



## 2013 SENATE BILL 247

1     **AN ACT** *to amend* 343.315 (2) (h) of the statutes; **relating to:** commercial motor  
2     vehicle out-of-service violations.

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*Analysis by the Legislative Reference Bureau*

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

3     **SECTION 1.** 343.315 (2) (h) of the statutes is amended to read:  
4     343.315 (2) (h) Except as provided in par. (i), a person shall be disqualified for  
5     a period of ~~90~~ 180 days from operating a commercial motor vehicle if convicted of an  
6     out-of-service violation, or 2 years if convicted of 2 out-of-service violations, or 3  
7     years if convicted of 3 or more out-of-service violations, arising from separate  
8     occurrences committed within a 10-year period while operating a commercial motor  
9     vehicle. A disqualification under this paragraph shall be in addition to any penalty  
10    imposed under s. 343.44. In this paragraph, "out-of-service violation" means

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1 violating s. 343.44 (1) (c) or a law of another jurisdiction for an offense therein which,  
2 if committed in this state, would have been a violation of s. 343.44 (1) (c), if the  
3 operator holds a commercial driver license or is required to hold a commercial driver  
4 license to operate the commercial motor vehicle.

5 **SECTION 2. Initial applicability.**

6 (1) This act first applies to violations committed on the effective date of this  
7 subsection, but does not preclude the counting of other violations as prior violations  
8 for purposes of administrative action by the department of transportation or  
9 sentencing by a court.

10 (END)