



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - PLEASE DO NOT REMOVE FROM DRAFTING FILE

Date Transfer Requested: 12/18/2006 (Per: BAB)





Appendix A

 The 2005 drafting file for LRB 05-2718

has been transferred to the drafting file for

2007 LRB 07-0799

 This cover sheet, the final request sheet, and the final version of the 2005 draft were copied on yellow paper, and returned to the original 2005 drafting file.

 The attached 2005 draft was incorporated into the new 2007 draft listed above. For research purposes, this cover sheet and the complete drafting file were transferred, as a separate appendix, to the 2007 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

2005 DRAFTING REQUEST

Bill

Received: 04/11/2005

Received By: phurley

Wanted: As time permits

Identical to LRB:

For: Legislative Council - LRC

By/Representing: Paul Nilsen

This file may be shown to any legislator: NO

Drafter: phurley

May Contact:

Addl. Drafters:

Subject: Transportation - driver licenses

Extra Copies:

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

Suspension of operating privilege for intoxicants in vehicle

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	phurley 04/11/2005	lkunkel 04/18/2005	rschluet 04/18/2005	_____	lemery 04/18/2005		State

FE Sent For:

<END>

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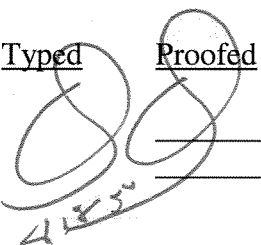
Topic:

Suspension of operating privilege for intoxicants in vehicle ✓

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	phurley	PI Imk 4/16					State

FE Sent For:

<END>

2718

REMEDIAL LEGISLATIVE PROPOSAL

Wisconsin Department of Transportation

DT1605 9/2004 s.13.83(1)(c)4 Wis. Stats.

Instructions: Complete this form for **Law Revision Committee Remedial Legislative proposal(s)** for which a Division requests Secretary's Office (SO) approval. This form must be signed by the Division Administrator.

Short Title of Issue Eliminate duplicate suspension for Underage Intoxicants in Vehicle	
Date Submitted October 19, 2004	Division OGC
Lead Division Contact Person Paul Nilsen	Area Code - Telephone Number 608-261-0126
Specific Statutory Change Repeal s. 343.30(2m).	
Administrative Problem with Current Statute 343.30(2m) allows courts to suspend operating privilege for up to 30 days for conviction of s. 346.93. That statute, s. 346.93, requires courts to suspend for varying periods depending on prior offenses.	
Justification/Need for Change Eliminate confusing and contradictory permissive statutes.	
Fiscal Effect, If Any None.	

(Division Administrator Signature – Brush Script Font If Computer Filled) (Date)

OGC Completes: DOT Remedial Legislation Proposal Number
R050725

other

PSH.....
MK

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

4-11-05

BenCat

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

not less than 30 days nor more than one year

suggested recommended

Analysis by the Legislative Reference Bureau

Current law requires a court to suspend the operating privilege of an underage person who operates a vehicle while there is an intoxicant in the vehicle. Depending on the number of prior offenses, current law requires the court to suspend the operating privilege for varying periods. 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 up to 30 days.

This bill eliminates the permissive statute and retains the statute that requires the court to suspend the operating privilege for varying periods, depending on the number of prior offenses.

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

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



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-2718/P1

PJH:lmk:rs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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 requires a court to suspend the operating privilege of an underage person who operates a vehicle while there is an intoxicant in the vehicle. Depending on the number of prior offenses, current law requires the court to suspend the operating privilege for varying periods. 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 permissive statute and retains the statute that requires the court to suspend the operating privilege for varying periods, depending on the number of prior offenses.

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

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:

