



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa0498/1
ARG:wlj:md

**ASSEMBLY AMENDMENT 1,
TO 2009 ASSEMBLY BILL 137**

June 1, 2009 – Offered by Representative MOLEPSKE JR..

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 3, line 14: after that line insert:

3 “**SECTION 2m.** 343.10 (6) of the statutes is amended to read:

4 343.10 (6) FEE. No person may file an application for an occupational license
5 under sub. (1) unless he or she first pays to the department the fees fee specified in
6 s. 343.21 (1) (k) and ~~(n)~~.

7 **SECTION 3m.** 343.21 (1) (n) of the statutes is repealed.

8 **SECTION 4m.** 343.22 (2m) of the statutes is amended to read:

9 343.22 (2m) Whenever any person, after applying for or receiving a license
10 containing a photograph under this chapter, or an identification card under s. 343.50,
11 is notified by the local authorities or by the postal authorities that the address named
12 in the application or in the license or identification card issued to him or her has been
13 changed and the person applies for a duplicate license or identification card under

1 sub. (2), no fees shall be charged under s. 343.21 (1) (L) ~~and (n)~~ or 343.50 ~~(5m)~~ and
2 (7) for the duplicate license or identification card.

3 **SECTION 5m.** 343.22 (2m) of the statutes, as affected by 2007 Wisconsin Act 20
4 and 2009 Wisconsin Act (this act), is repealed and recreated to read:

5 343.22 **(2m)** Whenever any person, after applying for or receiving a license
6 under this chapter, or an identification card under s. 343.50, is notified by the local
7 authorities or by the postal authorities that the address named in the application or
8 in the license or identification card issued to him or her has been changed and the
9 person applies for a duplicate license or identification card under sub. (2), no fees
10 shall be charged under s. 343.21 (1) (L) or 343.50 (7) for the duplicate license or
11 identification card.

12 **SECTION 6m.** 343.305 (8) (b) 5. (intro.) of the statutes is amended to read:

13 343.305 **(8)** (b) 5. (intro.) If the hearing examiner finds that any of the following
14 applies, the examiner shall order that the administrative suspension of the person's
15 operating privilege be rescinded without payment of any fee under s. 343.21 (1) (j)
16 ~~or (n)~~:

17 **SECTION 7m.** 343.305 (8) (c) 5. of the statutes is amended to read:

18 343.305 **(8)** (c) 5. If any court orders under this subsection that the
19 administrative suspension of the person's operating privilege be rescinded, the
20 person need not pay any fee under s. 343.21 (1) (j) ~~or (n)~~.

21 **SECTION 8m.** 343.315 (3) (b) of the statutes is amended to read:

22 343.315 **(3)** (b) If a person's license or operating privilege is not otherwise
23 revoked or suspended as the result of an offense committed after March 31, 1992,
24 which results in disqualification under sub. (2) (a) to (f), (h), (i), or (j), the department
25 shall immediately disqualify the person from operating a commercial motor vehicle

1 for the period required under sub. (2) (a) to (f), (h), (i), or (j). Upon proper application
2 by the person and payment of the fees fee specified in s. 343.21 (1) (L) and ~~(n)~~, the
3 department may issue a separate license authorizing only the operation of vehicles
4 other than commercial motor vehicles. Upon expiration of the period of
5 disqualification, the person may apply for authorization to operate commercial
6 motor vehicles under s. 343.26.

7 **SECTION 9m.** 343.38 (2) of the statutes is amended to read:

8 343.38 (2) REINSTATEMENT OF NONRESIDENT'S OPERATING PRIVILEGE AFTER
9 REVOCATION BY WISCONSIN. A nonresident's operating privilege revoked under the
10 laws of this state is reinstated as a matter of law when the period of revocation has
11 expired and such nonresident obtains a valid operator's license issued by the
12 jurisdiction of the nonresident's residence and pays the fees fee specified in s. 343.21
13 (1) (j) and ~~(n)~~.

14 **SECTION 10m.** 343.39 (1) (a) of the statutes is amended to read:

15 343.39 (1) (a) When, in the case of a suspended operating privilege, the period
16 of suspension has terminated, the fees fee specified in s. 343.21 (1) (j) and ~~(n)~~ have
17 has been paid to the department and, for reinstatement of an operating privilege
18 suspended under ch. 344, the person files with the department proof of financial
19 responsibility, if required, in the amount, form and manner specified under ch. 344.

20 **SECTION 11m.** 343.50 (5m) of the statutes is repealed.

21 **SECTION 12m.** 344.18 (1) (intro.) of the statutes is amended to read:

22 344.18 (1) (intro.) Any registration suspended or revoked under s. 344.14 shall
23 remain suspended or revoked and shall not be renewed or reinstated until the person
24 pays the fee required under s. 341.36 (1m), meets one of the requirements under pars.
25 (a) to (d) and satisfies the requirements of sub. (1m). Any operating privilege

1 suspended or revoked under s. 344.14 shall remain suspended or revoked and shall
2 not be reinstated until the person pays the fees fee required under s. 343.21 (1) (j)
3 ~~and (n)~~, complies with the applicable provisions of s. 343.38 and meets any of the
4 following requirements:

5 **SECTION 13m.** 344.18 (3) (intro.) of the statutes is amended to read:

6 344.18 (3) (intro.) If a person defaults in the payment of any installment under
7 a duly acknowledged written agreement, the secretary, upon notice of such default
8 given in no event later than 30 days after the time for final installment, shall
9 immediately suspend the registrations and operating privilege of the defaulting
10 person. A suspension or revocation of registration under this subsection shall
11 remain in effect until the person pays the fee required under s. 341.36 (1m), meets
12 the requirement under par. (a) or (b) and satisfies the requirements of sub. (3m). A
13 suspension or revocation of an operating privilege under this subsection shall remain
14 in effect until the person pays the fees fee required in s. 343.21 (1) (j) ~~and (n)~~, complies
15 with the applicable provisions of s. 343.38 and meets any of the following
16 requirements:

17 **SECTION 14m.** 344.19 (3) of the statutes is amended to read:

18 344.19 (3) Upon receipt of such certification from another state to the effect
19 that the operating privilege or registration of a resident of this state has been
20 suspended or revoked in such other state under a law providing for its suspension
21 or revocation for failure to deposit security for payment of judgments arising out of
22 a motor vehicle accident, under circumstances which would require the secretary to
23 suspend a nonresident's operating privilege or registration had the accident occurred
24 in this state, the secretary shall suspend the operating privilege of such resident if
25 he or she was the operator and all of his or her registrations if he or she was the owner

1 of a motor vehicle involved in such accident. The department may accept a
2 certification which is in the form of a combined notice of required security and
3 suspension order, but shall not suspend a resident's operating privilege or
4 registration on the basis of such order until at least 30 days have elapsed since the
5 time for depositing security in the other state expired. A suspension or revocation
6 of operating privilege under this section shall continue until such resident furnishes
7 evidence of his or her compliance with the law of the other state relating to the
8 deposit of security, pays the fees fee required under s. 343.21 (1) (j) ~~and (n)~~ and
9 complies with the applicable provisions of s. 343.38. A suspension or revocation of
10 registration under this section shall continue until such resident furnishes evidence
11 of his or her compliance with the law of the other state relating to the deposit of
12 security, pays the fee required under s. 341.36 (1m) and satisfies the requirements
13 of sub. (3m).

14 **SECTION 15m.** 345.47 (1) (c) of the statutes is amended to read:

15 345.47 (1) (c) If a court or judge suspends an operating privilege under this
16 section, the court or judge shall immediately take possession of the suspended license
17 and shall forward it to the department together with the notice of suspension, which
18 shall clearly state that the suspension was for failure to pay a forfeiture, plus costs,
19 fees, and surcharges imposed under ch. 814. The notice of suspension and the
20 suspended license, if it is available, shall be forwarded to the department within 48
21 hours after the order of suspension. If the forfeiture, plus costs, fees, and surcharges
22 imposed under ch. 814, are paid during a period of suspension, the court or judge
23 shall immediately notify the department. Upon receipt of the notice and payment
24 of the fees fee under s. 343.21 (1) (j) ~~and (n)~~, the department shall return the
25 surrendered license.

