



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 100
[2013 Senate Bill 247]

**Commercial Motor Vehicle
Out-of-Service Violations**

Wisconsin law prohibits a person from operating a commercial motor vehicle while the person or commercial motor vehicle is subject to an out-of-service order or while the motor carrier responsible for the safety of the commercial motor vehicle has an out-of-service order in effect for unsatisfactory safety compliance. The penalty for committing an out-of-service violation is \$2,500 for the first offense and \$5,000 for any subsequent offense within a 10-year period. In addition, under **prior law**, the person was disqualified from operating a commercial motor vehicle for 90 days for the first offense, two years for a second offense within 10 years, and three years for third or subsequent offenses within a 10-year period.

The **Act** disqualifies a person from operating a commercial motor vehicle for 180 days, rather than 90 days, for a first offense out-of-service violation. The Act does not change the amount of time that a person is disqualified for operating a commercial motor vehicle for second and subsequent offenses that occur within a 10-year period.

Effective date: December 15, 2013. The Act first applies to violations committed on the Act's effective date, but does not preclude the counting of other violations as prior violations for purposes of administrative action by the Department of Transportation or sentencing by a court.

Prepared by: Michael Queensland, Staff Attorney

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.