



2011 ASSEMBLY BILL 698

March 15, 2012 - Introduced by Representative VAN ROY. Referred to Committee on Transportation.

- 1 **AN ACT to create** 343.10 (5m) of the statutes; **relating to:** limitations on the use
2 of an occupational license.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions and limitations, a person may apply to the Wisconsin Department of Transportation for an occupational license if the person's operating privilege is revoked or suspended for various specified offenses and the person is engaged in an occupation, including homemaking, trade, or study, making it essential that he or she operate a motor vehicle. The occupational license must contain definite restrictions as to hours of the day, hours per week, type of occupation, and areas or routes of travel that are permitted under the occupational license. The occupational license may allow travel to and from church.

Current federal law requires a state to enact and enforce a repeat intoxicated driver law that meets certain requirements. Among the requirements is that, as a minimum penalty, persons convicted of a second or subsequent offense for driving while intoxicated may receive a reinstatement of "limited driving privileges for the purpose of getting to and from work, school, or an alcohol treatment program." Failure to meet the federal repeat intoxicated driver law requirements subjects the state to a transfer of 3 percent of federal funds apportioned to the state for federal-aid highways to the state's apportionment of funds for certain highway safety programs. In September 2011, the federal Department of Transportation determined that Wisconsin is not in compliance with federal repeat intoxicated driver law requirements and ordered a transfer of funds.

This bill allows the state secretary of transportation, if he or she determines that the imposition of restrictions is necessary to avoid a transfer of funds due to

