

State of Wisconsin



2013 Senate Bill 247

Date of enactment: **December 13, 2013**
Date of publication*: **December 14, 2013**

2013 WISCONSIN ACT 100

AN ACT to amend 343.315 (2) (h) of the statutes; relating to: commercial motor vehicle out-of-service violations.

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

SECTION 1. 343.315 (2) (h) of the statutes is amended to read:

343.315 (2) (h) Except as provided in par. (i), a person shall be disqualified for a period of ~~90~~ 180 days from operating a commercial motor vehicle if convicted of an out-of-service violation, or 2 years if convicted of 2 out-of-service violations, or 3 years if convicted of 3 or more out-of-service violations, arising from separate occurrences committed within a 10-year period while operating a commercial motor vehicle. A disqualification under this paragraph shall be in addition to any penalty

imposed under s. 343.44. In this paragraph, "out-of-service violation" means violating s. 343.44 (1) (c) or a law of another jurisdiction for an offense therein which, if committed in this state, would have been a violation of s. 343.44 (1) (c), if the operator holds a commercial driver license or is required to hold a commercial driver license to operate the commercial motor vehicle.

SECTION 2. Initial applicability.

(1) This act first applies to violations committed on the effective date of this subsection, 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.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."