

(f) A statement as to the assessed value of each property offered, its market value and the value of the equity over and above all encumbrances, liens and unpaid taxes.

(g) That the equity of the real property is equal to twice the penalty of the bond or undertaking.

This sworn statement shall be in addition to and notwithstanding other affidavits or statements of justification required or provided for elsewhere in the statutes in connection with such bonds and undertakings.

SECTION 2. This act shall take effect July 1, 1943.

Approved July 12, 1943.

No. 628, A.]

[Published July 14, 1943.]

CHAPTER 521.

AN ACT to repeal 85.08 (9) (c) and (27) (a) and (b); to repeal and recreate 85.08 (25c), and to amend 85.08 (5), (6) (a), (9) (b), (16), (20) (c), (24) (b) and (d), (27) (Introductory paragraph) and (33) of the statutes, relating to motor vehicle operators' licenses.

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

SECTION 1. 85.08 (5), (6) (a), (9) (b), (16), (20) (c), (24) (b) and (d), (27) (introductory paragraph) and (33) of the statutes are amended to read:

85.08 (5) * * * *Any person whose operator's license or motor vehicle license * * * has been withheld, suspended, revoked or canceled by this state or any other state, province or country previous to the enactment of this section [by 1941 C. 206] shall * * * be eligible to apply for a reinstated Wisconsin operator's license in the same manner as a person whose operator's license or motor vehicle license is withheld, suspended, revoked or canceled under this section.*

(6) (a) To any person whose license was withheld, suspended, revoked or canceled under the provisions of the law that was in effect before the effective date hereof * * * unless such person shall * * * *comply with the requirements of this section*
* * *

(9) (b) Any negligence or wilful misconduct of a person under the age of 16 years when operating a motor vehicle upon the highways shall be imputed to the person who signed the application of such person for a permit or license, which person shall be jointly and severally liable for such operator for any damages caused by such negligent or wilful misconduct * * *.

(16) In event that an instruction permit or license issued under the provisions of this section is lost or destroyed, the person to whom the same was issued, may obtain a duplicate or substitute thereof upon furnishing proof satisfactory to the department that such permit or license has been lost or destroyed. * * * In the event that the original license is found it shall immediately be transmitted to the department.

(20) (c) The department shall maintain a file for each licensee so that such file shall contain the application for license, a copy of the license issued, a record of reports or abstract of convictions, and a record of any reportable accident in which the licensee has been involved. This information must be * * * filed by the department so that the complete operator's record is available for the exclusive use of the commissioner in determining whether the operating privileges of such person shall be suspended, revoked, canceled or withheld in the interest of public safety. Such reports and records * * * *may be accumulative beyond the period for which a license is granted but the commissioner of the motor vehicle department, in exercising the power of suspension granted him under section 85.08 (27) (m), shall consider only those reports and records entered during the four-year period immediately preceding the exercise of such power of suspension.*

(24) (b) Every court having jurisdiction over offenses committed under this section, or any other law of this state, county, city or village ordinance which is in conformity with state law regulating the operation of motor vehicles on highways, shall forward to the department a record of the conviction of any person in such court for * * * *any moving traffic violation, * * * of chapter 85 or any local ordinance which is in conformity therewith* * * *.

(d) *Whenever the driving privilege of any person is suspended, revoked or denied, the department shall thereupon forward the name and address of * * * such person * * * to the sheriff of the county, chiefs of police, and county traffic*

* * * *department* in the county in which such person resides; and once each month furnish the sheriff of each county, the chief of police of each city, and all county traffic officers, a list of the names and addresses of all operators whose licenses have been suspended or revoked during the preceding month under this section and the periods thereof.

(27) (Introductory paragraph) Whenever an operator is convicted under a state law or under a county, city or village ordinance which is in conformity to the state law, the commissioner shall suspend the license of such operator without preliminary hearing, upon receiving the record of such operator's conviction of * * * *a traffic violation which is the cause of an accident resulting in death or personal injury of another or of permitting an unlawful or fraudulent use of such license.*

(33) The commissioner having good cause to believe that a licensed operator is incompetent or otherwise not qualified to be licensed, may upon written notice of at least 5 days to the licensee require him to submit to an examination. Upon the conclusion of such examination the commissioner shall take action as may be appropriate and may * * * *require the surrender of such license of such person or permit him to retain such license * * * subject to any restriction he may order.* Refusal or neglect of the licensee to submit to such examination shall be grounds for * * * *requiring the surrender * * ** of such license.

SECTION 2. 85.08 (9) (c) and (27) (a) and (b) of the statutes are repealed.

SECTION 3. 85.08 (25c) of the statutes is repealed and recreated to read:

85.08 (25c) OCCUPATIONAL LICENSES. The presiding judge or justice at the time of conviction of any person on a charge of violating any state law or county, city or village ordinance prohibiting a person from operating a motor vehicle while under the influence of intoxicating liquor may order the commissioner of the motor vehicle department to issue an occupational license to such person provided that such person has not been convicted of any such offense within the preceding 12-month period. Such occupational order shall be mailed to the motor vehicle department with the report of conviction and operator's license of the convicted operator. The order for issuance of an occupational license shall contain definite restrictions

as to hours of the day, type of occupation, areas or routes of travel to be permitted under such license. If the order for an occupational license permits the convicted operator to operate vehicles other than those registered in the name of the person or company by which he is employed, the commissioner of the motor vehicle department shall not issue an occupational license to such person until such person has filed acceptable proof of his financial responsibility as specified in section 85.09. The period of restricted operation under an occupational license shall be for one year from the date of conviction. Where a restricted license is issued and is not revoked during the year the department shall return to the operator the license which was surrendered at the time of conviction. Any operator who was denied an occupational license at the time of his conviction who has since gained employment requiring him to operate a motor vehicle, may petition the convicting judge or justice for an occupational license. The judge or justice, upon the facts presented by such petition, may, if it is deemed necessary, order the commissioner of the motor vehicle department to issue an occupational license for that portion of the year which has not elapsed since his original conviction. In the event that an occupational licensee is convicted for operating in violation of his restrictions, a serious traffic violation, or the judge or justice does not, upon the facts see fit to permit such person to retain such occupational license, the commissioner of the motor vehicle department shall, upon receipt of notice thereof, revoke all operators' and motor vehicle licenses of such licensee. Such revocation shall be effective as of the date of such violation, conviction or withdrawal order and shall continue with the same force and effect as other revocations made by the commissioner under subsection (25). Any person convicted for violation of any restriction of an occupational license shall in addition to the immediate revocation of such licenses be punished by a fine not to exceed \$100 or by imprisonment in the county or municipal jail for not more than 6 months or by both such fine and imprisonment.

Approved July 12, 1943.