
Wisconsin Legislative Council

ACT MEMO



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2023 Wisconsin Act 9
[2023 Assembly Bill 55]

**Penalties for Reckless Driving
Offenses**

RECKLESS DRIVING OFFENSES - PENALTIES

Endangering the safety of any person or property by the negligent operation of a vehicle, commonly known as “reckless driving,” carries a range of penalties, depending on the severity of harm and other factors. Prior to the act, penalties for reckless driving ranged from a \$25 forfeiture to a fine up to \$10,000 or imprisonment not to exceed three years and six months, or both. The act increases the penalties for each category of reckless driving and requires courts to impose a driver improvement surcharge and a safe ride surcharge whenever a court sentences a person for reckless driving.

Under the act, the penalty range for a first offense of reckless driving is increased from a forfeiture of \$25 to \$200 to a forfeiture of \$50 to \$400 and the penalty range for a second or subsequent reckless driving offense is increased from a fine of \$50 to \$500 to a fine of \$100 to \$1,000. Additionally, the act amends prior law so that a person who commits a second reckless driving offense is subject to the increased penalties regardless of whether the person commits the offense within four years of the person’s first offense. The act additionally increases the penalty range for recklessly endangering safety by unlawfully driving across a railroad crossing when required to stop, from a forfeiture of \$300 to \$1,000 to a forfeiture of \$600 to \$2,000.

Under the act, the fine for reckless driving that causes bodily harm to another is increased from \$300 to \$2,000 to \$600 to \$4,000 and the period of imprisonment is increased from not less than 30 days nor more than one year in the county jail to not less than 60 days nor more than two years in the county jail. The penalty for reckless driving that causes great bodily harm to another is increased from a Class I felony to a Class H felony; the penalty for a Class I felony is a fine not to exceed \$10,000 or imprisonment not to exceed three years and six months, or both. The penalty for a Class H felony is a fine not to exceed \$10,000 or imprisonment not to exceed six years, or both.

RECKLESS DRIVING OFFENSES - SURCHARGES

Current law requires persons who violate certain laws to pay various surcharges; these surcharges must be paid in addition to any fine or forfeiture imposed for the violation. The driver improvement surcharge, currently \$435, and safe ride surcharge, currently \$50, are imposed on those who violate certain provisions related to operating while intoxicated. Under the act, the driver improvement surcharge and safe ride surcharge are also imposed on persons found guilty of reckless driving.

Effective date: May 12, 2023

For a full history of the bill, visit the Legislature’s [bill history page](#).

PJH:jal