



2017 ASSEMBLY BILL 390

June 16, 2017 - Introduced by Representatives JACQUE, BALLWEG, R. BROOKS, HORLACHER, KLEEFISCH, KREMER, MURPHY, SKOWRONSKI and TUSLER, cosponsored by Senators WANGGAARD, MARKLEIN and L. TAYLOR. Referred to Committee on Judiciary.

1 **AN ACT to amend** 343.44 (1) (b) and 343.44 (2) (b) (intro.) of the statutes;
2 **relating to:** operating a motor vehicle after revocation of the operating
3 privilege and requirements of the court during sentencing.

Analysis by the Legislative Reference Bureau

Under current law, no person whose operating privilege has been revoked may “knowingly operate a motor vehicle upon any highway in this state during the period of revocation.” This bill eliminates the word “knowingly” from current law and provides that a person’s knowledge that his or her operating privilege is revoked is not an element of the offense of operating after revocation (OAR).

Under current law, in imposing a sentence for an OAR violation, the court is required to consider all of the following: 1) aggravating and mitigating circumstances, 2) the class of vehicle operated, 3) the number of prior convictions within the preceding 5 years, 4) the reason for the revocation, and 5) any convictions for moving violations arising out of the incident. This bill provides that the court may consider this information.

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

4 **SECTION 1.** 343.44 (1) (b) of the statutes is amended to read:

