

State of Wisconsin



1995 Assembly Bill 231

Date of enactment: April 3, 1996
Date of publication*: April 17, 1996

1995 WISCONSIN ACT 184

AN ACT to amend 343.23 (2) of the statutes; relating to: information contained in the files on licensees maintained by the department of transportation.

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

SECTION 1. 343.23 (2) of the statutes is renumbered 343.23 (2) (a) and amended to read:

343.23 (2) (a) The department shall maintain a file for each licensee containing the application for license, permit or endorsement, a record of reports or abstract of convictions, the status of the licensee's authorization to operate different vehicle groups, a record of any out-of-service orders issued under s. 343.305 (7) (b) or (9) (am) and a record of any reportable accident in which the licensee has been involved, including specification of the type of license and endorsements issued under this chapter under which the licensee was operating at the time of the accident and an indication whether or not the accident occurred in the course of the any of the following:

1. The licensee's employment as a law enforcement officer as defined in s. 165.85 (2) (c), fire fighter as defined in s. 102.475 (8) (b), or emergency medical technician—paramedic or technician as defined in s. 146.50 (1) (e).

2. The licensee's employment as a person engaged, by an authority in charge of the maintenance of the highway, in highway winter maintenance snow and ice removal during either a storm or cleanup following a storm. This information For purposes of this subdivision, "highway winter maintenance snow and ice removal" includes

plowing, sanding, salting and the operation of vehicles in the delivery of those services.

(b) The information specified in par. (a) must be filed by the department so that the complete operator's record is available for the use of the secretary in determining whether operating privileges of such person shall be suspended, revoked, canceled or withheld in the interest of public safety. The record of suspensions, revocations and convictions that would be counted under s. 343.307 (2) shall be maintained for at least 10 years. The record of convictions for disqualifying offenses under s. 343.315 (2) (f) shall be maintained for at least 3 years. The record of convictions for disqualifying offenses under s. 343.315 (2) (a) to (e) shall be maintained permanently, except that 5 years after a licensee transfers residency to another state such record may be transferred to another state of licensure of the licensee if that state accepts responsibility for maintaining a permanent record of convictions for disqualifying offenses. Such reports and records may be cumulative beyond the period for which a license is granted, but the secretary, in exercising the power of revocation granted under s. 343.32 (2) may consider only those reports and records entered during the 4-year period immediately preceding the exercise of such power of revocation. For purposes of this subsection, "highway winter maintenance snow and ice removal" includes plowing, sanding, salting and the operation of vehicles in the delivery of those services.

* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

SECTION 2. 343.23 (2) (a) 3. of the statutes is created to read:

343.23 (2) (a) 3. The licensee's performance of duties as a first responder, as defined in s. 146.53 (1) (d).

SECTION 3. Initial applicability.

(1) This act first applies to records of reportable accidents occurring on the effective date of this subsection.

SECTION 4. Effective date.

(1) This act takes effect on the first day of the 13th month beginning after publication.
