CR 90-91

### **CERTIFICATE**

STATE OF WISCONSIN	)	
	)	SS
DEPARTMENT OF TRANSPORTATION	)	

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, RONALD R. FIEDLER, Secretary of the Wisconsin Department of Transportation and custodian of the official records, do hereby certify that the rule relating to uniform traffic citation was duly approved and adopted by this Department on August 16, 1990.

I further certify that this copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

OF TRIMESPORT

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Transportation at 4802 Sheboygan Avenue, in the City of Madison, Wisconsin, this <u>16th</u> day of August, 1990.

RONALD R. FIEDLER, P.E.

Secretary

**RECEIVED** 

AUG 1 6 1990

3.555

Revisor of Statutes

Bureau

### DEPARTMENT OF TRANSPORTATION

### OFFICE OF THE SECRETARY

IN THE MATTER OF an order to repeal and recreate s. Trans 114.06; and create s. Trans 114.07, relating to the Uniform Traffic Citation

### ORDER ADOPTING RULE

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### Analysis by the Department of Transportation

AUG 1 6 1990

STATUTORY AUTHORITY: s. 345.11(4), Stats.

Revisor of Statutes Bureau

STATUTES INTERPRETED: s. 345.11

In September, 1988, the Department of Transportation conducted policy outreach meetings throughout Wisconsin seeking the advice of judges, district attorneys, police, clerks of court and citizens on proposed improvements to the uniform traffic citation. Overwhelmingly, department staff were told the antiquated and technical language on the court and defendant copies of the uniform traffic citation made them confusing and difficult to follow.

The Secretary's Council on Uniformity of Traffic Citations and Complaints proposed legislation to revise Wisconsin Statutes to remove the stipulation, signature and the antiquated language from the court and defendant's copy of the uniform traffic citation. This legislation was enacted into law as Act 170, Laws of 1989, which took effect April 21, 1990. Subsequently, the stipulation, signature and antiquated language has been removed from the court and defendant's copy of the uniform traffic citation. The defendant's copy of the uniform traffic citation now explains in terms understandable to the defendant his/her choices, and the consequences of those choices, when satisfying his/her duties and responsibilities toward the citation.

Regulatory Flexibility Analysis. This rule will not have an effect upon small businesses.

<u>Fiscal Impact</u>. No fiscal impact is anticipated from the promulgation of these rule changes.

<u>Contact Person</u>. The person to contact for further information on this rule is Harold Thummel, Bureau of Driver Licensing, Wisconsin Department of Transportation, (608) 266-0054.

### RULE TEXT

Section 1. Trans 114.06 is repealed and created to read:

Trans 114.06 UNIFORM TRAFFIC CITATION.

	DEPOSIT PERMITTED 2 \$		timated Points This Citation)		4 F	or Court Us	e Only		
You Are Notified To Appear Is this a mandatory Court Appearance?	Defendant Name - La 5	ast	F	lrst					MI
(Read the reverse side of this citation for court information)	Street Address 6		Po	ost Office			State	Zip	
ONATPM WHERE Circuit Municipal	Driver License Number 7	r		State 8	Exp. Yr. 9	Licensed A Preclassifi Type		ified Class	Endorse 12
	Date of Billi	Sex Race HT. V 14	VT. Hair	Eyes	Operating Preclassific Type	As: Classified 15	ed Class		CMV 18 Y / N
	License Plate or VIN 19	Plate Type 20	State Exp 21 22	p. Yr.	Year/Mai 23	ce of Vehicle		Тур <del>е</del> 24	Color 25
STATE COUNTY CITY VILLAGE TOWN OF WIS. PLAINTIFF OF: 26	Defendant Viola Ordin. No. 27		Adopting State Statute No. 28	l.				Agency S	pace
Description of Violation			Walver 30	M P	Actual 31		Over 33		
Week Day         Month - Day - Year         Time         AM           34         35         36         PM	County 37		City/Village/Too 38					42	
ON Hwy No. and / or Street Name 39	Estimated Dis	stance Feet N	E FROM, W 41	/AT Hwy	No. and /	or Street Na	um <del>o</del>		
Print Officer Name 43	Dept. 44		Officer ID NO. 45		Date Cite 46	ition issued		Accident : 47 F <sub>ata</sub>	Severity PIPD
Wisconsin Uniform Citation MV4016 (590) 1 s.345.11, Wis. Stats.	Citation serves a Receipt until abo	s a Driver License ove Court date:	□ <sub>YES</sub> [	□ №					

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COURT RECORD 1  Traffic Non-Traffic Criminal	Date Filed 2	JUDGE 3		ļ	Judge Code
DEFENDANT 5  Appeared Default		PLEA: Guilty	8	ntest Not Gu	ilty
By Attorney Warrant Issued - 0	Dat <del>e</del>	FINDING: Guilty	10 Not Gu	uilty Dismis	sed
Piea By Mail Warrant Fee Asse		AMENDED CHARGE:	11 Statute Number	r	
Failed to Appear		Describe Charge			
Prosecutor 6		DISPOSITION:	12	Fine/Forfeiture 13	\$
Defense Attorney		Assessment Ordered		Penalty Assessment	
BOND: Signature 7 \$	License	Assessment Ordered		Dr. Imp. Surcharge	
Credit Card Type	Bond Card	Co. Jail / H.O.C	for Day / Mo. / Yr.	Crime Victim Surcharge	
Cash / CK / MO \$	Not Required	1		Jail Assessment	
TYPE OF PROCEEDING 8 DATE	TIME - COMMENTS	License Susp / Rev	for Day / Mo. / Yr.	Automation Fee	
Initial Appearance		Fine / Forfeiture pay witi	hin Day/Mo./Yr.	Witness Fee	
Scheduling Conference		_ OR		Service Fee	
Pre-trial		License Susp / Rev	for Day / Mo. / Yr.	Court Costs	
Motions		County Jall/H.O.C.	for Day/Mo./Yr.		
Court Trial		_ OR			
		Community Service	for Hrs. / Days	TOTAL	\$
		Date Disposed	Judge At Disposition	Circult	Code
DOCKET INFORMATION		14	15	☐ Municipal ☐ Juvenile	18
17		Disposition Code	Sentence Code	Classification At Disposi	tion if Changed
		18	19	20	

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BACKER Ply 2 Canary

## REPORT OF COURT DISPOSITION

49	Dat	e of Adjudication						
			COURT	TYF	E		Juc	ige Code
50		Municipal Court		, , .		•		
51		Circuit Court					52	
		AME	NDED	CHA	RGE			
53	Am	ended Statute Numl	oer					
54	Des	cribe Amended Cha	ırge			<del></del>		
:5		Guilty	PLEA	57		Not	Guilty	
6	П	No Contest					•	
		Default						
		Al	DJUDIC	ATI	ON			
8		Guilty		61		Not	Guilty	
9		Dismissed		62		With	drawn	
כ		Criminal Complain	t Issued fo	or OV	۷Ī			
		DESCRIBE	OTHER	DIS	POS	ITIC	N	☐ Days
3		Driver License Susp	pension	64				☐ Months
•		Driver I in a second		c#				Days Months
		Note: Suspension f reported on	or failure	to pa				
,		Driver License Rest	riction (de	scrib	е)			
ı		Comments:						

#### **INSTRUCTIONS - READ CAREFULLY**

MANDATORY APPEARANCE? (See other side) If your citation is marked as a mandatory court appearance, you MUST appear in court. The "appearance not mandatory" instructions do not apply to you.

APPEARANCE NOT MANDATORY? (See other side)

IF YOU WISH TO DISPUTE THE CITATION, you must either appear in court or enter a "not guilty" plea by mail prior to your court date. Please include a photocopy of your ticket and your correct mailing address OR your correct name and mailing address, citation number, court appearance date listed on the citation, offense, and arresting police agency. These should be mailed to the court address written under "YOU ARE NOTIFIED TO APPEAR" on the other side. Your trial will be to a judge, unless you demand a jury trial in writing within 10 days of the court date on your citation and enclose the proper fee. Make check payable to the clerk of court and forward it to address shown on the reverse side. Jury demands in Municipal Court can only be made for intoxicated driving.

IF YOU DO NOT WISH TO DISPUTE THE CITATION, simply mail in the "deposit permitted" amount indicated on the other side of the citation by your court date with a photocopy of your citation OR with your correct name and address, citation number, court appearance date listed on the citation, offense and arresting police agency. Make check payable to the clerk of court and mail it to the court address written under "YOU ARE NOTIFIED TO APPEAR" on the other side. You do not need to appear. The court will find you guilty and keep the "deposit permitted" amount as payment for your citation.

IF YOU DO NOTHING, the court may issue a warrant for your arrest, or may find you guilty for failing to appear in court and suspend your driver's license if you fail to pay your fine.

DEMERIT POINT, SUSPENSION and REVOCATION INFORMATION This charge may result in demerit points being assessed against you. Accumulating 12 or more points within 12 consecutive months will be cause for revoking or suspending your driving privileges. If you have a probationary license different rules apply. Also, depending on the charge and circumstances, conviction may result in revocation or suspension of your driving privileges. Contact your local Division of Motor Vehicles Office for more information.

## **POLICE RECORD**

Date of Dispositio	n	49	☐ Gui	lty efault	Findi	
Plea		50	1	Guilty		orfeiture
☐ Guiity ☐ No Co	ntest 🗆 Not	t Guilty		missed	\$	menuic
			<u> </u>	mood		
Driver License Actio	n:	52			_	Days
						Months
D.L. Suspension/R	evocation _	53				Years
0 .000			Comments			55
Court Officer		54	Comments			55
Incident Report		56				
· · · · · · · · · · · · · · · · · · ·						
						<del></del>
<del></del>						<del>1</del>
Highway 57	Divided	Not	Divided	Lanes	;	
Weather 58	Clear	Rain	Snow	Fog	Clo	udy
Road 59	Dry	Wet	Slippery	Loo	se Mat	erial
Light ∞ Dawn	Day Dusk	Night	Traffic 81	Light	Med.	Heavy

Section 2. Trans 114.07 is created to read:

Trans 114.07 USE OF UNIFORM TRAFFIC CITATION. (1) Law Enforcement agencies have the option of using, through August 31, 1991, any of the uniform traffic citation forms promulgated under Ch. MVD 21, those promulgated under Ch. Trans 114, effective January 1, 1990, and those promulgated under Ch. Trans 114, effective (revisor insert date).

(2) Effective September 1, 1991, only the uniform traffic citation promulgated under this chapter and effective (revisor insert date) shall be used.

Note: A copy of MV4016 uniform traffic citation form is included.

Effective Date. This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Signed at Madison, Wisconsin, this 16th day of August, 1990.

Ronald R. Fiedler, P.E.

Secretary

Wisconsin Department of Transportation



# **Wisconsin Department of Transportation**

Tommy G. Thompson Governor

Ronald R. Fiedler, PE Secretary OFFICE OF GENERAL COUNSEL P. O. Box 7910 Madison, WI 53707-7910

August 16, 1990

AUG 16 1990
Revisor of Statutes

energy

Mr. Gary Poulson Assistant Revisor of Statutes 30 West Mifflin Street Suite 702 Madison, Wisconsin 53703

RE: CLEARINGHOUSE RULE 90-91

In the Matter of the Adoption of TRANS 114, Wisconsin Administrative Code, Relating to the Uniform Traffic Citation

Dear Mr. Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of **CR 90-91**, an administrative rule relating to the above-mentioned matter. This rule is submitted by the Wisconsin Department of Transportation.

Sincerely,

Julie A. Johnson

Paralegal

### **Enclosures**

cc:

Tom Walker

Linda Thelke Sandy Beaupre

Julie Clark

Harold Thummel Dave Coady