

## 2009 SENATE BILL 102

March 3, 2009 – Introduced by Senators CARPENTER, KREITLOW, KEDZIE and DARLING, cosponsored by Representatives ZEPNICK, BERCEAU, TOWNSEND, POPE-ROBERTS and A. OTT. Referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

1     **AN ACT to amend** 343.30 (1q) (b) 5., 343.305 (10) (b) 5. and 343.31 (3) (bm) 5. of  
2             the statutes; **relating to:** periods of revocation of driving privileges after  
3             committing certain offenses related to operating a vehicle while intoxicated.

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### *Analysis by the Legislative Reference Bureau*

Under current law, a person who commits an offense related to operating a vehicle while under the influence of a drug or intoxicant, operating a vehicle with a prohibited blood alcohol concentration, or refusing to take a test for intoxication (OWI-related offense) has his or her operating privileges revoked for a specified period. The period of revocation lengthens with each subsequent OWI-related offense, and generally begins on the date the person commits the OWI-related offense.

Under this bill, the period of revocation begins on the date the person commits the OWI-related offense, but is tolled for any time period that the person spends in jail or in prison. The bill makes the person whose operating privileges are revoked responsible for notifying the Department of Transportation that he or she has been released from jail or prison.

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

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

**SENATE BILL 102**

1           **SECTION 1.** 343.30 (1q) (b) 5. of the statutes is amended to read:

2           343.30 **(1q)** (b) 5. The time period under this paragraph shall be measured from  
3 the dates of the refusals or violations which resulted in the suspensions, revocations  
4 or convictions, except that the time period shall be tolled whenever and for as long  
5 as the person is imprisoned. A person whose revocation period is tolled under this  
6 subdivision is responsible for notifying the department that he or she has been  
7 released from prison.

8           **SECTION 2.** 343.305 (10) (b) 5. of the statutes is amended to read:

9           343.305 **(10)** (b) 5. The time period under this paragraph shall be measured  
10 from the dates of the refusals or violations which resulted in revocations or  
11 convictions, except that the time period shall be tolled whenever and for as long as  
12 the person is imprisoned. A person whose revocation period is tolled under this  
13 subdivision is responsible for notifying the department that he or she has been  
14 released from prison.

15           **SECTION 3.** 343.31 (3) (bm) 5. of the statutes is amended to read:

16           343.31 **(3)** (bm) 5. The time period under this paragraph shall be measured  
17 from the dates of the refusals or violations which resulted in the suspensions,  
18 revocations or convictions, except that the time period shall be tolled whenever and  
19 for as long as the person is imprisoned. A person whose revocation period is tolled  
20 under this subdivision is responsible for notifying the department that he or she has  
21 been released from prison.

22           **SECTION 4. Initial applicability.**

23           (1) This act first applies to offenses that are committed on the effective date of  
24 this subsection.

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(END)