



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2015 Assembly Bill 432	Assembly Amendments 1 and 2
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Memo published: February 22, 2016 *Contact:* Jessica Karls-Ruplinger, Deputy Director (266-2230)

2015 ASSEMBLY BILL 432

Assembly Bill 432 requires the Department of Transportation (DOT) to revoke a person's operating privilege permanently if the person: (1) has five or more convictions for operating while intoxicated (OWI) offenses in the person's lifetime; or (2) has three or more OWI convictions within a 25-year period and has two or more qualifying convictions. A "qualifying conviction" is a conviction for certain homicides or felonies involving the use of a vehicle.

Under the bill, if a person's operating privilege is permanently revoked, he or she is not eligible for an occupational license. However, the person may apply for reinstatement of his or her operating privilege after 10 years of the revocation period have elapsed if all of the following apply: (1) the person has not been convicted of a felony or a misdemeanor during the 10-year period immediately preceding the application for reinstatement; and (2) the person submits to and complies with an assessment by an approved public treatment facility for examination of the person's use of alcohol and controlled substances and development of a driver safety plan for the person.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 creates additional provisions relating to a DOT appropriation and the bill's effective date.

First, the amendment increases a DOT appropriation relating to vehicle registration and driver licensing by \$198,510 for the fiscal year in which the bill, if enacted, takes effect to increase funding for purposes related to revocations of operating privilege under the bill. In addition, if the bill takes effect in fiscal year 2016-17, the amendment requires DOT, when it submits

information for the 2017-19 Biennial Budget Bill, to also submit information concerning this appropriation as though the \$198,510 appropriation increase had not been made.

Second, the amendment provides that the bill, if enacted, generally takes effect on the first day of the ninth month beginning after publication, except that the provision increasing the DOT appropriation, described above, takes effect on the day after publication of the bill, if enacted.

ASSEMBLY AMENDMENT 2

Assembly Amendment 2 limits the types of felony and misdemeanor convictions that would disqualify a person from applying for license reinstatement to convictions for OWI offenses or convictions for habitual traffic offender offenses.

BILL HISTORY

On December 16, 2015, Representative Genrich offered Assembly Amendment 1 to Assembly Bill 432. On December 17, 2015, the Assembly Committee on Judiciary recommended adoption of the amendment and passage of the bill, as amended, on votes of Ayes, 9; Noes, 0.

On January 15, 2016, Representative Genrich offered Assembly Amendment 2 to Assembly Bill 432. On February 18, 2016, the Assembly adopted Assembly Amendments 1 and 2 and passed Assembly Bill 432, as amended, on voice votes.

JKR:ksm