

2001 – 2002 WISCONSIN LEGISLATIVE SESSION
LAW ENFORCEMENT PROPOSALS

NEW ACTS

ACT 2 (AB 54) Effective April 17, 2001 – Permits parent(s) to relinquish custody of newborn infants 72 hours old or younger to law enforcement, EMS or hospital staff, with anonymity and without law enforcement interference (ss.48.195).

ACT 8 (AB 98) Effective June 27, 2001 – Permits fishing with a bow and arrow within 50 feet of the center of a roadway if the person does not shoot the arrow across the highway (ss.167.31).

ACT 9 (AB 24) Effective June 27, 2001 – Removes requirement that persons taking an examination for the position of deputy sheriff position must be residents of that county at least 1 year before the examination date (ss.59.26).

ACT 14 (SB 58) Effective September 1, 2001 – Regulates snowmobile railroad crossings (ss.Chapter 350).

ACT 15 (SB 10/AB 245) Effective December 1, 2001 – Requires motorists to slow down or change lanes when approaching an emergency vehicle, a tow truck, or a highway maintenance vehicle parked within 12 feet of the roadway and displaying their emergency lights (ss.346.072).

ACT 16 (Budget Bill) Varying effective dates:

- 1) Requires courts to order either the immobilization of or the installation of an IID on every motor vehicle owned by a person convicted of OWI offenses within a specific time period;
- 2) Eliminates Class B road designation;
- 3) Creation of two penalty categories for repeat offenders;
- 4) Requires adoption of policies specifying the kinds of reports of suspected or threatened abuse which will be routinely referred to the DA for criminal prosecution (ss.48.981(3));
- 5) Requires law enforcement agencies to retain/store “biological material that was collected with a criminal investigation...” (ss.968.205).

ACT 27 (AB 241 / SB 70) Effective July 1, 2002 – Requires law enforcement officers to report traffic violations and crashes involving foreign diplomats to the US Department of Justice (ss.345.11).

ACT 28 (AB 290) Effective December 14, 2001 – Prohibits the installation of a previously deployed or otherwise non-functional airbag into a motor vehicle (ss.347.475).

ACT 33 (AB 60) Effective December 18, 2001 – Prohibits making, possessing, distributing, or exhibiting any representation that depicts nudity (e.g. videos) (ss.Chapter 942).

ACT 34 (AB 142) Effective January 5, 2002 – Prohibits motorists from following a snowplow closer than 200' when the snowplow is engaged in snow removal and is operating on a roadway with a posted speed limit of more than 35 mph and is displaying its emergency lights; exception is granted for passing (ss.346.915).

ACT 41 (AB 110) Effective January 5, 2002 – Permits law enforcement access to DOT driver license/ID photographs; eliminates sunset provision of August 1, 2003 (ss.343.237).

ACT 47 (SB 38) Effective April 17, 2002 – Specifies a speed limit of 15 mph at an intersection or other location properly marked as a “school crossing” when any child or a crossing guard is present and performing her/his duties (ss.346.57).

ACT 58 (SB 179) Effective May 1, 2004 – Requires school buses to be equipped with crossing gates which prevent children from crossing in front of the bus when stopped to board or disembark passengers (ss.347.445).

(Governor has until April 25 to sign these enrolled bills):

ACT (AB 147) Effective after signing – Authorizes DOT and local highway officials to issue a single trip permit for the operation of “decked” motor carriers (ss.348.26).

ACT (AB 157) Effective after signing – Prohibits certain violent felons from possessing body armor (ss.941.291).

ACT (AB 737 / SB 425) – Clarifies State Patrol authority to investigate violations of traffic laws (ss.110.07).

PROPOSALS THAT PASSED AT LEAST ONE HOUSE

AB 3 – Truth in sentencing.

AB 5 – Permits circuit courts to suspend operating privilege of juveniles solely for failure to pay forfeiture for an ordinance violation unrelated to mv operation (ss.Chapter 938).

AB 58 / SB 29 – Creates a new classification of motor vehicle defined as a “low speed vehicle”.

AB 63 – Extends duty to stop at the scene of a crash and provide information/assistance if mv operator knew or should have known that her/his actions caused the crash (ss.346.67).

AB 154 – Requires school buses to have headlights and all other vehicle lights on at all times whenever it is operating on the highway (ss.Chapter 347).

AB 167 – Defines “federal law enforcement agency” and authorized these agencies access to WisDOT driver license/ID photographs (ss.343.237).

AB 171 / SB 462 – Requires anyone convicted or adjudicated of a bomb scare involving the threatened destruction of a school premises, or possession or discharge of a weapon while on school grounds to face a suspension of their driver’s license (ss.343.31 & ss.938.43).

AB 199 – Imposes a liability upon the owner of a vehicle involved in violation of any existing railroad crossing; a railroad employee who observes the violation may submit a written report to law enforcement within 24 hours of the incident (ss.346.542).

AB 216 / SB 95 – Prohibits right of discovery in OWI refusal cases unless cause indicates a necessity for review of breath testing equipment (ss.343.305).

AB 239 – Changes to snowmobile laws.

AB 271 – Restores the authority of the courts to suspend operating privileges for adults who fail to pay forfeitures for non-driving violations (ss.800.09).

AB 289 – Permits trucks having a gross vehicle weight of more than 26,000 pounds to be equipped with a flashing/rotating amber light when traveling upon a highway with a speed limit greater than 35mph when the truck is traveling at least 10mph below the posted speed limit, stopped, or backing into a driveway (ss.347.26).

AB 374 - Defines organ transplant vehicles as “authorized emergency vehicles” (ss.346.03).

AB 392 – Permits law enforcement officers to exceed the speed limit for the purpose of certifying equipment for use in detecting speed violations (ss.346.03).

AB 522 – Prohibits a person from intentionally absconding from a service station, garage or other place where gasoline/diesel fuel is sold without paying for the fuel (ss.943.21).

AB 529 – Permits retired law enforcement officers and military officers to carry concealed weapons (ss.941.23).

AB 540 – Requires DOJ to correct information on DOJ records relating to firearms restrictions record checks, notify the agency that provided the incorrect information and request a correction, and notify the person who received the denial based on incorrect information (ss.175.35).

AB 608 – Prohibits any person from soliciting, collecting or providing material support for any terrorist act (ss.947.07).

AB 618 – Increases the penalty for pointing a firearm at a law enforcement officer (ss.941.20).

AB 665 – Permits school buses registered outside of Wisconsin to be operated in Wisconsin with a trailer or semi-trailer attached (ss.346.94).

AB 675 / SB 357 – Carrying concealed weapons (ss.175).

AB 731 – Prohibits the display, possession or sale of a stolen registration plate, insert tag, decal or other evidence of vehicle registration (ss.341.607).

AB 782 / SB 393 – Personal Mobility Devices.

AB 828 – Establishes minimum forfeiture of \$100 for an unregistered or improperly registered vehicle or for a registration that has been revoked, suspended or cancelled (ss.342.05).

AB 830 – Requires local units of government the opportunity to request traffic control signals to be equipped with an emergency preemption device and confirmation signal before installation of traffic control signals (ss.347.2.55)

SB 6 – Permits lamps emitting a red or white flashing light to be used on bicycles and motorbikes in addition to the rear red reflector.

SB 19 – Requires all vehicle lights to be on when windshield wipers are being used (ss.347.065).

SB 227 – Requires each school bus operator under age 70 years to be tested every four years and those drivers aged 70 and over to be tested every two years.

SB 438 – Issuance of domestic abuse restraining orders.

SB 440 – Penalties related to stalking (ss.Chapter 940).

SB 464 – Disqualification from CMV operation for railroad crossing violations (ss.Chapter 343).

SB 253 – Requires court to consider forfeiture installment payments and community service for persons convicted of traffic violations.

POSSIBLE PROPOSALS FOR FINAL BUDGET REFORM BILL

AB 458 – Creates a definition of “hail damaged vehicle” which does not require an inspection for only cosmetic repairs (ss.340.01 and 342.10).

Creation of a new pursuit violation in ss.346.04(2t).

