

1993 Senate Bill 362

Date of enactment: **November 18, 1993**

Date of publication*: **December 2, 1993**

1993 WISCONSIN ACT 65

AN ACT to amend 343.23 (2) of the statutes, relating to: information contained in the files on licensees maintained by the department of transportation.

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

SECTION 1. 343.23 (2) of the statutes is amended to read:

343.23 (2) The department shall maintain a file for each licensee containing the application for license, permit or endorsement, a record of reports or abstract of convictions, the status of the licensee's authorization to operate different vehicle groups, a record of any out-of-service orders issued under s. 343.305 (7) (b) or (9) (am) and a record of any reportable accident in which the licensee has been involved, including specification of the type of license and endorsements issued under this chapter under which the licensee was operating at the time of the accident and an indication whether or not the accident occurred in the course of the licensee's employment as a law enforcement officer, fire fighter or emergency medical technician—advanced (paramedic) technician — paramedic or as a person engaged, by an authority in charge of the maintenance of the highway, in highway winter maintenance snow and ice removal during either a storm or cleanup following a storm. This information must be filed by the department so that the complete operator's record is available for the use of the secretary in determining whether operating privileges of such person shall be suspended, revoked, canceled or

withheld in the interest of public safety. The record of suspensions, revocations and convictions that would be counted under s. 343.307 (2) shall be maintained for at least 10 years. The record of convictions for disqualifying offenses under s. 343.315 (2) (f) shall be maintained for at least 3 years. The record of convictions for disqualifying offenses under s. 343.315 (2) (a) to (e) shall be maintained permanently, except that 5 years after a licensee transfers residency to another state such record may be transferred to another state of licensure of the licensee if that state accepts responsibility for maintaining a permanent record of convictions for disqualifying offenses. Such reports and records may be cumulative beyond the period for which a license is granted, but the secretary, in exercising the power of revocation granted under s. 343.32 (2) may consider only those reports and records entered during the 4-year period immediately preceding the exercise of such power of revocation. For purposes of this subsection, "highway winter maintenance snow and ice removal" includes plowing, sanding, salting and the operation of vehicles in the delivery of those services.

SECTION 2. **Initial applicability.** This act first applies to records of reportable accidents occurring on the effective date of this SECTION.

SECTION 3. **Effective date.** This act takes effect on the first day of the 6th month beginning after publication.