

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

2 343.315 (3) (a) Notwithstanding s. 343.39, and subject to par. (bm), if a person's
3 license or operating privilege is revoked or suspended as the result of an offense
4 committed after March 31, 1992, which results in disqualification under sub. (2), the
5 department shall immediately disqualify the person from operating a commercial
6 motor vehicle for the period required under sub. (2). The person's authorization to
7 operate a commercial motor vehicle shall not be reinstated upon expiration of the
8 period of revocation or suspension unless the period of disqualification has also
9 expired. During any period of disqualification in which the person's license or
10 operating privilege is not revoked or suspended, the department may issue an
11 operator's license to the person for the operation of vehicles other than commercial
12 motor vehicles.

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

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

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

1 343.315 (3) (bm) Upon receiving a record of conviction for any offense causing
2 a person to be disqualified from operating a commercial motor vehicle under sub. (2)
3 or a notice specified in sub. (2) (k), the department shall record the disqualification
4 if required by s. 343.23 (2) (am) and, subject to s. 343.03 (7) (b), do one of the following:

5 1. If the person is a licensee under this chapter or is a resident to whom another
6 jurisdiction has not issued an operator's license, the department shall issue an order
7 disqualifying the person and record the disqualification under s. 343.23 (1). The
8 department may take any other applicable administrative action against the
9 licensee or resident on the disqualification.

10 2. If the person is a nonresident, the department shall provide notice to the
11 person's home jurisdiction as required under s. 343.36 (3). Subject to s. 343.23 (2)
12 (am) 3., if the person is a nonresident, the department may not issue an order
13 disqualifying the person, record the disqualification under s. 343.23 (1), or take any
14 other administrative action against the person on the disqualification. The
15 department may record the disqualification under s. 343.23 (2m).

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

17 343.315 (3) (d) ~~Disqualifications~~ Subject to sub. (4), disqualifications shall be
18 effective from the date of conviction of the disqualifying offense the order of
19 disqualification.

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

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

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

23 343.32 (1m) (b) (intro.) The secretary shall suspend a person's the operating
24 privilege of a person who is a licensee under this chapter or is a resident to whom
25 another jurisdiction has not issued an operator's license for not less than 6 months

1 nor more than 5 years whenever notice has been received of the conviction of such
2 person under federal law or the law of a federally recognized American Indian tribe
3 or band in this state or the law of another jurisdiction for any offense therein which,
4 if the person had committed the offense in this state and been convicted of the offense
5 under the laws of this state, would have required suspension of such person's
6 operating privilege under s. 961.50. This paragraph does not apply if the other
7 jurisdiction in which the offense was committed suspended or revoked the person's
8 operating privilege in that other jurisdiction as a result of the conviction and the
9 period of suspension or revocation in that other jurisdiction has expired or if, at the
10 time of the conviction, the person was licensed in or resided in another jurisdiction.

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

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

13 343.32 (1s) The Notwithstanding ss. 125.085 (3) (bd) and 343.30 (6) (bm), the
14 secretary shall suspend the operating privilege of any person who is a licensee under
15 this chapter or is a resident to whom another jurisdiction has not issued an operator's
16 license and who has been convicted under state law or under a local ordinance which
17 is in conformity therewith or under a law of a federally recognized American Indian
18 tribe or band in this state which is in conformity with state law, or the law of another
19 jurisdiction for an offense therein which, if committed in this state, would have been
20 cause for suspension under this subsection, of altering the person's license, loaning
21 the person's license to another, or unlawfully or fraudulently using or permitting an
22 unlawful or fraudulent use of a license. This paragraph does not apply if the other
23 jurisdiction in which the offense was committed suspended or revoked the person's
24 operating privilege in that other jurisdiction as a result of the conviction and the

1 period of suspension or revocation in that other jurisdiction has expired or if, at the
2 time of the conviction, the person was licensed in or resided in another jurisdiction.

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

4 343.32 (1v) The secretary may suspend or revoke the operating privilege of any
5 person who is a licensee under this chapter or is a resident to whom another
6 jurisdiction has not issued an operator's license upon receiving notice of the
7 suspension or revocation in another jurisdiction of the person's operating privilege
8 for an offense therein which, if committed in this state, would have been cause for
9 suspension or revocation under any law of this state or which is identified in the rules
10 under s. 343.02 (3) (b) as an offense for which a person is subject to suspension or
11 revocation, or upon receiving notice of any circumstances occurring in another
12 jurisdiction which, if occurring in this state, would have been cause for
13 administrative suspension under s. 343.305 (7) (a). This subsection does not apply
14 if the period of suspension or revocation in the other jurisdiction has expired or if, at
15 the time of the offense or time that the circumstances occurred, the person was
16 licensed in or resided in another jurisdiction. This subsection does not apply with
17 respect to any suspension or revocation in another jurisdiction for failure to comply
18 with the order of, or appear before, a court of that other jurisdiction.

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

20 343.32 (2) (a) The secretary may suspend a person's the operating privilege of
21 a person who is a licensee under this chapter or is a resident to whom another
22 jurisdiction has not issued an operator's license if the person appears by the records
23 of the department to be a habitually reckless or negligent operator of a motor vehicle
24 or to have repeatedly violated any of the state traffic laws, any local ordinance
25 enacted under ch. 349 or any traffic laws enacted by a federally recognized American

1 Indian tribe or band in this state if the tribal traffic laws violated strictly conform
2 to provisions in chs. 341 to 348 or, if the offense occurred on a federal military
3 installation located in this state, any federal law which is in strict conformity with
4 a state traffic law, or any law of another jurisdiction for an offense therein which, if
5 committed in this state, would have been cause for demerit point assessment under
6 this subsection. The secretary may not consider, for purposes of this paragraph, any
7 offense occurring in another jurisdiction if, at the time of any conviction for the
8 offense, the person was licensed in or resided in another jurisdiction. For the purpose
9 of determining when to suspend an operating privilege under this subsection, the
10 secretary may determine and adopt by rule a method of weighing traffic convictions
11 by their seriousness and may, subject to the limitations in this subsection, change
12 such weighted scale as experience or the accident frequency in the state makes
13 necessary or desirable.

14 **SECTION 82.** 343.325 (4) of the statutes is amended to read:

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

23 **SECTION 83.** 343.34 (1) of the statutes is amended to read:

24 343.34 (1) Whenever the secretary is satisfied that a person has violated a
25 restriction on the a license issued under this chapter and that it is in the interests

1 of public safety to suspend the license, the secretary shall suspend such license for
2 a period not exceeding one year unless the violation is cause for revocation.

3 SECTION 84. 343.34 (2) of the statutes is amended to read:

4 343.34 (2) When a person who is a licensee under this chapter or is a resident
5 to whom another jurisdiction has not issued an operator's license has been convicted
6 under s. 343.16 (7) (b).

as affected by 2007 Wisconsin Act ... (this act)

7 SECTION 85. 343.345 of the statutes is amended to read:

8 **343.345 Restriction, limitation or suspension of operating privilege.**

9 The department shall restrict, limit or 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 is delinquent in making
12 court-ordered payments of child or family support, maintenance, birth expenses,
13 medical expenses or other expenses related to the support of a child or former spouse,
14 or who fails to comply, after appropriate notice, with a subpoena or warrant issued
15 by the department of ~~workforce development~~ *children and families* or a county child support agency under
16 s. 59.53 (5) and related to paternity or child support proceedings, as provided in a
17 memorandum of understanding entered into under s. 49.857.

18 SECTION 86. 343.36 (title) of the statutes is amended to read:

19 **343.36 (title) Department to distribute suspension, revocation and**
20 **disqualification lists and nonresidents' records of conviction and notices.**

21 SECTION 87. 343.36 (3) of the statutes is renumbered 343.36 (3) (a) and
22 amended to read:

23 343.36 (3) (a) Upon Subject to s. 343.03 (7) (b) and (c), upon receiving a record
24 of conviction showing that a nonresident operator of a motor vehicle has been
25 convicted in this state of an offense which is grounds for revocation, suspension, or

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1 disqualification under the laws of this state, or upon otherwise receiving any order
2 of a court in this state suspending or revoking a nonresident's operating privilege or
3 disqualifying a nonresident, the department shall forward, within 30 days of
4 receiving the record of conviction or order, a certified copy of such record or order to
5 the motor vehicle administrator in the state wherein the person so convicted is a
6 resident driver licensing agency of the person's home jurisdiction. If the department
7 subsequently receives any notice under s. 343.325 (1) or (6) related to the conviction
8 or order, the department shall forward a certified copy of the notice to the same driver
9 licensing agency.

10 **SECTION 88.** 343.36 (3) (b), (c) and (d) of the statutes are created to read:

11 343.36 (3) (b) Subject to s. 343.03 (7) (b), upon receiving any of the following
12 information with respect to a nonresident, the department shall forward, within 30
13 days of receiving the information, notice of the information to the driver licensing
14 agency of the person's home jurisdiction:

15 1. A report of positive test results under s. 343.305 (7) (a). Notice forwarded
16 by the department shall include notice of the administrative suspension under s.
17 343.305 (7) (a).

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

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

22 (c) Subject to s. 343.03 (7) (b) and (c), upon receiving a record of conviction
23 showing that a nonresident operator of a motor vehicle has been convicted in this
24 state of an offense that is identified in the rules under s. 343.02 (3) (b) but which is
25 not grounds for revocation, suspension, or disqualification under the laws of this

1 state, the department shall forward, within 30 days of receiving the record of
2 conviction, a certified copy of such record to the driver licensing agency of the person's
3 home jurisdiction. If the department subsequently receives any notice under s.
4 343.325 (1) or (6) related to the conviction, the department shall forward a certified
5 copy of the notice to the same driver licensing agency.

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

11 **SECTION 89.** 343.38 (1) (c) 2. c. of the statutes is amended to read:

12 343.38 (1) (c) 2. c. Reinstatement of an operating privilege revoked under s.
13 343.30 (1g) (b) 2, or (d), 343.305 (10) (d) or 343.31 (3) (b) or (bm) 2.

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

15 343.38 (2) REINSTATEMENT OF NONRESIDENT'S OPERATING PRIVILEGE AFTER
16 REVOCATION BY WISCONSIN. A nonresident's operating privilege revoked under the
17 laws of this state is reinstated as a matter of law when the period of revocation has
18 expired and such the nonresident obtains a valid operator's license issued by the
19 jurisdiction of the nonresident's residence and pays the fee specified in s. 343.21 (1)

20 (j) and (n)

21 **SECTION 91.** 343.38 (4) (intro.) of the statutes is amended to read:

22 343.38 (4) FIRST ISSUANCE OF LICENSE IN WISCONSIN AFTER SUSPENSION OR
23 REVOCATION BY ANOTHER STATE. (intro.) The department may issue an operator's
24 license to a person moving to this state whose operating privileges have privilege has
25 been previously suspended or revoked in another state jurisdiction when their the

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1 person's operating privilege has been reinstated or the person is eligible for
2 reinstatement in that state the other jurisdiction and the following conditions have
3 been met:

4 **SECTION 92.** 343.38 (4) (a) of the statutes is repealed.

5 **SECTION 93.** 343.38 (4) (b) of the statutes is repealed.

6 **SECTION 94.** 343.39 (1) (a) of the statutes is amended to read:
7

8 343.39 (1) (a) When, in the case of a suspended operating privilege, the period
9 of suspension has terminated, the reinstatement fee specified in s. 343.21 (1) (j) has
10 been paid to the department and, for reinstatement of ~~an~~ the operating privilege of
11 a resident suspended under ch. 344, the person files with the department proof of
12 financial responsibility, if required, in the amount, form and manner specified under
13 ch. 344.

13 **SECTION 95.** 343.39 (2) of the statutes is amended to read:

14 343.39 (2) Whenever a person's operating privilege is automatically reinstated,
15 the department shall forthwith notify such person thereof ~~and shall return any~~
16 ~~surrendered and unexpired license in its possession.~~ If the person's license expired
17 during the period of revocation or suspension, such person may renew the license at
18 the standard renewal fee at any time within 30 days after the reinstatement of the
19 operating privilege. If the person states to the department that he or she no longer
20 possesses the license because the license was surrendered to a court, and the person
21 has satisfied all requirements under sub. (1), including, if applicable, payment of the
22 reinstatement fee required under sub. (1) (a), the department shall issue a new
23 license without any additional fee for the license.

24 **SECTION 96.** 343.44 (1) (a) of the statutes is amended to read:

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

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

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

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

23 343.44 (1) (c) *Operating while ordered out-of-service.* No person may operate
24 a commercial motor vehicle while the person or the commercial motor vehicle is

1 ordered out-of-service under the law of this state or another jurisdiction or under
2 federal law.

3 **SECTION 99.** 343.44 (2) (am) of the statutes is amended to read:

4 343.44 (2) (am) Any person who violates sub. (1) (b) before May 1, 2002, may
5 be required to forfeit not more than \$600, except that, if the person has been
6 convicted of a previous violation of sub. (1) (b), ~~or of operating a motor vehicle in~~
7 ~~violation of s. 343.44 (1), 1997 stats., with an operating privilege that is revoked,~~
8 within the preceding 5-year period, the penalty under par. (b) shall apply.

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

10 343.44 (2r) PRIOR CONVICTIONS. For purposes of determining prior convictions
11 under this section, the 5-year period shall be measured from the dates of the
12 violations that resulted in the convictions and each conviction under sub. (2) shall
13 be counted. Convictions of s. 343.44 (1), 1997 stats., ~~other than for operating a~~
14 ~~commercial motor vehicle while ordered out-of-service~~ under the law of another
15 jurisdiction for offenses therein which, if committed in this state, would have been
16 violations of this section shall be counted under this section as prior convictions.

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

18 343.44 (2s) CITATIONS. Within 30 days after receipt by the department of a
19 report from a law enforcement officer under s. 343.305 (7) or a court order under s.
20 343.28 of a violation committed by a person operating a commercial motor vehicle
21 while subject to an out-of-service order under s. 343.305 (7) (b) or (9) (am), a traffic
22 officer employed under s. 110.07 may prepare a uniform traffic citation under s.
23 345.11 for a violation of sub. (1) (c) or (d) and serve it on the person. The citation may
24 be served anywhere in this state and shall be served by delivering a copy to the
25 person personally or by leaving a copy at the person's usual place of abode with a

1 person of discretion residing therein or by mailing a copy to the person's last-known
2 residence address, including, if the person is not a resident, an address in another
3 jurisdiction. The venue for prosecution may be the county where the alleged offense
4 occurred or, if the person is a resident, in the person's county of residence.

5 **SECTION 102.** 343.44 (4r) of the statutes is amended to read:

6 343.44 (4r) VIOLATION OF OUT-OF-SERVICE ORDER. In addition to other penalties
7 for violation of this section, if a person has violated this section after ~~he or she~~ the
8 person or the commercial motor vehicle operated by the person was ordered
9 out-of-service under the law of this state or another jurisdiction or under federal
10 law, the violation shall result in disqualification under s. 343.315 (2) (h) or (i).

11 **SECTION 103.** 343.50 (8) (b) of the statutes is amended to read:

12 343.50 (8) (b) The department may not disclose any record or other information
13 concerning or relating to an applicant or identification card holder to any person
14 other than a court, district attorney, county corporation counsel, city, village, or town
15 attorney, law enforcement agency, driver licensing agency of another jurisdiction, the
16 applicant or identification card holder or, if the applicant or identification card holder
17 is under 18 years of age, his or her parent or guardian. Except for photographs
18 ~~disclosed to a law enforcement agency for which disclosure is authorized~~ under s.
19 343.237, persons entitled to receive any record or other information under this
20 paragraph shall not disclose the record or other information to other persons or
21 agencies. This paragraph does not prohibit the disclosure of a person's name or
22 address, of the name or address of a person's employer or of financial information
23 that relates to a person when requested under s. 49.22 (2m) by the department of
24 workforce development or a county child support agency under s. 59.53 (5).

25 **SECTION 104.** 344.02 (3) of the statutes is amended to read:

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1 344.02 (3) Upon completion of the hearing, the department shall make findings
2 of fact, conclusions of law, and a decision, and shall, as provided in this chapter, either
3 proceed to order suspension of the person's operating privilege, or registrations, or
4 both, and may also order the impoundment of the person's motor vehicle, in
5 accordance with s. 344.14, or upon good cause appearing therefor, shall terminate the
6 proceedings.

7 **SECTION 105.** 344.08 (1m) of the statutes is created to read:

8 344.08 (1m) Notwithstanding sub. (1), the secretary may only suspend the
9 operating privilege of a nonresident for an offense specified in sub. (1) if the
10 nonresident is licensed by or resides in another jurisdiction that is not a member
11 jurisdiction or if the offense is not identified in the rules under s. 343.02 (3) (b).

12 **SECTION 106.** 344.13 (2) of the statutes is amended to read:

13 344.13 (2) The secretary shall determine the amount of security required to be
14 deposited by each person on the basis of the accident reports or other information
15 submitted. In addition to the accident reports required by law, the secretary may
16 request from any of the persons, including passengers and pedestrians, involved in
17 such accident such further information, sworn statements or other evidence relating
18 to property damage, personal injury or death in motor vehicle accidents as deemed
19 necessary to aid in determining the amount to be deposited as security under s.
20 344.14. Failure Subject to s. 344.14 (1r), failure of a person to comply with such
21 request is grounds for suspending such person's operating privilege but no
22 suspension shall be made on such grounds until one follow-up request has been
23 made and at least 20 days have elapsed since the mailing of the first request.

24 **SECTION 107.** 344.14 (1r) of the statutes is created to read:

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

6 **SECTION 108.** 344.18 (1m) (a) of the statutes is amended to read:

7 344.18 (1m) (a) Unless 3 years have elapsed since the date that a requirement
8 under sub. (1) (a), (b), (c) or (d) has been met or unless the person is a nonresident,
9 the person whose operating privilege or registration was suspended or revoked
10 under s. 344.14 shall file with the department and maintain in effect proof of
11 financial responsibility in the amount, form and manner specified in this chapter.

12 **SECTION 109.** 344.18 (3m) (a) of the statutes is amended to read:

13 344.18 (3m) (a) Unless 3 years have elapsed since the date that a requirement
14 under sub. (3) (a) or (b) has been met or unless the person is a nonresident, the person
15 whose operating privilege or registration was suspended or revoked under sub. (3)
16 shall file with the department and maintain in effect proof of financial responsibility
17 in the amount, form and manner specified in this chapter.

18 **SECTION 110.** 344.19 (1) of the statutes is amended to read:

19 344.19 (1) If the operator or the owner of a motor vehicle involved in an accident
20 within this state has no license or registration, whether because the operator or
21 owner is a nonresident or because the operator or owner is a resident who has failed
22 or neglected to obtain a license or registration in this state, the operator or owner
23 shall not be allowed a license or registration until the operator or owner has complied
24 with the requirements of this chapter to the same extent as would be necessary if,
25 at the time of the accident, the operator or owner had held a license and registration

1 in this state. Nothing in this subsection requires the department to maintain an
2 operator's record with respect to a nonresident except as provided in s. 343.23 (2m).

3 **SECTION 111.** 344.19 (2) of the statutes is renumbered 344.19 (2) (intro.) and
4 amended to read:

5 344.19 (2) (intro.) If the operating privilege or registration of a nonresident is
6 suspended under s. 344.14, the secretary shall transmit a certified copy of the record
7 of such action as follows:

8 (b) With respect to the registration suspension, to the administrator of the
9 division of motor vehicles or equivalent official of the state in which that person
10 resides if the law of the state in which that person resides provides for similar action
11 by the administrator or equivalent official of that state in the event that a resident
12 of this state has a nonresident's ~~operating privilege or~~ registration in that state
13 suspended or revoked for failure to comply with the safety responsibility law of that
14 state.

15 **SECTION 112.** 344.19 (2) (a) of the statutes is created to read:

16 344.19 (2) (a) With respect to the operating privilege suspension, as provided
17 in s. 343.36 (3).

18 **SECTION 113.** 344.19 (3) of the statutes is amended to read:

19 344.19 (3) Upon receipt of such certification from another state to the effect
20 that the operating privilege or registration of a resident of this state has been
21 suspended or revoked in such other state under a law providing for its suspension
22 or revocation for failure to deposit security for payment of judgments arising out of
23 a motor vehicle accident, under circumstances which would require the secretary to
24 suspend a nonresident's person's operating privilege or registration had the accident
25 occurred in this state, or, upon notice of circumstances occurring in another

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

22 **SECTION 114.** 344.24 of the statutes is amended to read:

23 **344.24 Applicability of sections relating to proof of financial**
24 **responsibility for the future.** Sections 344.29 to 344.41 are applicable in all cases
25 in which a person is required to deposit proof of financial responsibility for the future,

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1 including those cases in which a person is required to deposit proof of financial
2 responsibility for the future under ss. 344.25 to 344.27, those cases in which the
3 deposit of proof of financial responsibility for the future is a condition precedent to
4 reinstatement of an operating privilege or registration suspended or revoked under
5 s. 344.14, 344.18 (3) or 344.19 (3) and those cases in which the deposit of proof of
6 financial responsibility for the future is a condition precedent to issuance of an
7 operator's license under s. 343.38 (4) or reinstatement of an operating privilege
8 revoked under ch. 343.

9 **SECTION 115.** 344.25 (7) of the statutes is created to read:

10 344.25 (7) Notwithstanding sub. (5), the secretary shall only suspend the
11 operating privilege of a nonresident if the nonresident is licensed by or resides in
12 another jurisdiction that is not a member jurisdiction or if operating privilege
13 suspension under circumstances substantially similar to those described in this
14 subchapter is not identified in the rules under s. 343.02 (3) (b).

15 **SECTION 116.** 344.26 (1) of the statutes is amended to read:

16 344.26 (1) Subject to the exceptions stated in ss. 344.25 (2) and 344.27 (2), any
17 operating privilege or registration suspended or revoked under s. 344.25 shall
18 remain suspended or revoked until every judgment mentioned in s. 344.25 is stayed,
19 satisfied, or discharged and, unless 3 years have elapsed since the date on which the
20 judgment was stayed, satisfied, or discharged or unless the person is a nonresident,
21 until the person whose operating privilege and registration was suspended or
22 revoked furnishes and maintains in effect proof of financial responsibility for the
23 future.

24 **SECTION 117.** 344.27 (2) of the statutes is amended to read:

1 344.27 (2) The secretary shall not suspend the operating privilege or
2 registration and shall restore any operating privilege or registration suspended
3 following nonpayment of a judgment when the judgment debtor obtains such order
4 permitting the payment of the judgment in installments and, unless 3 years have
5 elapsed since the date on which the order permitting the payment of the judgment
6 in installments is filed with the secretary or unless the judgment debtor is a
7 nonresident, furnishes and maintains proof of financial responsibility for the future.

8 **SECTION 118.** 344.27 (3) of the statutes is amended to read:

9 344.27 (3) If the judgment debtor fails to pay any installment as specified by
10 such order, the secretary, upon notice of such default, shall immediately suspend the
11 operating privilege, if permitted under this subchapter, and registrations of the
12 judgment debtor until such judgment is satisfied as provided in s. 344.26.

13 **SECTION 119.** 344.29 of the statutes is amended to read:

14 **344.29 Proof of financial responsibility for the future required.** Proof
15 of financial responsibility for the future shall be furnished by any person required
16 to give such proof under ss. 344.25 to 344.27, those cases in which the deposit of proof
17 of financial responsibility for the future is a condition precedent to reinstatement of
18 an operating privilege or registration suspended or revoked under s. 344.14, 344.18
19 (3) or 344.19 (3) and in those cases in which the deposit of proof of financial
20 responsibility for the future is a condition precedent to ~~issuance of an operator's~~
21 ~~license under s. 343.38 (4) or~~ reinstatement of an operating privilege revoked under
22 ch. 343.

23 **SECTION 120.** 344.30 (1) of the statutes is amended to read:

24 344.30 (1) Certification of insurance as provided in s. 344.31 ~~or 344.32~~; or

25 **SECTION 121.** 344.32 of the statutes is repealed.

1 **SECTION 122.** 344.33 (1) of the statutes is amended to read:

2 344.33 (1) CERTIFICATION. In this chapter, "motor vehicle liability policy" means
3 a motor vehicle policy of liability insurance, certified as provided in s. 344.31 or
4 344.32 as proof of financial responsibility for the future, and issued, ~~except as~~
5 ~~otherwise provided in s. 344.32~~, by an insurer authorized to do an automobile
6 liability business in this state to or for the benefit of the person named in the policy
7 as the insured.

8 **SECTION 123.** 344.34 of the statutes is amended to read:

9 **344.34 Notice of cancellation or termination of certified policy.** When
10 an insurer has certified a motor vehicle liability policy under s. 344.31, ~~a policy under~~
11 ~~s. 344.32~~ or a bond under s. 344.36, the insurance so certified shall not be canceled
12 or terminated until at least 10 days after a notice of cancellation or termination of
13 the insurance so certified has been filed in the office of the secretary. No insurance
14 so certified may be canceled or terminated by the insurer prior to the expiration of
15 90 days from the effective date of the certification on the grounds of failure to pay a
16 premium when due. Such a certified policy or bond subsequently procured shall, on
17 the effective date of its certification, terminate the insurance previously certified.
18 Any certification or recertification filed by the same insurer following cancellation
19 shall be accompanied by a fee of \$3 payable by the insurer.

20 **SECTION 124.** 344.42 of the statutes is amended to read:

21 **344.42 Submission of certifications and recertifications by insurers.**
22 If the sum of certifications and recertifications under ss. 344.31, ~~344.32~~ and 344.34
23 that are submitted by an insurer to the department in any year exceeds 1,000, the
24 insurer shall pay to the department a transaction fee of \$1.50 per certification or
25 recertification that is not transmitted electronically to the department. The

1 department shall promulgate rules establishing procedures for the collection of
2 transaction fees under this section.

3 **SECTION 125.** 345.23 (2) (c) of the statutes is amended to read:

4 345.23 (2) (c) Deposits the person's valid Wisconsin operator's license with the
5 officer. If the license is deposited with the officer, the officer shall issue to the licensee
6 a receipt which shall be valid as a driver's license through the date specified on the
7 receipt, which shall be the same as the court appearance date, and the officer shall,
8 at the earliest possible time prior to the court appearance date, deposit the license
9 with the court.

10 **SECTION 126.** 345.28 (5) (b) 1. of the statutes is amended to read:

11 345.28 (5) (b) 1. If a person fails to respond to the notices under par. (a) within
12 the time specified in the notice, a warrant that substantially complies with the
13 mandatory provisions under s. 968.04 (3) (a) may be issued for the person, except that
14 the warrant shall direct the officer to accept the person's deposit of money or his or
15 her valid Wisconsin operator's license, as provided under subd. 2. a., in lieu of serving
16 the warrant and arresting the person.

17 **SECTION 127.** 345.28 (5) (b) 2. a. of the statutes is amended to read:

18 345.28 (5) (b) 2. a. The officer shall accept a deposit of money or a deposit of the
19 person's valid Wisconsin operator's license in lieu of serving the warrant and
20 arresting the person. If the license is deposited with the officer, the officer shall issue
21 to the licensee a receipt, on a form provided by the department, which is valid as an
22 operator's license through a date specified on the receipt, not to exceed 30 days from
23 the date of contact, which shall be the same as the court appearance date and the
24 officer shall at the earliest possible time prior to the court appearance date deposit
25 the license with the court. If a deposit of money is made, s. 345.26 (1) (a) and (2) to

1 (5) applies. The officer shall notify the person who deposits money or his or her
 2 license, in writing, of the specific actions which the authority and the courts are
 3 authorized to take under this section if the person fails to appear in court at the time
 4 specified by the officer, not to exceed 30 days from the date of contact, or at any
 5 subsequent court appearance for the nonmoving traffic violation citation. If the
 6 person makes a deposit of money or deposits his or her valid Wisconsin operator's
 7 license, the officer shall return the warrant to the court or judge who issued the
 8 warrant and the court or judge shall vacate the warrant.

as affected by 2007 Wisconsin Act ... (this act)

9 **SECTION 128.** 345.47 (1) (c) of the statutes is amended to read:

10 345.47 (1) (c) If a court or judge suspends an operating privilege under this
 11 section, the court or judge shall immediately may take possession of the suspended
 12 license and. If the court takes possession of a license, it shall destroy the license. The
 13 court shall forward it to the department together with the notice of suspension,
 14 which shall clearly state that the suspension was for failure to pay a forfeiture, plus
 15 costs, fees, and surcharges imposed under ch. 814. The notice of suspension and the
 16 suspended license, if it is available, shall be forwarded to the department within 48
 17 hours after the order of suspension. If the forfeiture, plus costs, fees, and surcharges
 18 imposed under ch. 814, are paid during a period of suspension, the court or judge
 19 shall immediately notify the department. Upon receipt of the notice and payment
 20 of the ~~remstatement fee~~ ^{fees} under s. 343.21 (1) (j), ~~and (A)~~ the department shall return the
 21 surrendered license.

22 **SECTION 129.** 345.48 (2) of the statutes is amended to read:

23 345.48 (2) If the defendant is found guilty of a traffic violation for which
 24 revocation of his or her operating privilege is mandatory under s. 343.31, or for which
 25 the court revokes or suspends his or her operating privilege under s. 343.30, the court

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1 ~~shall immediately~~ may take possession of the suspended or revoked license. If the
2 court takes possession of a license, it shall destroy the license. The revocation or
3 suspension is effective immediately. The court ordered suspension or revocation
4 shall be included as part of the report of conviction under sub. (1m).

5 **SECTION 130.** 345.48 (3) of the statutes is repealed.

6 **SECTION 131.** 345.48 (4) of the statutes is amended to read:

7 345.48 (4) If notice of appeal is filed the court shall, within 5 working days after
8 it is filed, forward to the department a certificate stating that a notice of appeal has
9 been filed ~~and shall return any surrendered license.~~ Thereafter, the court shall
10 notify the department as required under s. 343.325 (1) (b) and (c).

11 **SECTION 132.** 346.65 (2c) of the statutes is amended to read:

12 346.65 (2c) In sub. (2) (am) 2., 3., 4., and 5., the time period shall be measured
13 from the dates of the refusals or violations that resulted in the revocation or
14 convictions. If a person has a suspension, revocation, or conviction for any offense
15 under a local ordinance or a state statute of another state jurisdiction that would be
16 counted under s. 343.307 (1), that suspension, revocation, or conviction shall count
17 as a prior suspension, revocation, or conviction under sub. (2) (am) 2., 3., 4., and 5.

18 **SECTION 133.** 346.65 (2e) of the statutes is amended to read:

19 346.65 (2e) If the court determines that a person does not have the ability to
20 pay the costs and fine or forfeiture imposed under sub. (2) (am), (f), or (g), the court
21 may reduce the costs, fine, and forfeiture imposed and order the person to pay, toward
22 the cost of the assessment and driver safety plan imposed under s. 343.30 (1q) (c), if
23 applicable, the difference between the amount of the reduced costs and fine or
24 forfeiture and the amount of costs and fine or forfeiture imposed under sub. (2) (am),
25 (f), or (g).

1 **SECTION 134.** 346.65 (6) (a) 3. of the statutes is amended to read:

2 346.65 (6) (a) 3. The court shall notify the department, in a form and manner
3 prescribed by the department, that an order to seize a motor vehicle has been
4 entered. The If the motor vehicle is registered in this state under ch. 341 and the
5 department has issued a valid certificate of title for the vehicle under ch. 342, the
6 registration records of the department shall reflect that the order has been entered
7 against the vehicle and remains unexecuted. Any law enforcement officer may
8 execute that order, and shall transfer any motor vehicle ordered seized to the law
9 enforcement agency that was originally ordered to seize the vehicle, based on the
10 information provided by the department. The law enforcement agency shall notify
11 the department when an order has been executed under this subdivision and the
12 department shall amend its vehicle registration records to reflect that notification
13 if the motor vehicle is registered in this state under ch. 341 and the department has
14 issued a valid certificate of title for the vehicle under ch. 342.

15 **SECTION 135.** 346.65 (6) (km) of the statutes is amended to read:

16 346.65 (6) (km) If a person purchases a motor vehicle in good faith and without
17 knowledge that the motor vehicle was subject to immobilization or seizure or to
18 equipping with an ignition interlock device under this subsection and the
19 department has no valid reason for not issuing a certificate of title other than the
20 prohibition under par. (k), the department shall issue a new certificate of title in the
21 name of the person requesting the new certificate of title if at the time of the purchase
22 of the motor vehicle the certificate of title did not contain the notation stamped on
23 the certificate of title by the clerk of circuit court under par. (a) 2m. and, if the person
24 submits the affidavit required under s. 342.12 (4) (c) 1. c., and if the department has
25 previously issued a valid certificate of title for the motor vehicle.

1 **SECTION 136.** 350.11 (3) (d) of the statutes is amended to read:

2 350.11 (3) (d) *Alcohol, controlled substances or controlled substance analogs;*
3 *assessment.* In addition to any other penalty or order, a person who violates s.
4 350.101 (1) or (2) or 350.104 (5) or who violates s. 940.09 or 940.25 if the violation
5 involves the operation of a snowmobile, 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 137.** 351.02 (1) (intro.) of the statutes is amended to read:

12 351.02 (1) (intro.) "Habitual traffic offender" means any person, ~~resident or~~
13 ~~nonresident,~~ whose record, as maintained by the department, shows that the person
14 has accumulated the number of convictions for the separate and distinct offenses,
15 regardless of the class or type of motor vehicle being operated, under par. (a) or (b)
16 committed within a 5-year period as follows:

17 **SECTION 138.** 351.02 (1m) of the statutes is amended to read:

18 351.02 (1m) "Repeat habitual traffic offender" means any person, ~~resident or~~
19 ~~nonresident,~~ whose record, as maintained by the department, shows that the person
20 has been convicted of 2 offenses under sub. (1) (b) committed within one year
21 following issuance of an occupational license to the person pursuant to s. 351.07 or
22 whose record, as maintained by the department, shows that the person has been
23 convicted of one offense under sub. (1) (a) or 4 offenses under sub. (1) (b) committed
24 within 3 years following issuance of an occupational license to the person pursuant

1 to s. 351.07, regardless of the license under which the person was operating a motor
2 vehicle or the classification of the vehicle being operated.

3 **SECTION 139.** 351.025 (1) of the statutes is renumbered 351.025 (1) (a) and
4 amended to read:

5 351.025 (1) (a) The Except as provided in par. (b), the secretary shall revoke
6 a person's, for a period of 5 years, the operating privilege for a period of 5 years of a
7 person who is a licensee under ch. 343 or is a resident to whom another jurisdiction
8 has not issued an operator's license upon receipt of a record of conviction which
9 brings the person within the definition of a habitual traffic offender or repeat
10 habitual traffic offender.

11 **SECTION 140.** 351.025 (1) (b) of the statutes is created to read:

12 351.025 (1) (b) The department may not revoke a person's operating privilege
13 under par. (a) based, in whole or part, upon any conviction for an offense committed
14 in another jurisdiction if at the time of the conviction the person was licensed in or
15 resided in another jurisdiction unless, after the person has become licensed under
16 ch. 343 or transferred residency to this state, the person is convicted of an offense
17 under s. 351.02 (1) (a) or (b) committed in this state.

18 **SECTION 141.** 351.027 (2) of the statutes is amended to read:

19 351.027 (2) If the person denies that he or she is a habitual traffic offender or
20 repeat habitual traffic offender subject to operating privilege revocation under s.
21 351.025 (1), the person may file with the circuit court for the county in which the
22 person resides, or, in the case of a nonresident, with the circuit court for Dane County
23 person who moves from this state after the person's operating privilege is revoked
24 under s. 351.025 (1) the county in which the person resided at the time the operating
25 privilege was revoked, a petition for a hearing and determination by the court that

1 the person is not a habitual traffic offender or repeat habitual traffic offender subject
2 to operating privilege revocation under s. 351.025 (1). The scope of the hearing shall
3 be limited to whether or not the person is the same person named in the record and,
4 whether or not the person was convicted of each offense shown by the record, and
5 whether the provisions of s. 351.025 (1) (b) prohibit revocation. The clerk of the court
6 in which the petition is filed shall forward a copy of the petition to the secretary.

7 **SECTION 142.** 351.03 of the statutes is amended to read:

8 **351.03 Secretary to certify copy of conviction record.** Upon receipt of the
9 copy of the petition under s. 351.027, the secretary shall certify the record of
10 conviction of any person whose record brings him or her within the definition of a
11 habitual traffic offender or repeat habitual traffic offender subject to operating
12 privilege revocation under s. 351.025 (1) to the court and to the district attorney of
13 the county in which the person resides or ~~to the attorney general if the person is not~~
14 ~~a resident of this state, if the person moves from this state after the person's~~
15 operating privilege is revoked under s. 351.025 (1) the county in which the person
16 resided at the time the operating privilege was revoked. The certified record shall
17 be prima facie evidence that the person named therein was duly convicted by the
18 court wherein the conviction or finding was made, of each offense shown by the
19 record. If the person denies any of the facts as stated in the record, he or she shall
20 have the burden of proving that the fact is false.

21 **SECTION 143.** 351.04 of the statutes is amended to read:

22 **351.04 District attorney ~~or attorney general~~ to represent secretary.**
23 The district attorney for the county in which the person resides, or if the person
24 moves from this state after the person's operating privilege is revoked under s.
25 351.025 (1) the county in which the person resided at the time the operating privilege

1 was revoked, who receives the certified copy of record from the secretary under s.
2 351.03 shall represent the secretary at the hearing under s. 351.027. ~~In the case of~~
3 ~~nonresidents, the attorney general shall represent the secretary at the hearing.~~

4 **SECTION 144.** 351.05 of the statutes is amended to read:

5 **351.05 Habitual traffic offender or repeat habitual traffic offender**
6 **determination by the court.** The court in which the petition under s. 351.027 is
7 filed shall determine whether the person is a habitual traffic offender or repeat
8 habitual traffic offender subject to operating privilege revocation under s. 351.025
9 (1). If the person denies he or she was convicted or found in violation of any offense
10 necessary for a holding that he or she is a habitual traffic offender or repeat habitual
11 traffic offender subject to operating privilege revocation under s. 351.025 (1), and if
12 the court is not able to make the determination on the evidence before it, the court
13 may certify the decision of the issue to the court in which the conviction or finding
14 of violation was made. The court to which the certification was made shall conduct
15 a hearing to determine the issue and send a certified copy of its final order
16 determining the issue to the court in which the petition was filed.

17 **SECTION 145.** 351.06 of the statutes is amended to read:

18 **351.06 Order of court.** If the court finds that the person before it is not the
19 same person named in the record or that he or she is not a habitual traffic offender
20 or repeat habitual traffic offender subject to operating privilege revocation under s.
21 351.025 (1), the court shall order the secretary to reinstate the person's Wisconsin
22 operating privilege. If the court finds that the person is the same person named in
23 the record and that he or she is a habitual traffic offender or repeat habitual traffic
24 offender subject to operating privilege revocation under s. 351.025 (1), the court shall
25 deny the person's petition for a determination that the person is not a habitual traffic

1 offender or repeat habitual traffic offender subject to operating privilege revocation
2 under s. 351.025 (1). The clerk of the court shall file a copy of the order or denial of
3 the petition with the department which shall become a part of the records of the
4 department.

5 **SECTION 146.** 631.37 (4) (e) of the statutes is amended to read:

6 631.37 (4) (e) *Motor vehicle liability policy*. Section 344.34 applies to motor
7 vehicle liability policies certified under s. 344.31 ~~and to policies certified under s.~~
8 ~~344.32.~~

9 **SECTION 147.** 800.09 (1) (c) of the statutes is amended to read:

10 800.09 (1) (c) The court may suspend the defendant's operating privilege, as
11 defined in s. 340.01 (40), until restitution is made and the forfeiture, assessments
12 and costs are paid, if the defendant has not done so within 60 days after the date the
13 restitution or payments or both are to be made under par. (a) and has not notified the
14 court that he or she is unable to comply with the judgment, as provided under s.
15 800.095 (4) (a), except that the suspension period may not exceed 2 years. The court
16 ~~shall~~ may take possession of the suspended license ~~and shall~~. If the court takes
17 possession of a license, it shall destroy the license. The court shall forward the
18 ~~license, along with~~ a notice of the suspension clearly stating that the suspension is
19 for failure to comply with a judgment of the court, to the department of
20 transportation. This paragraph does not apply if the forfeiture is assessed for
21 violation of an ordinance that is unrelated to the violator's operation of a motor
22 vehicle.

23 **SECTION 148.** 938.17 (2) (d) 2. of the statutes is amended to read:

24 938.17 (2) (d) 2. If a court suspends a license or privilege under subd. 1., the
25 court shall immediately take possession of the applicable license ~~and forward it if~~

1 issued under ch. 29 or, if the license is issued under ch. 343, the court may take
2 possession of, and if possession is taken, shall destroy, the license. The court shall
3 forward to the department that issued the license, ~~together with~~ the notice of
4 suspension stating that the suspension is for failure to pay a forfeiture imposed by
5 the court, together with any license issued under ch. 29 of which the court takes
6 possession. If the forfeiture is paid during the period of suspension, the court shall
7 immediately notify the department, which shall then, if the license is issued under
8 ch. 29, return the license to the person.

9 **SECTION 149.** 938.34 (8) of the statutes is amended to read:

10 938.34 (8) Impose a forfeiture based upon a determination that this disposition
11 is in the best interest of the juvenile and the juvenile's rehabilitation. The maximum
12 forfeiture that the court may impose under this subsection for a violation by a
13 juvenile is the maximum amount of the fine that may be imposed on an adult for
14 committing that violation or, if the violation is applicable only to a person under 18
15 years of age, \$100. The order shall include a finding that the juvenile alone is
16 financially able to pay the forfeiture and shall allow up to 12 months for payment.
17 If the juvenile fails to pay the forfeiture, the court may vacate the forfeiture and order
18 other alternatives under this section; or the court may suspend any license issued
19 under ch. 29 for not less than 30 days nor more than 5 years, or suspend the juvenile's
20 operating privilege, as defined in s. 340.01 (40), for not more than 2 years. If the court
21 suspends any license under this subsection, the clerk of the court shall immediately
22 take possession of the suspended license ~~and forward it~~ if issued under ch. 29 or, if
23 the license is issued under ch. 343, the court may take possession of, and if possession
24 is taken, shall destroy, the license. The court shall forward to the department which
25 issued the license, ~~together with~~ a notice of suspension stating that the suspension

1 is for failure to pay a forfeiture imposed by the court, together with any license issued
2 under ch. 29 of which the court takes possession. If the forfeiture is paid during the
3 period of suspension, the suspension shall be reduced to the time period which has
4 already elapsed and the court shall immediately notify the department which shall
5 then, if the license is issued under ch. 29, return the license to the juvenile. Any
6 recovery under this subsection shall be reduced by the amount recovered as a
7 forfeiture for the same act under s. 938.45 (1r) (b).

8 **SECTION 150.** 938.34 (8d) (d) of the statutes is amended to read:

9 938.34 (8d) (d) If the juvenile fails to pay the surcharge under par. (a), the court
10 may vacate the surcharge and order other alternatives under this section, in
11 accordance with the conditions specified in this chapter; or the court may suspend
12 any license issued under ch. 29 for not less than 30 days nor more than 5 years, or
13 suspend the juvenile's operating privilege, as defined in s. 340.01 (40), for not less
14 than 30 days nor more than 5 years. If the court suspends any license under this
15 subsection, the clerk of the court shall immediately take possession of the suspended
16 license and forward it if issued under ch. 29 or, if the license is issued under ch. 343,
17 the court may take possession of, and if possession is taken, shall destroy, the license.
18 The court shall forward to the department which issued the license, ~~together with~~
19 a notice of suspension stating that the suspension is for failure to pay a surcharge
20 imposed by the court, together with any license issued under ch. 29 of which the court
21 takes possession. If the surcharge is paid during the period of suspension, the
22 suspension shall be reduced to the time period which has already elapsed and the
23 court shall immediately notify the department which shall then, if the license is
24 issued under ch. 29, return the license to the juvenile.

25 **SECTION 151.** 938.34 (14m) of the statutes is amended to read:

1 938.34 (14m) Restrict or suspend the operating privilege, as defined in s.
2 340.01 (40), of a juvenile who is adjudicated delinquent under a violation of any law
3 in which a motor vehicle is involved. If the court suspends a juvenile's operating
4 privilege under this subsection, the court ~~shall immediately~~ may take possession of
5 the suspended license ~~and forward it.~~ If the court takes possession of a license, it
6 shall destroy the license. The court shall forward to the department of
7 transportation ~~together with~~ a notice stating the reason for and duration of the
8 suspension. If the court limits a juvenile's operating privilege under this subsection,
9 the court shall immediately notify the department of transportation of that
10 limitation.

11 **SECTION 152.** 938.34 (14r) (a) of the statutes is amended to read:

12 938.34 (14r) (a) In addition to any other dispositions imposed under this
13 section, if the juvenile is found to have violated ch. 961, the court shall suspend the
14 juvenile's operating privilege, as defined in s. 340.01 (40), for not less than 6 months
15 nor more than 5 years. The court ~~shall immediately~~ may take possession of any
16 suspended license ~~and forward it.~~ If the court takes possession of a license, it shall
17 destroy the license. The court shall forward to the department of transportation
18 ~~together with~~ the notice of suspension stating that the suspension or revocation is
19 for a violation of ch. 961.

20 **SECTION 153.** 938.342 (1g) (a) of the statutes is amended to read:

21 938.342 (1g) (a) Suspend the person's operating privilege, as defined in s.
22 340.01 (40), for not less than 30 days nor more than one year. The court ~~shall~~
23 ~~immediately~~ may take possession of the suspended license ~~and forward it.~~ If the
24 court takes possession of a license, it shall destroy the license. The court shall

1 forward to the department of transportation ~~together with~~ a notice stating the reason
2 for and duration of the suspension.

3 **SECTION 154.** 938.343 (2) of the statutes is amended to read:

4 938.343 (2) FORFEITURE. Impose a forfeiture not to exceed the maximum
5 forfeiture that may be imposed on an adult for committing that violation or, if the
6 violation is only applicable to a person under 18 years of age, \$50. The order shall
7 include a finding that the juvenile alone is financially able to pay and shall allow up
8 to 12 months for the payment. If a juvenile fails to pay the forfeiture, the court may
9 suspend any license issued under ch. 29 or suspend the juvenile's operating privilege,
10 as defined in s. 340.01 (40), for not more than 2 years. The court shall immediately
11 take possession of the suspended license and forward it if issued under ch. 29 or, if
12 the license is issued under ch. 343, the court may take possession of, and if possession
13 is taken, shall destroy, of the license. The court shall forward to the department
14 which issued the license, together with the notice of suspension stating that the
15 suspension is for failure to pay a forfeiture imposed by the court, together with any
16 license issued under ch. 29 of which the court takes possession. If the forfeiture is
17 paid during the period of suspension, the court shall immediately notify the
18 department, which shall, if the license is issued under ch. 29, return the license to
19 the person. Any recovery under this subsection shall be reduced by the amount
20 recovered as a forfeiture for the same act under s. 938.45 (1r) (b).

21 **SECTION 155.** 938.344 (2e) (b) of the statutes is amended to read:

22 938.344 (2e) (b) Whenever a court suspends a juvenile's operating privilege
23 under this subsection, the court ~~shall immediately~~ may take possession of any
24 suspended license ~~and forward it.~~ If the court takes possession of a license, it shall
25 destroy the license. The court shall forward to the department of transportation,

1 together with the notice of suspension stating that the suspension is for a violation
2 under s. 961.573 (2), 961.574 (2) or 961.575 (2), or a local ordinance that strictly
3 conforms to one of those statutes.

4 **SECTION 156.** 938.355 (6) (d) 2. of the statutes is amended to read:

5 938.355 (6) (d) 2. Suspension of or limitation restriction on the use of the
6 juvenile's operating privilege, as defined under s. 340.01 (40), or of any approval
7 issued under ch. 29 for a period of not more than 3 years. If the juvenile does not hold
8 a valid operator's license under ch. 343, other than an instruction permit under s.
9 343.07 or a restricted license under s. 343.08, on the date of the order issued under
10 this subdivision, the court may order the suspension to begin on the date that the
11 operator's license would otherwise be reinstated or issued after the juvenile applies
12 and qualifies for issuance or 2 years after the date of the order issued under this
13 subdivision, whichever occurs first. If the court suspends the juvenile's operating
14 privileges or an approval issued under ch. 29, the court shall immediately take
15 possession of the suspended license or approval and forward it may take possession
16 of, and if possession is taken, shall destroy, the suspended license. The court shall
17 forward to the department that issued it, ~~together with~~ the license or approval the
18 notice of suspension, together with any approval of which the court takes possession.

19 **SECTION 157.** 938.355 (6m) (a) 1m. of the statutes is amended to read:

20 938.355 (6m) (a) 1m. Suspension or limitation on the use of the juvenile's
21 operating privilege, as defined under s. 340.01 (40), or of any approval issued under
22 ch. 29 for not more than one year. If the juvenile does not hold a valid operator's
23 license under ch. 343, other than an instruction permit under s. 343.07 or a restricted
24 license under s. 343.08, on the date of the order issued under this subdivision, the
25 court may order the suspension or limitation to begin on the date that the operator's

1 license would otherwise be reinstated or issued after the juvenile applies and
2 qualifies for issuance or 2 years after the date of the order issued under this
3 subdivision, whichever occurs first. If the court suspends a juvenile's operating
4 privilege or an approval issued under ch. 29, the court shall immediately take
5 possession of the suspended license or approval and forward it may take possession
6 of, and if possession is taken, shall destroy, the suspended license. The court shall
7 forward to the department that issued the license or approval with a notice stating
8 the reason for and the duration of the suspension, together with any approval of
9 which the court takes possession.

10 **SECTION 158.** 938.396 (4) of the statutes is amended to read:

11 938.396 (4) OPERATING PRIVILEGE RECORDS. When a court assigned to exercise
12 jurisdiction under this chapter and ch. 48 or a municipal court exercising jurisdiction
13 under s. 938.17 (2) revokes, suspends, or restricts a juvenile's operating privilege
14 under this chapter, the department of transportation may not disclose information
15 concerning or relating to the revocation, suspension, or restriction to any person
16 other than a court assigned to exercise jurisdiction under this chapter and ch. 48, a
17 municipal court exercising jurisdiction under s. 938.17 (2), a district attorney, county
18 corporation counsel, or city, village, or town attorney, a law enforcement agency, a
19 driver licensing agency of another jurisdiction, the juvenile whose operating
20 privilege is revoked, suspended, or restricted, or the juvenile's parent or guardian.
21 Persons entitled to receive this information may not disclose the information to other
22 persons or agencies.

23 **SECTION 159.** 961.50 (1) (intro.) of the statutes is amended to read:

24 961.50 (1) (intro.) If a person is convicted of any violation of this chapter, the
25 court shall, in addition to any other penalties that may apply to the crime, suspend

1 the person's operating privilege, as defined in s. 340.01 (40), for not less than 6
2 months nor more than 5 years. The court shall ~~immediately~~ may take possession of
3 any suspended license ~~and forward it. If the court takes possession of a license, it~~
4 shall destroy the license. The court shall forward to the department of
5 transportation ~~together with~~ the record of conviction and notice of the suspension.
6 The person is eligible for an occupational license under s. 343.10 as follows:

7 **SECTION 160.** 961.50 (2) of the statutes is amended to read:

8 961.50 (2) For purposes of counting the number of convictions under sub. (1),
9 convictions under the law of a federally recognized American Indian tribe or band in
10 this state, federal law or the law of another jurisdiction, as defined in s. ~~343.32 (1m)~~
11 ~~(a) 340.01 (41m)~~, for any offense therein which, if the person had committed the
12 offense in this state and been convicted of the offense under the laws of this state,
13 would have required suspension or revocation of such person's operating privilege
14 under this section, shall be counted and given the effect specified under sub. (1). The
15 5-year period under this section shall be measured from the dates of the violations
16 which resulted in the convictions.

17 **SECTION 9148. Nonstatutory provisions; Transportation.**

18 (1) DRIVER LICENSE AGREEMENT.

19 (a) The department of transportation shall submit in proposed form the rules
20 required under section 343.02 (3) (b) of the statutes, as created by this act, to the
21 legislative council staff under section 227.15 (1) of the statutes no later than the first
22 day of the 6th month beginning after the effective date of this paragraph.

23 (b) Using the emergency rules procedure under section 227.24 of the statutes,
24 the department of transportation shall promulgate the rules required under section
25 343.02 (3) (b) of the statutes, as created by this act, for purposes of implementing this

1 act, for the period before the effective date of the rules submitted under paragraph
2 (a). The department shall promulgate these emergency rules no later than the first
3 day of the 6th month beginning after the effective date of this paragraph.
4 Notwithstanding section 227.24 (1) (c) and (2) of the statutes, these emergency rules
5 may remain in effect until July 1, 2009, or the date on which permanent rules take
6 effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the
7 statutes, the department is not required to provide evidence that promulgating a rule
8 under this paragraph as an emergency rule is necessary for the preservation of the
9 public peace, health, safety, or welfare and is not required to provide a finding of
10 emergency for a rule promulgated under this paragraph.

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

12 (1) DRIVER LICENSE AGREEMENT.

13 (a) The treatment of sections 343.44 (1) (a), (b), and (c) and (4r) of the statutes,
14 the repeal of sections 343.30 (1q) (c) 1. b. and 343.305 (10) (c) 1. b. of the statutes, and
15 the consolidation, renumbering, and amendment of sections 343.30 (1q) (c) 1. (intro.),
16 a., and c. and 343.305 (10) (c) 1. (intro.), a., and c. of the statutes first apply to offenses
17 committed on the effective date of this paragraph, but do not preclude the counting
18 of other convictions, suspensions, or revocations as prior convictions, suspensions,
19 or revocations for purposes of administrative action by the department of
20 transportation, sentencing by a court, or revocation or suspension of motor vehicle
21 operating privileges.

22 (b) The treatment of sections 125.07 (4) (cm), 125.085 (3) (bp), 342.12 (4) (a) and
23 (b), 343.06 (2), 343.085 (4), 343.23 (2m), 343.31 (1) (intro.), (2), (2r), and (3) (bm)
24 (intro.), (c), (d) (intro.), (e), (f), (i), and (j), 343.315 (2) (fm), (h), and (j) (intro.) and (3)
25 (bm) and (d), 343.32 (1m) (b) (intro.) and (1s), 343.34 (2), 343.44 (2s), 344.13 (2),

(by SECTION 1#m) (CS) (AR J)

1 344.19 (3), 346.65 (6) (a) 3. and (km), and 351.02 (1) (intro.) and (1m), 351.027 (2),
2 351.03, 351.04, 351.05, and 351.06 of the statutes, the repeal of sections 343.31 (1)
3 (hm) and (2m) and 343.32 (1) of the statutes, the renumbering and amendment of
4 sections 343.36 (3) and 351.025 (1) of the statutes, and the creation of sections 343.31
5 (2z) and (3) (bg), 343.32 (1v), 343.36 (3) (b), (c), and (d), 344.08 (1m), 344.14 (1r),
6 344.25 (7), and 351.025 (1) (b) of the statutes first apply with respect to offenses or
7 refusals for which records, reports, or notices are received by the department of
8 transportation on the effective date of this paragraph, but do not preclude the
9 counting of other convictions, suspensions, or revocations as prior convictions,
10 suspensions, or revocations for purposes of administrative action by the department
11 of transportation, sentencing by a court, or revocation or suspension of motor vehicle
12 operating privileges.

13 (c) The treatment of sections 342.12 (4) (a) and (b) and 343.23 (2) (a) (intro.) of
14 the statutes and the creation of sections 343.23 (3m) and 343.301 (1) (e) and (2) (d)
15 of the statutes first apply with respect to notices received by the department of
16 transportation on the effective date of this paragraph.

(by SECTION 1#m) (CS) (AR B)

17 (d) The treatment of sections 343.03 (5) (a) and 343.06 (1) (j) of the statutes first
18 applies to applications received by the department of transportation on the effective
19 date of this paragraph.

(by SECTION 1#m) (CS) (AR F)

(by SECTION 1#m) (CS) (AR G)

20 (e) The treatment of sections 343.38 (2) and (4) (intro.), 343.39 (1) (a), 344.18
21 (1m) (a) and (3m) (a), 344.24, 344.26 (1), 344.27 (2), and 344.29 of the statutes and
22 the repeal of section 343.38 (4) (a) and (b) of the statutes first apply to an issuance
23 of operator's licenses or reinstatement of operating privileges or registrations on the
24 effective date of this paragraph.

LPS: Please init. cap and CS all handwritten refs. to "SECTION."

1 (f) The treatment of sections 344.30 (1), 344.32, 344.33 (1), 344.34, 344.42, and
2 631.37 (4) (e) of the statutes first applies to proof of financial responsibility filed with
3 the secretary of transportation on the effective date of this paragraph.

4 **SECTION 9448. Effective dates; Transportation.**

5 (1) DRIVER LICENSE AGREEMENT.

6 (a) The treatment of sections 23.33 (13) (e), 118.163 (2) (a) and (2m) (a), 125.07

7 (4) (cm), 125.085 (3) (bp), 342.12 (4) (a) and (b), 343.01 (2) (bc) and (bm), 343.02 (3)

8 (a) and (c), 343.027, 343.03 (5) (a) and (6) (a), 343.05 (1) (a) and (5) (b) 1., 343.06 (1)

9 (bm) and (j) and (2), 343.085 (4), 343.10 (2) (a) 3., 343.14 (2j) (b), 343.16 (5) (a), 343.20

10 (1) (e) 1., 343.23 (2) (a) (intro.) and (b), (2m), (3m), and (4) (b), 343.235 (3) (a), 343.237

11 (2) and (3) (intro.), 343.24 (3) and (4) (c) 1., 343.28 (2), 343.30 (1g) (b), (1q) (b) 4., (4),

12 and (5), 343.301 (1) (e) and (2) (d), 343.305 (7) (a) and (b), (9) (a) (intro.) and (am)

13 (intro.), (10) (b) 3. and 4., and (11), 343.31 (1) (intro.) and (hm), (2), (2m), (2r), (2z),

14 and (3) (a), (b), (bg), (bm) (intro.), (c), (d) (intro.), (e), (f), (i), and (j), 343.315 (2) (f) 7.,

15 (fm), (h), and (j) (intro.) and (3) (a), (b), (bm), and (d), 343.32 (1), (1m) (a) and (b)

16 (intro.), (1s), (1v), and (2) (a), 343.325 (4), 343.34 (1) and (2), 343.345, 343.36 (title),

17 343.38 (1) (c) 2. c., (2), and (4) (intro.), (a), and (b), 343.39 (1) (a) and (2), 343.44 (1)

18 (a), (b), and (c), (2) (am), (2r), (2s), and (4r), 343.50 (8) (b), 344.02 (3), 344.08 (1m),

19 344.13 (2), 344.14 (1r), 344.18 (1m) (a) and (3m) (a), 344.19 (1) and (3), 344.24, 344.25

20 (7), 344.26 (1), 344.27 (2) and (3), 344.29, 344.30 (1), 344.32, 344.33 (1), 344.34,

21 344.42, 345.23 (2) (c), 345.28 (5) (b) 1. and 2. a., 345.47 (1) (c), 345.48 (2), (3), and (4),

22 346.65 (2c), (2e), and (6) (a) 3. and (km), 350.11 (3) (d), 351.02 (1) (intro.) and (1m),

23 351.027 (2), 351.03, 351.04, 351.05, 351.06, 631.37 (4) (e), 800.09 (1) (c), 938.17 (2)

24 (d) 2., 938.34 (8), (8d) (d), (14m), and (14r) (a), 938.342 (1g) (a), 938.343 (2), 938.344

25 (2e) (b), 938.355 (6) (d) 2. and (6m) (a) 1m., 938.396 (4), and 961.50 (1) (intro.) and

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1 (2) of the statutes, the repeal of Sections 343.30 (1q) (c) 1. b. and 343.305 (10) (c) 1.
2 b. of the statutes, the renumbering and amendment of sections 343.30 (2j) (a), 343.36
3 (3), 344.19 (2), and 351.025 (1) of the statutes, the consolidation, renumbering, and
4 amendment of sections 343.30 (1q) (c) 1. (intro.), a. and c. and 343.305 (10) (c) 1.
5 (intro.), a. and c. of the statutes, the creation of sections 343.36 (3) (b), (c), and (d),
6 344.19 (2) (a), and 351.025 (1) (b) of the statutes, and SECTION 9348 (1) of this act take
7 effect on July 1, 2009.

8 (b) The treatment of section 343.02 (3) (b) of the statutes and SECTION 9148 (1)
9 of this act take effect on January 1, 2009.

10 (END)

Vote

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0011/3dn

ARG:|.....

Wlj

ATTN: Sara Kornely, Dennis Rhodes, and Sam Harshner

This draft reconciles LRB-1261/2, LRB-0003/2, LRB-0011/2, and LRB-0973/3. For the most part, the reconciled items are indicated by embedded notes within the draft. The draft also deletes the amendment of s. 343.03 (6) (a) because the treatment is already contained in LRB-0003. The draft ~~repeals~~ the treatment of s. 343.06 (1) (j) because it is unnecessary due to the repeal of this provision in LRB-0003. Other items related to these drafts are being reconciled by redrafts of LRB-0003 and LRB-1261. LRB-1261, LRB-0003, LRB-0011, and LRB-0973 should all continue to appear in the compiled bill.

Aaron R. Gary

Legislative Attorney

Phone: (608) 261-6926

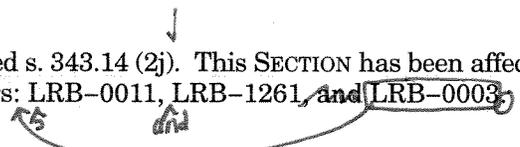
E-mail: aaron.gary@legis.wisconsin.gov

**2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0011/3ins
ARG:.....

INSERT 13-7:

***NOTE: This is reconciled s. 343.14 (2j). This SECTION has been affected by drafts with the following LRB numbers: LRB-0011, LRB-1261, and LRB-0003.



INSERT 14-12:

SECTION 23m. 343.23 (2) (a) (intro.) of the statutes, as affected by 2007 Wisconsin Act (this act), is amended to read:

343.23 (2) (a) (intro.) The department shall maintain a file for each licensee or other person identified in par. (am) 1. c. containing the information specified in par. (am) 1. c. and for each person who is a licensee under this chapter or is a resident to whom another jurisdiction has not issued an operator's license containing the application for license, permit or endorsement, a record of reports or abstract of convictions, any notice received from another jurisdiction of the revocation, suspension, or cancellation of the person's operating privilege in that other jurisdiction, any demerit points assessed under authority of s. 343.32 (2), the information in all data fields printed on any license issued to the person, any notice received from the federal transportation security administration concerning the person's eligibility for an "H" endorsement specified in s. 343.17 (3) (d) 1m., the status of the person's authorization to operate different vehicle groups, a record of any out-of-service orders issued under s. 343.305 (7) (b) or (9) (am), a record of the date on which any background investigation specified in s. 343.12 (6) (a) or (d) was completed, a record of the date on which any verification specified in s. 343.165 (1) and (3) was completed, all documents required to be maintained under s. 343.165 (2)

(a), and a record of any reportable accident in which the person has been involved, including specification of any type of license and endorsements issued under this chapter under which the person was operating at the time of the accident and an indication whether or not the accident occurred in the course of any of the following:

****NOTE: This is reconciled s. 343.23 (2) (a) (intro.). This SECTION has been affected by drafts with the following LRB numbers: LRB-0003 and LRB-0011.

SECTION ~~24m~~^{ARC} 343.23 (2) (b) of the statutes, as affected by 2007 Wisconsin Act

.... (this act), is amended to read:

343.23 (2) (b) The information specified in pars. (a) and (am) must be filed by the department so that the complete operator's record is available for the use of the secretary in determining whether operating privileges of such person shall be suspended, revoked, canceled, or withheld, or the person disqualified, in the interest of public safety. The secretary may also consider the information specified in sub. (2m) for purposes of this paragraph, and, except as provided in sub. (3) (a), any information maintained under sub. (2m) that is described in this paragraph shall be maintained for the periods specified in this paragraph. The record of suspensions, revocations, and convictions that would be counted under s. 343.307 (2) shall be maintained permanently, except that the department shall purge the record of a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b) after 10 years, if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, if the person does not have a commercial driver license, if the violation was not committed by a person operating a commercial motor vehicle, and if the person has no other suspension, revocation, or conviction that would be counted under s. 343.307 during that 10-year period. The record of convictions for disqualifying offenses under s. 343.315 (2) (h)

shall be maintained for at least 10 years. The record of convictions for disqualifying offenses under s. 343.315 (2) (f) and (j), and all records specified in par. (am), shall be maintained for at least 3 years. The record of convictions for disqualifying offenses under s. 343.315 (2) (a) to (e) shall be maintained permanently, except that, subject to s. 343.23 (3m), 5 years after a licensee transfers residency to another state such record may be transferred to another state of licensure of the licensee if that state accepts responsibility for maintaining a permanent record of convictions for disqualifying offenses. Such reports and records may be cumulative beyond the period for which a license is granted, but the secretary, in exercising the power of suspension granted under s. 343.32 (2) may consider only those reports and records entered during the 4-year period immediately preceding the exercise of such power of suspension. The department shall maintain the digital images of documents specified in s. 343.165 (2) (a) for at least 10 years.

****NOTE: This is reconciled s. 343.23 (2) (b). This SECTION has been affected by drafts with the following LRB numbers: LRB-0003 and LRB-0011.

INSERT 36-14:

SECTION 73m. 343.315 (3) (b) of the statutes, as affected by 2007 Wisconsin Act

... (this act), is amended to read:

343.315 (3) (b) If a person's license or operating privilege is not otherwise revoked or suspended as the result of an offense committed after March 31, 1992, which results in disqualification under sub. (2) (a) to (f), (h), (i), or (j), the department shall, subject to par. (bm), immediately disqualify the person from operating a commercial motor vehicle for the period required under sub. (2) (a) to (f), (h), (i), or (j). Upon proper application by the person and payment of the fees specified in s.

343.21 (1) (L) and (n), the department may issue a separate license authorizing only the operation of vehicles other than commercial motor vehicles. Upon expiration of the period of disqualification, the person may apply for authorization to operate commercial motor vehicles under s. 343.26.

***NOTE: This is reconciled s. 343.315 (3) (b). This SECTION has been affected by drafts with the following LRB numbers: LRB-0973 and LRB-0011.

INSERT 41-17:

***NOTE: This is reconciled s. 343.345. This SECTION has been affected by drafts with the following LRB numbers: LRB-0011 and LRB-1261.

INSERT 43-20:

***NOTE: This is reconciled s. 343.38 (2). This SECTION has been affected by drafts with the following LRB numbers: LRB-0011 and LRB-0973.

INSERT 44-6:

SECTION 94m. 343.39 (1) (a) of the statutes, as affected by 2007 Wisconsin Act ... (this act), is amended to read:

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

***NOTE: This is reconciled s. 343.39 (1) (a). This SECTION has been affected by drafts with the following LRB numbers: LRB-0011 and LRB-0973.

INSERT 47-11:

SECTION 103r. 343.50 (8) (b) of the statutes, as affected by 2007 Wisconsin Act ... (this act), is amended to read:

343.50 (8) (b) The department may not disclose any record or other information concerning or relating to an applicant or identification card holder to any person other than a court, district attorney, county corporation counsel, city, village, or town attorney, law enforcement agency, driver licensing agency of another jurisdiction, the applicant or identification card holder or, if the applicant or identification card holder is under 18 years of age, his or her parent or guardian. Except for photographs ~~disclosed to a law enforcement agency for which disclosure is authorized~~ under s. 343.237, persons entitled to receive any record or other information under this paragraph shall not disclose the record or other information to other persons or agencies. This paragraph does not prohibit disclosure under par. (c) or the disclosure of a person's name or address, of the name or address of a person's employer or of financial information that relates to a person when requested under s. 49.22 (2m) by the department of children and families or a county child support agency under s. 59.53 (5).

***NOTE: This is reconciled s. 343.50 (8) (b). This SECTION has been affected by drafts with the following LRB numbers: LRB-1261, LRB-0003, and LRB-0011

INSERT 51-21:

***NOTE: This is reconciled s. 344.19 (3). This SECTION has been affected by drafts with the following LRB numbers: LRB-0011 and LRB-0973.

INSERT 56-21:

***NOTE: This is reconciled s. 345.47 (1) (c). This SECTION has been affected by drafts with the following LRB numbers: LRB-0011 and LRB-0973.

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

LRB-0011/3dn
ARG:wlj:nwn

January 31, 2007

ATTN: Sara Kornely, Dennis Rhodes, and Sam Harshner

This draft reconciles LRB-1261/2, LRB-0003/2, LRB-0011/2, and LRB-0973/3. For the most part, the reconciled items are indicated by embedded notes within the draft. The draft also deletes the amendment of s. 343.03 (6) (a) because the treatment is already contained in LRB-0003. The draft deletes the treatment of s. 343.06 (1) (j) because it is unnecessary due to the repeal of this provision in LRB-0003. Other items related to these drafts are being reconciled by redrafts of LRB-0003 and LRB-1261. LRB-1261, LRB-0003, LRB-0011, and LRB-0973 should all continue to appear in the compiled bill.

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