



# ANDRÉ JACQUE

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TO: Members of the Assembly Committee on Transportation  
FROM: Representative André Jacque  
DATE: March 4, 2014  
RE: Assembly Bill 802

Chairman Ripp and Committee Members,

Thank you for the opportunity to testify before you today on AB 802.

Senator Schultz and I, along with a very bi-partisan mix of co-sponsors, have brought this proposal forward at the request of district attorneys currently faced with a difficult charging decision when reckless driving behavior causing injury or death results from a failure to follow the well-established requirement to stop when children are boarding or exiting a school bus.

This bill creates an additional penalty for failure to stop for a school bus displaying flashing red lights if the failure to stop results in bodily harm (Class I felony), great bodily harm (Class H felony), or death (Class G felony) to another. The proposed change better aligns the described conduct with penalties for reckless or negligent driving, and allows more appropriate prosecution to proceed when a driver is charged with violating Wis. Stat. § 346.48.

Unfortunately, failure to stop for a school bus whose lights are flashing carries merely a \$300 maximum fine -- no suspension or revocation of one's driver's license, and no demerit points regardless of the consequence of the negligent driver's action. Grant County DA Lisa Riniker, who first brought this statutory oversight to my attention, is here with me to testify to her specific experience dealing with the shortcomings of the present statute.