



State of Wisconsin
1997 - 1998 LEGISLATURE

LRBa0425/1
MGG:kaf:jf

**ASSEMBLY AMENDMENT 1,
TO 1997 ASSEMBLY BILL 129**

May 20, 1997 - Offered by Representative SCHNEIDER.

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

2 **1.** Page 1, line 2: before the period insert “and providing a penalty”.

3 **2.** Page 1, line 3: delete lines 3 to 8 and substitute:

4 “**SECTION 1g.** 30.62 (3) (c) of the statutes is created to read:

5 30.62 (3) (c) 1. No person who is under the age of 17 years may ride in or on
6 a boat that is required to carry personal flotation devices under par. (a) unless the
7 person wears a personal flotation device that is prescribed by federal regulations
8 during the time the boat is being operated.

9 2. Subdivision 1. does not apply to a person under the age of 17 years who is
10 riding in or on a boat that is 26 feet or more in length.

11 3. A violation of subd. 1. done with the knowledge of a parent or guardian shall
12 be considered a violation by the parent or guardian to which s. 30.80 (1) and (5m)
13 apply.

1 **SECTION 1m.** 30.80 (5m) of the statutes is created to read:

2 30.80 **(5m)** (a) For a violation under s. 30.62 (3) (c) 1., if the person has not
3 previously received a warning notice for a violation under s. 30.62 (3) (c) 1., the law
4 enforcement officer shall issue the person a warning notice and may not issue a
5 citation.

6 (b) The warning notice under par. (a) shall inform the person of the action the
7 person is required to take to be in compliance with s. 30.62 (3) (c) 1.

8 (c) If a person has previously received a warning notice under par. (a) and either
9 fails to comply with the warning notice or subsequently violates s. 30.62 (3) (c) 1., the
10 person shall forfeit not more than \$50 upon conviction.

11 (d) If a person violates s. 30.62 (3) (c) 1. and has had a previous violation of s.
12 30.62 (3) (c) 1. to which par. (c) applied, the person shall forfeit not more than \$100
13 upon conviction for a subsequent violation that occurs within one year of the
14 conviction to which par. (c) applies.

15 (e) The department shall record the issuances of warning notices for purposes
16 of this paragraph.

17 **SECTION 1r.** 938.343 (2) of the statutes is amended to read:

18 938.343 **(2)** Impose a forfeiture not to exceed the maximum forfeiture that may
19 be imposed on an adult for committing that violation or, if the violation is only
20 applicable to a person under 18 years of age, \$50, except for a violation of s. 30.62 (3)
21 (c) 1., to which s. 30.80 (1) and (5m) apply. Any such order shall include a finding that
22 the juvenile alone is financially able to pay and shall allow up to 12 months for the
23 payment. If a juvenile fails to pay the forfeiture, the court may suspend any license
24 issued under ch. 29 or suspend the juvenile's operating privilege as defined in s.
25 340.01 (40), for not less than 30 days nor more than 5 years. The court shall

1 immediately take possession of the suspended license and forward it to the
2 department which issued the license, together with the notice of suspension clearly
3 stating that the suspension is for failure to pay a forfeiture imposed by the court. If
4 the forfeiture is paid during the period of suspension, the court shall immediately
5 notify the department, which will thereupon return the license to the person.”.

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(END)