

ASSEMBLY BILL 591 (LRB -0799)

An Act to repeal 343.30 (2m) of the statutes; relating to: suspending the operating privilege of an underage person who operates a vehicle while having an intoxicant in a vehicle (suggested as remedial legislation by the Department of Transportation). (FE)

2007

- 11-29. A. Introduced by **LAW REVISION COMMITTEE**.
- 11-29. A. Read first time and referred to committee on Transportation 368

2008

- 01-04. A. Fiscal estimate received.
- 01-17. A. Public hearing held.
- 01-31. A. Executive action taken.
- 02-13. A. Report passage recommended by committee on Transportation, Ayes 11, Noes 0 504
- 02-13. A. Referred to committee on Rules 504
- 02-21. A. Placed on calendar 2-26-2008 by committee on Rules.
- 02-26. A. Read a second time 549
- 02-26. A. Ordered to a third reading 549
- 02-26. A. Rules suspended 549
- 02-26. A. Read a third time and **passed** 549
- 02-26. A. Ordered immediately messaged 549
- 02-27. S. Received from Assembly 626
- 02-28. S. Read first time and referred to committee on Transportation and Tourism 632
- 03-05. S. Public hearing held.
- 03-05. S. Executive action taken.
- 03-05. S. Report concurrence recommended by committee on Transportation and Tourism, Ayes 7, Noes 0.
- 03-05. S. Available for scheduling.
- 03-06. S. Placed on calendar 3-11-2008 by committee on Senate Organization.
- 03-11. S. Read a second time 3
- 03-11. S. Ordered to a third reading 3
- 03-11. S. Rules suspended 3
- 03-11. S. Read a third time and **concurred in** 3
- 03-11. S. Ordered immediately messaged 3
- 03-11. A. Received from Senate concurred in.

**2007
ENROLLED BILL**

07en A B-591

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

07 0799/1

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

3-11-08 [Signature]
Date Enrolling Drafter

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2007 ASSEMBLY BILL 591

November 29, 2007 - Introduced by LAW REVISION COMMITTEE. Referred to Committee on Transportation.

1 **AN ACT to repeal** 343.30 (2m) of the statutes; **relating to:** suspending the
2 operating privilege of an underage person who operates a vehicle while having
3 an intoxicant in a vehicle (suggested as remedial legislation by the Department
4 of Transportation).

Analysis by the Legislative Reference Bureau

Current law allows a court to suspend the operating privilege of an underage person who operates a vehicle while there is an intoxicant in the vehicle. If the underage person has committed prior offenses, current law requires the court to suspend the operating privilege for varying periods, depending on the number of prior offenses. Current law also allows a court to suspend the operating privilege of an underage person who operates a vehicle while there is an intoxicant in the vehicle for not less than 30 days nor more than one year.

This bill eliminates the more general of these overlapping statutes, retaining the statute that requires the court to suspend the operating privilege for varying periods if there are prior offenses.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

ASSEMBLY BILL 591

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Transportation and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1

SECTION 1. 343.30 (2m) of the statutes is repealed.

NOTE: The repealed provision authorizes a court to suspend the operating privilege for a person who violates the prohibition against an underage person operating a motor vehicle while an intoxicant is in the vehicle. The suspension period is not less than 30 days nor more than one year. The statute imposing the prohibition, s. 346.93, stats., contains its own suspension periods: first violation, 30 to 90 days; 2 violations within 12 months, not more than one year; 3 or more violations within 12 months, not more than 2 years. The repeal of s. 343.30 (2m), stats., eliminates overlapping and contradictory provisions and clarifies the pertinent penalties.

2

(END)