

1 *-0011/3.8* SECTION 3214. 343.01 (2) (bm) of the statutes is created to read:

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

4 *-0003/3.2* SECTION 3215. 343.01 (2) (d) of the statutes is amended to read:

5 343.01 (2) (d) "Photograph" means an unretouched image recorded by a camera
6 and reproduced on a photosensitive surface, or a digitized digital image.

7 *-0011/3.9* SECTION 3216. 343.02 (3) of the statutes is created to read:

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

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

24 (c) The department shall provide for publication of notice of the state's joinder
25 in the driver license agreement, including the effective date of such joinder, by notice

1 published by the revisor of statutes in the Wisconsin Administrative Register under
2 s. 35.93 (4).

3 ***-0011/3.10* SECTION 3217.** 343.027 of the statutes, as affected by 2005
4 Wisconsin Acts 25 and 59, is repealed and recreated to read:

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

12 ***-0003/3.3* SECTION 3218.** 343.03 (3) (intro.) of the statutes is amended to
13 read:

14 **343.03 (3) LICENSE VARIANTS.** (intro.) Except for restricted licenses under s.
15 343.08 or temporary licenses under s. 343.10, 343.11 (1) or (3), 343.16 (6) (b), or
16 343.305 (8) (a), each operator's license issued by the department shall be in one of the
17 following categories with a descriptive legend displayed on the top front side of the
18 license document:

19 ***-0003/3.4* SECTION 3219.** 343.03 (3m) of the statutes is created to read:

20 **343.03 (3m) NONCITIZEN TEMPORARY LICENSE.** If the issuance of any license
21 described under sub. (3) requires the license applicant to present any documentary
22 proof specified in s. 343.14 (2) (es) 4. to 7., the license shall display on the front side
23 of the license, in addition to any legend or label described in sub. (3), a legend
24 identifying the license as temporary. This noncitizen temporary license may not be
25 renewed except as provided in s. 343.165 (4) (c).

1 *-0011/3.11* SECTION 3220. 343.03 (5) (a) of the statutes is amended to read:

2 343.03 (5) (a) Before issuing or renewing any license under this chapter, the
3 department shall obtain driver record information from the national driver registry
4 and commercial driver license information system to determine whether the
5 applicant holds a commercial driver license, or a license that is revoked, suspended
6 or canceled, or is otherwise disqualified. If the applicant is currently licensed in
7 another state jurisdiction, the department shall obtain information on the
8 applicant's license status with the state jurisdiction of licensure before issuing a
9 license, including requesting transfer to the department of the applicant's driver
10 record information from the other jurisdiction if that jurisdiction is a member
11 jurisdiction.

12 *-0003/3.5* SECTION 3221. 343.03 (6) (a) of the statutes is amended to read:

13 343.03 (6) (a) The Notwithstanding ss. 343.027, 343.14 (2j), and 343.237 (2),
14 the department shall, upon request, provide to the commercial driver license
15 information system and the driver licensing agencies of other states jurisdictions any
16 applicant or driver record information maintained by the department of
17 transportation, including providing electronic access to any record or file under s.
18 343.23 (1) or (2).

19 *-0011/3.12* SECTION 3222. 343.05 (1) (a) of the statutes is amended to read:

20 343.05 (1) (a) Except as provided in this subsection, no person may at any time
21 have more than one operator's license. This prohibition includes, without limitation,
22 having licenses from more than one state, having licenses under more than one name
23 or birthdate, ~~having an occupational license without having surrendered the revoked~~
24 ~~or suspended license document,~~ and having more than one license issued for the
25 operation of different types or classes of vehicles. This paragraph does not apply to

1 any person who has only operator's licenses issued by this state and by a country,
2 province, or subdivision that is a party to an agreement under s. 343.16 (1) (d).

3 ***-0011/3.13* SECTION 3223.** 343.05 (5) (b) 1. of the statutes is amended to read:

4 343.05 (5) (b) 1. Except as provided in subd. 2. and sub. (6), any person who
5 violates sub. (3) (a) may be required to forfeit not more than \$200 for the first offense,
6 may be fined not more than \$300 and imprisoned for not more than 30 days for the
7 2nd offense occurring within 3 years, and may be fined not more than \$500 and
8 imprisoned for not more than 6 months for the 3rd or subsequent offense occurring
9 within 3 years. A violation of a local ordinance in conformity with this section or a
10 violation of, a law of a federally recognized American Indian tribe or band in this
11 state in conformity with this section, or the law of another jurisdiction for an offense
12 therein which, if committed in this state, would have been a violation under this
13 section, shall count as a previous offense.

14 ***-0011/3.14* SECTION 3224.** 343.06 (1) (bm) of the statutes is created to read:

15 343.06 (1) (bm) To any person whose operating privilege is currently
16 suspended, revoked, or canceled by another jurisdiction for an offense or combination
17 of offenses identified in the rules under s. 343.02 (3) (b), except if the operating
18 privilege was suspended, revoked, or canceled by another jurisdiction for failure to
19 comply with a judgment in that other jurisdiction and at least 5 years have elapsed
20 since the operating privilege was suspended, revoked, or canceled for failure to
21 comply.

22 ***-0003/3.6* SECTION 3225.** 343.06 (1) (j) of the statutes is repealed.

23 ***-0003/3.7* SECTION 3226.** 343.06 (1) (L) of the statutes, as created by 2005
24 Wisconsin Act 126, is amended to read:

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

3 ***-0011/3.15* SECTION 3227.** 343.06 (2) of the statutes is amended to read:

4 343.06 (2) The department shall not issue a commercial driver license,
5 including a renewal or reinstated license, to any person during any period of
6 disqualification under s. 343.315 or 49 CFR 383.51 or the law of another jurisdiction
7 in substantial conformity therewith, as the result of one or more disqualifying
8 offenses committed on or after July 1, 1987, or to any person whose operating
9 privilege is revoked, suspended, or canceled. Any With respect to any person who is
10 known to the department to be subject to disqualification as described in s. 343.44
11 (1) (d), the department shall be disqualified by the department as provided order the
12 person disqualified or provide notice as specified in s. 343.315.

13 ***-0011/3.16* SECTION 3228.** 343.085 (4) of the statutes is amended to read:

14 343.085 (4) The secretary may require that a person be continued on
15 probationary status beyond the period of first issuance if such person appears by the
16 records of the department to have repeatedly violated any of the state traffic laws or
17 any local ordinance in conformity therewith or any law of a federally recognized
18 American Indian tribe or band in this state in conformity with any of the state traffic
19 laws or any law of another jurisdiction for an offense therein which, if committed in
20 this state, would have been a violation of this state's traffic laws. A person may not
21 be continued on probationary status due to a suspension under s. 343.30 (6).

22 ***-0003/3.8* SECTION 3229.** 343.10 (2) (a) (intro.) of the statutes is amended to
23 read:

1 343.10 (2) (a) (intro.) Except as provided in pars. (b) to (e), and subject to s.
2 343.165 (5), a person is eligible for an occupational license if the following conditions
3 are satisfied:

4 ***-0011/3.17*** SECTION 3230. 343.10 (2) (a) 3. of the statutes is repealed.

5 ***-0973/3.1*** SECTION 3231. 343.10 (6) of the statutes is amended to read:

6 343.10 (6) FEE. No person may file an application for an occupational license
7 under sub. (1) unless he or she first pays ~~a fee of \$40~~ to the department the fees
8 specified in s. 343.21 (1) (k) and (n).

9 ***-0003/3.9*** SECTION 3232. 343.10 (7) (b) of the statutes is amended to read:

10 343.10 (7) (b) The Subject to s. 343.165 (5), the department shall issue an
11 occupational license as soon as practicable upon receipt of an application to the
12 department under sub. (1) or an order from a court under sub. (4) or s. 351.07 for such
13 a license, if the department determines that the applicant is eligible under sub. (2).

14 ***-0003/3.10*** SECTION 3233. 343.10 (7) (d) of the statutes is amended to read:

15 343.10 (7) (d) An occupational license issued by the department under this
16 subsection shall be in the form of a ~~photo~~ license that includes a photograph
17 described in s. 343.14 (3) and any special restrictions cards under s. 343.17 (4). The
18 license shall clearly indicate that restrictions on a special restrictions card apply and
19 that the special restrictions card is part of the person's license.

20 ***-0003/3.11*** SECTION 3234. 343.10 (7) (f) of the statutes is amended to read:

21 343.10 (7) (f) The expiration date of the occupational license is the 2nd working
22 day after the date of termination of the period of revocation or suspension as provided
23 by law, or the expiration date determined under s. 343.20 (1m), whichever is earlier.

24 The occupational license may be revoked, suspended or canceled before termination
25 of that period. An occupational license is not renewable when it expires. If an

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1 occupational license expires and is not revoked, suspended or canceled, the licensee
2 may obtain a new license upon that expiration but only if he or she complies with the
3 conditions specified in s. 343.38. Revocation, suspension or cancellation of an
4 occupational license has the same effect as revocation, suspension or cancellation of
5 any other license.

6 ***-0973/3.2* SECTION 3235.** 343.135 (1) (a) 3. of the statutes is amended to read:
7 343.135 (1) (a) 3. Pays the all required fee fees.

8 ***-0973/3.3* SECTION 3236.** 343.135 (7) of the statutes is amended to read:
9 343.135 (7) EXPIRATION; RENEWAL. A special restricted operator's license issued
10 under this section shall expire 2 years after the date of issuance. Within 90 days prior
11 to the expiration of a license, the holder of the restricted license may renew the
12 license by paying the all required fee fees and passing the examination under sub.
13 (1) (a) 4.

14 ***-0973/3.4* SECTION 3237.** 343.14 (1) of the statutes, as affected by 2005
15 Wisconsin Acts 25 and 59, is repealed and recreated to read:

16 343.14 (1) Every application to the department for a license or identification
17 card or for renewal thereof shall be made upon the appropriate form furnished by the
18 department and shall be accompanied by all required fees. Names, addresses,
19 license numbers, and social security numbers obtained by the department under this
20 subsection shall be provided to the department of revenue for the purpose of
21 administering ss. 71.93 and 71.935 and state taxes.

22 ***-0003/3.12* SECTION 3238.** 343.14 (2) (a) and (br) of the statutes are amended
23 to read:

24 343.14 (2) (a) The full legal name and principal residence address of the
25 applicant;

1 (br) If the applicant does not have a social security number, a statement made
2 or subscribed under oath or affirmation that the applicant does not have a social
3 security number and is not eligible for a social security number. The statement shall
4 provide the basis or reason that the applicant is not eligible for a social security
5 number, as well as any information requested by the department that may be needed
6 by the department for purposes of verification under s. 343.165 (1) (c). The form of
7 the statement shall be prescribed by the department, with the assistance of the
8 department of workforce development. A license that is issued or renewed under s.
9 343.17 in reliance on a statement submitted under this paragraph is invalid if the
10 statement is false.

11 ***-1261/5.871* SECTION 3239.** 343.14 (2) (br) of the statutes, as affected by 2007
12 Wisconsin Act ... (this act), is amended to read:

13 343.14 (2) (br) If the applicant does not have a social security number, a
14 statement made or subscribed under oath or affirmation that the applicant does not
15 have a social security number and is not eligible for a social security number. The
16 statement shall provide the basis or reason that the applicant is not eligible for a
17 social security number, as well as any information requested by the department that
18 may be needed by the department for purposes of verification under s. 343.165 (1)
19 (c). The form of the statement shall be prescribed by the department, with the
20 assistance of the department of ~~workforce development~~ children and families. A
21 license that is issued or renewed under s. 343.17 in reliance on a statement
22 submitted under this paragraph is invalid if the statement is false.

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

1 ***-0003/3.13*** SECTION 3240. 343.14 (2) (er) 1. and 2. of the statutes, as created
2 by 2005 Wisconsin Act 126, are consolidated, renumbered 343.14 (2) (es) (intro.) and
3 amended to read:

4 343.14 (2) (es) (intro.) Documentary Subject to sub. (2g) (a) 2. d. and s. 343.125
5 (2) (a) and (b), valid documentary proof that the individual is a citizen or national of
6 the United States or documentary proof that the individual is legally present an alien
7 lawfully admitted for permanent or temporary residence in the United States. 2. If
8 the individual is not a citizen of the United States, he or she shall provide
9 documentary proof of his or her status as a legal permanent resident or conditional
10 resident, a or has any of the following:

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

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

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

17 6. Approved deferred action status, or a,

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

21 ***-0003/3.14*** SECTION 3241. 343.14 (2) (es) 1. and 4. of the statutes are created
22 to read:

23 343.14 (2) (es) 1. Conditional permanent resident status in the United States.

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

25 ***-0003/3.15*** SECTION 3242. 343.14 (2) (f) of the statutes is amended to read:

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

5 ***-1261/5.872* SECTION 3243.** 343.14 (2j) of the statutes, as affected by 2007
6 Wisconsin Act (this act), is amended to read:

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

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

13 ***-0011/3.18* SECTION 3244.** 343.14 (2j) of the statutes, as affected by 2005
14 Wisconsin Acts 25 and 59 and 2007 Wisconsin Act (this act), is repealed and
15 recreated to read:

16 343.14 (2j) Except as provided in sub. (2g) (b) and as otherwise required to
17 administer and enforce this chapter, the department of transportation may not
18 disclose a social security number obtained from an applicant for a license under sub.
19 (2) (bm) to any person except to the department of children and families for the sole
20 purpose of administering s. 49.22, to the department of revenue for the purposes of
21 administering state taxes and collecting debt, or to the driver licensing agency of
22 another jurisdiction.

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

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1 *-0003/3.16* SECTION 3245. 343.14 (2j) (a) of the statutes is repealed.

2 *-0003/3.17* SECTION 3246. 343.14 (2j) (b) of the statutes is renumbered
3 343.14 (2j).

4 *-0003/3.18* SECTION 3247. 343.14 (2r) of the statutes is created to read:

5 343.14 (2r) Notwithstanding sub. (2j), the department may, upon request,
6 provide to the department of health and family services any applicant information
7 maintained by the department of transportation and identified in sub. (2), including
8 providing electronic access to the information, for the sole purpose of verification by
9 the department of health and family services of birth certificate information.

10 *-0003/3.19* SECTION 3248. 343.14 (3) of the statutes is amended to read:

11 343.14 (3) The department shall, as part of the application process, take a
12 digital photograph including facial image capture of the applicant to comply with s.
13 343.17 (3) (a) 2. ~~Except where specifically exempted by statute or by rule of the~~
14 ~~department, no~~ No application may be processed without the photograph being
15 taken. ~~In~~ Except as provided in s. 343.165 (4) (d), in the case of renewal licenses, the
16 photograph shall be taken once every 8 years, and shall coincide with the appearance
17 for examination which is required under s. 343.16 (3). ~~The department may make~~
18 ~~provision for issuance of a license without a photograph if the applicant is stationed~~
19 ~~outside the state in military service and in specific situations where the department~~
20 ~~deems such action appropriate.~~

21 *-0003/3.20* SECTION 3249. 343.14 (4m) of the statutes is amended to read:

22 343.14 (4m) The Subject to s. 343.17 (2), the department shall develop designs
23 for licenses and identification cards which are resistant to tampering and forgery ~~no~~
24 ~~later than January 1, 1989. Licenses and licenses~~ and identification cards issued on

1 or after January 1, 1989, shall incorporate the designs required under this
2 subsection.

3 ***-0003/3.21* SECTION 3250.** 343.16 (3) (a) of the statutes is amended to read:

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

20 ***-0011/3.19* SECTION 3251.** 343.16 (5) (a) of the statutes is amended to read:

21 343.16 (5) (a) The secretary may require any applicant for a license or any
22 licensed operator to submit to a special examination by such persons or agencies as
23 the secretary may direct to determine incompetency, physical or mental disability,
24 disease, or any other condition that might prevent such applicant or licensed person
25 from exercising reasonable and ordinary control over a motor vehicle. If the

1 department requires the applicant to submit to an examination, the applicant shall
2 pay for the examination. If the department receives an application for a renewal or
3 duplicate license after voluntary surrender under s. 343.265 or receives a report from
4 a physician, advanced practice nurse prescriber certified under s. 441.16 (2), or
5 optometrist under s. 146.82 (3), or if the department has a report of 2 or more arrests
6 within a one-year period for any combination of violations of s. 346.63 (1) or (5) or
7 a local ordinance in conformity with s. 346.63 (1) or (5) or a law of a federally
8 recognized American Indian tribe or band in this state in conformity with s. 346.63
9 (1) or (5), or s. 346.63 (1m), 1985 stats., or s. 346.63 (2) or (6) or 940.25, or s. 940.09
10 where the offense involved the use of a vehicle, or the law of another jurisdiction for
11 an offense therein which, if committed in this state, would have been a violation of
12 any of these provisions, the department shall determine, by interview or otherwise,
13 whether the operator should submit to an examination under this section. The
14 examination may consist of an assessment. If the examination indicates that
15 education or treatment for a disability, disease or condition concerning the use of
16 alcohol, a controlled substance or a controlled substance analog is appropriate, the
17 department may order a driver safety plan in accordance with s. 343.30 (1q). If there
18 is noncompliance with assessment or the driver safety plan, the department shall
19 revoke the person's operating privilege in the manner specified in s. 343.30 (1q) (d).

20 *-0003/3.22* SECTION 3252. 343.165 of the statutes is created to read:

21 **343.165 Processing license and identification card applications. (1)**

22 The department may not complete the processing of an application for initial
23 issuance or renewal of an operator's license or identification card received by the
24 department after May 10, 2008, and no such license or identification card may be

1 issued or renewed, unless the applicant presents or provides, and the department
2 verifies under sub. (3), all of the following information:

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

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

7 (c) Proof of the applicant's social security number or, except as provided in s.
8 343.14 (2g) (a) 4., verification that the applicant is not eligible for a social security
9 number.

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

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

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

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

23 (3) (a) Except as provided in pars. (b) and (c), the department shall verify, in
24 the manner and to the extent required under federal law, each document presented

1 or provided to the department that is required to be presented or provided to the
2 department by an applicant under sub. (1).

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

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

11 (4) (a) Subsection (1) does not apply to an application for renewal of an
12 operator's license or identification card received by the department after May 10,
13 2008, if in connection with a prior application after May 10, 2008, the applicant
14 previously presented or provided, and the department verified, the information
15 specified in sub. (1) and the department recorded the date on which the verification
16 procedures were completed as described in sub. (2) (b).

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

21 (c) Notwithstanding pars. (a) and (b), no operator's license displaying the
22 legend required under s. 343.03 (3m) or identification card displaying the legend
23 required under s. 343.50 (3) may be renewed unless the applicant presents or
24 provides valid documentary proof under sub. (1) (e) and this proof shows that the

1 status by which the applicant qualified for the license or identification card has been
2 extended by the secretary of the federal department of homeland security.

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

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

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

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

19 *-0003/3.23* SECTION 3253. 343.17 (1) of the statutes is amended to read:
20 343.17 (1) LICENSE ISSUANCE. The Subject to s. 343.165, the department shall
21 issue an operator's license and endorsements, as applied for, to every qualifying
22 applicant who has paid the required fees.

23 *-0003/3.24* SECTION 3254. 343.17 (2) of the statutes is amended to read:

1 343.17 (2) LICENSE DOCUMENT. The license shall be a single document, in
2 one-part one part, consisting of 2 sides, except as otherwise provided in sub. (4) and
3 s. 343.10 (7) (d). The document shall be, to the maximum extent practicable, tamper
4 proof and shall contain physical security features consistent with any requirement
5 under federal law.

6 *-0003/3.25* SECTION 3255. 343.17 (3) (a) 1. and 5. of the statutes are amended
7 to read:

8 343.17 (3) (a) 1. The full legal name, date of birth, and principal residence
9 address of the person.

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

13 *-0003/3.26* SECTION 3256. 343.17 (3) (a) 14. of the statutes, as created by
14 2005 Wisconsin Act 126, is repealed.

15 *-0003/3.27* SECTION 3257. 343.17 (5) of the statutes is amended to read:

16 343.17 (5) NO PHOTOS ON CERTAIN TEMPORARY LICENSES. The temporary licenses
17 issued under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b) and 343.305 (8) (a) shall be
18 on forms provided by the department and shall contain the information required by
19 sub. (3), except the license is not required to include a photograph of the licensee.
20 This subsection does not apply to a noncitizen temporary license, as described in s.
21 343.03 (3m).

22 *-0003/3.28* SECTION 3258. 343.19 (1) of the statutes is amended to read:

23 343.19 (1) If a license issued under this chapter or an identification card issued
24 under s. 343.50 is lost or destroyed or the name or address named in the license or
25 identification card is changed or the condition specified in s. 343.17 (3) (a) 12. or 13.

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

12 ***-0003/3.29* SECTION 3259.** 343.20 (1) (a) of the statutes is amended to read:
13 343.20 (1) (a) Except as otherwise expressly provided in this chapter,
14 reinstated licenses, probationary licenses issued under s. 343.085 and original
15 licenses other than instruction permits shall expire 2 years from the date of the
16 applicant's next birthday. Subject to s. 343.125 (3), all other licenses and license
17 endorsements shall expire 8 years after the date of issuance. The department may
18 institute any system of initial license issuance which it deems advisable for the
19 purpose of gaining a uniform rate of renewals. In order to put such a system into
20 operation, the department may issue licenses which are valid for any period less than
21 the ordinary effective period of such license. If the department issues a license that
22 is valid for less than the ordinary effective period as authorized by this paragraph,
23 the fees due under s. 343.21 (1) (a), (b) and (d) shall be prorated accordingly.

24 ***-0011/3.20* SECTION 3260.** 343.20 (1) (e) 1. of the statutes is amended to read:

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

4 ***-0003/3.30*** SECTION 3261. 343.20 (1) (f) of the statutes, as created by 2005
5 Wisconsin Act 126, is amended to read:

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

13 ***-0003/3.31*** SECTION 3262. 343.20 (1m) of the statutes, as created by 2005
14 Wisconsin Act 126, is amended to read:

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

23 ***-0003/3.32*** SECTION 3263. 343.20 (1m) of the statutes, as affected by 2007
24 Wisconsin Act (this act), is amended to read:

1 343.20 (1m) Notwithstanding sub. (1) (a) and (e), and except as provided in s.
2 343.165 (4) (c) and as otherwise provided in this subsection, a license that is issued
3 to a person who is not a United States citizen or permanent resident and who
4 provides documentary proof of legal status as provided under s. 343.14 (2) ~~(er) 2.~~ (es)
5 2., 4., 5., 6., or 7. shall expire on the date that the person's legal presence in the United
6 States is no longer authorized or on the expiration date determined under sub. (1),
7 whichever date is earlier. If the documentary proof as provided under s. 343.14 (2)
8 ~~(er) 2.~~ (es) does not state the date that the person's legal presence in the United States
9 is no longer authorized, sub. (1) shall apply except that, if the license was issued or
10 renewed based upon the person's presenting of any documentary proof specified in
11 s. 343.14 (2) (es) 4. to 7., the license shall, subject to s. 343.165 (4) (c), expire one year
12 after the date of issuance or renewal.

13 ***-0003/3.33* SECTION 3264.** 343.20 (2) (a) of the statutes is amended to read:

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

20 ***-0973/3.5* SECTION 3265.** 343.21 (1) (n) of the statutes is created to read:

21 343.21 (1) (n) In addition to any other fee under this subsection, for the
22 issuance, renewal, upgrading, or reinstatement of any license, endorsement, or
23 instruction permit, a federal security verification mandate fee of \$10.

24 ***-0003/3.34* SECTION 3266.** 343.22 (1) of the statutes is repealed.

1 *~~-0003/3.35~~* SECTION 3267. 343.22 (2) (intro.) and (a) of the statutes are
2 amended to read:

3 343.22 (2) (intro.) Whenever any person, after applying for or receiving a
4 license ~~containing a photograph~~ under this chapter, or an identification card under
5 s. 343.50, moves from the address named in the application or in the license or
6 identification card issued to him or her or is notified by the local authorities or by the
7 postal authorities that the address so named has been changed, the person shall,
8 within ~~10~~ 30 days thereafter, do one of the following:

9 (a) Apply for a duplicate license or identification card showing on the
10 application the correct full legal name and address. The licensee or identification
11 card holder shall return the current license or identification card to the department
12 along with the application for duplicate.

13 *~~-0973/3.6~~* SECTION 3268. 343.22 (2m) of the statutes is amended to read:

14 343.22 (2m) Whenever any person, after applying for or receiving a license
15 containing a photograph under this chapter, or an identification card under s. 343.50,
16 is notified by the local authorities or by the postal authorities that the address named
17 in the application or in the license or identification card issued to him or her has been
18 changed and the person applies for a duplicate license or identification card under
19 sub. (2), no fee fees shall be charged under s. 343.21 (1) (L) and (n) or 343.50 (5m) and
20 (7) for the duplicate license or identification card.

21 *~~-0003/3.36~~* SECTION 3269. 343.22 (2m) of the statutes, as affected by 2007
22 Wisconsin Act (this act), is amended to read:

23 343.22 (2m) Whenever any person, after applying for or receiving a license
24 ~~containing a photograph~~ under this chapter, or an identification card under s. 343.50,
25 is notified by the local authorities or by the postal authorities that the address named

1 in the application or in the license or identification card issued to him or her has been
2 changed and the person applies for a duplicate license or identification card under
3 sub. (2), no fees shall be charged under s. 343.21 (1) (L) and (n) or 343.50 (5m) and
4 (7) for the duplicate license or identification card.

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

5 ***-0973/3.7* SECTION 3270.** 343.22 (3) of the statutes is amended to read:

6 343.22 (3) When the name of a licensee or identification card holder is changed,
7 such person shall, within 10 days thereafter, apply for a duplicate license or
8 identification card showing the correct name and address. The licensee or
9 identification card holder shall return the current license or identification card to the
10 department along with the application for a duplicate. If the licensee holds more
11 than one type of license under this chapter, the licensee shall return all such licenses
12 to the department along with one application and fee fees for a duplicate license for
13 which the licensee may be issued a duplicate of each such license.

14 ***-0003/3.37* SECTION 3271.** 343.22 (3) of the statutes, as affected by 2007
15 Wisconsin Act (this act), is amended to read:

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

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

1 ***-0003/3.38* SECTION 3272.** 343.23 (2) (a) (intro.) of the statutes is amended
2 to read:

3 343.23 (2) (a) (intro.) The department shall maintain a file for each licensee or
4 other person containing the application for license, permit or endorsement, a record
5 of reports or abstract of convictions, any demerit points assessed under authority of
6 s. 343.32 (2), the information in all data fields printed on any license issued to the
7 person, any notice received from the federal transportation security administration
8 concerning the person's eligibility for an "H" endorsement specified in s. 343.17 (3)
9 (d) 1m., the status of the person's authorization to operate different vehicle groups,
10 a record of any out-of-service orders issued under s. 343.305 (7) (b) or (9) (am), a
11 record of the date on which any background investigation specified in s. 343.12 (6)
12 (a) or (d) was completed, a record of the date on which any verification specified in
13 s. 343.165 (1) and (3) was completed, all documents required to be maintained under
14 s. 343.165 (2) (a), and a record of any reportable accident in which the person has
15 been involved, including specification of any type of license and endorsements issued
16 under this chapter under which the person was operating at the time of the accident
17 and an indication whether or not the accident occurred in the course of any of the
18 following:

19 ***-0011/3.21* SECTION 3273.** 343.23 (2) (a) (intro.) of the statutes, as affected
20 by 2007 Wisconsin Act ... (this act), is amended to read:

21 343.23 (2) (a) (intro.) The department shall maintain a file for each licensee or
22 other person identified in par. (am) 1. c. containing the information specified in par.
23 (am) 1. c. and for each person who is a licensee under this chapter or is a resident to

1 whom another jurisdiction has not issued an operator's license containing the
2 application for license, permit or endorsement, a record of reports or abstract of
3 convictions, any notice received from another jurisdiction of the revocation,
4 suspension, or cancellation of the person's operating privilege in that other
5 jurisdiction, any demerit points assessed under authority of s. 343.32 (2), the
6 information in all data fields printed on any license issued to the person, any notice
7 received from the federal transportation security administration concerning the
8 person's eligibility for an "H" endorsement specified in s. 343.17 (3) (d) 1m., the status
9 of the person's authorization to operate different vehicle groups, a record of any
10 out-of-service orders issued under s. 343.305 (7) (b) or (9) (am), a record of the date
11 on which any background investigation specified in s. 343.12 (6) (a) or (d) was
12 completed, a record of the date on which any verification specified in s. 343.165 (1)
13 and (3) was completed, all documents required to be maintained under s. 343.165 (2)
14 (a), and a record of any reportable accident in which the person has been involved,
15 including specification of any type of license and endorsements issued under this
16 chapter under which the person was operating at the time of the accident and an
17 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.

18 ***-0003/3.39* SECTION 3274.** 343.23 (2) (b) of the statutes is amended to read:
19 343.23 (2) (b) The information specified in pars. (a) and (am) must be filed by
20 the department so that the complete operator's record is available for the use of the
21 secretary in determining whether operating privileges of such person shall be
22 suspended, revoked, canceled, or withheld, or the person disqualified, in the interest
23 of public safety. The record of suspensions, revocations, and convictions that would

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1 be counted under s. 343.307 (2) shall be maintained permanently, except that the
2 department shall purge the record of a first violation of s. 23.33 (4c) (a) 2., 30.681 (1)
3 (b) 1., 346.63 (1) (b), or 350.101 (1) (b) after 10 years, if the person who committed the
4 violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the
5 time of the violation, if the person does not have a commercial driver license, if the
6 violation was not committed by a person operating a commercial motor vehicle, and
7 if the person has no other suspension, revocation, or conviction that would be counted
8 under s. 343.307 during that 10-year period. The record of convictions for
9 disqualifying offenses under s. 343.315 (2) (h) shall be maintained for at least 10
10 years. The record of convictions for disqualifying offenses under s. 343.315 (2) (f) and
11 (j), and all records specified in par. (am), shall be maintained for at least 3 years. The
12 record of convictions for disqualifying offenses under s. 343.315 (2) (a) to (e) shall be
13 maintained permanently, except that 5 years after a licensee transfers residency to
14 another state such record may be transferred to another state of licensure of the
15 licensee if that state accepts responsibility for maintaining a permanent record of
16 convictions for disqualifying offenses. Such reports and records may be cumulative
17 beyond the period for which a license is granted, but the secretary, in exercising the
18 power of suspension granted under s. 343.32 (2) may consider only those reports and
19 records entered during the 4-year period immediately preceding the exercise of such
20 power of suspension. The department shall maintain the digital images of
21 documents specified in s. 343.165 (2) (a) for at least 10 years.

22 *-0011/3.22* SECTION 3275. 343.23 (2) (b) of the statutes, as affected by 2007
23 Wisconsin Act ... (this act), is amended to read:

24 343.23 (2) (b) The information specified in pars. (a) and (am) must be filed by
25 the department so that the complete operator's record is available for the use of the

1 secretary in determining whether operating privileges of such person shall be
2 suspended, revoked, canceled, or withheld, or the person disqualified, in the interest
3 of public safety. The secretary may also consider the information specified in sub.
4 (2m) for purposes of this paragraph, and, except as provided in sub. (3) (a), any
5 information maintained under sub. (2m) that is described in this paragraph shall be
6 maintained for the periods specified in this paragraph. The record of suspensions,
7 revocations, and convictions that would be counted under s. 343.307 (2) shall be
8 maintained permanently, except that the department shall purge the record of a first
9 violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b) after
10 10 years, if the person who committed the violation had a blood alcohol concentration
11 of 0.08 or more but less than 0.1 at the time of the violation, if the person does not
12 have a commercial driver license, if the violation was not committed by a person
13 operating a commercial motor vehicle, and if the person has no other suspension,
14 revocation, or conviction that would be counted under s. 343.307 during that 10-year
15 period. The record of convictions for disqualifying offenses under s. 343.315 (2) (h)
16 shall be maintained for at least 10 years. The record of convictions for disqualifying
17 offenses under s. 343.315 (2) (f) and (j), and all records specified in par. (am), shall
18 be maintained for at least 3 years. The record of convictions for disqualifying offenses
19 under s. 343.315 (2) (a) to (e) shall be maintained permanently, except that, subject
20 to s. 343.23 (3m), 5 years after a licensee transfers residency to another state such
21 record may be transferred to another state of licensure of the licensee if that state
22 accepts responsibility for maintaining a permanent record of convictions for
23 disqualifying offenses. Such reports and records may be cumulative beyond the
24 period for which a license is granted, but the secretary, in exercising the power of
25 suspension granted under s. 343.32 (2) may consider only those reports and records

1 entered during the 4-year period immediately preceding the exercise of such power
2 of suspension. The department shall maintain the digital images of documents
3 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.

4 ***-0011/3.23* SECTION 3276.** 343.23 (2m) of the statutes is created to read:

5 343.23 (2m) (a) Subject to sub. (3m) (b), the department shall maintain a file,
6 other than the operator's record file specified in sub. (2) (a), for each nonresident who
7 is convicted of a violation, or who otherwise commits an offense, in this state that
8 shall include all of the following:

9 1. A record of reports or abstract of convictions resulting from any offense
10 specified in s. 343.305 (10) (em) or 343.307.

11 2. A record of any suspension or revocation by the department of the person's
12 operating privilege under par. (b) or as provided under s. 344.08 (1m), 344.14 (1r),
13 or 344.25 (7).

14 3. A record of any administrative suspension, notice of refusal, notice of intent
15 to revoke, issuance of an out-of-service order, or report of test results under s.
16 343.305 (7) or (9).

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

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

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

4 (c) Nothing in this subsection requires the department to maintain a record of
5 any conviction other than a conviction for an offense specified in s. 343.305 (10) (em)
6 or 343.307 if, at the time of the conviction, the person was licensed in or resided in
7 another jurisdiction.

8 *-0011/3.24* SECTION 3277. 343.23 (3m) of the statutes is created to read:

9 343.23 (3m) (a) Subject to s. 343.03 (7), upon receiving notice that a person for
10 whom the department maintains a file under sub. (2) (a) has applied for or been
11 issued an operator's license in another jurisdiction or has transferred residency to
12 another jurisdiction, the department shall transfer to the other jurisdiction all file
13 information specified in sub. (2) (a) and (am) within 30 days of receiving such notice
14 if the other jurisdiction is a member jurisdiction or if the other jurisdiction accepts
15 responsibility for maintaining the person's operator's record. Subject to par. (b),
16 upon such transfer, the department shall not update the file described in sub. (2) (a)
17 with any information described in sub. (2) (a) and (am) except as provided under sub.
18 (2) (am) 1. c. and except as required under federal law.

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

1 (c) If the department transfers a person's operator's record file information to
2 another jurisdiction as provided in par. (a), the department may continue to
3 maintain and update the file specified in sub. (2m). If a person subsequently applies
4 for or is issued an operator's license under this chapter or transfers residency back
5 to this state, the department may use the file specified in sub. (2m) to update the file
6 specified in sub. (2) (a) with respect to any conviction, suspension, revocation,
7 disqualification, or other information contained in the file specified in sub. (2m)
8 related to an offense committed in this state that does not appear on an operator's
9 record transferred to the department from the person's former jurisdiction of
10 licensure or residency.

11 ***-0011/3.25* SECTION 3278.** 343.23 (4) (b) of the statutes is amended to read:

12 343.23 (4) (b) Any record of issuance of an out-of-service order under s. 343.305
13 (7) (b) or (9) (am) upon receipt of a report from the court hearing the action arising
14 out of the same incident or occurrence that the action has been dismissed or the
15 person has been found innocent of the charge of violating s. 346.63 (7) arising out of
16 that incident or occurrence. ~~In the case of a nonresident, the department shall also~~
17 ~~inform the state of licensure of the dismissal or finding of innocence.~~

18 ***-0003/3.40* SECTION 3279.** 343.23 (5) of the statutes is amended to read:

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

23 ***-0011/3.26* SECTION 3280.** 343.235 (3) (a) of the statutes is amended to read:

1 343.235 (3) (a) A law enforcement agency, a state authority, a district attorney,
2 a driver licensing agency of another jurisdiction, or a federal governmental agency,
3 to perform a legally authorized function.

4 *-0011/3.27* SECTION 3281. 343.237 (2) of the statutes is amended to read:

5 343.237 (2) Any photograph taken of an applicant under s. 343.14 (3) or 343.50
6 (4), and any fingerprint taken of an applicant under s. 343.12 (6) (b), may be
7 maintained by the department and, except as provided in this section, shall be kept
8 confidential. Except as provided in this section, the department may release a
9 photograph or fingerprint only to the person whose photograph or fingerprint was
10 taken or to the driver licensing agency of another jurisdiction.

11 *-0011/3.28* SECTION 3282. 343.237 (3) (intro.) of the statutes is amended to
12 read:

13 343.237 (3) (intro.) The department shall provide a Wisconsin law enforcement
14 agency or a federal law enforcement agency with a print or electronic copy of a
15 photograph taken on or after September 1, 1997, of an applicant under s. 343.14 (3)
16 or 343.50 (4), or a printed or electronic copy of a fingerprint taken of an applicant
17 under s. 343.12 (6) (b), if the department receives a written request on the law
18 enforcement agency's letterhead that contains all of the following:

19 *-0011/3.29* SECTION 3283. 343.24 (3) of the statutes is amended to read:

20 343.24 (3) The department shall not disclose information concerning or related
21 to a violation as defined by s. 343.30 (6) to any person other than a court, district
22 attorney, county corporation counsel, city, village, or town attorney, law enforcement
23 agency, driver licensing agency of another jurisdiction, or the minor who committed
24 the violation or his or her parent or guardian.

25 *-0011/3.30* SECTION 3284. 343.24 (4) (c) 1. of the statutes is amended to read:

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

4 *-0973/3.8* SECTION 3285. 343.26 of the statutes is amended to read:

5 **343.26 License after cancellation.** Any person whose license has been
6 canceled, whether the license has been canceled by the secretary or stands canceled
7 as a matter of law, may apply for a new license at any time. Upon receipt of the
8 application and the all required fee fees, the department shall issue or refuse
9 issuance of the license as upon an original application. The department may, but
10 need not, require the applicant to submit to an examination as provided in s. 343.16.

11 *-0003/3.41* SECTION 3286. 343.26 of the statutes, as affected by 2007
12 Wisconsin Act (this act), is amended to read:

13 **343.26 License after cancellation.** Any person whose license has been
14 canceled, whether the license has been canceled by the secretary or stands canceled
15 as a matter of law, may apply for a new license at any time. Upon receipt of the
16 application and all required fees, and after processing the application as provided in
17 s. 343.165, the department shall issue or refuse issuance of the license as upon an
18 original application. The department may, but need not, require the applicant to
19 submit to an examination as provided in s. 343.16.

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

20 *-0973/3.9* SECTION 3287. 343.265 (2) of the statutes is amended to read:

21 343.265 (2) A person whose voluntary surrender of license under sub. (1) or
22 (1m) has been accepted by the department may apply for a duplicate license under
23 s. 343.19, or, if the person's license has expired during the period of surrender, a

1 renewal license, at any time. Upon receipt of the person's application and the
2 applicable fee fees under s. 343.21, the department shall issue or deny the license as
3 provided in this subchapter. The department may require the person to submit to
4 an examination under s. 343.16 (5).

5 ***-0011/3.31* SECTION 3288.** 343.28 (2) of the statutes is amended to read:

6 343.28 (2) Whenever a person is convicted of any offense for which s. 343.31
7 makes mandatory the revocation by the secretary of such person's operating
8 privilege, the court in which the conviction occurred shall may require the surrender
9 to it of any license then held by such person. If the court requires surrender of a
10 license, the court shall destroy the license. The clerk of the court, or the justice, judge
11 or magistrate if the court has no clerk, shall, as provided in s. 345.48, forward to the
12 department the record of conviction and any surrendered licenses. ~~The record of~~
13 ~~conviction forwarded to the department, which~~ shall state whether the offender was
14 involved in an accident at the time of the offense, whether the offender was operating
15 a commercial motor vehicle at the time of the offense and, if so, whether the offender
16 was transporting hazardous materials requiring placarding or any quantity of a
17 material listed as a select agent or toxin under 42 CFR 73, or was operating a vehicle
18 designed to carry, or actually carrying, 16 or more passengers, including the driver.

19 ***-0011/3.32* SECTION 3289.** 343.30 (1g) (b) of the statutes is amended to read:

20 343.30 (1g) (b) A court shall may revoke a person's operating privilege upon the
21 person's conviction for violating s. 343.44 (1) (a), (b) or (d) or a local ordinance in
22 conformity therewith if the person has been convicted of 3 or more prior violations
23 of s. 343.44 (1) (a), (b) or (d), or of similar violations under s. 343.44 (1), 1997 stats.,
24 or a local ordinance in conformity therewith, with s. 343.44 (1) (a), (b), or (d), or the
25 law of another jurisdiction prohibiting operating a motor vehicle with a suspended

1 or revoked license or while disqualified or ordered out of service, as those terms or
2 substantially similar terms are used in that other jurisdiction's laws, within the
3 5-year period preceding the violation. The revocation shall be for a period of 6
4 months, unless the court orders a period of revocation of less than 6 months and
5 places its reasons for ordering the lesser period of revocation on the record.

6 ***-0011/3.33* SECTION 3290.** 343.30 (1q) (b) 4. of the statutes is amended to
7 read:

8 343.30 (1q) (b) 4. 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 (1), equals 3 or
11 more, the court shall revoke the person's operating privilege for not less than 2 years
12 nor more than 3 years. After the first 90 days of the revocation period or, if the total
13 number of convictions, suspensions, and revocations counted under this subdivision
14 within any 5-year period equals 2 or more, after one year of the revocation period has
15 elapsed, the person is eligible for an occupational license under s. 343.10 if he or she
16 has completed the assessment, if applicable, and is complying with the driver safety
17 plan ordered under par. (c), if applicable.

18 ***-0011/3.34* SECTION 3291.** 343.30 (1q) (c) 1. (intro.), a. and c. of the statutes
19 are consolidated, renumbered 343.30 (1q) (c) 1. and amended to read:

20 343.30 (1q) (c) 1. Except as provided in subd. 1. ~~a. or b.~~ this subdivision, and
21 except for a first violation of s. 346.63 (1) (b), if the person who committed the
22 violation is a licensee under this chapter or is a resident to whom another jurisdiction
23 has not issued an operator's license and had a blood alcohol concentration of 0.08 or
24 more but less than 0.1 at the time of the violation, the court shall order the person
25 to submit to and comply with an assessment by an approved public treatment facility

1 as defined in s. 51.45 (2) (c) for examination of the person's use of alcohol, controlled
2 substances or controlled substance analogs and development of a driver safety plan
3 for the person. The court shall notify the department of transportation of the
4 assessment order. The court shall notify the person that noncompliance with
5 assessment or the driver safety plan will result in revocation of the person's
6 operating privilege until the person is in compliance. The assessment order shall:
7 a. ~~If the person is a resident,~~ refer the person to an approved public treatment facility
8 in the county in which the person resides. The facility named in the order may
9 provide for assessment of the person in another approved public treatment facility.
10 The order shall provide that if the person is temporarily residing in another state,
11 the facility named in the order may refer the person to an appropriate treatment
12 facility in that state for assessment and development of a driver safety plan for the
13 person satisfying the requirements of that state. ~~e. Require~~ The assessment order
14 shall require a person who is referred to a treatment facility in another state under
15 subd. 1. a. or b. this subdivision to furnish the department written verification of his
16 or her compliance from the agency which administers the assessment and driver
17 safety plan program. The person shall provide initial verification of compliance
18 within 60 days after the date of his or her conviction. The requirement to furnish
19 verification of compliance may be satisfied by receipt by the department of such
20 verification from the agency which administers the assessment and driver safety
21 plan program.

22 ***-0011/3.35* SECTION 3292.** 343.30 (1q) (c) 1. b. of the statutes is repealed.

23 ***-0011/3.36* SECTION 3293.** 343.30 (2j) (a) of the statutes is renumbered
24 343.30 (2j) and amended to read:

1 343.30 (2j) A court may revoke a person's operating privilege upon the person's
2 first conviction for violating s. 346.44 or 346.62 (2m) and shall revoke a person's
3 operating privilege upon the person's ~~2nd or subsequent conviction for violating s.~~
4 346.44 or 346.62 (2m) if within a 5-year period, the person was previously convicted
5 for violating s. 346.44 or 346.62 (2m) or the law of another jurisdiction for an offense
6 therein which, if committed in this state, would have been cause for revocation under
7 this subsection. The revocation shall be for a period of 6 months. For purposes of
8 determining prior convictions for purposes of this paragraph subsection, the 5-year
9 period shall be measured from the dates of the violations that resulted in the
10 convictions. Each conviction under s. 346.44 or 346.62 (2m) or the applicable law of
11 another jurisdiction shall be counted, except that convictions under s. 346.44 and
12 346.62 (2m) or the applicable law of another jurisdiction arising out of the same
13 incident or occurrence shall be counted as a single conviction.

14 *~~-0011/3.37~~* SECTION 3294. 343.30 (4) of the statutes is amended to read:

15 343.30 (4) Whenever a court ~~or judge~~ suspends or revokes an operating
16 privilege under this section, the court ~~or judge shall immediately~~ may take
17 possession of any suspended or revoked license and, if the court takes possession of
18 a license, it shall destroy the license. The court shall forward it, as provided in s.
19 345.48, to the department together with the record of conviction and notice of
20 suspension or revocation. Whenever a court or judge restricts the operating privilege
21 of a person, the court or judge shall forward notice of the restriction to the
22 department.

23 *~~-0011/3.38~~* SECTION 3295. 343.30 (5) of the statutes is amended to read:

24 343.30 (5) No court may suspend or revoke an operating privilege except as
25 authorized by this chapter or ch. 345, 351, or 938 or s. 767.73, 800.09 (1) (c), 800.095

1 (4) (b) 4., 943.21 (3m), or 961.50. When a court revokes, suspends, or restricts a
2 juvenile's operating privilege under ch. 938, the department of transportation shall
3 not disclose information concerning or relating to the revocation, suspension, or
4 restriction to any person other than a court, district attorney, county corporation
5 counsel, city, village, or town attorney, law enforcement agency, driver licensing
6 agency of another jurisdiction, or the minor whose operating privilege is revoked,
7 suspended, or restricted, or his or her parent or guardian. Persons entitled to receive
8 this information shall not disclose the information to other persons or agencies.

9 ***-0011/3.39*** SECTION 3296. 343.301 (1) (e) of the statutes is created to read:

10 343.301 (1) (e) The court shall notify the department, in a form and manner
11 prescribed by the department, that an order requiring a motor vehicle to be equipped
12 with an ignition interlock device has been entered. If the motor vehicle is registered
13 in this state under ch. 341 and the department has issued a valid certificate of title
14 for the vehicle under ch. 342, the registration records of the department shall reflect
15 that the order has been entered against the motor vehicle and remains unexecuted.
16 Any law enforcement officer may execute that order based on the information
17 provided by the department. The law enforcement agency shall notify the
18 department when an order has been executed under this paragraph and the
19 department shall amend its vehicle registration records to reflect that notification
20 if the motor vehicle is registered in this state under ch. 341 and the department has
21 issued a valid certificate of title for the vehicle under ch. 342.

22 ***-0011/3.40*** SECTION 3297. 343.301 (2) (d) of the statutes is amended to read:

23 343.301 (2) (d) The court shall notify the department, in a form and manner
24 prescribed by the department, that an order to immobilize a motor vehicle has been
25 entered. The If the motor vehicle is registered in this state under ch. 341 and the

1 department has issued a valid certificate of title for the vehicle under ch. 342, the
2 registration records of the department shall reflect that the order has been entered
3 against the motor vehicle and remains unexecuted. Any law enforcement officer may
4 execute that order based on the information provided by the department. The law
5 enforcement agency shall notify the department when an order has been executed
6 under this paragraph and the department shall amend its vehicle registration
7 records to reflect that notification if the motor vehicle is registered in this state under
8 ch. 341 and the department has issued a valid certificate of title for the vehicle under
9 ch. 342.

10 ***-1261/5.873*** ***-1267/P1.349*** **SECTION 3298.** 343.305 (6) (e) 2. am. of the
11 statutes is amended to read:

12 343.305 (6) (e) 2. am. In the case of an individual who does not have a social
13 security number, a statement made or subscribed under oath or affirmation that the
14 applicant does not have a social security number. The form of the statement shall
15 be prescribed by the department of ~~workforce development~~ children and families. A
16 permit or approval that is issued or renewed under this section in reliance on a
17 statement submitted under this subd. 2. am. is invalid if the statement is false.

18 ***-1261/5.874*** ***-1267/P1.350*** **SECTION 3299.** 343.305 (6) (e) 3. b. of the
19 statutes is amended to read:

20 343.305 (6) (e) 3. b. The licensor may not disclose any information received
21 under subd. 2. a. or b. except to the department of ~~workforce development~~ children
22 and families for purposes of administering s. 49.22 or the department of revenue for
23 the sole purpose of requesting certifications under s. 73.0301.

24 ***-0011/3.41*** **SECTION 3300.** 343.305 (7) (a) of the statutes is amended to read:

1 343.305 (7) (a) If a person submits to chemical testing administered in
2 accordance with this section and any test results indicate the presence of a detectable
3 amount of a restricted controlled substance in the person's blood or a prohibited
4 alcohol concentration, the law enforcement officer shall report the results to the
5 department and take possession of the person's license and forward it to the
6 department. The person's operating privilege is administratively suspended for 6
7 months.

8 ***-0011/3.42*** SECTION 3301. 343.305 (7) (b) of the statutes is amended to read:

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

21 ***-0973/3.10*** SECTION 3302. 343.305 (8) (b) 5. (intro.) of the statutes is
22 amended to read:

23 343.305 (8) (b) 5. (intro.) If the hearing examiner finds that any of the following
24 applies, the examiner shall order that the administrative suspension of the person's

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1 operating privilege be rescinded without payment of the any fee under s. 343.21 (1)
2 (j) or (n):

3 ***-0973/3.11* SECTION 3303.** 343.305 (8) (c) 5. of the statutes is amended to
4 read:

5 343.305 (8) (c) 5. If any court orders under this subsection that the
6 administrative suspension of the person's operating privilege be rescinded, the
7 person need not pay the any fee under s. 343.21 (1) (j) or (n).

8 ***-0011/3.43* SECTION 3304.** 343.305 (9) (a) (intro.) of the statutes is amended
9 to read:

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

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

6 ***-0011/3.44* SECTION 3305.** 343.305 (9) (am) (intro.) of the statutes is
7 amended to read:

8 **343.305 (9) (am) (intro.)** If a person driving or operating or on duty time with
9 respect to a commercial motor vehicle refuses a test under sub. (3) (am), the law
10 enforcement officer shall immediately take possession of the person's license, issue
11 an out-of-service order to the person for the 24 hours after the refusal and notify the
12 department in the manner prescribed by the department, and prepare a notice of
13 intent to revoke, by court order under sub. (10), the person's operating privilege. The
14 officer shall issue a copy of the notice of intent to revoke the privilege to the person
15 and submit or mail a copy with the person's license to the circuit court for the county
16 in which the refusal is made or to the municipal court in the municipality in which
17 the refusal is made if the person's refusal was in violation of a municipal ordinance
18 and the municipality has a municipal court. The officer shall also mail a copy of the
19 notice of intent to revoke to the attorney for that municipality or to the district
20 attorney for that county, as appropriate, and to the department. Neither party is
21 entitled to pretrial discovery in any refusal hearing, except that, if the defendant
22 moves within 30 days after the initial appearance in person or by an attorney and
23 shows cause therefor, the court may order that the defendant be allowed to inspect
24 documents, including lists of names and addresses of witnesses, if available, and to
25 test under s. 804.09, under such conditions as the court prescribes, any devices used

1 by the plaintiff to determine whether a violation has been committed. The notice of
2 intent to revoke the person's operating privilege shall contain substantially all of the
3 following information:

4 ***-0011/3.45* SECTION 3306.** 343.305 (10) (b) 3. of the statutes is amended to
5 read:

6 343.305 (10) (b) 3. Except as provided in subd. 4m., if the number of convictions
7 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other
8 convictions, suspensions, and revocations counted under s. 343.307 (2) within a
9 10-year period, equals 2, the court shall revoke the person's operating privilege for
10 2 years. After the first 90 days of the revocation period or, if the total number of
11 convictions, suspensions, and revocations counted under this subdivision within any
12 5-year period equals 2 or more, after one year of the revocation period has elapsed,
13 the person is eligible for an occupational license under s. 343.10 if he or she has
14 completed the assessment, if applicable, and is complying with the driver safety
15 plan, if applicable.

16 ***-0011/3.46* SECTION 3307.** 343.305 (10) (b) 4. of the statutes is amended to
17 read:

18 343.305 (10) (b) 4. Except as provided in subd. 4m., if the number of convictions
19 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other
20 convictions, suspensions, and revocations counted under s. 343.307 (2), equals 3 or
21 more, the court shall revoke the person's operating privilege for 3 years. After the
22 first 120 days of the revocation period or, if the total number of convictions,
23 suspensions, and revocations counted under this subdivision within any 5-year
24 period equals 2 or more, after one year of the revocation period has elapsed, the
25 person is eligible for an occupational license under s. 343.10 if he or she has

1 completed the assessment, if applicable, and is complying with the driver safety
2 plan, if applicable.

3 ***-0011/3.47* SECTION 3308.** 343.305 (10) (c) 1. (intro.), a. and c. of the statutes
4 are consolidated, renumbered 343.305 (10) (c) 1. and amended to read:

5 343.305 (10) (c) 1. Except as provided in subd. 1. a. or b. this subdivision, if the
6 person is a licensee under this chapter or is a resident to whom another jurisdiction
7 has not issued an operator's license, the court shall order the person to submit to and
8 comply with an assessment by an approved public treatment facility as defined in s.
9 51.45 (2) (c) for examination of the person's use of alcohol, controlled substances or
10 controlled substance analogs and development of a driver safety plan for the person.

11 The court shall notify the person and the department of transportation of the
12 assessment order. The court shall also notify the person that noncompliance with
13 assessment or the driver safety plan will result in license suspension until the person
14 is in compliance. The assessment order shall: ~~a. If the person is a resident, refer the~~
15 ~~person to an approved public treatment facility in the county in which the person~~
16 ~~resides. The facility named in the order may provide for assessment of the person~~
17 ~~in another approved public treatment facility. The order shall provide that if the~~
18 ~~person is temporarily residing in another state, the facility named in the order may~~
19 ~~refer the person to an appropriate treatment facility in that state for assessment and~~
20 ~~development of a driver safety plan for the person satisfying the requirements of that~~
21 ~~state. e. Require~~ The assessment order shall require a person who is referred to a
22 ~~treatment facility in another state under subd. 1. a. or b. this subdivision~~ to furnish
23 the department written verification of his or her compliance from the agency which
24 administers the assessment and driver safety plan program. The person shall
25 provide initial verification of compliance within 60 days after the date of his or her

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

4 ***-0011/3.48* SECTION 3309.** 343.305 (10) (c) 1. b. of the statutes is repealed.

5 ***-0011/3.49* SECTION 3310.** 343.305 (11) of the statutes is amended to read:

6 343.305 (11) RULES. The department shall promulgate rules under ch. 227
7 necessary to administer this section. The rules shall include provisions relating to
8 the expeditious exchange of information under this section between the department
9 and law enforcement agencies, circuit courts, municipal courts, attorneys who
10 represent municipalities, and district attorneys, and driver licensing agencies of
11 other jurisdictions. The rules may not affect any provisions relating to court
12 procedure.

13 ***-0011/3.50* SECTION 3311.** 343.31 (1) (intro.) of the statutes is amended to
14 read:

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

22 ***-0011/3.51* SECTION 3312.** 343.31 (1) (hm) of the statutes is repealed.

23 ***-0011/3.52* SECTION 3313.** 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 *~~0011/3.53~~* SECTION 3314. 343.31 (2m) of the statutes is repealed.

23 *~~0011/3.54~~* SECTION 3315. 343.31 (2r) of the statutes is amended to read:

24 343.31 (2r) The department shall suspend ~~a person's~~ the operating privilege
25 of a person who is a licensee under this chapter or is a resident to whom another

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

5 ***-0011/3.55* SECTION 3316.** 343.31 (2z) of the statutes is created to read:

6 343.31 (2z) (a) The department shall revoke, in the manner provided in sub.
7 (1), the operating privilege of a nonresident upon receiving a record of the person's
8 conviction of committing in this state any offense specified in sub. (1) if the person
9 is licensed by or resides in another jurisdiction that is not a member jurisdiction or
10 if the offense specified in sub. (1) is not an offense identified in the rules under s.
11 343.02 (3) (b).

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

17 ***-0011/3.56* SECTION 3317.** 343.31 (3) (a) of the statutes is amended to read:

18 343.31 (3) (a) Except as otherwise provided in this subsection or sub. (2m), (2s),
19 or (2x), all revocations or suspensions under this section shall be for a period of one
20 year.

21 ***-0011/3.57* SECTION 3318.** 343.31 (3) (b) of the statutes is repealed.

22 ***-0011/3.58* SECTION 3319.** 343.31 (3) (bg) of the statutes is created to read:

23 343.31 (3) (bg) The period of suspension or revocation under sub. (2) shall be
24 the same as if the person were convicted of the offense in this state.

1 ***-0011/3.59* SECTION 3320.** 343.31 (3) (bm) (intro.) of the statutes is amended
2 to read:

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

7 ***-0011/3.60* SECTION 3321.** 343.31 (3) (c) of the statutes is amended to read:

8 343.31 (3) (c) Any person who is a licensee under this chapter or is a resident
9 to whom another jurisdiction has not issued an operator's license, or who is subject
10 to revocation of the person's operating privilege under sub. (2z) (a), and who is
11 convicted under s. 940.09 of causing the death of another or of an unborn child by the
12 operation or handling of a motor vehicle shall have his or her operating privilege
13 revoked for 5 years. If there was a minor passenger under 16 years of age or an
14 unborn child, as defined in s. 939.75 (1), in the motor vehicle at the time of the
15 violation that gave rise to the conviction under s. 940.09, the revocation period is 10
16 years.

17 ***-0011/3.61* SECTION 3322.** 343.31 (3) (d) (intro.) of the statutes is amended
18 to read:

19 343.31 (3) (d) (intro.) Any person who is a licensee under this chapter or is a
20 resident to whom another jurisdiction has not issued an operator's license, or who
21 is subject to revocation of the person's operating privilege under sub. (2z) (a), and who
22 is convicted of knowingly fleeing or attempting to elude a traffic officer under s.
23 346.04 (3) shall have his or her operating privilege revoked as follows:

24 ***-0011/3.62* SECTION 3323.** 343.31 (3) (e) of the statutes is amended to read:

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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 ***-0011/3.63*** SECTION 3324. 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 ***-0011/3.64*** SECTION 3325. 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 ***-0011/3.65*** SECTION 3326. 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 ***-0011/3.66* SECTION 3327.** 343.315 (2) (f) 7. of the statutes is amended to
5 read:

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

15 ***-0011/3.67* SECTION 3328.** 343.315 (2) (fm) of the statutes is amended to read:

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

21 ***-0011/3.68* SECTION 3329.** 343.315 (2) (h) of the statutes is amended to read:

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

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1 occurrences committed within a 10-year period while driving or operating a
2 commercial motor vehicle. A disqualification under this paragraph shall be in
3 addition to any penalty imposed under s. 343.44. In this paragraph, "out-of-service
4 violation" means violating s. 343.44 (1) (c) or a law of another jurisdiction for an
5 offense therein which, if committed in this state, would have been a violation of s.
6 343.44 (1) (c), by operating a commercial motor vehicle while the operator or vehicle
7 is ordered out-of-service under the law of this state or another jurisdiction or under
8 federal law.

9 ***-0011/3.69* SECTION 3330.** 343.315 (2) (j) (intro.) of the statutes is amended
10 to read:

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

19 ***-0011/3.70* SECTION 3331.** 343.315 (3) (a) of the statutes is amended to read:

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

1 period of revocation or suspension unless the period of disqualification has also
2 expired. During any period of disqualification in which the person's license or
3 operating privilege is not revoked or suspended, the department may issue an
4 operator's license to the person for the operation of vehicles other than commercial
5 motor vehicles.

6 ***-0973/3.12* SECTION 3332.** 343.315 (3) (b) of the statutes is amended to read:

7 343.315 (3) (b) If a person's license or operating privilege is not otherwise
8 revoked or suspended as the result of an offense committed after March 31, 1992,
9 which results in disqualification under sub. (2) (a) to (f), (h), (i), or (j), the department
10 shall immediately disqualify the person from operating a commercial motor vehicle
11 for the period required under sub. (2) (a) to (f), (h), (i), or (j). Upon proper application
12 by the person and payment of ~~a duplicate license fee~~ the fees specified in s. 343.21
13 (1) (L) and (n), the department may issue a separate license authorizing only the
14 operation of vehicles other than commercial motor vehicles. Upon expiration of the
15 period of disqualification, the person may apply for authorization to operate
16 commercial motor vehicles under s. 343.26.

17 ***-0011/3.71* SECTION 3333.** 343.315 (3) (b) of the statutes, as affected by 2007
18 Wisconsin Act (this act), is amended to read:

19 343.315 (3) (b) If a person's license or operating privilege is not otherwise
20 revoked or suspended as the result of an offense committed after March 31, 1992,
21 which results in disqualification under sub. (2) (a) to (f), (h), (i), or (j), the department
22 shall, subject to par. (bm), immediately disqualify the person from operating a
23 commercial motor vehicle for the period required under sub. (2) (a) to (f), (h), (i), or
24 (j). Upon proper application by the person and payment of the fees specified in s.
25 343.21 (1) (L) and (n), the department may issue a separate license authorizing only

1 the operation of vehicles other than commercial motor vehicles. Upon expiration of
2 the period of disqualification, the person may apply for authorization to operate
3 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-0011 and LRB-0973.

4 ***-0011/3.72* SECTION 3334.** 343.315 (3) (bm) of the statutes is created to read:

5 343.315 (3) (bm) Upon receiving a record of conviction for any offense causing
6 a person to be disqualified from operating a commercial motor vehicle under sub. (2)
7 or a notice specified in sub. (2) (k), the department shall record the disqualification
8 if required by s. 343.23 (2) (am) and, subject to s. 343.03 (7) (b), do one of the following:

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

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

20 ***-0011/3.73* SECTION 3335.** 343.315 (3) (d) of the statutes is amended to read:

21 343.315 (3) (d) Disqualifications Subject to sub. (4), disqualifications shall be
22 effective from the date of conviction of the disqualifying offense the order of
23 disqualification.