



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2011 Assembly Bill 55

Assembly Amendment 1

Memo published: October 18, 2011

Contact: Larry Konopacki, Senior Staff Attorney (267-0683)

CURRENT LAW

A person who fails to yield the right-of-way is generally subject to a forfeiture of not less than \$20 nor more than \$50 for a first offense, and not less than \$50 nor more than \$100 for any subsequent offense within a year. If a person's failure to yield results in bodily harm or death to another person, the court must suspend the person's driver's license for 30 days for causing bodily harm, 90 days for causing great bodily harm, and 9 months for causing death; and the person must forfeit \$200 if bodily harm results, \$500 if great bodily harm results, and \$1,000 if death results from the failure to yield.

For any failure-to-yield violation, the court must also order the person who commits the violation to attend a traffic safety school approved by the Department of Transportation (DOT) and conducted by a police department, sheriff's office, or regularly established safety organization. The traffic safety school must acquaint the person with vehicle right-of-way rules and provide instruction on motorcycle, pedestrian, and bicycle awareness.

A court is also allowed to suspend a person's operating privilege if the person is convicted of violating any state or local traffic law.

ASSEMBLY BILL 55

Under Assembly Bill 55, if bodily harm, great bodily harm, or death result from a failure to yield violation, DOT, and not the court, must suspend the driver's operating privilege for two months for causing bodily harm, three months for causing great bodily harm, and nine months for causing death.

The bill requires DOT, instead of a court, to order a person to attend traffic safety school for a failure to yield violation. The traffic safety school must be conducted by specified organizations and must be approved by DOT. The traffic safety school must provide instruction on the vehicle right-of-way rules and on motorcycle, pedestrian, and bicycle awareness.

If a person's operator's license has been suspended for a failure to yield violation that results in injury or death, the DOT may not reinstate a person's driving privileges unless the person has successfully completed the traffic safety school.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 requires at least 30 minutes of motorcycle, pedestrian, and bicycle awareness instruction in driver education courses, replaces references to "traffic safety schools" under the bill with "vehicle right-of-way courses," and makes changes to the initial applicability and effective date provisions in the bill.

LEGISLATIVE HISTORY

Assembly Amendment 1 was offered by Representative Pridemore on August 12, 2011. On October 11, 2011, the Assembly Committee on Transportation recommended adoption of Assembly Amendment 1 and passage of Assembly Bill 55, as amended, by votes of Ayes, 15; Noes, 0.

LAK:jb;wu