



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBa0777/1
PJH:bjk:nwn

**ASSEMBLY AMENDMENT 2,
TO 2007 ASSEMBLY BILL 498**

October 18, 2007 – Offered by Representative GUNDRUM.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 7: after that line insert:

3 “**SECTION 2m.** 343.305 (4) of the statutes is amended to read:

4 343.305 (4) INFORMATION. At the time that a chemical test specimen is
5 requested under sub. (3) (a), (am), or (ar), the law enforcement officer shall read the
6 following to the person from whom the test specimen is requested:

7 “You have either been arrested for an offense that involves driving or operating
8 a motor vehicle while under the influence of alcohol or drugs, or both, or you are
9 suspected of driving or being on duty time with respect to a commercial motor vehicle
10 after consuming an intoxicating beverage.

11 This law enforcement agency now wants to test one or more samples of your
12 breath, blood or urine to determine the concentration of alcohol or drugs in your
13 system. If any test shows more alcohol in your system than the law permits while

1 driving, your operating privilege will be suspended. If you refuse to take any test that
2 this agency requests, your operating privilege will be revoked and you will be subject
3 to other penalties. The test results or the fact that you refused testing can be used
4 against you in court.

5 If you take all the requested tests, you may choose to take further tests. You
6 may take the alternative test that this law enforcement agency provides free of
7 charge, but if you are convicted of a violation of s. 346.63, 940.09, or 940.25 where the
8 offense involved the use of a vehicle, you may be required to pay any costs charged
9 to or paid by a law enforcement agency for the withdrawal, testing, or analysis of your
10 blood. You also may have a test conducted by a qualified person of your choice at your
11 expense. You, however, will have to make your own arrangements for that test.

12 If you have a commercial driver license or were operating a commercial motor
13 vehicle, other consequences may result from positive test results or from refusing
14 testing, such as being placed out of service or disqualified.”.”.

15 **2.** Page 2, line 19: after that line insert:

16 **“SECTION 5m. Initial applicability.**

17 (1) This act first applies to a person whose blood is withdrawn on the effective
18 date of this subsection.”.

19 (END)