



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-0315/4  
ARG:jld:rs

DOA:.....Byrnes, BB0128a - DMV operating reductions; renewal of identification cards

**FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION**

**AN ACT ...; relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**TRANSPORTATION**

**DRIVERS AND MOTOR VEHICLES**

Under current law, an identification card issued by DOT must include a photograph of the card holder. DOT must, as part of the application process, take a photograph of the applicant and no application may be processed without the photograph being taken. An identification card is valid for a period of eight years, after which it may be renewed.

This bill authorizes DOT to renew identification cards by mail or by any electronic means available to DOT. However, DOT cannot make consecutive renewals by mail or electronic means, so only every other renewal can be completed by mail or electronic means. If DOT renews an identification card by mail or electronic means, DOT is not required to take a new photograph for the identification card. A photograph continues to be required on each identification card but, for mail or electronic renewals, DOT may use the last photograph taken.

Under current law, DOT must mail to the last-known address of a person who holds a motor vehicle operator's license, at least 30 days prior to the expiration of the license, a notice of the date on which the license must be renewed. For a person who holds an identification card issued by DOT, DOT must mail a renewal application to the person's last-known address at least 30 days prior to the expiration of the card.

This bill replaces these requirements with a requirement that DOT, at least 30 days prior to the expiration of an operator's license or identification card, provide to the licensee or card holder notice of renewal either by mail at the licensee's or card holder's last-known address or, if desired by the licensee or card holder, by any electronic means offered by DOT.

Under current law, if a person's operator's license has an "H" endorsement authorizing the transportation of certain hazardous materials, DOT must mail to the last-known address of the person, at least 60 days prior to the expiration of the "H" endorsement, a notice that the person is required to pass a security threat assessment screening as part of the application to renew the endorsement.

This bill allows DOT to provide this notice either by mail to the licensee's last-known address or, if desired by the licensee, by any electronic means offered by DOT.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

**SECTION 1.** 343.20 (2) (a) of the statutes is amended to read:

343.20 (2) (a) The At least 30 days prior to the expiration of an operator's license, the department shall mail to the provide to the licensee notice of renewal of the license either by mail at the licensee's last-known address of a licensee at least 30 days prior to the expiration of the license a notice of the date upon which the license must be renewed or, if desired by the licensee, by any electronic means offered by the department.

**SECTION 2.** 343.20 (2) (a) of the statutes, as affected by [2007 Wisconsin Act 20](#) and [2011 Wisconsin Act ....](#) (this act), is repealed and recreated to read:

343.20 (2) (a) At least 30 days prior to the expiration of an operator's license, the department shall provide to the licensee notice of renewal of the license either by mail at the licensee's last-known address or, if desired by the licensee, by any electronic means offered by the department. If the license was issued or last renewed based upon the person's presenting of any documentary proof specified in s. 343.14

(2) (es) 4. to 7., the notice shall inform the licensee of the requirement under s. 343.165 (4) (c).

**SECTION 3.** 343.20 (2) (b) of the statutes is amended to read:

343.20 (2) (b) Notwithstanding par. (a), at least 60 days prior to the expiration of an “H” endorsement specified in s. 343.17 (3) (d) 1m., the department of transportation shall ~~mail~~ provide a notice to the licensee either by mail at the licensee’s last-known address of the licensee or, if desired by the licensee, by any electronic means offered by the department of transportation that the licensee is required to pass a security threat assessment screening by the federal transportation security administration of the federal department of homeland security as part of the application to renew the endorsement. The notice shall inform the licensee that the licensee may commence the federal security threat assessment screening at any time, but no later than 30 days before expiration of the endorsement.

**SECTION 4.** 343.50 (4) of the statutes is amended to read:

343.50 (4) APPLICATION. The application for an identification card shall include any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em), and (er), and such further information as the department may reasonably require to enable it to determine whether the applicant is entitled by law to an identification card. ~~The~~ Except with respect to renewals by mail or electronic means as authorized under sub. (6), and except as provided in sub. (4g), the department shall, as part of the application process for original issuance or renewal of an identification card, take a photograph of the applicant to comply with sub. (3). ~~No application may be processed without the photograph being taken.~~ Misrepresentations in violation of s. 343.14 (5) are punishable as provided in s. 343.14 (9).

**SECTION 5.** 343.50 (4) of the statutes, as affected by 2007 Wisconsin Act 20 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

343.50 (4) APPLICATION. The application for an identification card shall include any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em), and (es), and such further information as the department may reasonably require to enable it to determine whether the applicant is entitled by law to an identification card. Except with respect to renewals described in s. 343.165 (4) (d) or renewals by mail or electronic means as authorized under sub. (6), and except as provided in sub. (4g), the department shall, as part of the application process for original issuance or renewal of an identification card, take a digital photograph including facial image capture of the applicant to comply with sub. (3). Misrepresentations in violation of s. 343.14 (5) are punishable as provided in s. 343.14 (9).

\*\*\*\*NOTE: This draft reconciles the treatment of s. 343.50 (4) in LRB-0315 and LRB-0321 by removing the applicable treatment from LRB-0321 and adding it to LRB-0315.

**SECTION 6.** 343.50 (6) of the statutes is amended to read:

343.50 (6) RENEWAL. At least 30 days prior to the expiration of ~~the~~ an identification card, the department shall ~~mail a renewal application to the provide to the card holder notice of renewal of the card either by mail at the card holder's last-known address of each identification card holder or, if desired by the card holder,~~ provide to the card holder notice of renewal of the card either by mail at the card holder's last-known address of each identification card holder or, if desired by the card holder, by any electronic means offered by the department. The department shall include with the application notice information, as developed by all organ procurement organizations in cooperation with the department, that promotes anatomical donations and which relates to the anatomical donation opportunity available under s. 343.175. The fee for a renewal identification card shall be \$18, which card shall be valid for 8 years, except that a card that is issued to a person who is not a United

States citizen and who provides documentary proof of legal status as provided under s. 343.14 (2) (er) shall expire on the date that the person's legal presence in the United States is no longer authorized. If the documentary proof as provided under s. 343.14 (2) (er) does not state the date that the person's legal presence in the United States is no longer authorized, then the card shall be valid for 8 years. The department may renew an identification card by mail or by any electronic means available to the department, but the department may not make consecutive renewals by mail or electronic means.

**SECTION 7.** 343.50 (6) of the statutes, as affected by [2007 Wisconsin Act 20](#), section [3383](#), and [2011 Wisconsin Act ...](#) (this act), is repealed and recreated to read:

**343.50 (6) RENEWAL NOTICE.** At least 30 days prior to the expiration of an identification card, the department shall provide to the card holder notice of renewal of the card either by mail at the card holder's last-known address or, if desired by the card holder, by any electronic means offered by the department. If the card was issued or last renewed based upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es) 4. to 7., the notice shall inform the card holder of the requirement under s. 343.165 (4) (c). The department shall include with the notice information, as developed by all organ procurement organizations in cooperation with the department, that promotes anatomical donations and which relates to the anatomical donation opportunity available under s. 343.175. The department may renew an identification card by mail or by any electronic means available to the department, but the department may not make consecutive renewals by mail or electronic means.

**SECTION 9448. Effective dates; Transportation.**

(1) IDENTIFICATION CARD RENEWALS. The repeal and recreation of sections 343.20 (2) (a) and 343.50 (4) and (6) of the statutes takes effect on July 1, 2011, on the day after publication, or on the date on which the creation of section 343.165 of the statutes by [2007 Wisconsin Act 20](#) takes effect, whichever is latest.

(END)