



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBa2240/1
PJH:kjf

**ASSEMBLY AMENDMENT 5,
TO ASSEMBLY BILL 450**

February 16, 2016 - Offered by Representative ZAMARRIPA.

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

2 **1.** Page 1, line 5: delete “and”.

3 **2.** Page 1, line 6: after “payments” insert “, collection and analysis of motor
4 vehicle traffic stop information, and granting rule-making authority”.

5 **3.** Page 4, line 1: after that line insert:

6 “SECTION 1. 165.847 of the statutes is created to read:

7 **165.847 Motor vehicle traffic stop information. (1)** The department shall
8 analyze the information submitted to it by law enforcement agencies under s.
9 349.027 (2) to determine whether the number of motor vehicle stops and searches
10 involving motor vehicles operated or occupied by members of a racial minority is
11 disproportionate to the number of motor vehicle stops and searches involving motor
12 vehicles operated or occupied solely by persons who are not members of a racial
13 minority.

1 (2) The department shall promulgate rules relating to all of the following:

2 (a) The process and format that law enforcement agencies must use to submit
3 to the department the information collected under s. 349.027 (1).

4 (b) The types of analyses that the department will perform in fulfilling the
5 requirement under sub. (1).

6 (c) Requirements for making reports to the legislature under s. 13.172 (2), to
7 the governor, and to the director of state courts.

8 **SECTION 2.** 349.027 of the statutes is created to read:

9 **349.027 Collection of motor vehicle traffic stop information.** (1) For
10 each motor vehicle stop made on or after the effective date of this subsection ... [LRB
11 inserts date], by a law enforcement officer, the person in charge of the law
12 enforcement agency employing the law enforcement officer shall cause to be obtained
13 all of the following information relating to the traffic stop:

14 (a) With respect to the operator of the motor vehicle, all of the following:

15 1. The operator's residential zip code, age, and gender.

16 2. The race or ethnicity of the operator. The race or ethnicity recorded for the
17 operator shall be the race or ethnicity indicated in the department's records. If the
18 operator's race or ethnicity is not indicated in the department's records, the
19 operator's race or ethnicity shall be determined by the perception of the law
20 enforcement officer responsible for reporting the traffic stop. The officer may not
21 require the operator to provide race or ethnicity information.

22 (b) With respect to occupants of the motor vehicle, all of the following:

23 1. The number of occupants.

24 2. Whether any occupant other than the operator is a member of a racial
25 minority or ethnicity, as determined using the procedure under par. (a) 2.

1 (c) With respect to the traffic stop, all of the following:

2 1. The date, time, and location of the traffic stop; the name of the law
3 enforcement agency employing the law enforcement officer making the stop; and the
4 officer number of the officer making the stop.

5 2. The location of the stop. If global positioning system coordinates are
6 available, the coordinates shall be used to identify the location of the stop. If global
7 positioning system coordinates are not available, any other method that identifies
8 the location within a reasonable degree of accuracy may be used to identify the
9 location of the stop.

10 3. For each motor vehicle stopped, the make and model of the motor vehicle,
11 the type of motor vehicle, the state in which the motor vehicle is registered, and the
12 registration number of the motor vehicle.

13 4. The reason for the stop.

14 5. The outcome of the stop.

15 6. The duration of the stop.

16 (d) Whether the motor vehicle or the operator or any occupant of the motor
17 vehicle was searched and, if so, all of the following:

18 1. Whether consent to search was requested and, if so, whether consent to
19 search was granted or denied.

20 2. The reason for performing the search.

21 3. The race or ethnicity of each person searched, as determined using the
22 procedure under par. (a) 2.

23 4. If any contraband was found, the type of contraband.

