2011 ASSEMBLY BILL 81


AN ACT to renumber and amend 343.52 (1m); to amend 343.52 (1) (a) and (b); and to create 343.52 (1m) (a), (b) and (c) of the statutes; relating to: special identification cards issued by the Department of Transportation providing parking privileges for persons with physical disabilities and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a person with a disability that limits or impairs the ability to walk may apply for and obtain from the Department of Transportation (DOT) a special identification card (disabled parking card). With limited exceptions, a disabled parking card entitles any motor vehicle parked by or under the direction of the card holder, or any motor vehicle operated by or on behalf of an organization and used to transport a person eligible for a card, to parking privileges. A person or organization may be required to forfeit not less than $50 nor more than $300 if the person or organization sells or lends a disabled parking card knowing that the person purchasing or borrowing the card is not authorized by law to use it or displays a disabled parking card on a vehicle knowing that the vehicle is not authorized to have the card displayed on it. In addition, any person or organization that fraudulently procures, makes, alters, reproduces, or duplicates a disabled parking card must forfeit not less than $200 nor more than $500.

This bill increases the penalty for selling a disabled parking card to an unauthorized user from a potential forfeiture of not less than $50 nor more than $300.
to a mandatory forfeiture of not less than $200 nor more than $500. The bill also
prohibits fraudulent use of a disabled parking card, which is subject to a potential
forfeiture of not less than $50 nor more than $300 if the violator was issued the
disabled parking card by DOT and a mandatory forfeiture of not less than $200 nor
more than $500 if the violator was not issued the disabled parking card by DOT. The
bill also eliminates the requirement that, to constitute a violation for displaying a
disabled parking card on a vehicle not authorized to have the card displayed on it,
the violator must know that the vehicle is not authorized to have the card displayed
on it.

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

SECTION 1. 343.52 (1) (a) and (b) of the statutes are amended to read:

343.52 (1) (a) Sells or lends Lends to another a special identification card issued
under s. 343.51, knowing that the person purchasing or borrowing the card is not
authorized by law to use it.

(b) Displays a special identification card issued under s. 343.51 upon a vehicle
knowing that the vehicle is not authorized by law to have the card displayed thereon
or otherwise fraudulently uses a special identification card issued under s. 343.51 to
the person or organization.

SECTION 2. 343.52 (1m) of the statutes is renumbered 343.52 (1m) (intro.) and
amended to read:

343.52 (1m) (intro.) Any person or organization that fraudulently procures,
makes, alters, reproduces, or duplicates a special identification card issued under s.
343.51, except as authorized by the department, does any of the following shall forfeit
not less than $200 nor more than $500,:

SECTION 3. 343.52 (1m) (a), (b) and (c) of the statutes are created to read:
SECTION 3

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343.52 (1m) (a) Fraudulently procures, makes, alters, reproduces, or duplicates a special identification card issued under s. 343.51, except as authorized by the department.

(b) Fraudulently uses a special identification card issued under s. 343.51 that was not issued to the person or organization by the department.

(c) Sells to another a special identification card issued under s. 343.51, knowing that the person purchasing the card is not authorized by law to use it.

SECTION 4. Initial applicability.

(1) This act first applies to violations committed on the effective date of this subsection.

(END)