



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2013 Assembly Bill 467

**Assembly Substitute
Amendment 1**

Memo published: November 19, 2013 *Contact:* Jessica Karls-Ruplinger, Senior Staff Attorney (266-2230)

Current Law

Under current law, a court must order a person's operating privilege for the operation of "Class D" vehicles be restricted to operating vehicles that are equipped with an ignition interlock device (IID) and must order that each motor vehicle for which the person's name appears on the vehicle's certificate of title or registration be equipped with an IID if a person commits a second or subsequent offense related to operating a vehicle while intoxicated or a first offense while his or her alcohol concentration is 0.15 or greater; or refuses to take a test for intoxication.

The person's operating privilege is restricted for a period of not less than one year nor more than the maximum operating privilege revocation period permitted for the refusal or violation, beginning on the date that the Department of Transportation (DOT) issues a license. However, if the maximum operating privilege revocation period is less than one year, the person's operating privilege is restricted for one year. The court may order the installation of an IID immediately upon issuing an order.

Assembly Bill 467

Assembly Bill 467 provides that the person's operating privilege is restricted ***beginning on the date of the court's order*** and extending until the date provided under current law. A person who violates the operating privilege restriction may be fined not less than \$150 nor more than \$600, imprisoned for not more than six months, or both, for the first offense. For a second or subsequent offense, the penalty is a fine of not less than \$300 nor more than \$1,000, imprisonment for not more than six months, or both.

In addition, the bill requires a court to order that an IID be installed within three working days after issuing an order.

Assembly Substitute Amendment 1

Assembly Substitute Amendment 1, instead, provides that a person to whom an order applies may not drive any motor vehicle that is not equipped with an approved IID from the time that the order is entered until that order expires. A person who violates this prohibition may be fined not less than \$150 nor more than \$600, imprisoned for not more than six months, or both, for the first offense. For a second or subsequent offense, the penalty is a fine of not less than \$300 nor more than \$1,000, imprisonment for not more than six months, or both.

The substitute amendment does not contain the provision in the bill requiring a court to order that an IID be installed within three working days after issuing an order.

Bill History

Assembly Substitute Amendment 1 was offered by Representatives J. Ott, Goyke, Wachs, and Hebl. On November 5, 2013, the Assembly adopted the substitute amendment and passed Assembly Bill 467, as amended, on voice votes.

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