

No. 819, A.]

[Published November 29, 1955.

CHAPTER 662

AN ACT to amend 85.08 (1) (i) and (24) (b), as amended by chapter 575, laws of 1955, 85.08 (24) (a) and (c) and 85.831 of the statutes, relating to reporting of stipulations of guilt to the motor vehicle department.

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

SECTION 1. 85.08 (1) (i) and (24) (b) of the statutes, as amended by chapter 575, laws of 1955, are amended to read:

85.08 (1) (i) "Conviction" means a final conviction; a forfeiture of bail or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, * * * *or a stipulation of guilt pursuant to s. 85.831, is equivalent to a conviction; a finding of a juvenile court under ch. 48 of a violation of this chapter or of a county or municipal ordinance enacted in conformity with s. 85.84 * * * is equivalent to a conviction.*

(24) (b) Every court having jurisdiction over offenses committed under this section, or any other law of this state, or a 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 ch. 85 or any local ordinance which is in conformity therewith. *If the offender has stipulated his guilt of such an offense pursuant to s. 85.831 the official receiving the penalty shall forward a certified copy of the stipulation to the department.*

SECTION 2. 85.08 (24) (a) and (c) of the statutes are amended to read:

85.08 (24) (a) Whenever any person is convicted of any offense for which this section makes mandatory the revocation by the department of a license or the privilege to secure a license, the court in which such conviction is had shall require the surrender to it of all licenses then held by the person so convicted, and the court shall thereupon forward the same together with a record of such conviction to the department * * * *and shall report * * * whether such party was involved in an accident at*

the time of the offense. *If the offender has stipulated his guilt of such an offense pursuant to s. 85.831, the official receiving the penalty shall require the surrender to him of all licenses then held by the offender and shall forward the same to the department with a certified copy of the stipulation and a statement whether the offender was involved in an accident at the time of the offense.*

(c) It * * * is the duty of the clerk of such court or the justice of the peace, judge or magistrate of such court not having a clerk, or the official receiving the penalty under a stipulation of guilt, to comply with * * * pars. (a) and (b) and the failure of such person whose duty it is to make such entry or to forward such record of conviction or certified copy of the stipulation of guilt to the department within 48 hours thereafter, * * * is a misdemeanor and the commissioner shall cause to be brought * * * against such person such action as the statutes provide.

SECTION 3. 85.831 of the statutes is amended to read:

85.831 Local ordinances adopted in conformity with * * * this chapter, may contain a provision for stipulation of guilt of the offense charged as to such offenses and in such manner as the local ordinance shall designate. When such stipulation is timely and payment of the penalty fixed is made to the designated official, the person charged with the offense need not appear in court and no witness fees or other additional costs shall be taxed unless the local ordinance so provides. *The official receiving the penalty shall comply with s. 85.08 (24) (a) and (b).*

Approved November 18, 1955.
