



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2015 Assembly Bill 209

Assembly Amendments 1 and 2

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2015 ASSEMBLY BILL 209

The bill contains several provisions that prohibit a person who holds a commercial driver license (CDL) from engaging in certain conduct. One provision prohibits a person from driving a commercial motor vehicle (CMV) while using a cellular or other wireless telephone, except to report an emergency.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 narrows the provision in the bill that prohibits a person from driving a CMV while using a telephone. Specifically, Assembly Amendment 1 prohibits a person from driving a CMV while using a telephone only if doing so requires the driver to: (1) use one or both hands to hold the telephone or any accessory connected to the telephone; (2) press more than a single button in order to dial or answer the telephone; or (3) reach for the telephone in a manner that requires the driver to maneuver so that he or she is no longer in a seated driving position.

ASSEMBLY AMENDMENT 2

Federal law provides that a person is ineligible to receive a CDL if he or she has been diagnosed with diabetes that requires insulin for control.

Wisconsin statutes, unchanged by the bill, provide that a person who is ineligible for a CDL because of inability to meet federal physical qualifications is eligible to receive a restricted CDL that authorizes a person to operate a CMV only within the state.

Assembly Amendment 2 specifies that a person is ineligible for a restricted CDL if the person has diabetes controlled by insulin and, within the past three years, has had any moving

violation or reportable at-fault accident due to diabetes while operating any motor vehicle. The amendment also prohibits the Wisconsin Department of Transportation from establishing a more restrictive eligibility standard relating to these provisions.

BILL HISTORY

Representative Spiros offered Assembly Amendment 1 on June 10, 2015, and Assembly Amendment 2 on August 10, 2015. On September 15, 2015, the Assembly Committee on Transportation recommended adoption of both amendments on successive votes of Ayes, 14; Noes, 0. On the same day, the committee voted to recommend adoption of the bill, as amended, on a vote of Ayes, 14; Noes, 0.

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