



2009 ASSEMBLY BILL 177

March 30, 2009 - Introduced by Representatives GRIGSBY, KESSLER, FIELDS, BERCEAU, SMITH, YOUNG, SINICKI, MASON, A. OTT, A. WILLIAMS and TOLES, cosponsored by Senators TAYLOR, LEHMAN and PLALE. Referred to Committee on Transportation.

1 **AN ACT to repeal** 343.31 (1) (hm); and **to amend** 343.30 (1g) (b) of the statutes;
2 **relating to:** operating a motor vehicle while suspended, revoked, or
3 disqualified.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from operating a motor vehicle on the highway during any period in which the person's motor vehicle operating privilege is suspended (OWS) or revoked (OAR) or the person is disqualified from operating a commercial motor vehicle (OWD). A court may suspend a person's operating privilege for any period not exceeding six months upon the person's conviction for OAR, OWS, or OWD. However, a court must revoke a person's operating privilege, for a period of six months or less, upon the person's conviction for OAR, OWS, or OWD if the person has been convicted of three or more prior violations of OAR, OWS, or OWD within the preceding five-year period. In addition, the Department of Transportation (DOT) must administratively revoke a person's operating privilege, for a period of six months unless the court has ordered a revocation for a lesser period, upon receiving a record of conviction showing that the person has been convicted of OAR, OWS, or OWD if the person has been convicted of three or more prior violations of OAR, OWS, or OWD within the preceding five-year period.

This bill makes court-ordered operating privilege revocation for a fourth offense OAR, OWS, or OWD permissive rather than mandatory and eliminates the requirement that DOT administratively revoke a person's operating privilege for a fourth offense OAR, OWS, or OWD.

