

**2001 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-SB55)**

Received: 06/21/2001

Received By: fasttn

Wanted: Soon

Identical to LRB:

For: Spencer Black (608) 266-7521

By/Representing: Susan McMurray

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Transportation - traffic laws

Extra Copies: TNF, PJH

Submit via email: YES

Requester's email: Rep.Black@legis.state.wi.us

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Cell phone use while driving (52)

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	agary 06/25/2001	jdyer 06/25/2001	rschluet 06/26/2001	_____	lrb_docadmin 06/27/2001	lrb_docadmin 06/27/2001	

FE Sent For:

<END>

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/1	agary	1/15 jld	cmw 4/16 /1	_____	_____		

FE Sent For:

<END>

## **Assembly Democrat Budget Amendment Requests**

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**Request Number:** 52  
(not LRB number)

**Agency:** DOT

**Description:** No cell phone use while driving

**Attachments:** AB 120

**Cost (if known):** NA

**Contact person:** Susan McMurray, 266-7521, Representative Black's Office

**Gary, Aaron**

**From:** McMurray, Susan  
**Sent:** Monday, June 25, 2001 9:41 AM  
**To:** Gary, Aaron  
**Cc:** McMurray, Susan  
**Subject:** RE: Assembly Democrat Budget Amendment Request No. 52

Aaron:

AB 201 is not the bill to draft as an amendment. The legislator wants AB 240 drafted. Sorry for the trouble.

Susan

-----Original Message-----

**From:** Gary, Aaron  
**Sent:** Monday, June 25, 2001 9:19 AM  
**To:** McMurray, Susan  
**Subject:** RE: Assembly Democrat Budget Amendment Request No. 52

Thanks for your response. I will go ahead and prepare the draft based on AB-201 unless I hear differently from you. I'll also note, below, what AB-201, AB-202, and AB-240 do, just to verify that AB-201 is the right bill to base the amendment on.

AB-201: requires traffic accident reports to include information on whether cell phone use contributed to causing the accident.

AB-202: prohibits a person holding a probationary license (typically teenagers who are first getting their driver's license) from using a cell phone while operating a vehicle, except to report an emergency.

AB-240: prohibits any driver from using a cell phone while operating a vehicle, except to report an emergency and except for hands-free cell phones.

Again, I will proceed with the draft based on AB-201 unless I hear differently from you today. Thank you. Aaron

Aaron R. Gary  
*Legislative Attorney*  
*Legislative Reference Bureau*  
608.261.6926 (voice)  
608.264.6948 (fax)  
[aaron.gary@legis.state.wi.us](mailto:aaron.gary@legis.state.wi.us)

-----Original Message-----

**From:** McMurray, Susan  
**Sent:** Monday, June 25, 2001 9:03 AM  
**To:** Gary, Aaron  
**Cc:** McMurray, Susan  
**Subject:** RE: Assembly Democrat Budget Amendment Request No. 52

Aaron:

Try AB 201. Sorry about the error.

Susan

-----Original Message-----

**From:** Gary, Aaron  
**Sent:** Saturday, June 23, 2001 7:57 PM  
**To:** McMurray, Susan  
**Subject:** Assembly Democrat Budget Amendment Request No. 52

Susan,

The above-referenced request is described as "No cell phone use while driving." It refers to "AB 120." This session, three bills relating to cell phones and driving have been introduced: AB-201, AB-202, and AB-240. If you would like this budget item to duplicate a currently introduced bill, please let me know which is the correct bill number.

Thank you. Aaron

Aaron R. Gary  
*Legislative Attorney*  
*Legislative Reference Bureau*  
608.261.6926 (voice)  
608.264.6948 (fax)  
[aaron.gary@legis.state.wi.us](mailto:aaron.gary@legis.state.wi.us)

2001

Date (time) needed

soon

LRB b 1436 / 1

**ADC CAUCUS BUDGET AMENDMENT  
[ONLY FOR CAUCUS]**

ARG: jld

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CAUCUS AMENDMENT  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1  
TO 2001 SENATE BILL 55**

B-note

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page 1129, line 6: after that line insert:

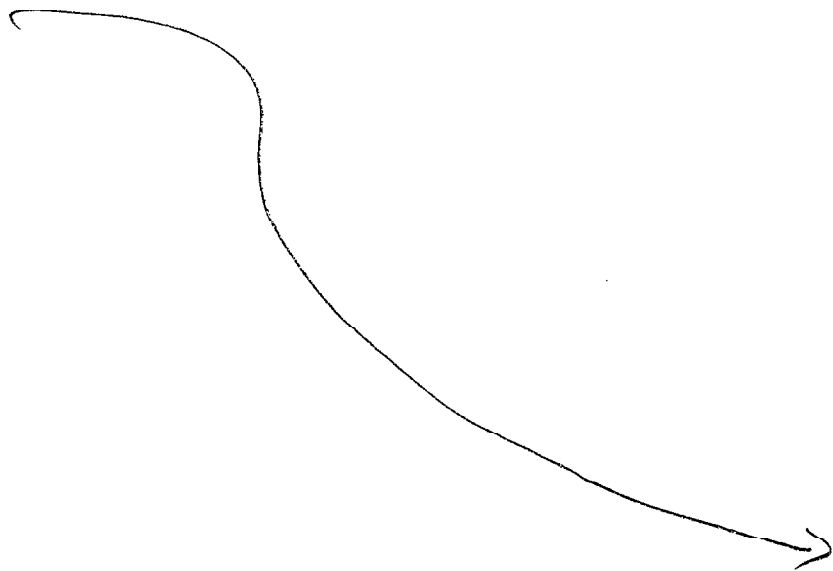
~~#. Page . . . . , line . . . . :~~

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B1436/1

ADC

**2001 ASSEMBLY BILL 240**

D-Note

March 22, 2001 - Introduced by Representatives COLON, BOYLE, CARPENTER, BERCEAU and CULLEN Referred to Committee on Highway Safety.

1  
2  
3

**AN ACT to amend 346.95 (2); and to create 346.895 of the statutes; relating to:**  
operating a motor vehicle while using a cellular or other mobile telephone and  
providing a penalty.

***Analysis by the Legislative Reference Bureau***

Current law prohibits inattentive driving, which means that a driver of a motor vehicle may not be so engaged or occupied as to interfere with the safe driving of the vehicle. Any person convicted of inattentive driving may be required to forfeit not less than \$20 nor more than \$400.

This bill generally prohibits a person from operating a motor vehicle (other than an authorized emergency vehicle) while using a cellular or other mobile telephone (cellular phone), regardless of whether use of the cellular phone interferes with the operation of the vehicle. However, an operator may use a hands-free cellular phone and may use a cellular phone to report an emergency. Any person convicted of operating a motor vehicle while using a cellular phone may be required to forfeit not less than \$20 nor more than \$400.

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

4

SECTION <sup>3445c. x</sup> 346.895 of the statutes is created to read:





**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb1436/1dn

ARG:\*

JLA

date

The attached amendment is identical to 2001 AB-240. ✓

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: aaron.gary@legis.state.wi.us

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb1436/1dn  
ARC:jld:cmh

June 26, 2001

The attached amendment is identical to 2001 AB-240.

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: [aaron.gary@legis.state.wi.us](mailto:aaron.gary@legis.state.wi.us)