



2011 SENATE BILL 398

January 24, 2012 – Introduced by Senators LAZICH and TAYLOR, cosponsored by Representatives PETROWSKI, ENDSLEY, BROOKS, KRUG, MARKLEIN, A. OTT and SPANBAUER. Referred to Committee on Transportation and Elections.

1 **AN ACT** *to amend* 343.305 (8) (b) 1. of the statutes; **relating to:** submitting
2 written objections and appearing in person or by telephone at a hearing to
3 review administrative suspension of motor vehicle operating privileges.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from driving or operating a motor vehicle with a prohibited concentration of alcohol or a detectable amount of a controlled substance or while under the influence of an intoxicant (OWI). If a chemical test given to the person on suspicion of, or subsequent to arrest for, OWI indicates that the person has committed an OWI, the law enforcement officer seizes the person's driver's license, informs the person that his or her operating privilege is administratively suspended for six months, and provides the person with a written explanation of his or her right to request a review of the administrative suspension.

The written explanation of the person's right to review serves as a 30-day temporary license. The person may, within ten days, submit a written request for the Department of Transportation (DOT) to review his or her administrative suspension. Current law requires DOT to hold the review hearing in the county where the alleged offense took place within 30 days of the date the person received the written explanation of his or her right to review.

This bill allows the person to attend the review hearing in person or by telephone or to submit his or her objections to the administrative suspension in writing.

