person's license and~~
16 prepare a notice of intent to revoke, by court order under sub. (10), the person's
17 operating privilege. If the person was driving or operating a commercial motor
18 vehicle, the officer shall issue an out-of-service order to the person for the 24 hours
19 after the refusal and notify the department in the manner prescribed by the
20 department. The officer shall issue a copy of the notice of intent to revoke the
21 privilege to the person and submit or mail a copy ~~with the person's license to the~~
22 circuit court for the county in which the arrest under sub. (3) (a) was made or to the
23 municipal court in the municipality in which the arrest was made if the arrest was
24 for a violation of a municipal ordinance under sub. (3) (a) and the municipality has
25 a municipal court. The officer shall also mail a copy of the notice of intent to revoke

1 to the attorney for that municipality or to the district attorney for that county, as
2 appropriate, and to the department. Neither party is entitled to pretrial discovery
3 in any refusal hearing, except that, if the defendant moves within 30 days after the
4 initial appearance in person or by an attorney and shows cause therefor, the court
5 may order that the defendant be allowed to inspect documents, including lists of
6 names and addresses of witnesses, if available, and to test under s. 804.09, under
7 such conditions as the court prescribes, any devices used by the plaintiff to determine
8 whether a violation has been committed. The notice of intent to revoke the person's
9 operating privilege shall contain substantially all of the following information:

10 **SECTION 46.** 343.305 (9) (am) (intro.) of the statutes is amended to read:

11 343.305 (9) (am) (intro.) If a person driving or operating or on duty time with
12 respect to a commercial motor vehicle refuses a test under sub. (3) (am), the law
13 enforcement officer shall immediately ~~take possession of the person's license,~~ issue
14 an out-of-service order to the person for the 24 hours after the refusal and notify the
15 department in the manner prescribed by the department, and prepare a notice of
16 intent to revoke, by court order under sub. (10), the person's operating privilege. The
17 officer shall issue a copy of the notice of intent to revoke the privilege to the person
18 and submit or mail a copy ~~with the person's license~~ to the circuit court for the county
19 in which the refusal is made or to the municipal court in the municipality in which
20 the refusal is made if the person's refusal was in violation of a municipal ordinance
21 and the municipality has a municipal court. The officer shall also mail a copy of the
22 notice of intent to revoke to the attorney for that municipality or to the district
23 attorney for that county, as appropriate, and to the department. Neither party is
24 entitled to pretrial discovery in any refusal hearing, except that, if the defendant
25 moves within 30 days after the initial appearance in person or by an attorney and

1 shows cause therefor, the court may order that the defendant be allowed to inspect
2 documents, including lists of names and addresses of witnesses, if available, and to
3 test under s. 804.09, under such conditions as the court prescribes, any devices used
4 by the plaintiff to determine whether a violation has been committed. The notice of
5 intent to revoke the person's operating privilege shall contain substantially all of the
6 following information:

7 **SECTION 47.** 343.305 (10) (b) 3. of the statutes is amended to read:

8 343.305 (10) (b) 3. Except as provided in subd. 4m., if the number of convictions
9 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other
10 convictions, suspensions, and revocations counted under s. 343.307 (2) within a
11 10-year period, equals 2, the court shall revoke the person's operating privilege for
12 2 years. After the first 90 days of the revocation period or, if the total number of
13 convictions, suspensions, and revocations counted under this subdivision within any
14 5-year period equals 2 or more, after one year of the revocation period has elapsed,
15 the person is eligible for an occupational license under s. 343.10 if he or she has
16 completed the assessment, if applicable, and is complying with the driver safety
17 plan, if applicable.

18 **SECTION 48.** 343.305 (10) (b) 4. of the statutes is amended to read:

19 343.305 (10) (b) 4. Except as provided in subd. 4m., if the number of convictions
20 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other
21 convictions, suspensions, and revocations counted under s. 343.307 (2), equals 3 or
22 more, the court shall revoke the person's operating privilege for 3 years. After the
23 first 120 days of the revocation period or, if the total number of convictions,
24 suspensions, and revocations counted under this subdivision within any 5-year
25 period equals 2 or more, after one year of the revocation period has elapsed, the

1 person is eligible for an occupational license under s. 343.10 if he or she has
2 completed the assessment, if applicable, and is complying with the driver safety
3 plan, if applicable.

4 SECTION 49. 343.305 (10) (c) 1. (intro.), a. and c. of the statutes are consolidated,
5 renumbered 343.305 (10) (c) 1. and amended to read:

6 343.305 (10) (c) 1. Except as provided in ~~subd. 1. a. or b.~~ this subdivision, if the
7 person is a licensee under this chapter or is a resident to whom another jurisdiction
8 has not issued an operator's license, the court shall order the person to submit to and
9 comply with an assessment by an approved public treatment facility as defined in s.
10 51.45 (2) (c) for examination of the person's use of alcohol, controlled substances or
11 controlled substance analogs and development of a driver safety plan for the person.
12 The court shall notify the person and the department of transportation of the
13 assessment order. The court shall also notify the person that noncompliance with
14 assessment or the driver safety plan will result in license suspension until the person
15 is in compliance. The assessment order shall: ^{a. 111} If the person is a resident, refer the
16 person to an approved public treatment facility in the county in which the person
17 resides. The facility named in the order may provide for assessment of the person
18 in another approved public treatment facility. The order shall provide that if the
19 person is temporarily residing in another state, the facility named in the order may
20 refer the person to an appropriate treatment facility in that state for assessment and
21 development of a driver safety plan for the person satisfying the requirements of that
22 state. ^{c. 111} Require The assessment order shall require a person who is referred to a
23 treatment facility in another state under ~~subd. 1. a. or b.~~ this subdivision to furnish
24 the department written verification of his or her compliance from the agency which
25 administers the assessment and driver safety plan program. The person shall

1 provide initial verification of compliance within 60 days after the date of his or her
2 conviction. The requirement to furnish verification of compliance may be satisfied
3 by receipt by the department of such verification from the agency which administers
4 the assessment and driver safety plan program.

5 **SECTION 50.** 343.305 (10) (c) 1. b. of the statutes is repealed.

6 **SECTION 51.** 343.305 (11) of the statutes is amended to read:

7 343.305 (11) RULES. The department shall promulgate rules under ch. 227
8 necessary to administer this section. The rules shall include provisions relating to
9 the expeditious exchange of information under this section between the department
10 and law enforcement agencies, circuit courts, municipal courts, attorneys who
11 represent municipalities, and district attorneys, and driver licensing agencies of
12 other jurisdictions. The rules may not affect any provisions relating to court
13 procedure.

14 **SECTION 52.** 343.31 (1) (intro.) of the statutes is amended to read:

15 343.31 (1) (intro.) The Subject to sub. (2z) (a), the department shall revoke a
16 person's the operating privilege of a person who is a licensee under this chapter or
17 is a resident to whom another jurisdiction has not issued an operator's license upon
18 receiving a record of conviction showing that the person has been convicted of any
19 of the following offenses under a state law or under a local ordinance which is in
20 conformity therewith or under a law of a federally recognized American Indian tribe
21 or band in this state which is in conformity with state law:

22 **SECTION 53.** 343.31 (1) (hm) of the statutes is repealed.

23 **SECTION 54.** 343.31 (2) of the statutes is amended to read:

24 343.31 (2) The department shall revoke the operating privilege of any resident
25 person who is a licensee under this chapter or is a resident to whom another

1 jurisdiction has not issued an operator's license upon receiving notice of the
2 conviction of such person in another jurisdiction for an offense therein which, if
3 committed in this state, would have been cause for revocation under this section or
4 for revocation under s. 343.30 (1q) or which is identified in the rules under s. 343.02
5 (3) (b) as an offense for which a person is subject to revocation. Such offenses shall
6 include violation of any law of another jurisdiction that prohibits a person from using
7 a motor vehicle while intoxicated or under the influence of a controlled substance or
8 controlled substance analog, or a combination thereof; with an excess or specified
9 range of alcohol concentration; while under the influence of any drug to a degree that
10 renders the person incapable of safely driving; or while having a detectable amount
11 of a restricted controlled substance in his or her blood, as those or substantially
12 similar terms are used in that other jurisdiction's laws. ~~Upon receiving similar~~
13 ~~notice with respect to a nonresident, the department shall revoke the privilege of the~~
14 ~~nonresident to operate a motor vehicle in this state. Such revocation shall not apply~~
15 ~~to the operation of a commercial motor vehicle by a nonresident who holds a valid~~
16 ~~commercial driver license issued by another state. This subsection does not apply~~
17 ~~if the other jurisdiction in which the offense was committed suspended or revoked~~
18 ~~the person's operating privilege in that other jurisdiction as a result of the conviction~~
19 ~~and the period of suspension or revocation in that other jurisdiction has expired or~~
20 ~~if, at the time of the conviction, the person was licensed in or resided in another~~
21 jurisdiction.

22 SECTION 55. 343.31 (2m) of the statutes is repealed.

23 SECTION 56. 343.31 (2r) of the statutes is amended to read:

24 343.31 (2r) The Subject to sub. (2z) (b), the department shall suspend a person's
25 the operating privilege of a person who is a licensee under this chapter or is a resident

1 to whom another jurisdiction has not issued an operator's license upon receiving a
2 record of conviction showing that the person has been convicted of perjury or the
3 making of a false affidavit or the making of a false statement or certification to the
4 department under this chapter or any other law relating to the ownership or
5 operation of motor vehicles.

6 **SECTION 57.** 343.31 (2z) of the statutes is created to read:

7 343.31 (2z) (a) The department shall revoke, in the manner provided in sub.
8 (1), the operating privilege of a nonresident upon receiving a record of the person's
9 conviction of committing in this state any offense specified in sub. (1) if the person
10 is licensed by or resides in another jurisdiction that is not a member jurisdiction or
11 if the offense specified in sub. (1) is not an offense identified in the rules under s.
12 343.02 (3) (b).

13 (b) The department shall suspend, in the manner provided in sub. (2r), the
14 operating privilege of a nonresident upon receiving a record of the person's conviction
15 of committing in this state an offense specified in sub. (2r) if the person is licensed
16 by or resides in another jurisdiction that is not a member jurisdiction or if the offense
17 specified in sub. (2r) is not an offense identified in the rules under s. 343.02 (3) (b).

18 **SECTION 58.** 343.31 (3) (a) of the statutes is amended to read:

19 343.31 (3) (a) Except as otherwise provided in this subsection or sub. ~~(2m)~~, (2s),
20 or (2x), all revocations or suspensions under this section shall be for a period of one
21 year.

22 **SECTION 59.** 343.31 (3) (b) of the statutes is repealed.

23 **SECTION 60.** 343.31 (3) (bg) of the statutes is created to read:

1 343.31 (3) (bg) Subject to par. (a), the period of suspension or revocation under
2 subs. (2) and (2m) shall be the same as if the person were convicted of the offense in
3 this state.

4 **SECTION 61.** 343.31 (3) (bm) (intro.) of the statutes is amended to read:

5 343.31 (3) (bm) (intro.) For any person who is a licensee under this chapter or
6 is a resident to whom another jurisdiction has not issued an operator's license and
7 who is convicted under a law of a federally recognized American Indian tribe or band
8 in this state in conformity with s. 346.63 (1):

9 **SECTION 62.** 343.31 (3) (c) of the statutes is amended to read:

10 343.31 (3) (c) Any person who is a licensee under this chapter or is a resident
11 to whom another jurisdiction has not issued an operator's license, or who is subject
12 to revocation of the person's operating privilege under sub. (2z) (a), and who is
13 convicted under s. 940.09 of causing the death of another or of an unborn child by the
14 operation or handling of a motor vehicle shall have his or her operating privilege
15 revoked for 5 years. If there was a minor passenger under 16 years of age or an
16 unborn child, as defined in s. 939.75 (1), in the motor vehicle at the time of the
17 violation that gave rise to the conviction under s. 940.09, the revocation period is 10
18 years.

19 **SECTION 63.** 343.31 (3) (d) (intro.) of the statutes is amended to read:

20 343.31 (3) (d) (intro.) Any person who is a licensee under this chapter or is a
21 resident to whom another jurisdiction has not issued an operator's license, or who
22 is subject to revocation of the person's operating privilege under sub. (2z) (a), and who
23 is convicted of knowingly fleeing or attempting to elude a traffic officer under s.
24 346.04 (3) shall have his or her operating privilege revoked as follows:

25 **SECTION 64.** 343.31 (3) (e) of the statutes is amended to read:

1 343.31 (3) (e) Any person who is a licensee under this chapter or is a resident
2 to whom another jurisdiction has not issued an operator's license, or who is subject
3 to revocation of the person's operating privilege under sub. (2z) (a), and who is
4 convicted under s. 346.63 (2) shall have his or her operating privilege revoked for not
5 less than one year nor more than 2 years. If there was a minor passenger under 16
6 years of age in the motor vehicle at the time of the violation that gave rise to the
7 conviction under s. 346.63 (2), the minimum and maximum revocation periods are
8 doubled.

9 **SECTION 65.** 343.31 (3) (f) of the statutes is amended to read:

10 343.31 (3) (f) Any person who is a licensee under this chapter or is a resident
11 to whom another jurisdiction has not issued an operator's license, or who is subject
12 to revocation of the person's operating privilege under sub. (2z) (a), and who is
13 convicted under s. 940.25 shall have his or her operating privilege revoked for 2
14 years. If there was a minor passenger under 16 years of age or an unborn child, as
15 defined in s. 939.75 (1), in the motor vehicle at the time of the violation that gave rise
16 to the conviction under s. 940.25, the revocation period is 4 years.

17 **SECTION 66.** 343.31 (3) (i) of the statutes is amended to read:

18 343.31 (3) (i) If a person who is a licensee under this chapter or is a resident
19 to whom another jurisdiction has not issued an operator's license, or who is subject
20 to revocation of the person's operating privilege under sub. (2z) (a), and who is
21 convicted for a violation of s. 346.67 (1) where the accident involved great bodily
22 harm, the period of revocation is 2 years.

23 **SECTION 67.** 343.31 (3) (j) of the statutes is amended to read:

24 343.31 (3) (j) If a person who is a licensee under this chapter or is a resident
25 to whom another jurisdiction has not issued an operator's license, or who is subject

1 to revocation of the person's operating privilege under sub. (2z) (a), and who is
2 convicted for a violation of s. 346.67 (1) where the accident involved death, the period
3 of revocation is 5 years.

4 **SECTION 68.** 343.315 (2) (f) 7. of the statutes is amended to read:

5 343.315 (2) (f) 7. Operating a commercial motor vehicle when the person does
6 not have in his or her immediate possession the person's commercial driver license
7 document, including any special restrictions cards that, if the commercial driver
8 license is issued under this chapter, are issued under s. 343.10 (7) (d) or 343.17 (4),
9 unless the person produces in court or in the office of the law enforcement officer that
10 issued the citation, by the date that the person must appear in court or pay any fine
11 or forfeiture with respect to the citation, a commercial driver license document
12 issued to the person prior to the date of the citation and valid at the time of the
13 citation.

14 **SECTION 69.** 343.315 (2) (fm) of the statutes is amended to read:

15 343.315 (2) (fm) A person is disqualified for a period of 60 days from operating
16 a commercial motor vehicle if convicted of violating s. 343.14 (5) or 345.17 or the law
17 of another jurisdiction for an offense therein which, if committed in this state, would
18 have been a violation of s. 343.14 (5) or 345.17, if the violation relates to an
19 application for a commercial driver license.

20 **SECTION 70.** 343.315 (2) (h) of the statutes is amended to read:

21 343.315 (2) (h) Except as provided in par. (i), a person is disqualified for a period
22 of 90 days from operating a commercial motor vehicle if convicted of an
23 out-of-service violation, or one year if convicted of 2 out-of-service violations, or 3
24 years if convicted of 3 or more out-of-service violations, arising from separate
25 occurrences committed within a 10-year period while driving or operating a

1 commercial motor vehicle. A disqualification under this paragraph shall be in
2 addition to any penalty imposed under s. 343.44. In this paragraph, “out-of-service
3 violation” means violating s. 343.44 (1) (c) or a law of another jurisdiction for an
4 offense therein which, if committed in this state, would have been a violation of s.
5 343.44 (1) (c), by operating a commercial motor vehicle while the operator or vehicle
6 is ordered out-of-service under the law of this state or another jurisdiction or under
7 federal law.

8 **SECTION 71.** 343.315 (2) (j) (intro.) of the statutes is amended to read:

9 343.315 (2) (j) (intro.) A person is disqualified for a period of 60 days from
10 operating a commercial motor vehicle if convicted of a railroad crossing violation, or
11 120 days if convicted of 2 railroad crossing violations or one year if convicted of 3 or
12 more railroad crossing violations, arising from separate occurrences committed
13 within a 3-year period while driving or operating a commercial motor vehicle. In this
14 paragraph, “railroad crossing violation” means a violation of a federal, state, or local
15 law, rule, or regulation, including the law of another jurisdiction, relating to any of
16 the following offenses at a railroad crossing:

17 **SECTION 72.** 343.315 (3) (a) of the statutes is amended to read:

18 343.315 (3) (a) Notwithstanding s. 343.39, if a person’s license or operating
19 privilege is revoked or suspended as the result of an offense committed after
20 March 31, 1992, which results in disqualification under sub. (2), the department
21 shall immediately disqualify the person from operating a commercial motor vehicle
22 for the period required under sub. (2). The person’s authorization to operate a
23 commercial motor vehicle shall not be reinstated upon expiration of the period of
24 revocation or suspension unless the period of disqualification has also expired.
25 During Subject to par. (bm), during any period of disqualification in which the

1 person's license or operating privilege is not revoked or suspended, the department
2 may issue an operator's license to the person for the operation of vehicles other than
3 commercial motor vehicles.

4 **SECTION 73.** 343.315 (3) (b) of the statutes is amended to read:

5 343.315 (3) (b) If a person's license or operating privilege is not otherwise
6 revoked or suspended as the result of an offense committed after March 31, 1992,
7 which results in disqualification under sub. (2) (a) to (f), (h), (i), or (j), the department
8 shall, subject to par. (bm), immediately disqualify the person from operating a
9 commercial motor vehicle for the period required under sub. (2) (a) to (f), (h), (i), or
10 (j). Upon proper application by the person and payment of a duplicate license fee,
11 the department may issue a separate license authorizing only the operation of
12 vehicles other than commercial motor vehicles. Upon expiration of the period of
13 disqualification, the person may apply for authorization to operate commercial
14 motor vehicles under s. 343.26.

15 **SECTION 74.** 343.315 (3) (bm) of the statutes is created to read:

16 343.315 (3) (bm) Upon receiving a record of conviction for any offense causing
17 a person to be disqualified from operating a commercial motor vehicle under sub. (2)
18 or a notice specified in sub. (2) (k), the department shall record the disqualification
19 if required by s. 343.23 (2) (am) and, subject to s. 343.03 (7) (b), do one of the following:

20 1. If the person is a licensee under this chapter or is a resident to whom another
21 jurisdiction has not issued an operator's license, the department shall disqualify the
22 person and record the disqualification under s. 343.23 (1). The department may take
23 administrative action against the licensee or resident on the disqualification.

24 2. Subject to s. 343.23 (2) (am) 3., if the person is a nonresident, the department
25 may not disqualify the person, record the disqualification under s. 343.23 (1), or take

1 any other administrative action against the person on the disqualification, but shall
2 provide notice to the person's home jurisdiction as required under s. 343.36 (3). The
3 department may record the disqualification under s. 343.23 (2m).

4 **SECTION 75.** 343.315 (3) (d) of the statutes is amended to read:

5 343.315 (3) (d) ~~Disqualifications~~ Subject to sub. (4), disqualifications shall be
6 effective from the date of conviction of the disqualifying offense the order of
7 disqualification.

8 **SECTION 76.** 343.32 (1) of the statutes is repealed.

9 **SECTION 77.** 343.32 (1m) (a) of the statutes is repealed.

10 **SECTION 78.** 343.32 (1m) (b) (intro.) of the statutes is amended to read:

11 343.32 (1m) (b) (intro.) The secretary shall suspend a person's the operating
12 privilege of a person who is a licensee under this chapter or is a resident to whom
13 another jurisdiction has not issued an operator's license for not less than 6 months
14 nor more than 5 years whenever notice has been received of the conviction of such
15 person under federal law or the law of a federally recognized American Indian tribe
16 or band in this state or the law of another jurisdiction for any offense therein which,
17 if the person had committed the offense in this state and been convicted of the offense
18 under the laws of this state, would have required suspension of such person's
19 operating privilege under s. 961.50. This paragraph does not apply if the other
20 jurisdiction in which the offense was committed suspended or revoked the person's
21 operating privilege in that other jurisdiction as a result of the conviction and the
22 period of suspension or revocation in that other jurisdiction has expired or if, at the
23 time of the conviction, the person was licensed in or resided in another jurisdiction.

24 The person is eligible for an occupational license under s. 343.10 as follows:

25 **SECTION 79.** 343.32 (1s) of the statutes is amended to read:

1 343.32 (1s) The Notwithstanding ss. 125.085 (3) (bd) and 343.30 (6) (bm), the
2 secretary shall suspend the operating privilege of any person who is a licensee under
3 this chapter or is a resident to whom another jurisdiction has not issued an operator's
4 license and who has been convicted under state law or under a local ordinance which
5 is in conformity therewith or under a law of a federally recognized American Indian
6 tribe or band in this state which is in conformity with state law, or the law of another
7 jurisdiction for an offense therein which, if committed in this state, would have been
8 cause for suspension under this subsection, of altering the person's license, loaning
9 the person's license to another, or unlawfully or fraudulently using or permitting an
10 unlawful or fraudulent use of a license. This paragraph does not apply if the other
11 jurisdiction in which the offense was committed suspended or revoked the person's
12 operating privilege in that other jurisdiction as a result of the conviction and the
13 period of suspension or revocation in that other jurisdiction has expired or if, at the
14 time of the conviction, the person was licensed in or resided in another jurisdiction.

****NOTE: Per section 86 of your spread sheet, I eliminated created s. 343.32 (1s)
(b). OK?

15 **SECTION 80.** 343.32 (1v) of the statutes is created to read:

16 343.32 (1v) The secretary may suspend or revoke the operating privilege of any
17 person who is a licensee under this chapter or is a resident to whom another
18 jurisdiction has not issued an operator's license upon receiving notice of the
19 suspension or revocation in another jurisdiction of the person's operating privilege
20 for an offense therein which, if committed in this state, would have been cause for
21 suspension or revocation under any law of this state or which is identified in the rules
22 under s. 343.02 (3) (b) as an offense for which a person is subject to suspension or
23 revocation, or upon receiving notice of any circumstances occurring in another

1 jurisdiction which, if occurring in this state, would have been cause for
2 administrative suspension under s. 343.305 (7) (a). This subsection does not apply
3 if the period of suspension or revocation in the other jurisdiction has expired or if, at
4 the time of the offense or time that the circumstances occurred, the person was
5 licensed in or resided in another jurisdiction. This subsection does not apply with
6 respect to any suspension or revocation in another jurisdiction for failure to comply
7 with the order of, or appear before, a court of that other jurisdiction.

8 **SECTION 81.** 343.32 (2) (a) of the statutes is amended to read:

9 343.32 (2) (a) The secretary may suspend a person's the operating privilege of
10 a person who is a licensee under this chapter or is a resident to whom another
11 jurisdiction has not issued an operator's license if the person appears by the records
12 of the department to be a habitually reckless or negligent operator of a motor vehicle
13 or to have repeatedly violated any of the state traffic laws, any local ordinance
14 enacted under ch. 349 or any traffic laws enacted by a federally recognized American
15 Indian tribe or band in this state if the tribal traffic laws violated strictly conform
16 to provisions in chs. 341 to 348 or, if the offense occurred on a federal military
17 installation located in this state, any federal law which is in strict conformity with
18 a state traffic law, ^{any} or the law of another jurisdiction for an offense therein which, if
19 committed in this state, would have been cause for ~~suspension~~ ^{demerit point assessment} under this subsection.

20 The secretary may not consider, for purposes of this paragraph, any offense occurring
21 in another jurisdiction if, at the time of any conviction for the offense, the person was
22 licensed in or resided in another jurisdiction. For the purpose of determining when
23 to suspend an operating privilege under this subsection, the secretary may
24 determine and adopt by rule a method of weighing traffic convictions by their
25 seriousness and may, subject to the limitations in this subsection, change such

1 weighted scale as experience or the accident frequency in the state makes necessary
2 or desirable.

3 **SECTION 82.** 343.32 (3) of the statutes is amended to read:

4 343.32 (3) Except as provided in sub. (1m), a ~~revocation or~~ suspension under
5 this section may be for any period not exceeding one year unless a different period
6 is specifically prescribed by law. The period of suspension for an offense committed
7 in another jurisdiction shall be the same as if the offense had been committed in this
8 state.

9 **SECTION 83.** 343.325 (4) of the statutes is amended to read:

10 343.325 (4) If a person whose suspension, revocation or disqualification was
11 stayed pursuant to sub. (2) is convicted of an offense for which revocation or
12 ~~disqualification~~ is mandatory under s. 343.31 or 343.315 disqualification is required
13 under s. 343.315 (3) (bm) 1., during the pendency of the appeal of the original
14 conviction, the secretary shall forthwith revoke such person's operating privilege or
15 disqualify the person from operating a commercial motor vehicle on account of the
16 latter conviction, notwithstanding the appeal of either or both convictions.

17 **SECTION 84.** 343.34 (1) of the statutes is amended to read:

18 343.34 (1) Whenever the secretary is satisfied that a person has violated a
19 restriction on the a license issued under this chapter and that it is in the interests
20 of public safety to suspend the license, the secretary shall suspend such license for
21 a period not exceeding one year unless the violation is cause for revocation.

22 **SECTION 85.** 343.34 (2) of the statutes is amended to read:

23 343.34 (2) When a person who is a licensee under this chapter or is a resident
24 to whom another jurisdiction has not issued an operator's license has been convicted
25 under s. 343.16 (7) (b) or the law of another jurisdiction for an offense which, if

1 committed in this state, would have been a violation of s. 343.16 (7) (b), or when a
2 nonresident has been convicted in this state under s. 343.16 (7) (b) if the person is
3 licensed by or resides in another jurisdiction that is not a member jurisdiction or if
4 a violation of s. 343.16 (7) (b) is not an offense identified in the rules under s. 343.02
5 (3) (b). This subsection does not apply if the offense was committed in another
6 jurisdiction which suspended or revoked the person's operating privilege in that
7 other jurisdiction as a result of the conviction and the period of suspension or
8 revocation in that other jurisdiction has expired or if, at the time of the conviction,
9 the person was licensed in or resided in another jurisdiction.

10 SECTION 86. 343.345 of the statutes is amended to read:

11 **343.345 Restriction, limitation or suspension of operating privilege.**

12 The department shall restrict, limit or suspend a person's the operating privilege of
13 a person who is a licensee under this chapter or is a resident to whom another
14 jurisdiction has not issued an operator's license if the person is delinquent in making
15 court-ordered payments of child or family support, maintenance, birth expenses,
16 medical expenses or other expenses related to the support of a child or former spouse,
17 or who fails to comply, after appropriate notice, with a subpoena or warrant issued
18 by the department of workforce development or a county child support agency under
19 s. 59.53 (5) and related to paternity or child support proceedings, as provided in a
20 memorandum of understanding entered into under s. 49.857.

21 SECTION 87. 343.36 (title) of the statutes is amended to read:

22 **343.36 (title) Department to distribute suspension, revocation and**
23 **disqualification lists and nonresidents' records of conviction and notices.**

24 SECTION 88. 343.36 (3) of the statutes is renumbered 343.36 (3) (a) and
25 amended to read:

1 343.36 (3) (a) ~~Upon~~ Subject to s. 343.03 (7) (b) and (c), upon receiving a record
2 of conviction showing that a nonresident operator of a motor vehicle has been
3 convicted in this state of an offense which is grounds for revocation, suspension, or
4 disqualification under the laws of this state, or upon otherwise receiving any order
5 of a court in this state suspending or revoking a nonresident's operating privilege or
6 disqualifying a nonresident, the department shall forward, within 30 days of
7 receiving the record of conviction or order, a certified copy of such record or order to
8 the ~~motor vehicle administrator in the state wherein the person so convicted is a~~
9 resident driver licensing agency of the person's home jurisdiction. If the department
10 subsequently receives any notice under s. 343.325 (1) or (6) related to the conviction
11 or order, the department shall forward a certified copy of the notice to the same driver
12 licensing agency.

13 **SECTION 89.** 343.36 (3) (b), (c) and (d) of the statutes are created to read:

14 343.36 (3) (b) Subject to s. 343.03 (7) (b), upon receiving any of the following
15 information with respect to a nonresident, the department shall forward, within 30
16 days of receiving the information, notice of the information to the driver licensing
17 agency of the person's home jurisdiction:

18 1. A report of positive test results under s. 343.305 (7) (a). Notice forwarded
19 by the department shall include notice of the administrative suspension under s.
20 343.305 (7) (a).

21 2. A report of positive test results and issuance of an out-of-service order under
22 s. 343.305 (7) (b).

23 3. A report of refusal of testing and preparation of a notice of intent to revoke
24 under s. 343.305 (9) (a) or (am) and any issuance of an out-of-service order under
25 s. 343.305 (9) (a) or (am).

3.
1 A report of the results of any hearing conducted by the department related
2 to positive test results described in subd. 1. or 2. or refusal of testing described in
3 subd. 3.

****NOTE: Is this what you had in mind for "hearing results" in your spreadsheet,
section 96?

4 (c) Subject to s. 343.03 (7) (b) and (c), upon receiving a record of conviction
5 showing that a nonresident operator of a motor vehicle has been convicted in this
6 state of an offense that is identified in the rules under s. 343.02 (3) (b) but which is
7 not grounds for revocation, suspension, or disqualification under the laws of this
8 state, the department shall forward, within 30 days of receiving the record of
9 conviction, a certified copy of such record to the driver licensing agency of the person's
10 home jurisdiction. If the department subsequently receives any notice under s.
11 343.325 (1) or (6) related to the conviction, the department shall forward a certified
12 copy of the notice to the same driver licensing agency.

13 (d) If a nonresident operator of a motor vehicle commits an offense in this state
14 that is grounds for suspension of a person's operating privilege under ch. 344, the
15 department shall forward notice of the offense to the driver licensing agency of the
16 person's home jurisdiction, which notice shall include notice of any suspension by the
17 department as provided under s. 344.08 (1m), 344.14 (1r), or 344.25 (7).

18 **SECTION 90.** 343.38 (1) (c) 2. c. of the statutes is amended to read:

19 343.38 (1) (c) 2. c. Reinstatement of an operating privilege revoked under s.
20 343.30 (1q) (b) 2. or (d), 343.305 (10) (d) or 343.31 (3) ~~(b) or (bm) 2.~~

21 **SECTION 91.** 343.38 (2) of the statutes is amended to read:

22 343.38 (2) REINSTATEMENT OF NONRESIDENT'S OPERATING PRIVILEGE AFTER
23 REVOCATION BY WISCONSIN. A nonresident's operating privilege revoked under the

1 laws of this state is reinstated as a matter of law when the period of revocation has
2 expired and such ~~the nonresident obtains a valid operator's license issued by the~~
3 ~~jurisdiction of the nonresident's residence and pays the fee specified in s. 343.21 (1)~~
4 (j).

5 **SECTION 92.** 343.38 (4) (intro.) of the statutes is amended to read:

6 343.38 (4) FIRST ISSUANCE OF LICENSE IN WISCONSIN AFTER SUSPENSION OR
7 REVOCATION BY ANOTHER STATE. (intro.) The department may issue an operator's
8 license to a person moving to this state whose operating privileges have privilege has
9 been previously suspended or revoked in another state jurisdiction when their the
10 person's operating privilege has been reinstated or the person is eligible for
11 reinstatement in that state the other jurisdiction and the following conditions have
12 been met:

13 **SECTION 93.** 343.38 (4) (a) of the statutes is repealed.

14 **SECTION 94.** 343.38 (4) (b) of the statutes is repealed.

15 **SECTION 95.** 343.39 (1) (a) of the statutes is amended to read:

16 343.39 (1) (a) When, in the case of a suspended operating privilege, the period
17 of suspension has terminated, the reinstatement fee specified in s. 343.21 (1) (j) has
18 been paid to the department and, for reinstatement of an the operating privilege of
19 a resident suspended under ch. 344, the person files with the department proof of
20 financial responsibility, if required, in the amount, form and manner specified under
21 ch. 344.

22 **SECTION 96.** 343.39 (2) of the statutes is amended to read:

23 343.39 (2) Whenever a person's operating privilege is automatically reinstated,
24 the department shall forthwith notify such person thereof ~~and shall return any~~
25 ~~surrendered and unexpired license in its possession.~~ If the person's license expired

1 during the period of revocation or suspension, such person may renew the license at
2 the standard renewal fee at any time within 30 days after the reinstatement of the
3 operating privilege. If the person states to the department that he or she no longer
4 possesses the license because the license was surrendered to a court, and the person
5 has satisfied all requirements under sub. (1), including, if applicable, payment of the
6 reinstatement fee required under sub. (1) (a), the department shall issue a new
7 license without any additional fee for the license.

8 **SECTION 97.** 343.44 (1) (a) of the statutes is amended to read:

9 343.44 (1) (a) *Operating while suspended.* No person whose operating privilege
10 has been duly suspended under the laws of this state or, if the person is not a resident,
11 under the laws of the person's home jurisdiction, may operate a motor vehicle upon
12 any highway in this state during the period of suspension or in violation of any
13 restriction on an occupational license issued to the person during the period of
14 suspension. A person's knowledge that his or her operating privilege is suspended
15 is not an element of the offense under this paragraph. In this paragraph, "restriction
16 on an occupational license" means restrictions imposed under s. 343.10 (5) (a) as to
17 hours of the day, area, routes or purpose of travel, vehicles allowed to be operated,
18 use of an ignition interlock device, sobriety or use of alcohol, controlled substances
19 or controlled substance analogs.

20 **SECTION 98.** 343.44 (1) (b) of the statutes is amended to read:

21 343.44 (1) (b) *Operating while revoked.* No person whose operating privilege
22 has been duly revoked under the laws of this state or, if the person is not a resident,
23 under the laws of the person's home jurisdiction, may knowingly operate a motor
24 vehicle upon any highway in this state during the period of revocation or in violation
25 of any restriction on an occupational license issued to the person during the period

1 of revocation. In this paragraph, "restriction on an occupational license" means
2 restrictions imposed under s. 343.10 (5) (a) as to hours of the day, area, routes or
3 purpose of travel, vehicles allowed to be operated, use of an ignition interlock device,
4 sobriety or use of alcohol, controlled substances or controlled substance analogs.

5 **SECTION 99.** 343.44 (1) (c) of the statutes is amended to read:

6 343.44 (1) (c) *Operating while ordered out-of-service.* No person may operate
7 a commercial motor vehicle while the person or the commercial motor vehicle is
8 ordered out-of-service under the law of this state or another jurisdiction or under
9 federal law.

10 **SECTION 100.** 343.44 (2) (am) of the statutes is amended to read:

11 343.44 (2) (am) Any person who violates sub. (1) (b) before May 1, 2002, may
12 be required to forfeit not more than \$600, except that, if the person has been
13 convicted of a previous violation of sub. (1) (b), ~~or of operating a motor vehicle in~~
14 ~~violation of s. 343.44 (1), 1997 stats., with an operating privilege that is revoked,~~
15 within the preceding 5-year period, the penalty under par. (b) shall apply.

16 **SECTION 101.** 343.44 (2r) of the statutes is amended to read:

17 343.44 (2r) PRIOR CONVICTIONS. For purposes of determining prior convictions
18 under this section, the 5-year period shall be measured from the dates of the
19 violations that resulted in the convictions and each conviction under sub. (2) shall
20 be counted. Convictions of ~~s. 343.44 (1), 1997 stats., other than for operating a~~
21 ~~commercial motor vehicle while ordered out-of-service~~ under the law of another
22 jurisdiction for offenses therein which, if committed in this state, would have been
23 violations of this section shall be counted under this section as prior convictions.

24 **SECTION 102.** 343.44 (2s) of the statutes is amended to read:

1 343.44 (2s) CITATIONS. Within 30 days after receipt by the department of a
2 report from a law enforcement officer under s. 343.305 (7) or a court order under s.
3 343.28 of a violation committed by a person operating a commercial motor vehicle
4 while subject to an out-of-service order under s. 343.305 (7) (b) or (9) (am), a traffic
5 officer employed under s. 110.07 may prepare a uniform traffic citation under s.
6 345.11 for a violation of sub. (1) (c) or (d) and serve it on the person. The citation may
7 be served anywhere in this state and shall be served by delivering a copy to the
8 person personally or by leaving a copy at the person's usual place of abode with a
9 person of discretion residing therein or by mailing a copy to the person's last-known
10 residence address, including, if the person is not a resident, an address in another
11 jurisdiction. The venue for prosecution may be the county where the alleged offense
12 occurred or, if the person is a resident, in the person's county of residence.

13 **SECTION 103.** 343.44 (4r) of the statutes is amended to read:

14 343.44 (4r) VIOLATION OF OUT-OF-SERVICE ORDER. In addition to other penalties
15 for violation of this section, if a person has violated this section after ~~he or she~~ the
16 person or the commercial motor vehicle operated by the person was ordered
17 out-of-service under the law of this state or another jurisdiction or under federal
18 law, the violation shall result in disqualification under s. 343.315 (2) (h) or (i).

19 **SECTION 104.** 343.50 (8) (b) of the statutes is amended to read:

20 343.50 (8) (b) The department may not disclose any record or other information
21 concerning or relating to an applicant or identification card holder to any person
22 other than a court, district attorney, county corporation counsel, city, village, or town
23 attorney, law enforcement agency, driver licensing agency of another jurisdiction, the
24 applicant or identification card holder or, if the applicant or identification card holder
25 is under 18 years of age, his or her parent or guardian. Except for photographs

1 ~~disclosed to a law enforcement agency for which disclosure is authorized~~ under s.
2 343.237, persons entitled to receive any record or other information under this
3 paragraph shall not disclose the record or other information to other persons or
4 agencies. This paragraph does not prohibit the disclosure of a person's name or
5 address, of the name or address of a person's employer or of financial information
6 that relates to a person when requested under s. 49.22 (2m) by the department of
7 workforce development or a county child support agency under s. 59.53 (5).

8 **SECTION 105.** 344.02 (3) of the statutes is amended to read:

9 344.02 (3) Upon completion of the hearing, the department shall make findings
10 of fact, conclusions of law, and a decision, and shall, as provided in this chapter, either
11 proceed to order suspension of the person's operating privilege, or registrations, or
12 both, and may also order the impoundment of the person's motor vehicle, in
13 accordance with s. 344.14, or upon good cause appearing therefor, shall terminate the
14 proceedings.

15 **SECTION 106.** 344.08 (1m) of the statutes is created to read:

16 344.08 (1m) Notwithstanding sub. (1), the secretary may only suspend the
17 operating privilege of a nonresident for an offense specified in sub. (1) if the
18 nonresident is licensed by or resides in another jurisdiction that is not a member
19 jurisdiction or if the offense is not identified in the rules under s. 343.02 (3) (b).

20 **SECTION 107.** 344.13 (2) of the statutes is amended to read:

21 344.13 (2) The secretary shall determine the amount of security required to be
22 deposited by each person on the basis of the accident reports or other information
23 submitted. In addition to the accident reports required by law, the secretary may
24 request from any of the persons, including passengers and pedestrians, involved in
25 such accident such further information, sworn statements or other evidence relating

1 to property damage, personal injury or death in motor vehicle accidents as deemed
2 necessary to aid in determining the amount to be deposited as security under s.
3 344.14. Failure Subject to s. 344.14 (1r), failure of a person to comply with such
4 request is grounds for suspending such person's operating privilege but no
5 suspension shall be made on such grounds until one follow-up request has been
6 made and at least 20 days have elapsed since the mailing of the first request.

7 **SECTION 108.** 344.14 (1r) of the statutes is created to read:

8 344.14 (1r) Notwithstanding sub. (1), the secretary may only suspend under
9 sub. (1) or under s. 344.13 (2) the operating privilege of a nonresident for,
10 respectively, an offense specified in sub. (1) or s. 344.13 (2) if the nonresident is
11 licensed by or resides in another jurisdiction that is not a member jurisdiction or if
12 the offense is not identified in the rules under s. 343.02 (3) (b).

13 **SECTION 109.** 344.18 (1m) (a) of the statutes is amended to read:

14 344.18 (1m) (a) Unless 3 years have elapsed since the date that a requirement
15 under sub. (1) (a), (b), (c) or (d) has been met or unless the person is a nonresident,
16 the person whose operating privilege or registration was suspended or revoked
17 under s. 344.14 shall file with the department and maintain in effect proof of
18 financial responsibility in the amount, form and manner specified in this chapter.

19 **SECTION 110.** 344.18 (3m) (a) of the statutes is amended to read:

20 344.18 (3m) (a) Unless 3 years have elapsed since the date that a requirement
21 under sub. (3) (a) or (b) has been met or unless the person is a nonresident, the person
22 whose operating privilege or registration was suspended or revoked under sub. (3)
23 shall file with the department and maintain in effect proof of financial responsibility
24 in the amount, form and manner specified in this chapter.

25 **SECTION 111.** 344.19 (1) of the statutes is amended to read:

1 344.19 (1) If the operator or the owner of a motor vehicle involved in an accident
2 within this state has no license or registration, whether because the operator or
3 owner is a nonresident or because the operator or owner is a resident who has failed
4 or neglected to obtain a license or registration in this state, the operator or owner
5 shall not be allowed a license or registration until the operator or owner has complied
6 with the requirements of this chapter to the same extent as would be necessary if,
7 at the time of the accident, the operator or owner had held a license and registration
8 in this state. Nothing in this subsection requires the department to maintain an
9 operator's record with respect to a nonresident except as provided in s. 343.23 (2m).

10 **SECTION 112.** 344.19 (2) of the statutes is renumbered 344.19 (2) (intro.) and
11 amended to read:

12 344.19 (2) (intro.) If the operating privilege or registration of a nonresident is
13 suspended under s. 344.14, the secretary shall transmit a certified copy of the record
14 of such action as follows:

15 (b) With respect to the registration suspension, to the administrator of the
16 division of motor vehicles or equivalent official of the state in which that person
17 resides if the law of the state in which that person resides provides for similar action
18 by the administrator or equivalent official of that state in the event that a resident
19 of this state has a nonresident's ~~operating privilege or~~ registration in that state
20 suspended or revoked for failure to comply with the safety responsibility law of that
21 state.

22 **SECTION 113.** 344.19 (2) (a) of the statutes is created to read:

23 344.19 (2) (a) With respect to the operating privilege suspension, as provided
24 in s. 343.36 (3).

25 **SECTION 114.** 344.19 (3) of the statutes is amended to read:

1 344.19 (3) Upon receipt of such certification from another state to the effect
2 that the operating privilege or registration of a resident of this state has been
3 suspended or revoked in such other state under a law providing for its suspension
4 or revocation for failure to deposit security for payment of judgments arising out of
5 a motor vehicle accident, under circumstances which would require the secretary to
6 suspend a nonresident's person's operating privilege or registration had the accident
7 occurred in this state, or, upon notice of circumstances occurring in another
8 jurisdiction substantially similar to those described in s. 344.14 if suspension of an
9 operating privilege under circumstances substantially similar to those described in
10 s. 344.14 is an offense identified in the rules under s. 343.02 (3) (b), the secretary shall
11 suspend the operating privilege of such resident if he or she was the operator and all
12 of his or her registrations if he or she was the owner of a motor vehicle involved in
13 such accident. The department may accept a certification which is in the form of a
14 combined notice of required security and suspension order, but shall not suspend a
15 resident's operating privilege or registration on the basis of such order until at least
16 30 days have elapsed since the time for depositing security in the other state expired.
17 A suspension or revocation of operating privilege under this section shall continue
18 until such resident furnishes evidence of his or her compliance with the law of the
19 other state relating to the deposit of security, pays the fee required under s. 343.21
20 (1) (j) and complies with the applicable provisions of s. 343.38. A suspension or
21 revocation of registration under this section shall continue until such resident
22 furnishes evidence of his or her compliance with the law of the other state relating
23 to the deposit of security, pays the fee required under s. 341.36 (1m) and satisfies the
24 requirements of sub. (3m). The secretary may not suspend an operating privilege
25 under this subsection if the period of suspension or revocation in the state from which

1 the certification is received has expired or if, at the time of the circumstances
2 occurring in the other jurisdiction, the person was licensed in or resided in another
3 jurisdiction.

4 SECTION 115. 344.24[↓] of the statutes is amended to read:

5 **344.24 Applicability of sections relating to proof of financial**
6 **responsibility for the future.** Sections 344.29 to 344.41 are applicable in all cases
7 in which a person is required to deposit proof of financial responsibility for the future,
8 including those cases in which a person is required to deposit proof of financial
9 responsibility for the future under ss. 344.25 to 344.27, those cases in which the
10 deposit of proof of financial responsibility for the future is a condition precedent to
11 reinstatement of an operating privilege or registration suspended or revoked under
12 s. 344.14, 344.18 (3) or 344.19 (3) and those cases in which the deposit of proof of
13 financial responsibility for the future is a condition precedent to issuance of an
14 operator's license under s. 343.38 (4) or reinstatement of an operating privilege
15 revoked under ch. 343.

16 SECTION 116. 344.25 (7) of the statutes is created to read:

17 344.25 (7) Notwithstanding sub. (5), the secretary shall only suspend the
18 operating privilege of a nonresident if the nonresident is licensed by or resides in
19 another jurisdiction that is not a member jurisdiction or if operating privilege
20 suspension under circumstances substantially similar to those described in this
21 subchapter is not identified in the rules under s. 343.02 (3) (b).

22 SECTION 117. 344.26 (1)[↓] of the statutes is amended to read:

23 344.26 (1) Subject to the exceptions stated in ss. 344.25 (2) and 344.27 (2), any
24 operating privilege or registration suspended or revoked under s. 344.25 shall
25 remain suspended or revoked until every judgment mentioned in s. 344.25 is stayed,

1 satisfied, or discharged and, unless 3 years have elapsed since the date on which the
2 judgment was stayed, satisfied, or discharged or unless the person is a nonresident,
3 until the person whose operating privilege and registration was suspended or
4 revoked furnishes and maintains in effect proof of financial responsibility for the
5 future.

6 **SECTION 118.** 344.27 (2) of the statutes is amended to read:

7 344.27 (2) The secretary shall not suspend the operating privilege or
8 registration and shall restore any operating privilege or registration suspended
9 following nonpayment of a judgment when the judgment debtor obtains such order
10 permitting the payment of the judgment in installments and, unless 3 years have
11 elapsed since the date on which the order permitting the payment of the judgment
12 in installments is filed with the secretary or unless the judgment debtor is a
13 nonresident, furnishes and maintains proof of financial responsibility for the future.

14 **SECTION 119.** 344.27 (3) of the statutes is amended to read:

15 344.27 (3) If the judgment debtor fails to pay any installment as specified by
16 such order, the secretary, upon notice of such default, shall immediately suspend the
17 operating privilege, if permitted under this subchapter, and registrations of the
18 judgment debtor until such judgment is satisfied as provided in s. 344.26.

19 **SECTION 120.** 344.29 of the statutes is amended to read:

20 **344.29 Proof of financial responsibility for the future required.** Proof
21 of financial responsibility for the future shall be furnished by any person required
22 to give such proof under ss. 344.25 to 344.27, those cases in which the deposit of proof
23 of financial responsibility for the future is a condition precedent to reinstatement of
24 an operating privilege or registration suspended or revoked under s. 344.14, 344.18
25 (3) or 344.19 (3) and in those cases in which the deposit of proof of financial

1 responsibility for the future is a condition precedent to issuance of an operator's
2 license under s. 343.38 (4) or reinstatement of an operating privilege revoked under
3 ch. 343.

4 **SECTION 121.** 344.30 (1) of the statutes is amended to read:

5 344.30 (1) Certification of insurance as provided in s. 344.31 or 344.32; or

6 **SECTION 122.** 344.32 of the statutes is repealed.

7 **SECTION 123.** 344.33 (1) of the statutes is amended to read:

8 344.33 (1) **CERTIFICATION.** In this chapter, "motor vehicle liability policy" means
9 a motor vehicle policy of liability insurance, certified as provided in s. 344.31 or
10 344.32 as proof of financial responsibility for the future, and issued, except as
11 otherwise provided in s. 344.32, by an insurer authorized to do an automobile
12 liability business in this state to or for the benefit of the person named in the policy
13 as the insured.

14 **SECTION 124.** 344.34 of the statutes is amended to read:

15 **344.34 Notice of cancellation or termination of certified policy.** When
16 an insurer has certified a motor vehicle liability policy under s. 344.31, a policy under
17 s. 344.32 or a bond under s. 344.36, the insurance so certified shall not be canceled
18 or terminated until at least 10 days after a notice of cancellation or termination of
19 the insurance so certified has been filed in the office of the secretary. No insurance
20 so certified may be canceled or terminated by the insurer prior to the expiration of
21 90 days from the effective date of the certification on the grounds of failure to pay a
22 premium when due. Such a certified policy or bond subsequently procured shall, on
23 the effective date of its certification, terminate the insurance previously certified.
24 Any certification or recertification filed by the same insurer following cancellation
25 shall be accompanied by a fee of \$3 payable by the insurer.