

1 301.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability
2 of ~~federal funds~~ and of the appropriations under s. 20.410 (3) (cd), ~~(ke)~~, and ~~(e)~~ and
3 (ko), the department shall allocate funds for community youth and family aids for the
4 period beginning on July 1, ~~2009~~ 2011, and ending on June 30, ~~2011~~ 2013, as
5 provided in this subsection to county departments under ss. 46.215, 46.22, and 46.23
6 as follows:

7 **SECTION 3008.** 301.26 (7) (a) of the statutes is amended to read:

8 301.26 (7) (a) For community youth and family aids under this section,
9 amounts not to exceed ~~\$50,395,100~~ \$45,478,000 for the last 6 months of ~~2009~~ 2011,
10 ~~\$100,790,200~~ \$90,956,100 for ~~2010~~ 2012, and ~~\$50,395,100~~ \$45,478,100 for the first
11 6 months of ~~2011~~ 2013.

12 **SECTION 3009.** 301.26 (7) (b) (intro.) of the statutes is amended to read:

13 301.26 (7) (b) (intro.) Of the amounts specified in par. (a), the department shall
14 allocate \$2,000,000 for the last 6 months of ~~2009~~ 2011, \$4,000,000 for ~~2010~~ 2012, and
15 \$2,000,000 for the first 6 months of ~~2011~~ 2013 to counties based on each of the
16 following factors weighted equally:

17 **SECTION 3010.** 301.26 (7) (bm) of the statutes is amended to read:

18 301.26 (7) (bm) Of the amounts specified in par. (a), the department shall
19 allocate \$6,250,000 for the last 6 months of ~~2009~~ 2011, \$12,500,000 for ~~2010~~ 2012,
20 and \$6,250,000 for the first 6 months of ~~2011~~ 2013 to counties based on each county's
21 proportion of the number of juveniles statewide who are placed in a juvenile
22 correctional facility during the most recent 3-year period for which that information
23 is available.

24 **SECTION 3011.** 301.26 (7) (c) of the statutes is amended to read:

1 301.26 (7) (c) Of the amounts specified in par. (a), the department shall allocate
2 \$1,053,200 for the last 6 months of ~~2009~~ 2011, \$2,106,500 for ~~2010~~ 2012, and
3 \$1,053,300 for the first 6 months of ~~2011~~ 2013 to counties based on each of the factors
4 specified in par. (b) 1. to 3. weighted equally, except that no county may receive an
5 allocation under this paragraph that is less than 93% nor more than 115% of the
6 amount that the county would have received under this paragraph if the allocation
7 had been distributed only on the basis of the factor specified in par. (b) 3.

8 **SECTION 3012.** 301.26 (7) (e) of the statutes is amended to read:

9 301.26 (7) (e) For emergencies related to community youth and family aids
10 under this section, amounts not to exceed \$125,000 for the last 6 months of ~~2009~~ 2011,
11 \$250,000 for ~~2010~~ 2012, and \$125,000 for the first 6 months of ~~2011~~ 2013. A county
12 is eligible for payments under this paragraph only if it has a population of not more
13 than 45,000.

14 **SECTION 3013.** 301.26 (7) (h) of the statutes is amended to read:

15 301.26 (7) (h) For counties that are participating in the corrective sanctions
16 program under s. 938.533 (2), \$1,062,400 in the last 6 months of ~~2009~~ 2011,
17 \$2,124,800 in ~~2010~~ 2012, and \$1,062,400 in the first 6 months of ~~2011~~ 2013 for the
18 provision of corrective sanctions services for juveniles from that county. In
19 distributing funds to counties under this paragraph, the department shall determine
20 a county's distribution by dividing the amount allocated under this paragraph by the
21 number of slots authorized for the program under s. 938.533 (2) and multiplying the
22 quotient by the number of slots allocated to that county by agreement between the
23 department and the county. The department may transfer funds among counties as
24 necessary to distribute funds based on the number of slots allocated to each county.

25 **SECTION 3014.** 301.26 (8) of the statutes is amended to read:

1 301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the
2 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last
3 6 months of ~~2009~~ 2011, \$1,333,400 in ~~2010~~ 2012, and \$666,700 in the first 6 months
4 of ~~2011~~ 2013 for alcohol and other drug abuse treatment programs.

5 **SECTION 3014m.** 301.328 (1m) of the statutes is created to read:

6 301.328 (1m) No prisoner may receive more than \$100 annually in litigation
7 loans, except that any amount of the debt the prisoner repays during the year may
8 be advanced to the prisoner again without counting against the \$100 litigation loan
9 limit. No prisoner may receive a litigation loan in any amount until he or she has
10 repaid a prior loan in full or has made arrangements for repayment with the warden
11 of the institution.

12 **SECTION 3051h.** 302.388 (2) (g) of the statutes is created to read:

13 302.388 (2) (g) If a prisoner's health summary form or complete medical file
14 indicates that the prisoner has a communicable disease and if disclosure of that
15 information is necessary for the health and safety of the prisoner or of other
16 prisoners, of a correctional officer who has custody of or is responsible for the
17 supervision of the prisoner, of a person designated by a jailer to have custodial
18 authority over the prisoner, of any other employee of the prison or jail, or of a law
19 enforcement officer or other person who is responsible for transferring the prisoner
20 to or from a prison or jail, receiving institution intake staff shall disclose that
21 information to the persons specified in par. (f) 1. to 4. and to that correctional officer,
22 person with custodial authority, law enforcement officer, or other person.

23 **SECTION 3051j.** 302.388 (3) of the statutes is renumbered 302.388 (3) (a).

24 **SECTION 3051L.** 302.388 (3) (b) of the statutes is created to read:

1 302.388 (3) (b) If a prisoner's treatment summary indicates that the prisoner
2 has a communicable disease and if disclosure of that information is necessary for the
3 health and safety of the prisoner or of other prisoners, of a correctional officer who
4 has custody of or is responsible for the supervision of the prisoner, of a person
5 designated by a jailer to have custodial authority over the prisoner, of any employee
6 of the prison or jail, or of a law enforcement officer or other person who is responsible
7 for transferring the prisoner to or from a prison or jail, the department or jailer shall
8 disclose that information to the persons to whom a treatment summary may be made
9 available under par. (a) and to that correctional officer, person with custodial
10 authority, law enforcement officer, or other person.

11 **SECTION 3084.** 321.40 (3) (b) 1. of the statutes is amended to read:

12 321.40 (3) (b) 1. Be submitted to the department for approval of payment no
13 later than ~~60~~ 90 days after the completion date of the course;

14 **SECTION 3086.** 340.01 (18j) of the statutes is created to read:

15 340.01 (18j) "Federal out-of-service order for unsatisfactory safety
16 compliance" means an out-of-service order issued by the federal motor carrier safety
17 administration under 49 CFR 385.13 (a), 385.105 (b), 385.111 (a) or (c), 385.325 (c),
18 385.337 (b), 386.72 (b) (2), 386.83 (a) (1), or 386.84 (a) (1).

19 **SECTION 3087.** 341.10 (16) of the statutes is created to read:

20 341.10 (16) The applicant has applied for registration under the international
21 registration plan specified in s. 341.405 and, in the registration application, the
22 applicant has identified as the motor carrier responsible for the safety of the motor
23 vehicle to be registered a motor carrier for which the department has received notice
24 that the motor carrier is subject to a federal out-of-service order for unsatisfactory
25 safety compliance. This subsection does not prohibit the applicant from registering

1 the motor vehicle under any applicable provision of this chapter other than s.
2 341.405.

3 **SECTION 3088.** 341.10 (17) of the statutes is created to read:

4 341.10 (17) The applicant has applied for registration under the international
5 registration plan specified in s. 341.405 and the motor vehicle for which application
6 is made has been identified by the federal motor carrier safety administration as
7 having been assigned for safety to a motor carrier whose business is operated,
8 managed, or otherwise controlled or affiliated with a person that has been issued a
9 federal out-of-service order for unsatisfactory safety compliance. This subsection
10 does not prohibit the applicant from registering the motor vehicle under any
11 applicable provision of this chapter other than s. 341.405.

12 **SECTION 3096.** 341.13 (3m) of the statutes is repealed.

13 **SECTION 3097m.** 341.135 of the statutes is amended to read:

14 **341.135 Rebasing registration plates.** At intervals determined by the
15 department, the department shall establish new designs of registration plates to be
16 issued under ss. 341.14 (1), (1a), (1m), (1q), (2), (2m), (6m), and (6r), 341.25 (1) (a),
17 (c), (h), and (j) and (2) (a), (b), and (c), and 341.26 (2) and (3) (a) 1. and (am). Any
18 design for registration plates issued for automobiles and for vehicles registered on
19 the basis of gross weight shall comply with the applicable design requirements of ss.
20 341.12 (3), 341.13, and 341.14 (6r) (c). The designs for registration plates specified
21 in this section shall be as similar in appearance as practicable during each design
22 interval. Except as provided in ss. 341.13 (2r) and 341.14 (1), each registration plate
23 issued under s. 341.14 (1), (1a), (1m), (1q), (2), (2m), (6m), or (6r), 341.25 (1) (a), (c),
24 (h), or (j) or (2) (a), (b), or (c), or 341.26 (2) or (3) (a) 1. or (am) during each design
25 interval shall be of the design established under this section. The department may

1 not redesign registration plates for the special groups under s. 341.14 (6r) (f) 53., 54.,
2 or 55. until July 1, 2010. Notwithstanding s. 341.13 (3), as the department
3 establishes new designs for registration plates under this section, the department
4 shall, at the time determined appropriate by the department, issue registration
5 plates of the new design to replace registration plates previously issued. This section
6 does not apply to special group plates under s. 341.14 (6r) (f) 19m., 33m., and 48m.

7 **SECTION 3098.** 341.14 (6r) (b) 4. of the statutes is amended to read:

8 341.14 **(6r)** (b) 4. An additional fee of \$20 that is in addition to the fee under
9 subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual
10 basis for a special group specified under par. (f) 35. to 47. An additional fee of \$40
11 that is in addition to the fee under subd. 2. shall be charged for the issuance or
12 renewal of a plate issued on a biennial basis for a special group specified under par.
13 (f) 35. to 47. if the plate is issued or renewed during the first year of the biennial
14 registration period or \$20 for the issuance or renewal if the plate is issued or renewed
15 during the 2nd year of the biennial registration period. The fee under this
16 subdivision is deductible as a charitable contribution for purposes of the taxes under
17 ch. 71. The department shall pay all moneys received under this subdivision to the
18 Board of Regents of the University of Wisconsin system to fund the scholarship
19 programs under s. 36.44.

20 **SECTION 3099.** 341.14 (6r) (c) of the statutes is amended to read:

21 341.14 **(6r)** (c) Special group plates shall display the word "Wisconsin", the
22 name of the applicable authorized special group, a symbol representing the special
23 group, not exceeding one position, and identifying letters or numbers or both, not
24 exceeding 6 positions and not less than one position. The Except as provided in this
25 paragraph, the department shall specify the design for special group plates, but the

1 department shall consult the president of the University of Wisconsin System before
2 specifying the word or symbol used to identify the special groups under par. (f) 35.
3 to 47., the secretary of natural resources before specifying the word or symbol used
4 to identify the special groups under par. (f) 50. and 59., the chief executive officer of
5 the professional football team and an authorized representative of the league of
6 professional football teams described in s. 229.823 to which that team belongs before
7 specifying the design for the applicable special group plate under par. (f) 55., the chief
8 trademark officer of Harley-Davidson Michigan, LLC before specifying the design
9 for the applicable special group plate under par. (f) 61r., the department of veterans
10 affairs before specifying the design for the special group plates under par. (f) 49d.,
11 49h., and 49s., and the department of tourism and chief executive officer of the
12 organization specified in par. (f) 55m. before specifying the design and word or
13 symbol used to identify the special group name for special group plates under par.
14 (f) 55m. Special group plates under par. (f) 50. shall be as similar as possible to
15 regular registration plates in color and design. The department shall make available
16 2 designs for the special group plates under par. (f) 60. The department may not
17 specify any design for the special group plates under par. (f) 60. unless the design is
18 approved by the executive vice president of the Milwaukee Brewers Baseball Club
19 LP. The word or symbol used to identify the special group under par. (f) 59. shall be
20 different from the word or symbol used to identify the special group under par. (f) 50.
21 and the design shall cover the entire plate. Special group plates under par. (f) 61m.
22 shall display a logo or image of the lion associated with the Lions Clubs
23 International. Special group plates under par. (f) 61r. shall display a bar and shield
24 logo associated with Harley-Davidson, Inc., on the left portion of the plates and the
25 words "share the road" on the bottom portion of the plates. Notwithstanding par. (e),

1 special group plates under par. (f) 33m. and 48m. shall be the same color and design
2 that was specified by the department for special group plates under par. (f) 33. and
3 48., respectively, immediately prior to January 1, 2007. The design for special group
4 plates under par. (f) 33. and 48. shall be different from the design of special group
5 plates under par. (f) 33m. and 48m., respectively.

6 **SECTION 3100s.** 341.14 (6r) (f) 33m. of the statutes is created to read:

7 341.14 (6r) (f) 33m. Fire fighters and surviving spouses of fire fighters who die
8 in the line of duty.

9 **SECTION 3101d.** 341.14 (6r) (f) 48m. of the statutes is created to read:

10 341.14 (6r) (f) 48m. Emergency medical technicians and first responders.

11 **SECTION 3101h.** 341.14 (6r) (fm) 7. of the statutes, as affected by 2009
12 Wisconsin Act 230, is amended to read:

13 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups
14 may only be special groups designated by the department under this paragraph. The
15 authorized special groups enumerated in par. (f) shall be limited solely to those
16 special groups specified under par. (f) on October 1, 1998. This subdivision does not
17 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m., 15m.,
18 19m., 33m., 48m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., 60., 61., 61m., and
19 61r.

20 **SECTION 3101p.** 341.14 (6r) (g) 1. and 2. of the statutes are amended to read:

21 341.14 (6r) (g) 1. Except as provided in subd. 2. and sub. (8) (a), if an individual
22 in possession of special plates under par. (f) 33., 33m., 34. ~~or~~, 48., or 48m. or of
23 personalized plates under s. 341.145 (1) (c) of the same color and design as special
24 plates under par. (f) 33., 33m., 34. ~~or~~, 48., or 48m. does not maintain membership in
25 the applicable authorized special group during a year that is not a plate issuance

1 year, the individual shall dispose of the special plates in a manner prescribed by the
2 department. This paragraph does not apply to plates issued to the surviving spouse
3 of a fire fighter who died in the line of duty.

4 2. If an individual in possession of special plates under par. (f) 33., 33m., 34.,
5 ~~or~~, 48., or 48m. or of personalized plates under s. 341.145 (1) (c) of the same color and
6 design as special plates under par. (f) 33., 33m., 34., ~~or~~, 48., or 48m. suffers an injury
7 in the course of his or her job duties as a fire fighter, rescue squad member, or
8 emergency medical technician and the injury prevents the individual from
9 subsequently performing such job duties, the individual may retain these special
10 plates.

11 **SECTION 3101t.** 341.14 (8) (a) of the statutes is amended to read:

12 341.14 (8) (a) If a special plate for a group associated with a branch of the armed
13 services or otherwise military in nature has been issued to a person under this
14 section, or if a special plate under sub. (6r) (f) 33. or 33m. has been issued to a person
15 who dies in the line of duty, upon application by the surviving spouse of the person,
16 the department shall permit the surviving spouse to retain the plate. If the plate has
17 been returned to the department or surrendered to another state, the department
18 shall reissue the plate to the surviving spouse if the application for reissuance of the
19 plate is made within 2 years of the plate's return or surrender. The department shall
20 charge an additional fee of \$15 to reissue the plate.

21 **SECTION 3106e.** 341.16 (2e) of the statutes is created to read:

22 341.16 (2e) The owner of a vehicle to which special group plates under s. 341.14
23 (6r) (f) 33. or 48. are attached may apply to the department for replacement special
24 group plates under s. 341.14 (6r) (f) 33m. or 48m., respectively. Upon receipt of the
25 application and payment of a fee of \$40, the department shall issue the replacement

1 special group plates. Upon receipt of replacement plates, the applicant shall destroy
2 the replaced plates.

3 **SECTION 3106m.** 341.16 (4) of the statutes is amended to read:

4 341.16 (4) Any person issued replacement plates who fails to destroy the
5 original plates as required by sub. (2), ~~(2e)~~, or (3) may be required to forfeit not more
6 than \$200.

7 **SECTION 3107.** 341.405 (3m) of the statutes is created to read:

8 341.405 (3m) (a) If the registration of a motor vehicle registered under this
9 section is suspended under s. 341.63 (1) (f), (1m), or (1r), or if an application for
10 registration is refused under s. 341.10 (16) or (17), the motor vehicle may be
11 registered, subject to all applicable requirements and fees, under any applicable
12 provision of this chapter other than this section.

13 (b) All of the following apply to a person who registers a motor vehicle under
14 another applicable provision of this chapter as described in par. (a):

15 1. The person is not entitled to credit for any registration fee previously paid
16 to register the motor vehicle under this section.

17 2. If the motor vehicle's registration under this section is reinstated after this
18 registration period has expired, in renewing the motor vehicle's registration under
19 this section the person is entitled to credit for the registration fee paid to register the
20 motor vehicle as described in par. (a), calculated based upon the unused portion of
21 that registration period.

22 (c) Notwithstanding s. 341.10 (16) and (17), the department may refuse
23 registration of a motor vehicle under this section if the department determines that
24 the motor carrier identified on the motor vehicle's registration application as the
25 motor carrier responsible for safety of the vehicle is the same or substantially the

1 same business, or that elements of the motor carrier operation are the same or
2 substantially the same business elements, as a motor carrier that has been issued
3 a federal out-of-service order for unsatisfactory safety compliance.

4 **SECTION 3108.** 341.41 (7) of the statutes is amended to read:

5 341.41 (7) Except as to foreign owned vehicles required by s. 341.07 to be
6 registered in this state, vehicles owned or operated by a nonresident in interstate or
7 intrastate movement may be qualified by advance purchase of a trip permit which
8 authorizes operation for a 72-hour period when the vehicle is not eligible for
9 reciprocal privileges. Unless waived by the secretary, the fee for the trip permit shall
10 be not less than \$15. The secretary may, upon determining that a special
11 transportation need exists, waive the fee for the trip permit. The secretary shall
12 make rules and regulations for the issuance and use of the permits. No permit may
13 be issued under this subsection for any motor vehicle for which the motor carrier
14 identified on the permit application as the motor carrier responsible for safety of the
15 vehicle has been issued a federal out-of-service order for unsatisfactory safety
16 compliance.

17 **SECTION 3109.** 341.52 of the statutes is amended to read:

18 **341.52 Design of registration plates.** Registration plates for dealers,
19 distributors, manufacturers, and transporters are subject to the provisions of s.
20 341.12 (2) and (3) except s. 341.12 (3) (c). In addition, each plate shall have displayed
21 upon it a symbol capable of distinguishing it from any other plate which may be
22 issued to the same dealer, distributor, manufacturer, or transporter.

23 **SECTION 3111.** 341.53 of the statutes is amended to read:

24 **341.53 Expiration of registration; transferability of plates.** Certificates
25 of registration and registration plates issued to dealers, distributors, manufacturers,

1 or transporters shall be issued for the calendar year and are valid only during the
2 calendar year for which issued. Notwithstanding s. 341.13 (3), the department may
3 renew registration plates issued to dealers, distributors, manufacturers, or
4 transporters without issuing new plates or insert tags, decals, or other evidence of
5 registration. Registration plates are transferable from one motor vehicle, trailer or
6 semitrailer to another motor vehicle, trailer or semitrailer and from one recreational
7 vehicle to another.

8 **SECTION 3112.** 341.57 (2) of the statutes is amended to read:

9 341.57 (2) A finance company licensed under ss. 138.09 or 218.0101 to
10 218.0163, a credit union licensed under ch. 186, a savings bank organized under ch.
11 214, a savings and loan association organized under ch. 215 or a state bank or a
12 national bank with offices in this state may apply to the department for registration
13 on such form as the department provides. Upon receipt of the application together
14 with a registration fee of \$75, the department shall register the applicant and shall
15 issue one registration plate containing the registration number assigned to the
16 applicant. The department, upon receiving a fee of \$5 for each additional plate
17 desired by the applicant, shall issue additional plates as the applicant orders.
18 Section 341.52 applies to the design of the plates. The registration and plates are
19 valid only during the calendar year for which issued. Notwithstanding s. 341.13 (3),
20 the department may renew registration plates issued under this subsection without
21 issuing new plates or insert tags, decals, or other evidence of registration. A plate
22 is transferable from one motor vehicle to another. The department may charge a fee
23 of \$2 per plate for replacing lost, damaged or illegible plates issued under this
24 subsection.

25 **SECTION 3122.** 341.63 (1) (f) of the statutes is created to read:

1 341.63 (1) (f) The motor vehicle is registered under the international
2 registration plan specified in s. 341.405 and the motor vehicle has been identified by
3 the federal motor carrier safety administration as having been assigned for safety
4 to a motor carrier whose business is operated, managed, or otherwise controlled or
5 affiliated with a person that has been issued a federal out-of-service order for
6 unsatisfactory safety compliance.

7 **SECTION 3123.** 341.63 (1m) of the statutes is created to read:

8 341.63 (1m) Upon receiving notice that a motor carrier has been issued a
9 federal out-of-service order for unsatisfactory safety compliance, the department
10 shall suspend the registration of each motor vehicle to which all of the following
11 apply:

12 (a) The motor carrier is identified on the motor vehicle's registration
13 application as the motor carrier responsible for the safety of the vehicle.

14 (b) The motor vehicle is registered under the international registration plan
15 specified in s. 341.405.

16 **SECTION 3124.** 341.63 (1r) of the statutes is created to read:

17 341.63 (1r) The department may suspend the registration of a motor vehicle
18 registered under the international registration plan specified in s. 341.405 if the
19 department determines that the motor carrier identified on the motor vehicle's
20 registration application as the motor carrier responsible for safety of the vehicle is
21 the same or substantially the same business, or that elements of the motor carrier
22 operation are the same or substantially the same business elements, as a motor
23 carrier that has been issued a federal out-of-service order for unsatisfactory safety
24 compliance.

25 **SECTION 3125.** 341.63 (3) of the statutes is renumbered 341.63 (3) (a).

1 **SECTION 3126.** 341.63 (3) (b) of the statutes is created to read:

2 341.63 (3) (b) In addition to or in lieu of ordering the return of registration
3 plates under par. (a), the department may seize and destroy the registration plates
4 of any motor vehicle for which all of the following apply:

5 1. The motor carrier identified on the motor vehicle's registration application
6 as the motor carrier responsible for safety of the vehicle has been issued a federal
7 out-of-service order for unsatisfactory safety compliance.

8 2. The motor vehicle is registered under the international registration plan
9 specified in s. 341.405 or under a similar international registration plan under the
10 law of another jurisdiction.

11 **SECTION 3128.** 342.09 (1) of the statutes is renumbered 342.09 (1) (a) and
12 amended to read:

13 342.09 (1) (a) The department shall maintain a record of each application for
14 certificate of title received by it and, when satisfied as to its genuineness and
15 regularity and that the applicant is entitled to the issuance of a certificate of title,
16 shall issue and, except as provided in par. (b), deliver a certificate to the owner of the
17 vehicle.

18 **SECTION 3129.** 342.09 (1) (b) of the statutes is created to read:

19 342.09 (1) (b) If there is a perfected security interest in a vehicle, the
20 department shall deliver the certificate of title to the secured party having the
21 primary perfected security interest in the vehicle.

22 **SECTION 3130.** 342.13 (1) of the statutes is amended to read:

23 342.13 (1) If a certificate of title is lost, stolen, mutilated, or destroyed, or
24 becomes illegible, the owner or ~~legal representative of the owner named in person in~~
25 possession of the certificate, as shown by the records of the department, shall

1 promptly make application for and may obtain a replacement upon furnishing
2 information satisfactory to the department. The replacement certificate of title shall
3 contain a notation, in a form determined by the department, identifying the
4 certificate as a replacement certificate that may be subject to the rights of a person
5 under the original certificate.

6 **SECTION 3131.** 342.14 (1) of the statutes is amended to read:

7 342.14 (1) For filing an application for the first certificate of title, ~~\$53.00~~ \$62,
8 by the owner of the vehicle.

9 **SECTION 3132.** 342.14 (1r) of the statutes is repealed.

10 **SECTION 3133.** 342.14 (3) of the statutes is amended to read:

11 342.14 (3) For a certificate of title after a transfer, ~~\$53.00~~ \$62, by the owner of
12 the vehicle.

13 **SECTION 3134.** 342.15 (1) (a) of the statutes is amended to read:

14 342.15 (1) (a) If an owner transfers an interest in a vehicle, other than by the
15 creation of a security interest, the owner shall comply with the requirements of s.
16 342.155 and, at the time of the delivery of the vehicle, execute an assignment and
17 warranty of title to the transferee in the space provided therefor on the certificate,
18 and the owner or person in possession of the certificate, as shown by the records of
19 the department, shall cause the certificate to be mailed or delivered to the transferee,
20 except that if the vehicle being transferred is a junk vehicle or has been junked, the
21 owner shall return the certificate to the department in accordance with s. 342.34.

22 **SECTION 3135.** 342.15 (1) (c) of the statutes is amended to read:

23 342.15 (1) (c) If an owner transfers his or her interest in a salvage vehicle, the
24 owner shall at the time of the delivery of the vehicle, execute an assignment and
25 warranty of title to the transferee in the space provided therefor on the certificate,

1 and the owner or person in possession of the certificate, as shown by the records of
2 the department, shall cause the certificate to be mailed or delivered to the transferee.

3 **SECTION 3136.** 342.15 (5) of the statutes is amended to read:

4 342.15 (5) Any owner of a vehicle for which a certificate of title has been issued,
5 who upon transfer of the vehicle fails to execute ~~and deliver~~ the assignment and
6 warranty of title required by sub. (1), or the owner or person in possession of such
7 certificate of title, as shown by the records of the department, who fails to deliver the
8 assignment and warranty of title required by sub. (1), may be required to forfeit not
9 more than \$500.

10 **SECTION 3137.** 342.20 (1) of the statutes is amended to read:

11 342.20 (1) The owner shall immediately execute, in the space provided therefor
12 on the certificate of title or on a separate form or in an automated format prescribed
13 by the department, an application to name the secured party on the certificate,
14 showing the name and address of the secured party, and the owner or person in
15 possession of the owner's certificate, as shown by the records of the department, shall
16 cause the certificate, application and the required fee to be delivered to the secured
17 party.

18 **SECTION 3138.** 342.20 (3) of the statutes is amended to read:

19 342.20 (3) Upon receipt of the certificate of title, application, and the required
20 fee, or upon receipt of the security interest statement and required fee if the secured
21 party has utilized the process specified in s. 342.245 (1), the department shall issue
22 to the owner a new certificate containing the name and address of the new secured
23 party. The department shall deliver to such new secured party, unless the secured
24 party utilized the process specified in s. 342.245 (1), and to the register of deeds of
25 the county of the owner's residence, memoranda, in such form as the department

1 prescribes, evidencing the notation of the security interest upon the certificate; and
2 thereafter, upon any assignment, termination or release of the security interest,
3 additional memoranda evidencing such action.

4 **SECTION 3139.** 342.22 (1) (intro.) of the statutes is amended to read:

5 342.22 (1) (intro.) Within one month or within 10 days following written
6 demand by the debtor after there is no outstanding obligation and no commitment
7 to make advances, incur obligations or otherwise give value, secured by the security
8 interest in a vehicle under any security agreement between the owner and the
9 secured party, the secured party shall mail or deliver the certificate of title for the
10 vehicle to the department if the secured party is in possession of the certificate and
11 shall also do one of the following:

12 **SECTION 3140.** 342.22 (2) of the statutes is amended to read:

13 342.22 (2) An If an owner, other than a dealer holding the vehicle for resale,
14 is in possession of the owner's certificate of title, the owner, upon receipt of the release
15 and notice of obligation delivered under sub. (1) (a), shall promptly cause the
16 certificate and release to be mailed or delivered to the department, which shall
17 release the secured party's rights on the certificate and issue a new certificate. Upon
18 receipt of the notice under sub. (1) (b), the owner may, in the form and manner
19 prescribed by the department and without additional fee, deliver an application and
20 the certificate of title to the department and the department shall issue a new
21 certificate of title free of the security interest notation.

22 **SECTION 3141.** 342.23 (2) (a) of the statutes is renumbered 342.23 (2) and
23 amended to read:

24 342.23 (2) An owner or person in possession of the owner's certificate of title,
25 as shown by the records of the department, shall promptly deliver the owner's

1 certificate of title to any secured party who is named on it or who has a security
2 interest in the vehicle described in it under any other applicable prior law of this
3 state, upon receipt of a notice from such secured party that the security interest is
4 to be assigned, extended or perfected.

5 **SECTION 3142.** 342.23 (2) (b) of the statutes is repealed.

6 **SECTION 3143.** 342.23 (4) of the statutes is amended to read:

7 342.23 (4) Any owner or other person in possession of the owner's certificate
8 of title who fails to deliver the certificate of title to a secured party requesting it
9 pursuant to sub. (2) (a) shall be liable to such secured party for any loss caused to the
10 secured party thereby and may be required to forfeit not more than \$200.

11 **SECTION 3144.** 343.03 (3r) of the statutes is created to read:

12 343.03 (3r) REAL ID NONCOMPLIANT LICENSE. If any license described under sub.
13 (3) is issued based upon the exception specified in s. 343.165 (7), the license shall, in
14 addition to any legend or label described in sub. (3), be marked in a manner
15 consistent with requirements under applicable federal law and regulations to
16 indicate that the license is issued in accordance with P.L. 109-13, section 202 (d) (11),
17 and is not intended to be accepted by any federal agency for federal identification or
18 any other official purpose.

19 **SECTION 3145.** 343.06 (1) (L) of the statutes, as affected by 2007 Wisconsin Act
20 20, is amended to read:

21 343.06 (1) (L) To any person who does not satisfy the requirements under s.
22 343.165 (1).

23 **SECTION 3146.** 343.065 (3) of the statutes is created to read:

24 343.065 (3) (a) If a person issued any commercial driver license under this
25 chapter authorizing operation of commercial motor vehicles in interstate commerce

1 does not have on file with the department a current certification specified in s. 343.14
2 (2) (i) 1. covering the person's physical qualifications, the department may
3 downgrade the commercial driver license to a restricted commercial driver license
4 under this section and impose a "K" restriction on the license.

5 (b) The department shall promulgate rules to define "downgrade" in
6 accordance with federal law and regulations or guidance from the applicable federal
7 agency, to establish the process for downgrading a commercial driver license and
8 whether or not a new commercial driver license document will be issued after a
9 commercial driver license is downgraded, and to establish the process for reinstating
10 a downgraded commercial driver license after the department receives from the
11 licensee a valid medical certification or other appropriate certification of physical
12 qualifications.

13 **SECTION 3147.** 343.10 (7) (d) of the statutes, as affected by 2007 Wisconsin Act
14 20, 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 license that includes a photograph described in
17 s. 343.14 (3), unless the exception under s. 343.14 (3m) applies, and any special
18 restrictions cards under s. 343.17 (4). The license shall clearly indicate that
19 restrictions on a special restrictions card apply and that the special restrictions card
20 is part of the person's license.

21 **SECTION 3148.** 343.11 (1) of the statutes is amended to read:

22 343.11 (1) The department shall not issue a license to a person previously
23 licensed in another jurisdiction unless such person surrenders to the department all
24 valid operator's licenses possessed by the person issued by any other jurisdiction,
25 which surrender operates as a cancellation of the surrendered licenses insofar as the

1 person's privilege to operate a motor vehicle in this state is concerned. When such
2 applicant surrenders the license to the department, the department shall issue a
3 receipt therefor, which receipt shall constitute a temporary license to operate a motor
4 vehicle for a period not to exceed 60 days if the applicant meets the standard required
5 for eyesight and, in the opinion of the examiner, is not a dangerous hazard to the
6 applicant and other users of the highways. ~~Except as provided in s. 343.055, the~~
7 ~~temporary license shall not be valid authorization for the operation of commercial~~
8 ~~motor vehicles.~~ The temporary license shall be surrendered to the examiner for
9 cancellation by the department if the 3rd attempt at the driving test is failed and the
10 applicant shall be required to secure a temporary instruction permit for further
11 practice driving.

12 **SECTION 3149.** 343.11 (3) of the statutes is amended to read:

13 343.11 (3) Except as provided in sub. (1), the department may issue a receipt
14 to any applicant for a license, which receipt shall constitute a temporary license to
15 operate a motor vehicle while the application for license is being processed. Such
16 temporary license shall be valid for a period not to exceed ~~30~~ 60 days.

17 **SECTION 3150.** 343.11 (3) of the statutes, as affected by 2011 Wisconsin Act ...
18 (this act), is amended to read:

19 343.11 (3) Except as provided in sub. (1), the department may issue a receipt
20 to any applicant for a license, which receipt shall constitute a temporary license to
21 operate a motor vehicle while the application for license is being processed. Such
22 temporary license shall be valid for a period not to exceed 60 days. If the application
23 for a license is processed under the exception specified in s. 343.165 (7), the receipt
24 shall include the marking specified in s. 343.03 (3r).

1 **SECTION 3151.** 343.14 (3) of the statutes, as affected by 2007 Wisconsin Act 20,
2 is amended to read:

3 343.14 (3) ~~The Except as provided in sub. (3m), the~~ department shall, as part
4 of the application process, take a digital photograph including facial image capture
5 of the applicant to comply with s. 343.17 (3) (a) 2. ~~No Except as provided in sub. (3m),~~
6 ~~no~~ application may be processed without the photograph being taken. Except as
7 provided in ~~sub. (3m) and~~ s. 343.165 (4) (d), in the case of renewal licenses, the
8 photograph shall be taken once every 8 years, and shall coincide with the appearance
9 for examination which is required under s. 343.16 (3).

10 **SECTION 3152.** 343.14 (3m) of the statutes is created to read:

11 343.14 (3m) If the application for a license is processed under the exception
12 specified in s. 343.165 (7), the application may be processed and the license issued
13 or renewed without a photograph being taken of the applicant if the applicant
14 provides to the department an affidavit stating that the applicant has a sincerely
15 held religious belief against being photographed; identifying the religion to which he
16 or she belongs or the tenets of which he or she adheres to; and stating that the tenets
17 of the religion prohibit him or her from being photographed.

18 **SECTION 3152c.** 343.16 (1) (b) (intro.) of the statutes is amended to read:

19 343.16 (1) (b) ~~Third-party driving skills testing for commercial motor vehicle~~
20 ~~and school bus operators.~~ (intro.) The department may contract with a person,
21 including an agency or department of this state or its political subdivisions or
22 another state, or a private employer of commercial motor vehicle drivers, to
23 administer commercial motor vehicle skills tests required by 49 CFR 383.110 to
24 383.135, examinations required to be administered under s. 343.12 (2) (h), and,
25 abbreviated driving skills tests required by sub. (3) (b). ~~The department may not~~

1 ~~enter into such testing contracts with a private driver training school or other private~~
2 ~~institution, or driving skills tests required by par. (a) for authorization to operate~~
3 ~~“Class D” vehicles, or any combination of these tests and examinations. This~~
4 ~~paragraph does not apply with respect to a law enforcement agency eligible to~~
5 ~~contract with the department under par. (bm). A contract with a 3rd-party tester~~
6 ~~under this paragraph shall include all of the following provisions:~~

7 **SECTION 3152d.** 343.16 (1) (b) 2. of the statutes is amended to read:

8 343.16 (1) (b) 2. The department, or the applicable federal agency, or a its
9 representative of the applicable federal agency with respect to testing for commercial
10 driver licenses, may conduct random examinations, inspections, and audits of the
11 3rd-party tester without any prior notice.

12 **SECTION 3152e.** 343.16 (1) (b) 3. (intro.) of the statutes is amended to read:

13 343.16 (1) (b) 3. (intro.) At least annually, the department shall conduct an
14 on-site inspection of the 3rd-party tester to determine compliance with the contract
15 and with department and federal standards for testing applicants for commercial
16 driver licenses and with department standards for testing applicants for school bus
17 endorsements and applicants for operators’ licenses to operate “Class D” vehicles.
18 At least annually, the department shall also evaluate testing given by the 3rd-party
19 tester by one of the following means:

20 **SECTION 3152f.** 343.16 (1) (b) 4. of the statutes is amended to read:

21 343.16 (1) (b) 4. Examiners of the 3rd-party tester shall meet the same
22 qualifications and training standards as the department’s license examiners to the
23 extent established by the department as necessary to satisfactorily perform the skills
24 tests required by 49 CFR 383.110 to 383.135, examinations required to be
25 administered under s. 343.12 (2) (h) ~~and~~, abbreviated driving skills tests required by

1 sub. (3) (b), and driving skills tests required by par. (a) for authorization to operate
2 “Class D” vehicles.

3 **SECTION 3152g.** 343.16 (1) (b) 5. of the statutes is amended to read:

4 343.16 (1) (b) 5. The department shall take prompt and appropriate remedial
5 action against the 3rd-party tester in the event that the tester fails to comply with
6 department or federal standards for commercial driver license testing, department
7 standards for school bus endorsement testing or testing for operators’ licenses to
8 operate “Class D” vehicles, or any provision of the contract. Such action may include
9 immediate termination of testing by the 3rd-party tester and recovery of damages.

10 **SECTION 3152h.** 343.16 (1) (b) 6. of the statutes is created to read:

11 343.16 (1) (b) 6. The 3rd-party tester may not administer any test or
12 examination of a person who has received instruction in driver training from the
13 3rd-party tester or from any person who controls, is controlled by, or is under
14 common control with the 3rd-party tester.

15 **SECTION 3152i.** 343.16 (1) (bm) (title) of the statutes is amended to read:

16 343.16 (1) (bm) (title) *Third-party testing for other vehicle operators by certain*
17 *law enforcement agencies.*

18 **SECTION 3153.** 343.165 (1) (intro.) of the statutes, as created by 2007 Wisconsin
19 Act 20, is amended to read:

20 343.165 (1) (intro.) The Subject to ss. 343.14 (3m) and 343.50 (4g), the
21 department may not complete the processing of an application for initial issuance or
22 renewal of an operator’s license or identification card received by the department
23 after ~~May 10, 2008~~ the effective date of this subsection ... [LRB inserts date], and no
24 such license or identification card may be issued or renewed, unless the applicant

1 presents or provides, and, subject to sub. (7), the department verifies under sub. (3),
2 all of the following information:

3 **SECTION 3154.** 343.165 (2) of the statutes, as created by 2007 Wisconsin Act 20,
4 is amended to read:

5 343.165 (2) (a) ~~The~~ Subject to sub. (7), the department shall, in processing any
6 application for an operator's license or identification card under sub. (1), capture a
7 digital image of each document presented or provided to the department by an
8 applicant. Images captured under this paragraph shall be maintained, in electronic
9 storage and in a transferable format, in the applicant's file or record as provided
10 under ss. 343.23 (2) (a) and 343.50 (8) (a).

11 (b) ~~The~~ Subject to sub. (7), the department shall record in the applicant's file
12 under s. 343.23 (2) (a) or record under s. 343.50 (8) (a) the date on which verification
13 under subs. (1) and (3) is completed.

14 **SECTION 3155.** 343.165 (3) (a) of the statutes, as created by 2007 Wisconsin Act
15 20, is amended to read:

16 343.165 (3) (a) Except as provided in pars. (b) and (c) and subject to sub. (7),
17 the department shall verify, in the manner and to the extent required under federal
18 law, each document presented or provided to the department that is required to be
19 presented or provided to the department by an applicant under sub. (1).

20 **SECTION 3156.** 343.165 (4) (a) of the statutes, as created by 2007 Wisconsin Act
21 20, is amended to read:

22 343.165 (4) (a) Subsection (1) does not apply to an application for renewal of
23 an operator's license or identification card received by the department after ~~May 10,~~
24 ~~2008~~ the effective date of this paragraph [LRB inserts date], if in connection with
25 a prior application after ~~May 10, 2008~~ the effective date of this paragraph [LRB

1 inserts date], the applicant previously presented or provided, and the department
2 verified under sub. (3) or (7), the information specified in sub. (1) and, if verified
3 under sub. (3), the department recorded the date on which the verification
4 procedures were completed as described in sub. (2) (b).

5 **SECTION 3157.** 343.165 (4) (c) of the statutes, as created by 2007 Wisconsin Act
6 20, is amended to read:

7 343.165 (4) (c) Notwithstanding pars. (a) and (b), no operator's license
8 displaying the legend required under s. 343.03 (3m) or identification card displaying
9 the legend required under s. 343.50 (3) (a) may be renewed unless the applicant
10 presents or provides valid documentary proof under sub. (1) (e) and this proof shows
11 that the status by which the applicant qualified for the license or identification card
12 has been extended by the secretary of the federal department of homeland security.

13 **SECTION 3158.** 343.165 (4) (d) of the statutes, as created by 2007 Wisconsin Act
14 20, is amended to read:

15 343.165 (4) (d) With any license or identification card renewal following a
16 license or identification card expiration established under s. 343.20 (1m) or 343.50
17 (5) (c) at other than an 8-year interval, the department may determine whether the
18 applicant's photograph is to be taken, or if the renewal is for a license the applicant
19 is to be examined, or both, at the time of such renewal, so long as the applicant's
20 photograph is taken, and if the renewal is for a license the applicant is examined,
21 with a license or card renewal at least once every 8 years and the applicant's license
22 or identification card at all times includes a photograph unless an exception under
23 s. 343.14 (3m) or 343.50 (4g) applies.

24 **SECTION 3159.** 343.165 (5) of the statutes, as created by 2007 Wisconsin Act 20,
25 is amended to read:

1 343.165 (5) The department may, by rule, require that applications for
2 reinstatement of operator's licenses or identification cards, issuance of occupational
3 licenses, reissuance of operator's licenses, or issuance of duplicate operator's licenses
4 or identification cards, received by the department after ~~May 10, 2008~~ the effective
5 date of this subsection [LRB inserts date], be processed in a manner consistent
6 with the requirements established under this section for applications for initial
7 issuance or renewal of operator's licenses and identification cards.

8 **SECTION 3160.** 343.165 (7) of the statutes is created to read:

9 343.165 (7) (a) The department may process an application for, and issue or
10 renew, an operator's license or identification card without meeting the requirements
11 under subs. (2) and (3) if all of the following apply:

12 1. The operator's license contains the marking specified in s. 343.03 (3r) or the
13 identification card contains the marking specified in s. 343.50 (3) (b).

14 2. The operator's license or identification card is processed and issued or
15 renewed in compliance with applicable department practices and procedures that
16 were in effect immediately prior to the effective date of this subdivision [LRB
17 inserts date].

18 (b) In addition to other instances of original issuance or renewal, this
19 subsection specifically applies to renewals occurring after the effective date of this
20 paragraph [LRB inserts date], of operator's licenses or identification cards
21 originally issued prior to the effective date of this paragraph [LRB inserts date].

22 **SECTION 3161.** 343.17 (3) (a) 2. of the statutes is amended to read:

23 343.17 (3) (a) 2. A color photograph of the person, unless the exception under
24 s. 343.14 (3m) applies.

25 **SECTION 3162.** 343.17 (3) (a) 14. of the statutes is created to read:

1 343.17 (3) (a) 14. If the license contains the marking specified in s. 343.03 (3r),
2 a distinctive appearance specified by the department that clearly distinguishes the
3 license from other operator's licenses or identification cards issued by the
4 department and that alerts federal agency and other law enforcement personnel that
5 the license may not be accepted for federal identification or any other official
6 purpose.

7 **SECTION 3163.** 343.17 (5) of the statutes is amended to read:

8 343.17 (5) NO PHOTOS ON TEMPORARY LICENSES. The temporary licenses issued
9 under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b), and 343.305 (8) (a) shall be on
10 forms provided by the department and shall contain the information required by sub.
11 (3), except the license is that temporary licenses under ss. 343.16 (6) (b) and 343.305
12 (8) (a), and temporary licenses subject to any photograph exception under s. 343.14
13 (3), are not required to include a photograph of the licensee.

14 **SECTION 3164.** 343.17 (5) of the statutes, as affected by 2007 Wisconsin Act 20
15 and 2011 Wisconsin Act (this act), is repealed and recreated to read:

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

22 **SECTION 3165.** 343.20 (2) (a) of the statutes is amended to read:

23 343.20 (2) (a) The At least 30 days prior to the expiration of an operator's
24 license, the department shall mail to the provide to the licensee notice of renewal of
25 the license either by mail at the licensee's last-known address of a licensee at least

1 ~~30 days prior to the expiration of the license a notice of the date upon which the~~
2 ~~license must be renewed or, if desired by the licensee, by any electronic means offered~~
3 ~~by the department.~~

4 **SECTION 3166.** 343.20 (2) (a) of the statutes, as affected by 2007 Wisconsin Act
5 20 and 2011 Wisconsin Act ... (this act), is repealed and recreated to read:

6 343.20 (2) (a) At least 30 days prior to the expiration of an operator's license,
7 the department shall provide to the licensee notice of renewal of the license either
8 by mail at the licensee's last-known address or, if desired by the licensee, by any
9 electronic means offered by the department. If the license was issued or last renewed
10 based upon the person's presenting of any documentary proof specified in s. 343.14
11 (2) (es) 4. to 7., the notice shall inform the licensee of the requirement under s.
12 343.165 (4) (c).

13 **SECTION 3167.** 343.20 (2) (b) of the statutes is amended to read:

14 343.20 (2) (b) Notwithstanding par. (a), at least 60 days prior to the expiration
15 of an "H" endorsement specified in s. 343.17 (3) (d) 1m., the department of
16 transportation shall ~~mail~~ provide a notice to the licensee either by mail at the
17 licensee's last-known address of the licensee or, if desired by the licensee, by any
18 electronic means offered by the department of transportation that the licensee is
19 required to pass a security threat assessment screening by the federal
20 transportation security administration of the federal department of homeland
21 security as part of the application to renew the endorsement. The notice shall inform
22 the licensee that the licensee may commence the federal security threat assessment
23 screening at any time, but no later than 30 days before expiration of the
24 endorsement.

25 **SECTION 3168m.** 343.21 (2) (a) of the statutes is amended to read:

1 343.21 (2) (a) In addition to the fees set under sub. (1), any applicant whose
2 application for a permit, license, upgrade or endorsement, taken together with the
3 applicant's currently valid license, if any, requires the department to administer a
4 driving skills test of the applicant's ability to exercise ordinary and reasonable
5 control in the operation of a motor vehicle shall pay to the department an
6 examination fee of \$20 for an examination in a commercial motor vehicle other than
7 a school bus and \$15 for an examination in any other vehicle. ~~Payment~~ Except with
8 respect to examination in a "Class D" vehicle, payment of the examination fee
9 entitles the applicant to not more than 3 tests of the applicant's ability to exercise
10 reasonable control in the operation of a motor vehicle. If the applicant does not
11 qualify for issuance of a license, upgraded license or endorsement in 3 such tests,
12 then a 2nd examination fee in the same amount shall be paid, which payment
13 entitles the applicant to not more than 3 additional tests. For an examination in a
14 "Class D" vehicle, a \$15 examination fee shall be paid for each examination.

15 **SECTION 3170.** 343.315 (2) (h) of the statutes is amended to read:

16 343.315 (2) (h) Except as provided in par. (i), a person shall be disqualified for
17 a period of 90 days from operating a commercial motor vehicle if convicted of an
18 out-of-service violation, or 2 years if convicted of 2 out-of-service violations, or 3
19 years if convicted of 3 or more out-of-service violations, arising from separate
20 occurrences committed within a 10-year period while operating a commercial motor
21 vehicle. A disqualification under this paragraph shall be in addition to any penalty
22 imposed under s. 343.44. In this paragraph, "out-of-service violation" means
23 violating s. 343.44 (1) (c) or a law of another jurisdiction for an offense therein which,
24 if committed in this state, would have been a violation of s. 343.44 (1) (c), ~~by operating~~
25 ~~a commercial motor vehicle while the operator or vehicle is ordered out-of-service~~

1 ~~under the law of this state or another jurisdiction or under federal law~~, if the operator
2 holds a commercial driver license or is required to hold a commercial driver license
3 to operate the commercial motor vehicle.

4 **SECTION 3171.** 343.44 (1) (c) of the statutes is amended to read:

5 343.44 (1) (c) *Operating while ordered out-of-service.* No person may operate
6 a commercial motor vehicle while the person or the commercial motor vehicle is
7 ordered out-of-service under the law of this state or another jurisdiction or under
8 federal law. No person may operate a commercial motor vehicle for which the motor
9 carrier identified on the motor vehicle's registration application as the motor carrier
10 responsible for safety of the vehicle has been issued a federal out-of-service order
11 for unsatisfactory safety compliance, while this federal out-of-service order is in
12 effect.

13 **SECTION 3172.** 343.50 (1) of the statutes is renumbered 343.50 (1) (a).

14 **SECTION 3173.** 343.50 (1) of the statutes, as affected by 2007 Wisconsin Act 20
15 and 2011 Wisconsin Act (this act), is repealed and recreated to read:

16 343.50 (1) (a) Subject to par. (b) and s. 343.165, the department shall issue to
17 every qualified applicant, who has paid all required fees, an identification card as
18 provided in this section.

19 (b) The department may not issue an identification card to a person previously
20 issued an operator's license in another jurisdiction unless the person surrenders to
21 the department any valid operator's license possessed by the person issued by
22 another jurisdiction, which surrender operates as a cancellation of the license insofar
23 as the person's privilege to operate a motor vehicle in this state is concerned. Within
24 30 days following issuance of the identification card under this section, the
25 department shall destroy any operator's license surrendered under this paragraph

1 and report to the jurisdiction that issued the surrendered operator's license that the
2 license has been destroyed and the person has been issued an identification card in
3 this state.

4 (c) The department may issue a receipt to any applicant for an identification
5 card, which receipt shall constitute a temporary identification card while the
6 application is being processed and shall be valid for a period not to exceed 60 days.
7 If the application for an identification card is processed under the exception specified
8 in s. 343.165 (7), the receipt shall include the marking specified in sub. (3) (b).

9 **SECTION 3174.** 343.50 (1) (c) of the statutes is created to read:

10 343.50 (1) (c) The department may issue a receipt to any applicant for an
11 identification card, which receipt shall constitute a temporary identification card
12 while the application is being processed and shall be valid for a period not to exceed
13 60 days.

14 **SECTION 3175.** 343.50 (3) of the statutes is amended to read:

15 343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as
16 an operator's license but shall be of a design which is readily distinguishable from
17 the design of an operator's license and bear upon it the words "IDENTIFICATION
18 CARD ONLY". The information on the card shall be the same as specified under s.
19 343.17 (3). The card may serve as a record of gift under s. 157.06 (2) (t) and the holder
20 may affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as
21 a record of refusal under s. 157.06 (2) (u). The Except as provided in sub. (4g), the
22 card shall contain the holder's photograph and, if applicable, shall be of the design
23 specified under s. 343.17 (3) (a) 12.

24 **SECTION 3176.** 343.50 (3) of the statutes, as affected by 2007 Wisconsin Act 20
25 and 2011 Wisconsin Act (this act), is repealed and recreated to read:

1 343.50 (3) DESIGN AND CONTENTS OF CARD. (a) The card shall be the same size
2 as an operator's license but shall be of a design which is readily distinguishable from
3 the design of an operator's license and bear upon it the words "IDENTIFICATION
4 CARD ONLY." The information on the card shall be the same as specified under s.
5 343.17 (3). If the issuance of the card requires the applicant to present any
6 documentary proof specified in s. 343.14 (2) (es) 4. to 7., the card shall display, on the
7 front side of the card, a legend identifying the card as temporary. The card shall
8 contain physical security features consistent with any requirement under federal
9 law. The card may serve as a record of gift under s. 157.06 (2) (t) and the holder may
10 affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as a
11 record of refusal under s. 157.06 (2) (u). Except as provided in sub. (4g), the card shall
12 contain the holder's photograph and, if applicable, shall be of the design specified
13 under s. 343.17 (3) (a) 12.

14 (b) If an identification card is issued based upon the exception specified in s.
15 343.165 (7), the card shall, in addition to any other required legend or design, be of
16 the design specified under s. 343.17 (3) (a) 14. and include a marking similar or
17 identical to the marking described in s. 343.03 (3r).

18 **SECTION 3177.** 343.50 (4) of the statutes is amended to read:

19 343.50 (4) APPLICATION. The application for an identification card shall include
20 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),
21 and (er), and such further information as the department may reasonably require to
22 enable it to determine whether the applicant is entitled by law to an identification
23 card. The Except with respect to renewals by mail or electronic means as authorized
24 under sub. (6), and except as provided in sub. (4g), the department shall, as part of
25 the application process for original issuance or renewal of an identification card, take

1 a photograph of the applicant to comply with sub. (3). ~~No application may be~~
2 ~~processed without the photograph being taken.~~ Misrepresentations in violation of
3 s. 343.14 (5) are punishable as provided in s. 343.14 (9).

4 **SECTION 3178.** 343.50 (4) of the statutes, as affected by 2007 Wisconsin Act 20
5 and 2011 Wisconsin Act (this act), is repealed and recreated to read:

6 343.50 (4) APPLICATION. The application for an identification card shall include
7 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),
8 and (es), and such further information as the department may reasonably require to
9 enable it to determine whether the applicant is entitled by law to an identification
10 card. Except with respect to renewals described in s. 343.165 (4) (d) or renewals by
11 mail or electronic means as authorized under sub. (6), and except as provided in sub.
12 (4g), the department shall, as part of the application process for original issuance or
13 renewal of an identification card, take a digital photograph including facial image
14 capture of the applicant to comply with sub. (3). Misrepresentations in violation of
15 s. 343.14 (5) are punishable as provided in s. 343.14 (9).

16 **SECTION 3179.** 343.50 (4g) of the statutes is created to read:

17 343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. An application for an
18 identification card may be processed and the identification card issued or renewed
19 without a photograph being taken of the applicant if the applicant provides to the
20 department an affidavit stating that the applicant has a sincerely held religious
21 belief against being photographed; identifying the religion to which he or she belongs
22 or the tenets of which he or she adheres to; and stating that the tenets of the religion
23 prohibit him or her from being photographed.

24 **SECTION 3180.** 343.50 (4g) of the statutes, as created by 2011 Wisconsin Act
25 (this act), is repealed and recreated to read:

1 343.50 (4g) PHOTOGRAPH REQUIREMENT; EXCEPTION. If the application for an
2 identification card is processed under the exception specified in s. 343.165 (7), the
3 application may be processed and the identification card issued or renewed without
4 a photograph being taken of the applicant if the applicant provides to the department
5 an affidavit stating that the applicant has a sincerely held religious belief against
6 being photographed; identifying the religion to which he or she belongs or the tenets
7 of which he or she adheres to; and stating that the tenets of the religion prohibit him
8 or her from being photographed.

9 **SECTION 3181.** 343.50 (6) of the statutes is amended to read:

10 343.50 (6) RENEWAL. At least 30 days prior to the expiration of ~~the an~~ an
11 identification card, the department shall ~~mail a renewal application to the provide~~
12 to the card holder notice of renewal of the card either by mail at the card holder's
13 last-known address of each identification card holder or, if desired by the card holder,
14 by any electronic means offered by the department. The department shall include
15 with the ~~application~~ notice information, as developed by all organ procurement
16 organizations in cooperation with the department, that promotes anatomical
17 donations and which relates to the anatomical donation opportunity available under
18 s. 343.175. The fee for a renewal identification card shall be \$18, which card shall
19 be valid for 8 years, except that a card that is issued to a person who is not a United
20 States citizen and who provides documentary proof of legal status as provided under
21 s. 343.14 (2) (er) shall expire on the date that the person's legal presence in the United
22 States is no longer authorized. If the documentary proof as provided under s. 343.14
23 (2) (er) does not state the date that the person's legal presence in the United States
24 is no longer authorized, then the card shall be valid for 8 years. The department may
25 renew an identification card by mail or by any electronic means available to the

1 department, but the department may not make consecutive renewals by mail or
2 electronic means.

3 **SECTION 3182.** 343.50 (6) of the statutes, as affected by 2007 Wisconsin Act 20,
4 section 3383, and 2011 Wisconsin Act ... (this act), is repealed and recreated to read:

5 343.50 (6) RENEWAL NOTICE. At least 30 days prior to the expiration of an
6 identification card, the department shall provide to the card holder notice of renewal
7 of the card either by mail at the card holder's last-known address or, if desired by
8 the card holder, by any electronic means offered by the department. If the card was
9 issued or last renewed based upon the person's presenting of any documentary proof
10 specified in s. 343.14 (2) (es) 4. to 7., the notice shall inform the card holder of the
11 requirement under s. 343.165 (4) (c). The department shall include with the notice
12 information, as developed by all organ procurement organizations in cooperation
13 with the department, that promotes anatomical donations and which relates to the
14 anatomical donation opportunity available under s. 343.175. The department may
15 renew an identification card by mail or by any electronic means available to the
16 department, but the department may not make consecutive renewals by mail or
17 electronic means.

18 **SECTION 3182g.** 345.05 (1) (ag) of the statutes is repealed.

19 **SECTION 3182r.** 345.05 (2) of the statutes is amended to read:

20 345.05 (2) A person suffering any damage proximately resulting from the
21 negligent operation of a motor vehicle owned and operated by a municipality or
22 authority, which damage was occasioned by the operation of the motor vehicle in the
23 course of its business, may file a claim for damages against the municipality or
24 authority concerned and the governing body of the municipality, ~~or the board of~~
25 ~~directors of the authority,~~ may allow, compromise, settle and pay the claim. In this

1 subsection, a motor vehicle is deemed owned and operated by a municipality ~~or~~
2 ~~authority~~ if the vehicle is either being rented or leased, or is being purchased under
3 a contract whereby the municipality ~~or authority~~ will acquire title.

4 **SECTION 3186.** 346.503 (1m) (g) of the statutes is amended to read:

5 346.503 **(1m)** (g) This subsection does not affect the authority under s. 101.13
6 of the department of ~~commerce~~ safety and professional services to require by rule the
7 reservation of parking spaces for use by a motor vehicle used by a physically disabled
8 person.

9 **SECTION 3187.** 346.503 (4) of the statutes is amended to read:

10 346.503 **(4)** The department, after consulting with the department of
11 ~~commerce~~ safety and professional services, shall promulgate rules governing the
12 design, size and installation of the official traffic signs required under sub. (2) or
13 (2m).

14 **SECTION 3188.** 348.27 (11m) (d) of the statutes is amended to read:

15 348.27 **(11m)** (d) The secretary of transportation may limit the application of
16 permits issued under this subsection to specific areas of the state or to specific
17 highways. A permit authorized under this subsection takes effect upon the mailing
18 or delivery of a complete application and the required fee to the department. A
19 permit authorized under this subsection is valid for up to 90 days, as determined by
20 the secretary of transportation.

21 **SECTION 3193.** 350.12 (4) (bg) 2. of the statutes is amended to read:

22 350.12 **(4)** (bg) 2. For fiscal year ~~2001-02~~ 2011-12, and for each fiscal year
23 thereafter, the department shall calculate an amount equal to the number of trail use
24 stickers issued under sub. (3j) in the previous fiscal year multiplied by \$15 \$32 and
25 shall credit this amount to the appropriation account under s. 20.370 (5) (cw). From

1 the appropriation account under s. 20.370 (5) (cw), the department shall make
2 payments to the department or a county for the purposes specified in par. (b). The
3 department shall make payments under par. (bm) for trail maintenance costs that
4 were incurred in the previous fiscal year and that exceed the maximum specified
5 under par. (b) 1. before making payments for any of the other purposes specified in
6 par. (b).

7 **SECTION 3194.** 425.2065 (1) of the statutes is amended to read:

8 425.2065 (1) In this section, "law enforcement agency" means the police
9 department, combined protective services department under s. 60.553, 61.66, or
10 62.13 (2e), or sheriff, that has primary responsibility for providing police protection
11 services in the city, village, or town in which a repossession is expected to occur.

12 **SECTION 3194m.** 428.211 of the statutes is amended to read:

13 **428.211 Parity Exemption for ~~federally insured~~ depository**
14 **institutions.** This subchapter does not apply to any state chartered or federally
15 chartered bank, trust company, savings and loan association, savings bank, or credit
16 union, or to any subsidiary of such a state-chartered bank, trust company, savings
17 and loan association, savings bank, or credit union, ~~to the extent that federal law~~
18 ~~preempts or prohibits the application of the provisions of this subchapter to a~~
19 ~~federally chartered bank, trust company, savings and loan association, savings bank,~~
20 ~~or credit union of the same type.~~

21 **SECTION 3195.** Chapter 440 (title) of the statutes is amended to read:

22 **CHAPTER 440**

23 **DEPARTMENT OF REGULATION AND**

24 **LICENSING SAFETY AND**

25 **PROFESSIONAL SERVICES**

1 **SECTION 3196.** 440.01 (1) (aj) of the statutes is amended to read:

2 440.01 (1) (aj) “Department” means the department of ~~regulation and licensing~~
3 safety and professional services.

4 **SECTION 3197.** 440.01 (1) (g) of the statutes is amended to read:

5 440.01 (1) (g) “Secretary” means the secretary of ~~regulation and licensing~~
6 safety and professional services.

7 **SECTION 3198.** 440.01 (2) (cs) of the statutes is amended to read:

8 440.01 (2) (cs) “Minority group member” has the meaning given in s. ~~560.036~~
9 16.287 (1) (f).

10 **SECTION 3199.** 440.03 (1) of the statutes is amended to read:

11 440.03 (1) The department may promulgate rules defining uniform procedures
12 to be used by the department, ~~the real estate board~~, the real estate appraisers board,
13 and all examining boards and affiliated credentialing boards attached to the
14 department or an examining board, for receiving, filing and investigating
15 complaints, for commencing disciplinary proceedings and for conducting hearings.

16 **SECTION 3200.** 440.03 (1m) of the statutes is amended to read:

17 440.03 (1m) The department may promulgate rules specifying the number of
18 business days within which the department or any examining board or affiliated
19 credentialing board in the department must review and make a determination on an
20 application for a permit, as defined in s. ~~560.41 (2)~~ 227.116 (1g), that is issued under
21 chs. 440 to 480.

22 **SECTION 3201.** 440.03 (3q) of the statutes is amended to read:

23 440.03 (3q) Notwithstanding sub. (3m), the department of ~~regulation and~~
24 licensing safety and professional services shall investigate any report that it receives
25 under s. 146.40 (4r) (em).

1 **SECTION 3202.** 440.03 (11m) (b) of the statutes is amended to read:

2 440.03 **(11m)** (b) The ~~department~~ real estate examining board shall deny an
3 application for an initial credential or deny an application for credential renewal or
4 for reinstatement of an inactive license under s. 452.12 (6) (e) if any information
5 required under par. (a) is not included in the application form or, in the case of an
6 applicant who is an individual and who does not have a social security number, if the
7 statement required under par. (am) is not included with the application form.

8 **SECTION 3203.** 440.03 (11m) (c) of the statutes is amended to read:

9 440.03 **(11m)** (c) The department of ~~regulation and licensing~~ safety and
10 professional services may not disclose a social security number obtained under par.
11 (a) to any person except the coordinated licensure information system under s.
12 441.50 (7); the department of children and families for purposes of administering s.
13 49.22; and, for a social security number obtained under par. (a) 1., the department
14 of revenue for the purpose of requesting certifications under s. 73.0301 and
15 administering state taxes.

16 **SECTION 3204.** 440.03 (12m) of the statutes is amended to read:

17 440.03 **(12m)** The department of ~~regulation and licensing~~ safety and
18 professional services shall cooperate with the departments of justice, children and
19 families, and health services in developing and maintaining a computer linkup to
20 provide access to information regarding the current status of a credential issued to
21 any person by the department of ~~regulation and licensing~~ safety and professional
22 services, including whether that credential has been restricted in any way.

23 **SECTION 3205m.** 440.04 (3) of the statutes is amended to read:

24 440.04 **(3)** Control the allocation, disbursement, and budgeting of the funds
25 received by the examining boards and affiliated credentialing boards in connection

1 with their credentialing and regulation, including the reimbursement of board
2 members for actual and necessary expenses, including travel expenses, incurred in
3 the performance of their duties.

4 **SECTION 3205p.** 440.08 (2) (a) 15g. of the statutes is created to read:

5 440.08 (2) (a) 15g. Bail bond surety corporation: December 1 of each year.

6 **SECTION 3205r.** 440.08 (2) (a) 15r. of the statutes is created to read:

7 440.08 (2) (a) 15r. Bail bond surety agent: June 1 of each year.

8 **SECTION 3206.** 440.13 (1) (b) of the statutes is amended to read:

9 440.13 (1) (b) "Memorandum of understanding" means a memorandum of
10 understanding entered into by the department of ~~regulation and licensing~~ safety and
11 professional services and the department of children and families under s. 49.857.

12 **SECTION 3207.** 440.13 (2) (a) of the statutes is amended to read:

13 440.13 (2) (a) With respect to a credential granted by the department, the
14 department shall restrict, limit, or suspend a credential or deny an application for
15 an initial credential ~~or for reinstatement of an inactive license under s. 452.12 (6) (e)~~
16 if the credential holder or applicant is delinquent in paying support or fails to comply,
17 after appropriate notice, with a subpoena or warrant issued by the department of
18 children and families or a county child support agency under s. 59.53 (5) and related
19 to support or paternity proceedings.

20 **SECTION 3208.** 440.13 (2) (c) of the statutes is amended to read:

21 440.13 (2) (c) With respect to a credential granted by a credentialing board, a
22 credentialing board shall restrict, limit or suspend a credential held by a person or
23 deny an application for an initial credential or for reinstatement of an inactive
24 license under s. 452.12 (6) (e) when directed to do so by the department.

25 **SECTION 3209.** 440.22 (2) of the statutes is amended to read:

1 440.22 (2) In any disciplinary proceeding against a holder of a credential in
2 which the department or an examining board, affiliated credentialing board or board
3 in the department orders suspension, limitation or revocation of the credential or
4 reprimands the holder, the department, examining board, affiliated credentialing
5 board or board may, in addition to imposing discipline, assess all or part of the costs
6 of the proceeding against the holder. Costs assessed under this subsection are
7 payable to the department. Interest shall accrue on costs assessed under this
8 subsection at a rate of 12% per year beginning on the date that payment of the costs
9 are due as ordered by the department, examining board, affiliated credentialing
10 board or board. Upon the request of the department of ~~regulation and licensing~~
11 safety and professional services, the department of justice may commence an action
12 to recover costs assessed under this subsection and any accrued interest.

13 **SECTION 3210.** 440.905 (1) of the statutes is amended to read:

14 440.905 (1) In addition to the other duties and powers of the board under this
15 subchapter, the board shall advise the secretary of ~~regulation and licensing~~ safety
16 and professional services on matters relating to cemeteries, to this chapter, or to the
17 board.

18 **SECTION 3211.** 440.92 (2) (d) of the statutes is amended to read:

19 440.92 (2) (d) A preneed seller may not sell any undeveloped space unless the
20 plans for the construction of the mausoleum have been submitted to the department
21 of ~~commerce~~ safety and professional services for approval under s. 157.12 (2) (a) and
22 the preneed sales contract includes the following language in not less than 10-point
23 boldface type: "THE PLANS FOR CONSTRUCTING THE MAUSOLEUM SPACE
24 HAVE BEEN SUBMITTED TO THE DEPARTMENT OF COMMERCE SAFETY
25 AND PROFESSIONAL SERVICES FOR APPROVAL. THE SELLER IS

1 RESPONSIBLE FOR ALL COSTS REQUIRED TO OBTAIN APPROVAL OF THE
2 PLANS BY THE DEPARTMENT OF COMMERCE SAFETY AND
3 PROFESSIONAL SERVICES, COMPLETE THE CONSTRUCTION, AND OBTAIN
4 CERTIFICATION OF THE CONSTRUCTION BY THE DEPARTMENT OF
5 COMMERCE SAFETY AND PROFESSIONAL SERVICES.”

6 **SECTION 3212.** 440.945 (5) (b) of the statutes is amended to read:

7 440.945 (5) (b) The department of justice or any district attorney, upon
8 informing the department of justice, may commence an action in circuit court in the
9 name of the state to restrain by temporary or permanent injunction any violation of
10 this section. The court may, prior to entry of final judgment, make such orders or
11 judgments as may be necessary to restore to any person any pecuniary loss suffered
12 because of the acts or practices involved in the action, if proof of such loss is submitted
13 to the satisfaction of the court. The department of justice may subpoena persons and
14 require the production of books and other documents, and may request the
15 department of ~~regulation and licensing~~ safety and professional services to exercise
16 its authority under par. (a) to aid in the investigation of alleged violations of this
17 section.

18 **SECTION 3212m.** Subchapter XV of Chapter 440 [precedes 440.9991] of the
19 statutes is created to read:

20 **CHAPTER 440**

21 **SUBCHAPTER XV**

22 **BAIL BOND SURETIES**

23 **440.9991 Definitions.** In this subchapter:

24 (1) “Licensed bail bond surety agent” or “bail bond surety agent” means a
25 person licensed under s. 440.9993 (2).

1 (2) “Licensed bail bond surety corporation” or “bail bond surety corporation”
2 means a person licensed under s. 440.9993 (1).

3 **440.9992 License required.** No person may be compensated to act as a surety
4 for a bond under ch. 969 unless the person is a licensed bail bond surety corporation
5 or agent. A licensed bail bond surety corporation or agent shall be compensated at
6 the rate established under s. 969.12 (2).

7 **440.9993 Licensure. (1) BAIL BOND SURETY CORPORATIONS.** The department
8 shall grant a license as a bail bond surety corporation to a business entity, as
9 defined in s. 13.62 (5), if all of the following apply:

10 (a) The business submits an application to the department on a form
11 provided by the department.

12 (b) The business pays the initial credential fee of \$1,000.

13 (c) The business submits, in addition to any other information required by
14 the department, evidence satisfactory to the department, including financial
15 information, that the business is qualified to act as a surety for others in this
16 state, except that the business is not required to be organized under the laws of
17 this state.

18 (2) **BAIL BOND SURETY AGENTS.** The department shall grant a license as a bail
19 bond surety agent to a person if all of the following apply:

20 (a) The person submits an application to the department on a form provided
21 by the department.

22 (b) The person pays the initial credential fee of \$1,000.

23 (c) The person submits, in addition to any other information required by the
24 department, evidence satisfactory to the department that the person is an agent
25 of a licensed bail bond surety corporation.

1 **(3) LIST OF BAIL BOND SURETY CORPORATIONS AND AGENTS.** Annually, the
2 department shall provide a list of all licensed bail bond surety corporations and
3 agents to the clerk of circuit court in each county.

4 **440.9994 Renewal. (1) RENEWAL DATES.** The renewal dates for licenses
5 granted under this subchapter are specified in s. 440.08 (2) (a) 15g. and 15r.
6 Renewal applications shall be submitted to the department on a form provided by
7 the department and shall include an annual renewal fee of \$1,000.

8 **(2) LICENSURE RENEWAL FOR BAIL BOND SURETY CORPORATIONS.** In addition to
9 any other information required by the department, a licensed bail bond surety
10 corporation shall submit with its renewal application evidence satisfactory to the
11 department, including financial information, that the bail bond surety corporation
12 continues to be, at the time the surety corporation applies for renewal, a business
13 that is qualified to act as a surety for others in this state.

14 **(3) LICENSURE RENEWAL FOR BAIL BOND SURETY AGENTS.** In addition to any
15 other information required by the department, a licensed bail bond surety agent
16 shall submit with its renewal application evidence satisfactory to the department
17 that the bail bond surety agent, at the time the surety agent applies for renewal,
18 is an agent of a licensed bail bond surety corporation in good standing with the
19 department.

20 **440.9995 Rules.** The department shall promulgate rules necessary to
21 administer this subchapter, including rules of conduct by bail bond surety
22 corporations and agents.

23 **440.9996 Disciplinary proceedings and actions. (1) INVESTIGATIONS**
24 **AND HEARINGS.** Subject to the rules promulgated under s. 440.03 (1), the
25 department may conduct investigations and hearings to determine whether a

1 violation of this subchapter, any rule promulgated under this subchapter, or any
2 other law applicable to bail bond surety corporations or agents, including ch. 969,
3 has occurred.

4 **(2) PENALTIES.** (a) Subject to the rules promulgated under s. 440.03 (1), the
5 department may reprimand a bail bond surety corporation or agent or deny, limit,
6 suspend, or revoke a license granted under this subchapter if the department
7 finds that an applicant for licensure under this subchapter, a licensed bail bond
8 surety corporation, or a licensed bail bond surety agent, has done any of the
9 following:

10 1. Intentionally made a material misstatement in an application for a
11 license or for renewal of a license.

12 2. Advertised in a manner that is false or misleading.

13 3. In the course of acting as a bail bond surety corporation or agent, made a
14 substantial misrepresentation that was relied upon by another person.

15 4. Obtained or attempted to obtain compensation through fraud or deceit.

16 5. Violated any law of this state or federal law that substantially relates to
17 acting as a surety for others or acting as a bail bond surety corporation or agent,
18 violated this subchapter, or violated any rule promulgated under this subchapter.

19 6. Engaged in unprofessional conduct.

20 (b) In addition to or in lieu of a reprimand or other action under par. (a), the
21 department may by rule establish other penalties, including forfeiture, for
22 violations under par. (a).

23 **SECTION 3212o.** 446.02 (3) (a) of the statutes is amended to read:

24 446.02 (3) (a) An Beginning on January 1, 2012, an examination administered
25 by the examining board under this paragraph. The examination shall be in the

1 subjects usually taught in such reputable schools of chiropractic, and shall be
2 conducted at least twice a year at such times and places as the examining board
3 determines. The examination shall include a practical examination of the applicant
4 as prescribed by the examining board. The examining board shall charge an
5 examination fee to each applicant for licensure under sub. (2) to cover the cost of
6 developing and administering the examination required under this paragraph.

7 **SECTION 3212p.** 446.02 (3) (c) of the statutes is created to read:

8 446.02 (3) (c) An examination approved by the examining board that tests the
9 applicant's knowledge of the laws of this state relating to the practice of chiropractic,
10 including the provisions of this chapter and any rules promulgated by the examining
11 board under this section.

12 **SECTION 3212q.** 450.035 (2) of the statutes is amended to read:

13 450.035 (2) A pharmacist may not administer a vaccine unless he or she has
14 successfully completed 12 hours in a course of study and training, approved by the
15 American Council on Pharmaceutical Education or the board, in vaccination storage,
16 protocols, administration technique, emergency procedures and record keeping and
17 has satisfied the requirements specified in sub. (2t). A pharmacist may not
18 administer a vaccine under this subsection to a person who is under the age of ~~18~~ 6.

19 **SECTION 3217.** 452.01 (1s) of the statutes is amended to read:

20 452.01 (1s) "Board" means real estate examining board.

21 **SECTION 3218.** 452.025 (1) (a) of the statutes is amended to read:

22 452.025 (1) (a) A person desiring to act as a time-share salesperson shall
23 submit to the ~~department~~ board an application for a certificate of registration.

24 **SECTION 3219.** 452.025 (1) (b) (intro.) of the statutes is amended to read:

1 452.025 (1) (b) The application for registration as a time-share salesperson
2 shall be in the form prescribed by the ~~department~~ board and shall include all of the
3 following:

4 **SECTION 3220.** 452.025 (1) (b) 4. of the statutes is amended to read:

5 452.025 (1) (b) 4. Any other information ~~which~~ that the ~~department~~ board
6 reasonably requires to enable it to determine the competency of the person to
7 transact business as a time-share salesperson in a manner ~~which~~ that safeguards
8 the interests of the public.

9 **SECTION 3221.** 452.025 (3) (b) 2. (intro.) of the statutes is amended to read:

10 452.025 (3) (b) 2. A time-share salesperson registered under this section may
11 complete a form purchase agreement or offer to purchase, if the form purchase
12 agreement or offer to purchase has been approved by the ~~department~~ board and
13 includes only the following:

14 **SECTION 3222.** 452.025 (4) of the statutes is amended to read:

15 452.025 (4) A time-share salesperson registered under this section may apply
16 at any time to transfer employment to another licensed broker by submitting to the
17 ~~department~~ board an application in the form prescribed by the ~~department~~ board
18 and the transfer fee specified in s. 440.05 (7).

19 **SECTION 3223.** 452.025 (5) (a) of the statutes is amended to read:

20 452.025 (5) (a) The renewal date for certificates of registration granted by the
21 ~~department~~ board under this section is specified under s. 440.08 (2) (a).

22 **SECTION 3224.** 452.03 of the statutes is amended to read:

23 **452.03 Brokers and salespersons licensed.** No person may engage in or
24 follow the business or occupation of, or advertise or hold himself or herself out as, or
25 act temporarily or otherwise as a broker or salesperson without a license. Licenses

1 ~~shall be granted~~ The board may grant a license only to ~~persons~~ a person who ~~are~~ is
2 competent to transact such businesses in a manner ~~which~~ that safeguards the
3 interests of the public, and only after satisfactory proof of the person's competence
4 has been presented to the ~~department~~ board.

5 **SECTION 3225.** 452.04 of the statutes is repealed.

6 **SECTION 3226.** 452.05 (title) and (1) (intro.) of the statutes are amended to read:

7 **452.05** (title) **Duties and powers of department board.** (1) (intro.) In
8 addition to the other duties and responsibilities of the ~~department~~ board under this
9 chapter, the ~~department~~ board shall advise the secretary on matters relating to real
10 estate practice and shall:

11 **SECTION 3227.** 452.05 (1) (b) of the statutes is amended to read:

12 452.05 (1) (b) Approve forms for use in real estate practice. The board may
13 conduct public hearings on matters relating to the approval of forms used in real
14 estate practice.

15 **SECTION 3228.** 452.05 (1) (c) of the statutes is amended to read:

16 452.05 (1) (c) After consultation with the council on real estate curriculum and
17 examinations ~~and subject to the procedure under s. 452.07~~, promulgate rules
18 establishing criteria for the approval of educational programs and training sessions
19 under s. 452.09 (2) and approve such programs and sessions in accordance with the
20 established criteria.

21 **SECTION 3229.** 452.05 (1) (d) of the statutes is amended to read:

22 452.05 (1) (d) After consultation with the council on real estate curriculum and
23 examinations, ~~the board~~, brokers and salespersons licensed under this chapter, and
24 interested members of the public, establish criteria for the approval of continuing

1 educational programs and courses in real estate related subjects required for
2 renewal under s. 452.12 (5) (c) 1.

3 **SECTION 3229e.** 452.05 (1) (e) of the statutes is repealed.

4 **SECTION 3229h.** 452.05 (1) (g) of the statutes is amended to read:

5 452.05 (1) (g) Approve continuing educational programs and courses in
6 accordance with the criteria established under par. (d). In order to be approved, a
7 continuing educational program or course must require brokers and salespersons to
8 pass an examination on the information presented at the program or course in order
9 to successfully complete and receive continuing education credit for the program or
10 course under s. 452.12 (5) (c) 1.

11 **SECTION 3230.** 452.05 (1m) (b) of the statutes is amended to read:

12 452.05 (1m) (b) In preparing the form for the offer to purchase commercial real
13 property under sub. (1) (b), the department board shall include a statement that the
14 seller represents to the buyer that the seller has no notice or knowledge that the
15 commercial real property is a historic building.

16 **SECTION 3231.** 452.05 (2) of the statutes is amended to read:

17 452.05 (2) The department board may prepare letters and bulletins and
18 conduct clinics disseminating information to its licensees.

19 **SECTION 3232.** 452.05 (3) of the statutes is amended to read:

20 452.05 (3) The department board may, ~~after consultation with the board,~~ enter
21 into reciprocal agreements with officials of other states or territories of the United
22 States for licensing brokers and salespersons and grant licenses to applicants who
23 are licensed as brokers or salespersons in those states or territories according to the
24 terms of the reciprocal agreements.

25 **SECTION 3233e.** 452.06 (1) of the statutes is amended to read:

1 452.06 (1) The ~~secretary~~ board shall create ~~a council~~ one or more councils on
2 forms ~~under s. 15.04 (1) (e)~~ which shall meet on a regular basis, be chaired by a
3 member of the board, and report to the board ~~and the secretary~~. Any proposed change
4 in a form relating to real estate practice shall be referred to the appropriate council
5 on forms for review before the form is approved.

6 **SECTION 3234m.** 452.06 (2) (a) of the statutes is amended to read:

7 452.06 (2) (a) Advise the ~~secretary on the promulgation of rules under s. 452.05~~
8 ~~(1) (e)~~ and board on establishing continuing education requirements under s. 452.05
9 (1) (d).

10 **SECTION 3234r.** 452.06 (2) (b) of the statutes is amended to read:

11 452.06 (2) (b) ~~Periodically, but not~~ Not less than annually, review subjects
12 covered on examinations for licensure under this chapter and the qualifications for
13 instructors of and performance evaluations for educational and continuing
14 educational programs, training sessions, and courses approved under this chapter.

15 **SECTION 3234t.** 452.06 (3) of the statutes is amended to read:

16 452.06 (3) If the secretary creates any councils or committees under s. 15.04
17 (1) (c) to provide advice to the department or board on matters relating to real estate
18 practice ~~other than the council under sub. (1)~~, such councils or committees shall be
19 chaired by a member of the board, if available, and shall report to the board and the
20 secretary.

21 **SECTION 3235.** 452.07 (title) of the statutes is amended to read:

22 **452.07 (title) Rules; review of rules.**

23 **SECTION 3236.** 452.07 (1) of the statutes is amended to read:

24 452.07 (1) The ~~department~~ board shall promulgate rules for the guidance of the
25 real estate profession and define professional conduct and unethical practice.