



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2013 Senate Bill 673	Senate Amendment 1
<i>Memo published: March 27, 2014</i>	<i>Contact: Anne Sappenfield, Principal Attorney (267-9485)</i>

Senate Bill 673 prohibits certain uses of global positioning system (GPS) devices.

2013 Senate Bill 673

2013 Senate Bill 673 makes it a Class A misdemeanor¹ for a person to do any of the following:

- Place a GPS device on a vehicle owned by another person without that person's knowledge.
- Intentionally obtain information regarding another person's movement or location generated by a GPS device without that person's knowledge.
- Place a GPS device on a vehicle used primarily by his or her spouse without the person's knowledge after a petition for an annulment, divorce, or legal separation has been filed.

The bill exempts the following persons from the prohibitions listed above:

- A person acting within the scope of his or her employment who installs a subscription-based communication or navigation device.
- A law enforcement officer acting in his or her official capacity.

¹ A Class A misdemeanor is punishable by a fine not to exceed \$10,000 or imprisonment not to exceed 90 days, or both. [s. 939.51 (3) (a), Stats.]

- An employer acting to track the movement or location during business hours of a commercial motor vehicle that is owned, leased, or assigned for use by the employer.

Senate Amendment 1

Senate Amendment 1 exempts a parent or guardian from the prohibitions under the bill if the parent or guardian is tracking the movement or location of his or her minor child or minor ward.

Senate Amendment 1 also makes the following changes to the bill:

- Clarifies that the prohibition of placing a GPS device on a vehicle **owned** by another person also applies to vehicles **leased** by another person.
- Expands the exemption for employers to allow both employers and business owners to track the movement or location of any motor vehicle, not just a commercial motor vehicle, that he or she owns, leases, or assigns for use by an employee, and to do so regardless of the time of day.

Bill History

Senator Grothman offered Senate Amendment 1. On March 27, 2014, the Senate Committee on Judiciary and Labor voted unanimously to recommend adoption of Senate Amendment 1. The Committee then voted unanimously to recommend passage of the bill, as amended.

AS:jal