

1989 Assembly Bill 453

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1989 WISCONSIN ACT 195

AN ACT to amend 343.32 (2) (a) of the statutes, relating to: demerit points for tribal court traffic convictions.

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

PREFATORY NOTE: This bill was prepared by the advisory committee on tribal courts, which was created by the legislative council to advise the American Indian study committee and make recommendations concerning the recognition by circuit courts of the proceedings of tribal courts and the actions of tribal legislatures.

Current s. 343.32 (2), stats., permits the secretary of transportation to suspend or revoke a person's operator's license for repeated violations of state traffic laws or local traffic ordinances. Under this statute, the secretary establishes by rule a schedule of demerit points based on the seriousness of various traffic convictions.

This bill authorizes the secretary of transportation to assess demerit points for convictions in tribal court for violating a tribal traffic law, if the tribal traffic law violated is in strict conformity with a state traffic law.

SECTION 1. 343.32 (2) (a) of the statutes is amended to read:

343.32 (2) (a) The secretary may suspend or revoke a person's operating privilege if the person appears by the records of the department to be ~~an~~ a habitually reckless or negligent operator of a motor vehicle or to have repeatedly violated any of the state traffic laws ~~or~~ any local ordinance enacted under ch. 349 or any traffic laws enacted by a federally recognized American Indian tribe or band in this state if the tribal traffic laws violated strictly conform to provisions in chs. 341 to 348. For the purpose of determining when to suspend or revoke an operating privilege under this subsection, the secretary may determine and adopt by rule a method of weighing traffic convictions by their seriousness and may, subject to the limitations in this subsection, change such weighted scale as experience or the accident frequency in the state makes necessary or desirable.
