

State of Misconsin 2021 - 2022 LEGISLATURE

LRB-2624/2 ZDW:klm

2021 ASSEMBLY BILL 466

July 13, 2021 – Introduced by Representatives SPIROS, DITTRICH, HORLACHER, KNODL, MOSES, PLUMER, ROZAR, THIESFELDT, WICHGERS and MURPHY, cosponsored by Senator WANGGAARD. Referred to Committee on Judiciary.

1 AN ACT to renumber and amend 343.44 (2) (ag) 1.; and to create 343.44 (2) (ag)

- 2 1. a., 343.44 (2) (ag) 1. b. and 343.44 (2) (ag) 1. c. of the statutes; **relating to:**
- 3 the penalty for operating a motor vehicle while operating privileges have been
- 4 suspended and providing a penalty.

Analysis by the Legislative Reference Bureau

This bill modifies the penalty for a person who operates a motor vehicle while the person's operating privilege has been suspended (OWS).

Under current law, no person may operate a motor vehicle upon a highway unless the person possesses a valid operator's license that is not revoked, suspended, canceled, or expired. The penalty for operating a motor vehicle without a license (OWL) is a forfeiture of not more than \$200 for the first offense, a fine of not more than \$300 and imprisonment for not more than 30 days for the second offense occurring within 3 years, and a fine of not more than \$500 and imprisonment for not more than 6 months for the third or subsequent offense occurring within 3 years.

Under current law, the penalty for an OWS violation that does not cause great bodily harm or death is a forfeiture of \$50 to \$200. The bill modifies the penalty for OWS so that it is the same as OWL violations.

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For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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

1 SECTION 1. 343.44 (2) (ag) 1. of the statutes is renumbered 343.44 (2) (ag) 1.

- 2 (intro.) and amended to read:
- 3 343.44 (2) (ag) 1. (intro.) Except as provided in subds. 2. and 3., any person who
- 4 violates sub. (1) (a) shall be required to forfeit not less than \$50 nor more than \$200.:
- 5 SECTION 2. 343.44 (2) (ag) 1. a. of the statutes is created to read:
- 6 343.44 (2) (ag) 1. a. Required to forfeit not more than \$200 for the first offense.
- 7 SECTION 3. 343.44 (2) (ag) 1. b. of the statutes is created to read:
- 8 343.44 (2) (ag) 1. b. Fined not more than \$300 and imprisoned for not more than
- 9 30 days for the 2nd offense occurring within 3 years.

SECTION 4. 343.44 (2) (ag) 1. c. of the statutes is created to read:

11 343.44 (2) (ag) 1. c. Fined not more than \$500 and imprisoned for not more than

12 6 months for the 3rd or subsequent offense occurring within 3 years.

- 13 SECTION 5. Initial applicability.
- 14 (1) This act first applies to offenses committed on the effective date of this15 subsection.
- 16

(END)