



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

Appendix A

LRB BILL HISTORY RESEARCH APPENDIX

 The drafting file for

2011 LRB-3358 (For: Rep. Petrowski)


has been transferred to the drafting file for

2013 LRB-1462 (For: Rep. Petrowski)



RESEARCH APPENDIX - **PLEASE KEEP WITH THE DRAFTING FILE**

Date Transfer Requested: 02/202/2013 (Per: EVM)

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

2011 DRAFTING REQUEST

Bill

Received: 10/28/2011

Received By: **emueller**

Wanted: **As time permits**

Companion to LRB:

For: **Jerry Petrowski (608) 266-1182**

By/Representing: **Tim Fiocchi**

May Contact:

Drafter: **emueller**

Subject: **Transportation - traffic laws**

Addl. Drafters:

Extra Copies: **ARG**

Submit via email: **YES**

Requester's email: **Rep.Petrowski@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Prohibit cell phone use in highway construction zone.

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/P1	emueller 11/17/2011	kfollett 11/18/2011	jfrantze 11/18/2011	_____	lparisi 12/08/2011		
		mduchek 12/08/2011	rschluet 12/08/2011	_____			

FE Sent For:

<END>

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1?	emueller						
1/PI	EMM 11/17/11						

FE Sent For:

M
12/8/11
1/PI
EMM

<END>

Mueller, Eric

From: Fiocchi, Tim
Sent: Friday, October 28, 2011 11:10 AM
To: Mueller, Eric; Gary, Aaron
Cc: PUNCHES, Derek
Subject: Drafting Request

Good morning,

Representative Petrowski would like to draft a bill banning the use of cell phones for any purpose (call/text/other) in work zones unless they are being used with a hands free device/ set up. As I am sure this will be an issue, the use of the phone as a GPS would be included to the extent that they could not be holding or manipulating the phone.

Please give Derek or me a call with any questions.

Thank you,

Tim

Tim Fiocchi
Clerk, Assembly Transportation Committee
Office of Representative Jerry Petrowski
(608) 266-1182



D Note
State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-3358/P1

EVM:.....

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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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in 12/6/11

Soen

gen

cellular or other wireless

1 AN ACT relating to the use of a mobile telephone while driving a motor vehicle
2 in a construction zone and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits inattentive driving of a motor vehicle, which includes: 1) being so engaged or occupied, while driving a motor vehicle, as to interfere with the safe driving of the vehicle; and 2) driving a motor vehicle while composing or sending an electronic text message or an e-mail message, subject to various exceptions. Any person convicted of these forms of inattentive driving may be required to forfeit not less than \$20 nor more than \$400.

cellular or other wireless

This bill prohibits a person from driving a motor vehicle while using a mobile telephone in a construction zone, unless the person uses the telephone without the use of his or her hands. The prohibition includes using the telephone for a purpose other than communication. Persons who violate this prohibition may be required to forfeit not less than \$20 nor more than \$40 for a first offense, and not less than \$50 nor more than \$100 for a second or subsequent offense within one year.

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

3 SECTION 1. 346.89 (4) of the statutes is created to read:
4 346.89 (4) No person may drive, as defined in s. 343.305 (1) (b), any motor
5 vehicle while using a mobile telephone, including using the telephone for a purpose

cellular or other wireless

1 other than communication, where persons engaged in work in a highway
 2 maintenance or construction area or in a utility work area are at risk from traffic,
 3 unless the driver uses the telephone without the use of his or her hands.

4 **SECTION 2.** 346.95 (1) of the statutes is amended to read:

5 346.95 (1) Any person violating s. 346.87, 346.88, 346.89 (2) or (4), 346.90 to
 6 346.92 or 346.94 (1), (9), (10), (11), (12) or (15) may be required to forfeit not less than
 7 \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100
 8 for the 2nd or subsequent conviction within a year.

History: 1971 c. 278; 1973 c. 182, 314, 336; 1975 c. 297, 320; 1977 c. 68; 1983 a. 56, 175, 538; 1989 a. 335 s. 89; 1991 a. 83; 1993 a. 260, 455; 1995 a. 194, 373, 420; 1999 a. 109; 2001 a. 90; 2003 a. 192, 297, 327; 2005 a. 250; 2009 a. 22, 157, 220, 311.

9 **SECTION 3. Effective date.**

10 (1) This act takes effect on the first day of the 7th month beginning after
 11 publication.

12 (END)

DNote

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3358/P1dn

EVM:./:...

med

Date

ATTN: Tim Fiocchi

Please review the attached draft carefully to ensure that it is consistent with your intent. Please note, this draft includes a delayed effective date. Let me know if you want this changed or removed. Also, please review the penalty provision to ensure that it reflects the penalty you wish to impose for the violation described in the draft.

Please let me know if you would like any other changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Eric V. Mueller
Legislative Attorney
Phone: (608) 261-7032
E-mail: eric.mueller@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3358/P1dn
EVM:med:rs

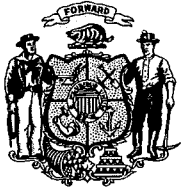
December 8, 2011

ATTN: Tim Fiocchi

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Eric V. Mueller
Legislative Attorney
Phone: (608) 261-7032
E-mail: eric.mueller@legis.wisconsin.gov



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-3358/P1
EVM:med:rs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT to amend** 346.95 (1); and **to create** 346.89 (4) of the statutes; **relating**
2 **to:** the use of a cellular or other wireless telephone while driving a motor vehicle
3 in a construction zone and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits inattentive driving of a motor vehicle, which includes: 1) being so engaged or occupied, while driving a motor vehicle, as to interfere with the safe driving of the vehicle; and 2) driving a motor vehicle while composing or sending an electronic text message or an e-mail message, subject to various exceptions. Any person convicted of these forms of inattentive driving may be required to forfeit not less than \$20 nor more than \$400.

This bill prohibits a person from driving a motor vehicle while using a cellular or other wireless telephone in a construction zone, unless the person uses the telephone without the use of his or her hands. The prohibition includes using the telephone for a purpose other than communication. Persons who violate this prohibition may be required to forfeit not less than \$20 nor more than \$40 for a first offense, and not less than \$50 nor more than \$100 for a second or subsequent offense within one year.

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

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