



MINUTES

Eau Claire County Traffic Safety Commission
Tuesday, October 24, 2023, 9:00 a.m. CST
Eau Claire County Highway Department
5061 US Hwy 53, Room 103, Eau Claire, WI 54701

In Attendance: Jon Johnson-ECC Highway Dept., Natalie Szews-ECC Highway Dept., Travis Pickering-ECC Engineer, Scott Gooch – MCHS, Trace Frost-BOTS LEL, Scott Kelley – Altoona Police, Chad Hines-WisDOT, Mike Heffernan-WSP, Chad Hoyord-ECPD, Edwin Rothrock-WCWRPC MPO, John Staber-Augusta PD, Leah Ness-City of Eau Claire Engineer, Tyler Esh-ECC Emergency Mgmt., Renae Kuehl-SRF Consulting, Sonja Leenhouts-ECC Risk Manager

1. Meeting called to order by Jon Johnson at 9:00 a.m.

2. Review/Approval of Past Meeting Minutes (07/25/23) – Discussion/Action

- Chad Hoyer made a motion to approve. All in favor. Motion carried.

3. Public Comment

4. US-53 Bypass Work Group – Discussion/Action

- Tyler Esh will be leading the work group.
- Will be looking at crashes to identify infrastructure needs for bypass.
- Costco will be opening on 11/22 (day before Thanksgiving). Chad Hines and Leah Ness with City of EC will be meeting with Costco to discuss traffic on and after opening day.
- Discussed traffic concerns near Costco with high density housing development being planned for that area as well.
- WIDOT is doing a traffic crash analysis on 53 Corridor and working on some grants for adding another lane.
- No action taken.

5. Safe Streets and Roads 4 All (SS4A) Grant – Discussion/Action

- Renae Kuehl with SRF Consulting presented information on SS4A grant. – See attached presentation.
- Next grant application opens in April and is due in July.
- Jon Johnson discussed implementation grants for Eau Claire County. Will be working with townships and include them for any improvements and safety implementations such as increasing the pavement marking width on CTH Q from 4 inches to 6 inches where there are speeding concerns.
- Underserved communities in Eau Claire County would include the Village of Fairchild and areas within the City of Eau Claire.

6. Traffic Crash Summary

- Trace Frost presented crash data in Community Maps dashboard.

PREPARED BY: Natalie Szews

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through sign language, interpreters, remote access, or other auxiliary aids. Contact the clerk of the committee or Administration for assistance (715-839-5106). For additional information on ADA requests, contact the County ADA Coordinator at 839-6945, (FAX) 839-1669 or 839-4735, TTY: use Relay (711) or by writing to the ADA Coordinator, Human Resources, Eau Claire County Courthouse, 721 Oxford Avenue, Eau Claire, WI 54703.

- There have been five total fatalities in the County this year with the last one being in July. There may be a fatality from the recent bike/car accident at Clairemont Ave. and London Rd which will be reviewed at the next meeting.
- Reviewed Eau Claire County Traffic Safety Commission Quarterly Informational Slides – See attached presentation.

7. Commission Member Reports

- **Wisconsin State Patrol**

- The new BOTS grants started October 1.
- Will be starting aircraft patrol in early spring probably on Hwy 53. Have one pilot and one plane and Madison has been grabbing the plane a lot recently so probably won't be seeing much aircraft patrol this year.
- Just added a new TRU position in Eau Claire, so there will be two in the area.

- **DOT Highway Engineer**

- I94 from 312 to 37 should be done next week.
- Jon Johnson advised that at the next meeting can have an agenda item for recommending any new members, which goes to the County Board for approval. The Traffic Safety Commission is still missing legal representation but can have Corp Counsel fill in if needed.

8. Construction Status Report

- Eau Claire County

- Done with construction for the season and moved onto brushing for next year's CIP projects.
- Line striping on CTH N, NN, O, F, and V bridge may not get done this year due to weather.

- City of Eau Claire

- Jeffers Road construction is almost wrapped up. Xcel Energy is still working on moving poles.
- Black Avenue was paved last week and waiting on line striping due to weather. Has a meeting this Friday for Costco opening.

9. Future Meeting Dates/Times/Agenda Items – Discussion

- Meetings for 2024 will be on January 23, April 23, July 23, and October 22.
- Future agenda items:
 - New commission members.
 - Update agenda depending on what new BOTS LEL wants to do.
- City of Eau Claire will have a new representative to replace Chad Hoyer who's retiring in October.

10. Adjourn at 10:11 a.m.

Respectfully submitted,

Natalie Szews

Natalie Szews, Administrative Associate III
Eau Claire County Highway Department

APPROVED 01/23/24

PREPARED BY: Natalie Szews

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Traffic Safety Commission

Eau Claire County

Renae Kuehl, SRF Consulting

October 24, 2023

Agenda

- Safe Streets and Roads for All (SS4A) Grant
 - Overview
 - Requirements
 - Plan Components

- Eau Claire Safety Action Plan
 - Project Team
 - Experience
 - Process



SAFE STREETS AND ROADS
FOR ALL (SS4A) GRANT

SS4A Grant Program – General Overview

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- **About:** The Bipartisan Infrastructure Law (BIL) established the new SS4A discretionary program with \$5 billion in appropriated funds over the next 5 years.
- **Purpose:** Promote Safety, Employ low-cost, high-impact strategies, Ensure equitable investment, Incorporate evidence-based project.

Funding Available – From 2022 Solicitation

Grant Type	Political subdivision of a State	Federally recognized Tribal Government	MPO or joint application	Cost share/match
Expected Action Plan Grant Size*	\$200,000 - \$1M	\$200,000 – \$1M	\$200,000 - \$5M	<ul style="list-style-type: none"> • 80% Federal 20% local match • In-kind contributions allowed • Not more than 15% of funds can be awarded to projects in a single State in a given fiscal year • <i>Tribal applications are not counted toward the State cap</i> • <i>No set-aside for rural areas or other grantee categories</i>
Expected Implementation Grant Size*	\$5M - \$30M	\$3M - \$30M <i>(also applies to rural applicants)</i>	\$5M - \$50M <i>(\$3M - \$50M for rural applicants)</i>	

Future Funding Opportunities

- Supplemental Activities
 - Enhances or Improves an Action Plan
- Demonstration
 - Informs Action Plan
- Implementation Project
 - Infrastructure improvements



EAU CLAIRE COUNTY
SAFETY ACTION PLAN

Project Team

Rena Kuehl
PE, PTOE



Project Manager

Nicole Bitzan
AICP



Plan Development
Lead

Matt Knight
AICP



Data Quality and
Analysis Lead

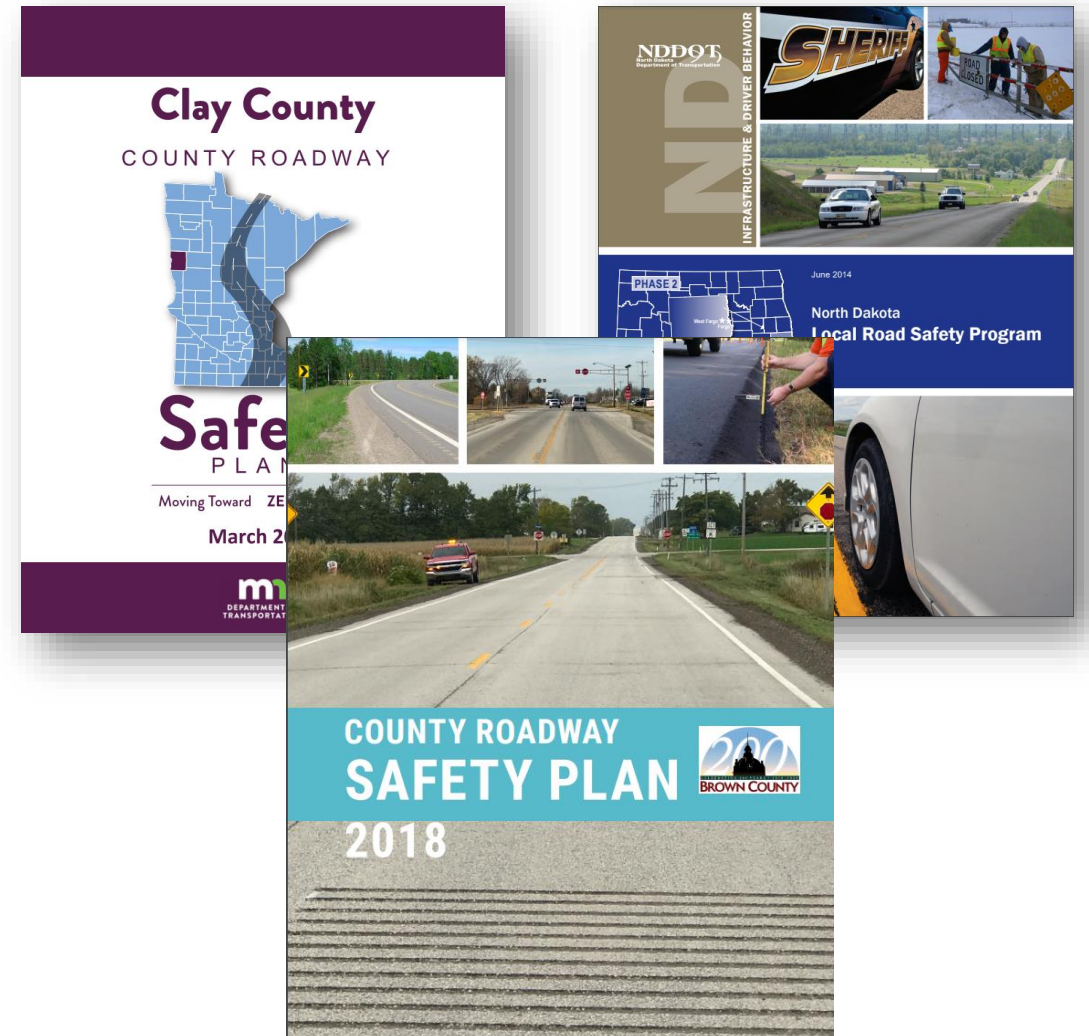
Stephanie Falkers
AICP



Equity and
Engagement Lead

Experience Throughout Upper Midwest

- Brown and Marathon County, WI
- Greater Madison MPO, WI
- ND Vision Zero Plan
- ND Local Road Safety Plans
- MN County Road Safety Plans
- Metropolitan Council, MN



Safety Action Plan Components

S | S
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Safe Streets and Roads for All Action Plan Components

This document is not meant to replace the NOFO. Applicants should follow the instructions in the NOFO to correctly apply for a grant. See the SS4A website for more information: <https://www.transportation.gov/SS4A>

Leadership Commitment and Goal Setting
An official public commitment (e.g., resolution or governing body (e.g., Mayor, City Council)) and an eventual goal of zero roadway fatalities and a timeline for eliminating roadway fatalities, or both, of the following:
(1) the target date for achieving zero roadway fatalities
(2) an ambitious percentage reduction in roadway fatalities with an eventual goal of eliminating roadway fatalities

Planning Structure
A committee, task force, implementation team, or other structure for the development, implementation, and monitoring of the Action Plan

Safety Analysis
Analysis of existing conditions and history involving fatalities and serious injuries (e.g., analysis of locations where there are high concentrations of crashes, contributing factors and crash types by user, etc.). Analysis of systemic and specific high-risk road features, specific safety issues, and analysis of the built environment, demographics, and other factors. The analysis should include a safety performance analysis. Based on the analysis, a safety performance plan is developed (a High-Injury Network, etc.)

Engagement and Collaboration
Robust engagement with the public and community groups, that allows for information received from engagement to be incorporated into the Action Plan. Overlapping jurisdictions should be coordinated and aligned with other goals and strategies.

Equity Considerations
Plan development using inclusive and representative processes. Underserved communities* are identified through data and other analyses in collaboration with appropriate partners. Analysis includes both population characteristics and initial equity impact assessments of the proposed projects and strategies.

Policy and Process Changes
Assessment of current policies, plans, guidelines, and/or standards (e.g., manuals) to identify opportunities to improve how processes prioritize transportation safety. The Action Plan discusses implementation through the adoption of revised or new policies, guidelines, and/or standards, as appropriate.

Strategy and Project Selections
Identification of a comprehensive set of projects and strategies, shaped by data, the best available evidence and noteworthy practices, as well as stakeholder input and equity considerations, that will address the safety problems described in the Action Plan. These strategies and countermeasures focus on a Safe System Approach, effective interventions, and consider multidisciplinary activities. To the extent practical, data limitations are identified and mitigated.

Once identified, the list of projects and strategies is prioritized in a list that provides time ranges for when the strategies and countermeasures will be deployed (e.g., short-, mid-, and long-term timeframes). The list should include specific projects and strategies, or descriptions of programs of projects and strategies, and explains prioritization criteria used. The list should contain interventions focused on infrastructure, behavioral, and/or operational safety.

Progress and Transparency
Method to measure progress over time after an Action Plan is developed or updated, including outcome data. Means to ensure ongoing transparency is established with residents and other relevant stakeholders. Must include, at a minimum, annual public and accessible reporting on progress toward reducing roadway fatalities and serious injuries, and public posting of the Action Plan online.

* An underserved community as defined for this NOFO is consistent with the Office of Management and Budget's Interim Guidance for the Justice40 Initiative <https://www.whitehouse.gov/wp-content/uploads/2021/07/07-21-28.pdf> and the Historically Disadvantaged Community designation, which includes U.S. Census tracts identified in this table <https://datahub.transportation.gov/stories/h/hsyd-k6g>; any Tribal land; or any territory or possession of the United States.

U.S. Department of Transportation

U.S. Department of Transportation

Still have questions? Visit the [SS4A website](https://www.transportation.gov/SS4A).
SS4A Action Plan Components | Page 2 of 2

- Leadership Commitment and Goal Setting
- Planning Structure
- Safety Analysis
- Engagement and Collaboration
- Equity Considerations
- Policy and Process Changes
- Strategy and Project Selection
- Progress and Transparency

Crash Analysis/Focus Areas

A data-driven crash analysis is the basis for understanding safety issues



Review crash data and contributing factors



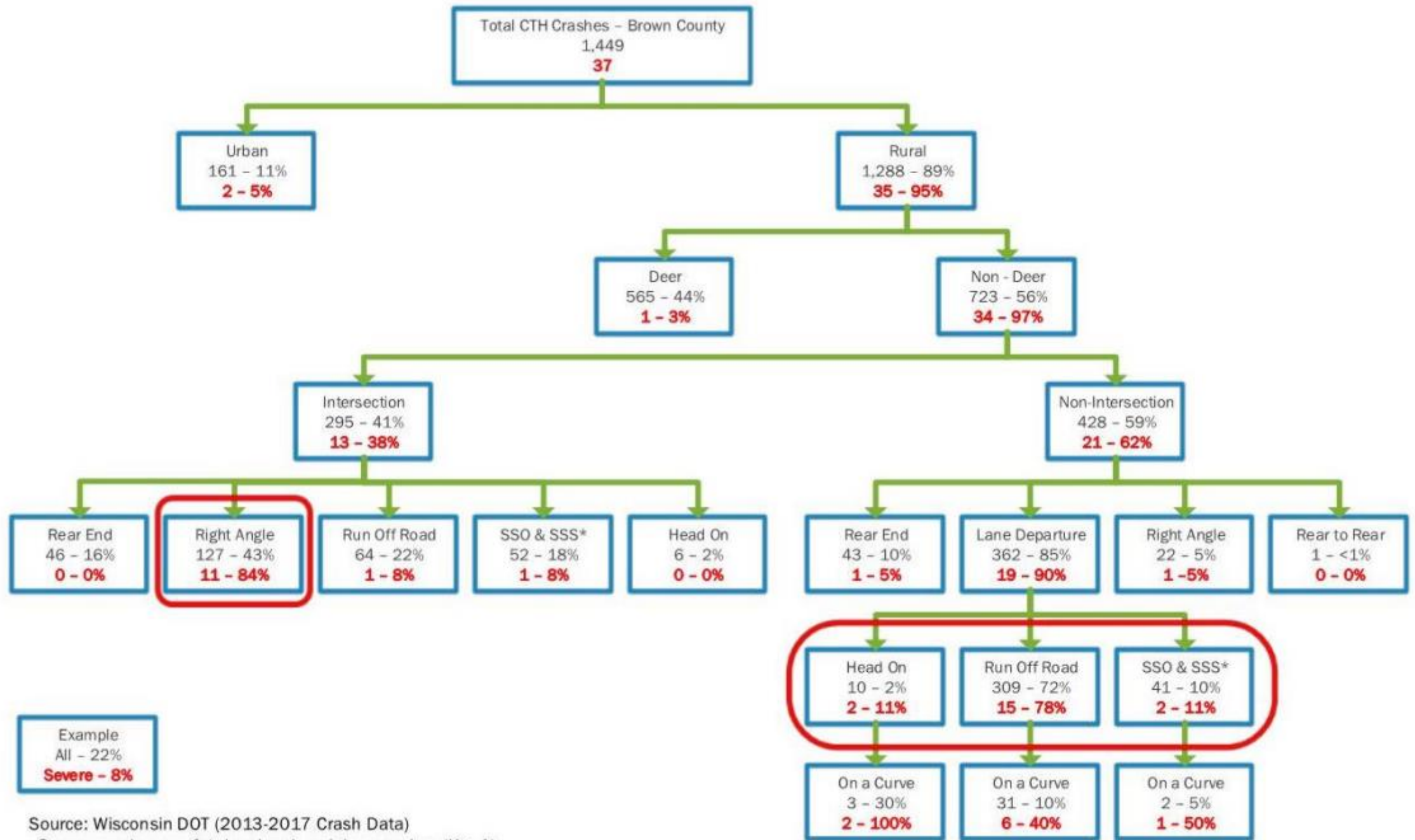
Analyze crash data to identify trends



Map data to understand where severe crashes occur



Identify High Priority Intersections and Corridors



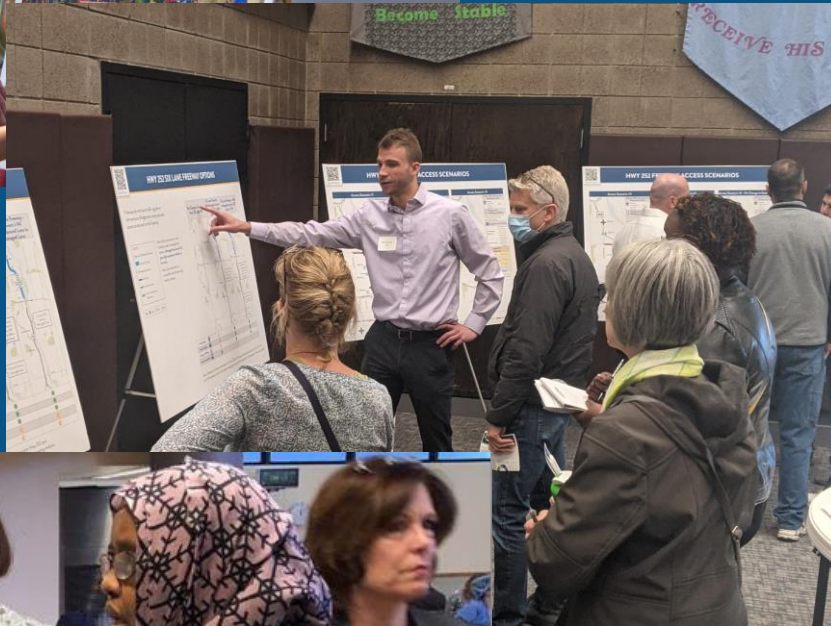
Source: Wisconsin DOT (2013-2017 Crash Data)

- Severe crashes are fatal and serious injury crashes (K + A).

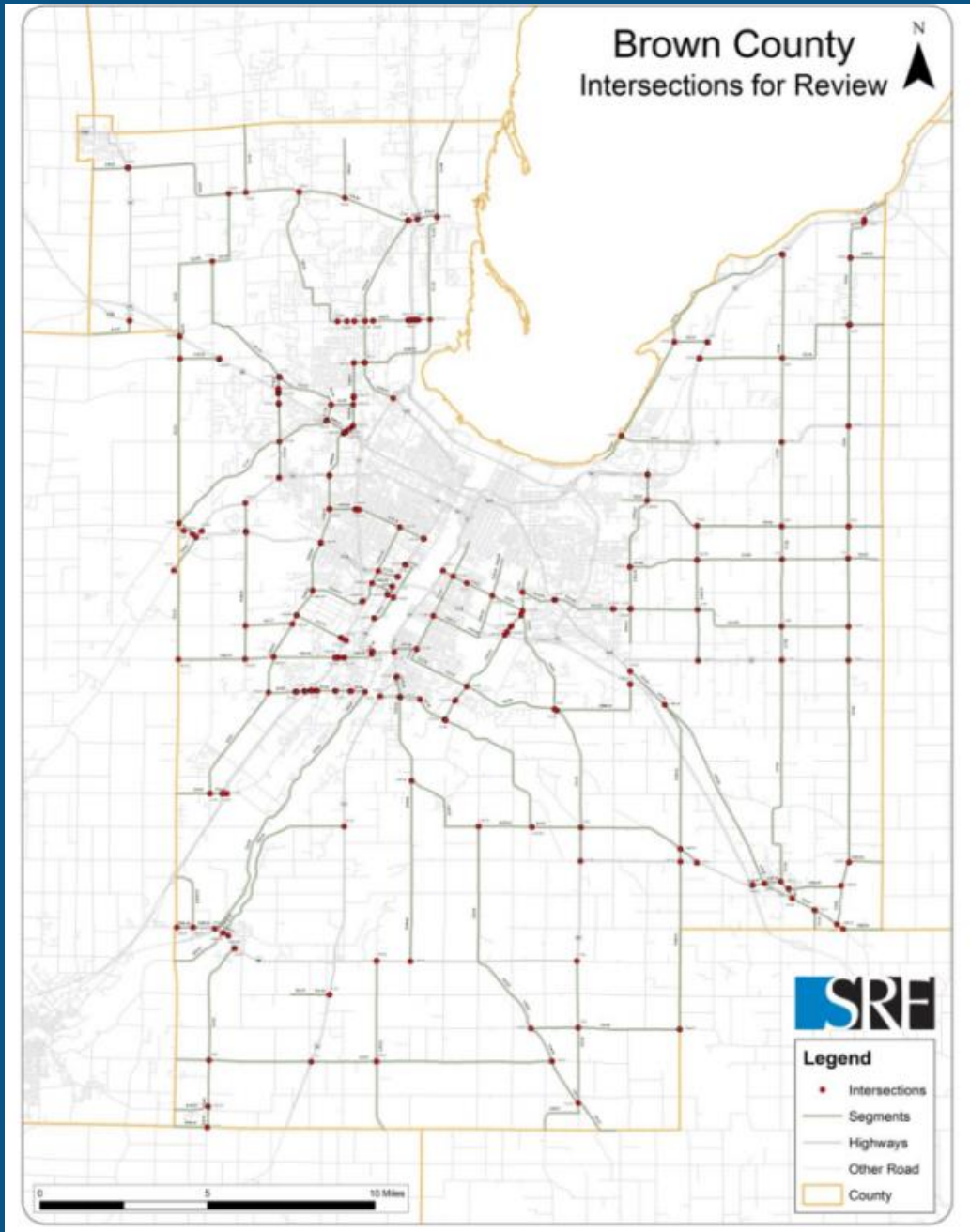
*SSO & SSS are sideswipe opposing direction and sideswipe same direction crashes

Public Engagement

- Online Survey
- Newsletters
- Website
- Pop-up Events
- WikiMap



Intersection Mapping and Data Collection



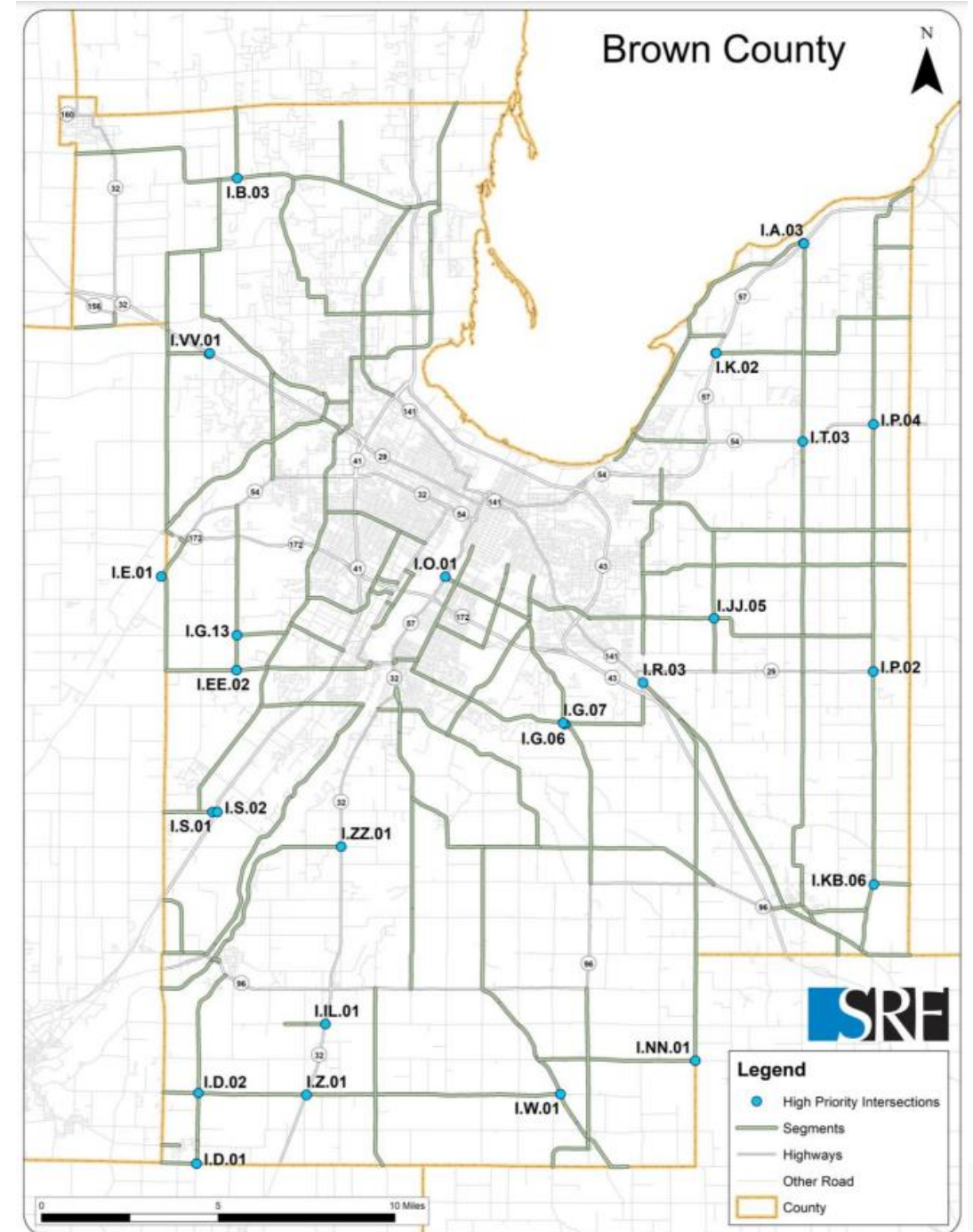
Intersections
Intersection configuration
Intersection design type
Traffic control
Lighting
Major approach speed
Facility type
Speed limits
Approach leg ADTs
Near a curve
Adjacent trip generator
Railroad crossing presence
Approach legs with previous stop greater than five miles
Severe crash data

Typical Intersection Risk Factors

- Skewed approaches
- On/near curve
- Volume
- Proximity to railroad crossing
- Intersection related crashes
- Commercial development in quadrant
- Proximity to last stop sign



High Priority Intersections



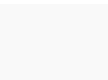
Safety Countermeasures

- Proven strategies
- Actionable, measurable strategies
- Emphasizing design and policy solutions
- Designing Complete Streets and lowering speeds for safety



Typical Intersection Countermeasures

Safety Strategy	Crash Reduction Factor*	Cost
Intersections		
Roundabout	20% to 50% all crashes 60% to 90% severe right angle crashes	\$1,000,000 per intersection
Convert to All Way Stop	Crash reduction data not available - only used when intersection meets warrants	\$1,000 per intersection
Streetlights	25% to 40% of nighttime crashes	\$6,000 per light
Upgrade Signs and Markings	40% upgrade of all signs and pavement markings	\$2,640 per approach

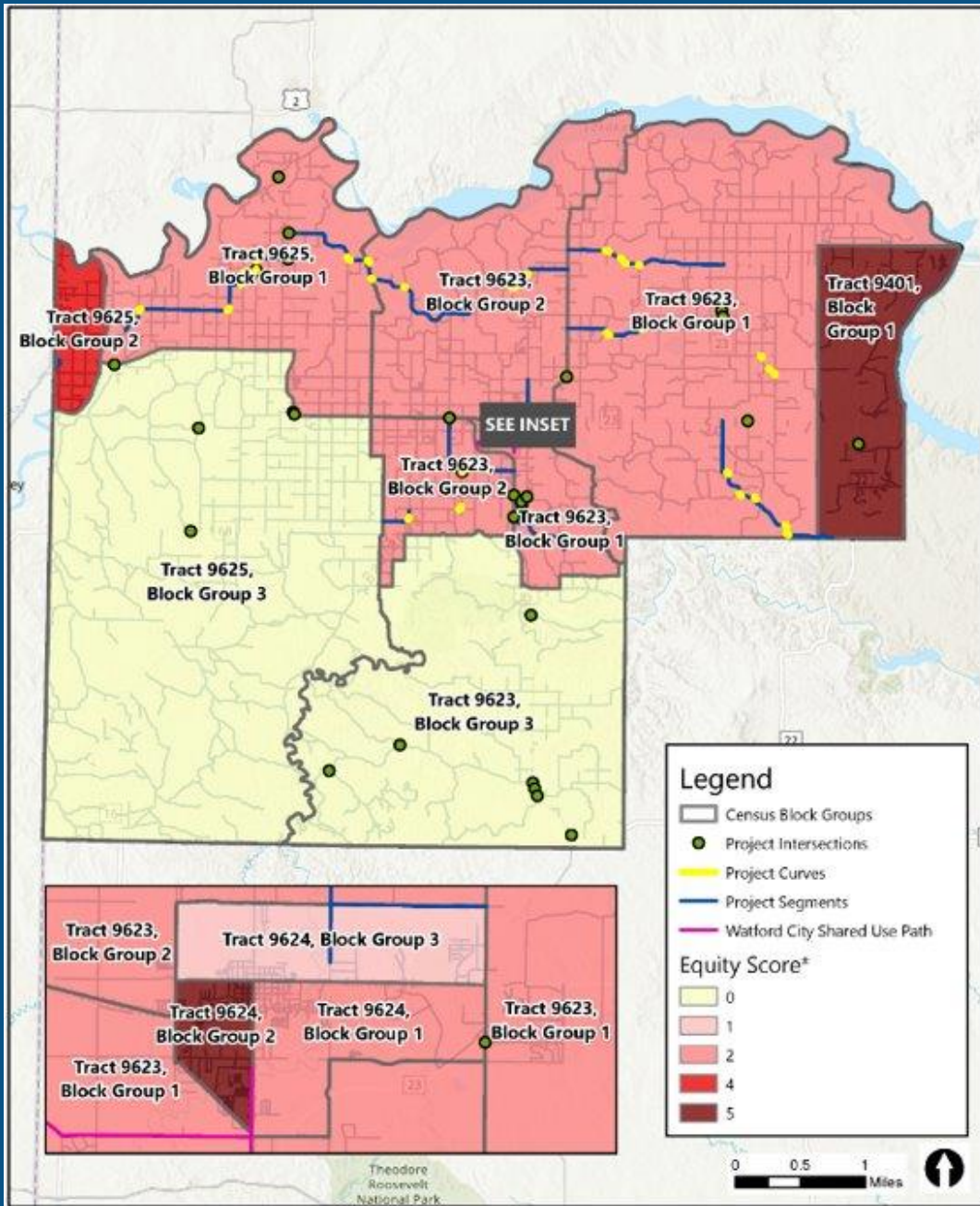


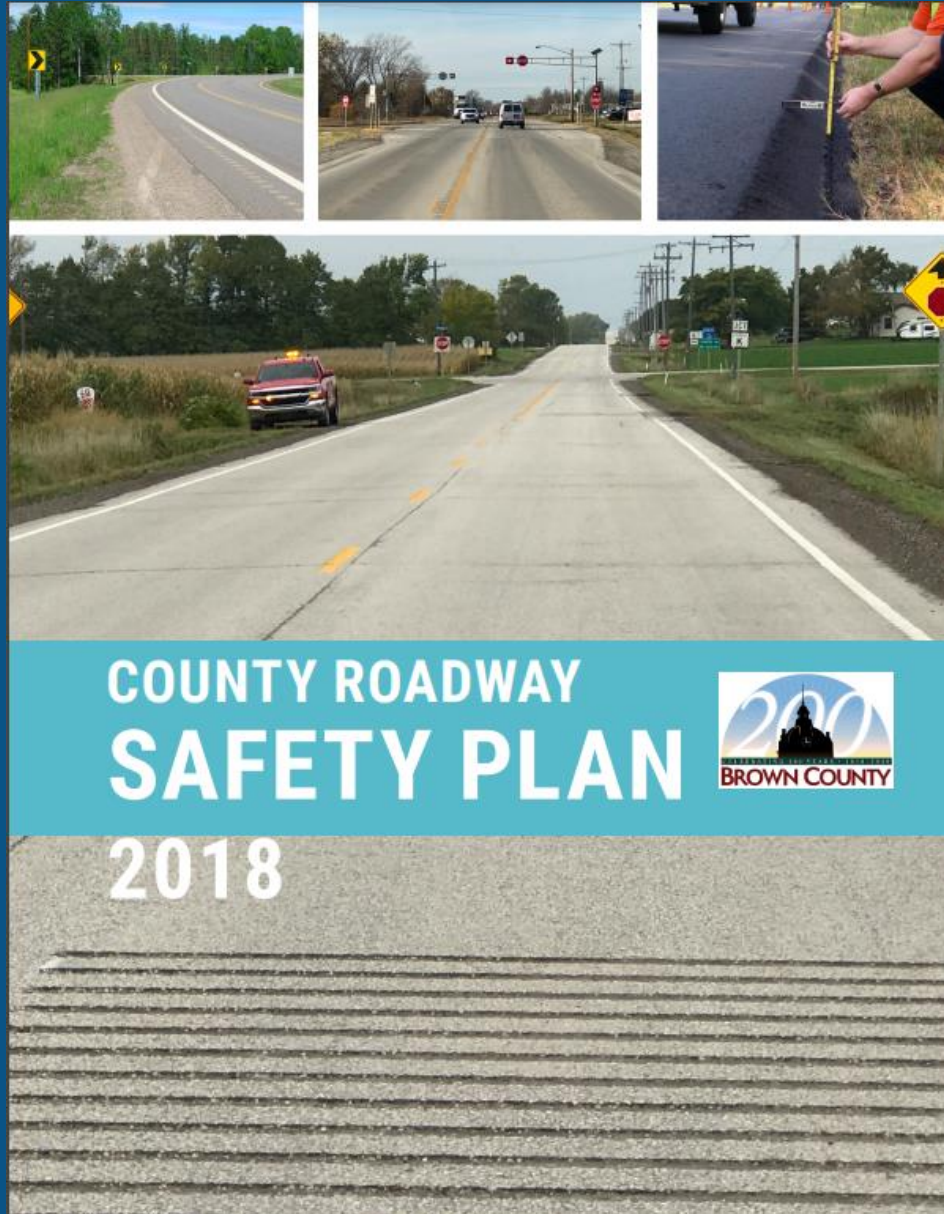
Example Equity Map

Correlation between:

- Equity Score
- Suggested Safety projects

Developed for successful SS4A Implementation Grant Application





Safety Action Plan

- Leadership Commitment and Goal Setting
- Planning Structure
- Safety Analysis
- Engagement and Collaboration
- Equity Considerations
- Policy and Process Changes
- Strategy and Project Selection
- Progress and Transparency

Questions?



Renae Kuehl, PE, PTOE
rkuehl@srfconsulting.com





Eau Claire County Traffic Safety Commission Quarterly Informational Slides

Wisconsin Department of Transportation
Division of State Patrol
Bureau of Traffic Safety and Technical Services
Law Enforcement Liaison

October 24, 2023

Daily Fatality Report -- Monday, October 23, 2023

Includes crashes reported by 7:30 a.m. Monday, October 23, 2023

NOTE: 2023 Data is Preliminary

Data in this report is based upon fatalities that result from crashes on public roadways only

Newly Reported Fatalities: 3 Crash(es) 3 Fatality(ies)

Date / Time	County	Location	Role	Age	Sex	Agency
10/20/2023 10:10 PM	OUTAGAMIE	STH 187	PASSENGER	18	M	OUTAGAMIE CO SHERIFF
10/21/2023 9:05 PM	CHIPPEWA	CTH S	DRIVER	21	F	CHIPPEWA CO SHERIFF
10/22/2023 11:10 PM	GREEN	STATELINE RD	DRIVER	29	M	GREEN CO SHERIFF

	Year to Date		Year End	
	Crashes	Fatalities	Crashes	Fatalities
2023	418	454	----	----
2022	453	492	547	595

2023 Interstate Data

	Crashes	Fatalities
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Urban:	5	5
Rural:	21	25

WisDOT Internet site:

<http://wisconsindot.gov/Pages/about-wisdot/newsroom/statistics/fatality.aspx>

2023 Roles

BICYCLIST	6
DRIVER	229
MC DRIVER	94
MC PASSENGER	4
PASSENGER	72
PEDESTRIAN	49

Report generated on Monday, October 23, 2023

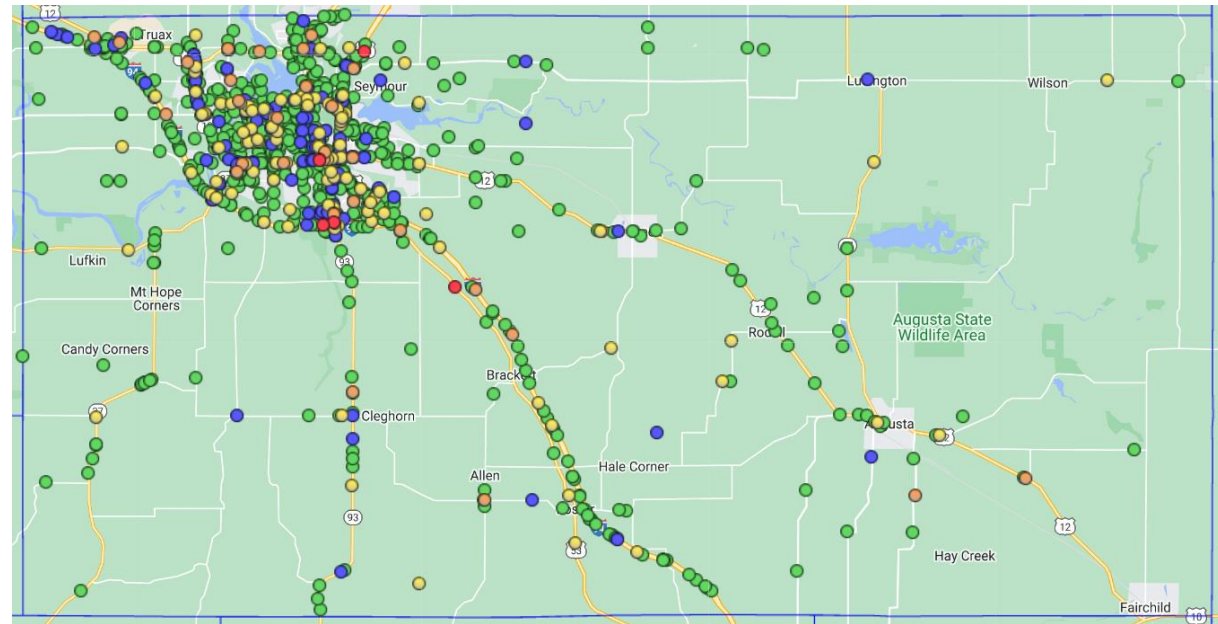
Fatality Milestones by Date (Taken from FARS Preliminary Reports)

Year	100	200	300	400	500	600	700	800	Totals	
2001	03/18	05/20	07/04	08/12	09/20	10/31	12/10		764	
2002	02/25	04/26	06/09	07/21	08/25	10/06	11/15	12/28	805	
2003	02/22	04/14	05/27	07/02	08/08	09/17	10/29	12/11	836	
2004	02/24	04/26	06/14	07/21	09/02	10/11	11/29		784	
2005	03/07	04/25	06/14	07/19	08/29	09/30	11/21	12/31	801	
2006	03/06	05/03	06/22	08/01	09/20	11/07	12/29		712	
2007	03/05	04/27	06/13	07/30	09/07	10/16	12/03		737	
2008	03/20	06/03	07/23	09/04	11/03				587	
2009	04/08	06/09	08/04	09/28	11/30				542	
2010	04/16	06/07	08/02	09/14	11/15				562	
2011	04/11	06/15	08/09	09/27	11/22				565	
2012	03/26	05/31	07/17	09/04	10/12	12/29			601	
2013	04/01	06/18	08/14	10/08	12/05				527	
2014	04/24	06/26	08/22	10/27					498	
2015	04/03	06/01	08/03	09/23	11/20				555	
2016	03/23	05/26	07/12	09/09	11/07				588	
2017	04/03	06/01	07/17	09/06	10/31				594	
2018	03/19	06/04	07/23	09/13	11/09				576	
2019	04/08	06/10	08/08	09/24	11/21				551	
2020	04/15	06/18	08/03	09/17	11/02				593	
2021	04/15	06/17	08/09	09/20	10/21				595	
2022	03/22	06/01	07/21	09/13	11/04				595	
*2023	04/10	06/13	07/26	09/19					*400	Preliminary

The Totals are Final unless otherwise noted. However, the dates are when a fatality was reported to the FARS Unit.

2023 YTD Crashes

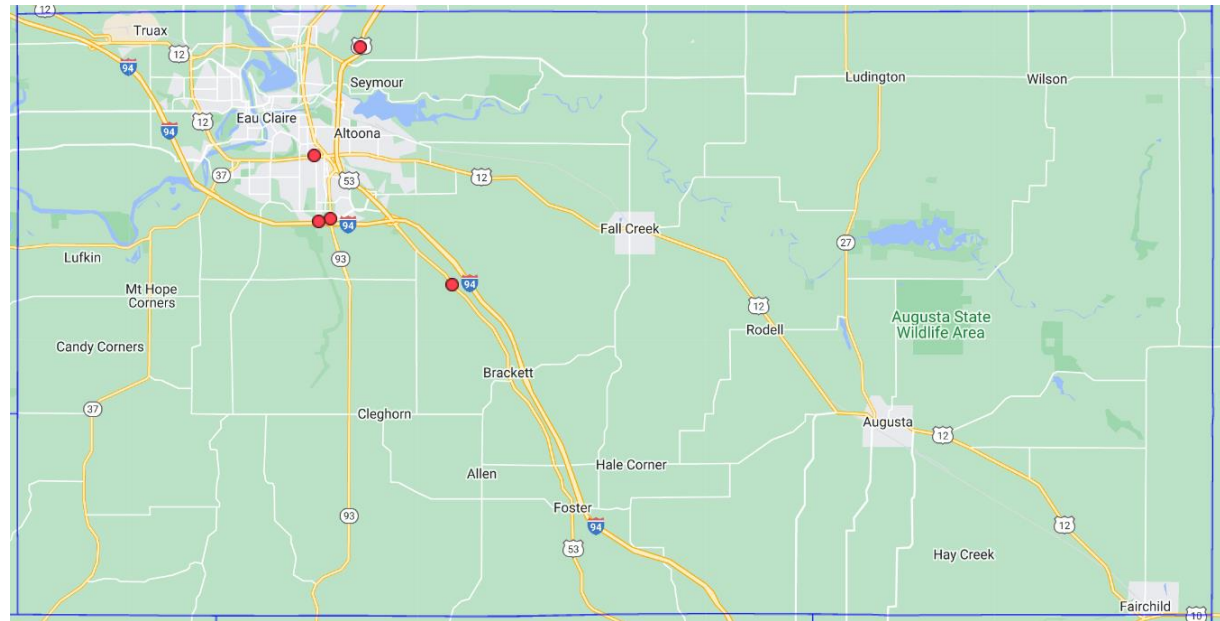
There were **1557** total crashes reported resulting in **5** fatalities and **406** injuries. Of this total, **1550** crashes are mapped. [\[More\]](#)



2023 YTD Fatal Crashes

There were **5** total crashes reported resulting in **5** fatalities and **2** injuries. Of this total, **5** crashes are mapped. [\[More\]](#)

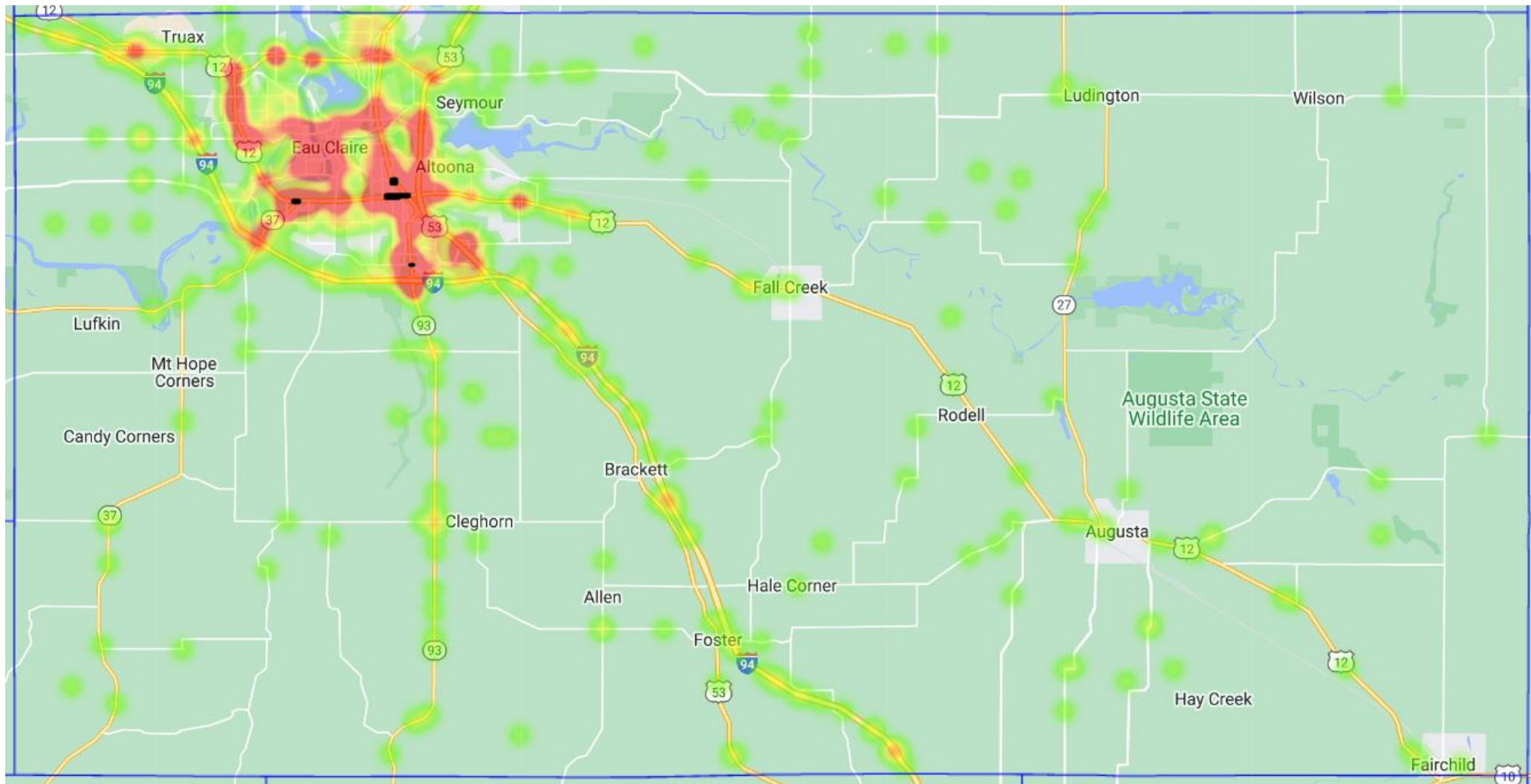
- ✔ **2WL09FXHLS**
 053 AT NORTH RD
 WASHINGTON (T), EAU CLAIRE County
 (K) Fatality
 04/26/2023
 Flags: Distracted, Speed, Aggressive,
 Lane Depart 2U+ 1
- ✔ **2VL0KX84FN**
 012 AT FAIRFAX ST
 EAU CLAIRE (C), EAU CLAIRE County
 (K) Fatality
 05/12/2023
 Flags: Government Property, Impaired,
 Occp Protection, Speed, Intersection 2
- ✔ **KRLOGGK172**
 093 AT 094
 EAU CLAIRE (C), EAU CLAIRE County
 (K) Fatality
 05/26/2023
 Flags: Motorcycle, Speed, Aggressive,
 Intersection 3
- ✔ **KRL0T49M4F**
 094 AT 094
 EAU CLAIRE (C), EAU CLAIRE County
 (K) Fatality
 06/14/2023
 Flags: Government Property, Motorcycle,
 Helmet, Lane Depart 1U 4
- ✔ **2VL0KFFP79**
 053 AT LASALLE ST
 EAU CLAIRE (C), EAU CLAIRE County
 (K) Fatality
 07/09/2023
 Flags: 65+ Driver 5



2023 YTD	5
2022	4
2021	6
2020	10
2019	2
2018	5
5 Year Ave	5

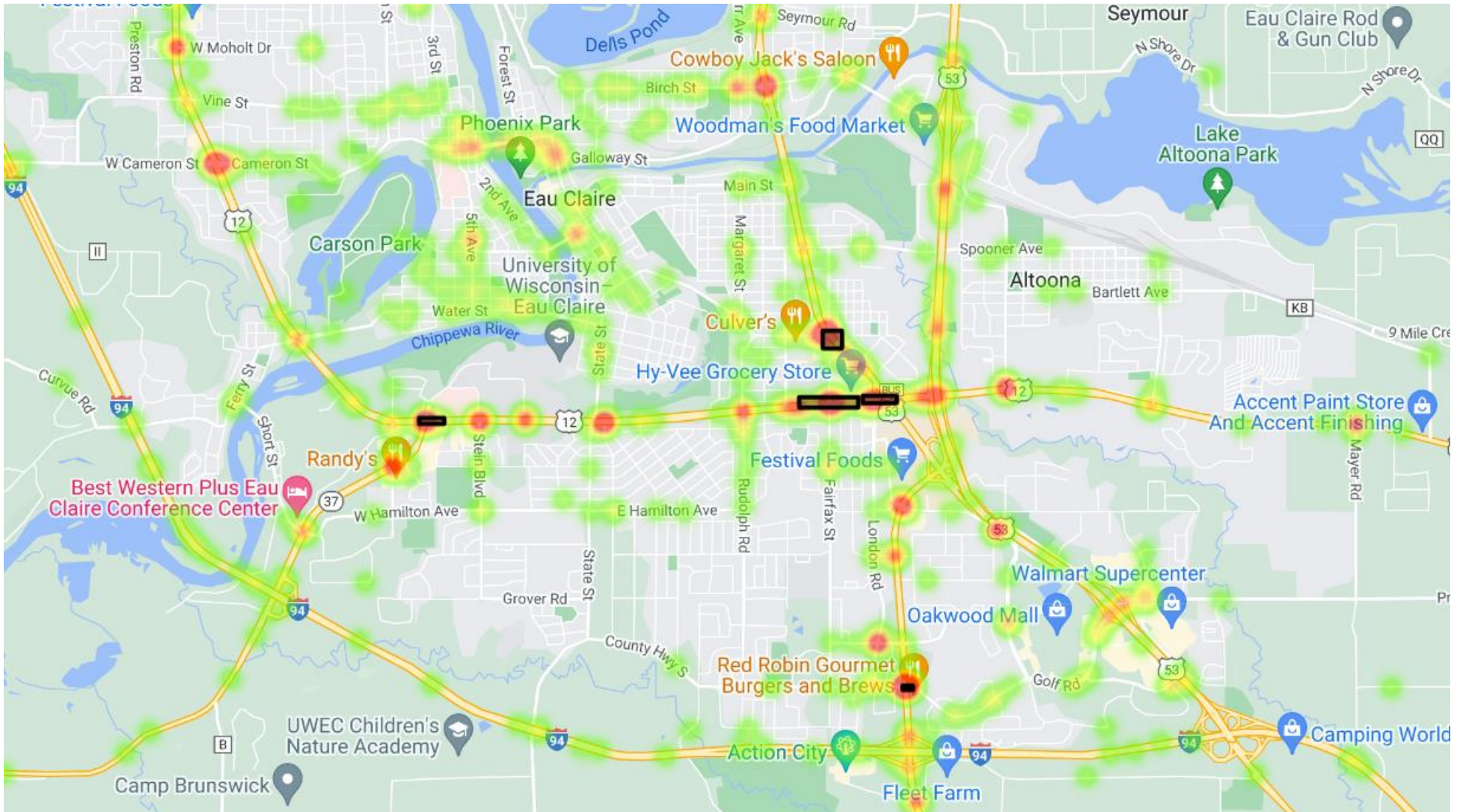
Predictive Analytics

Top 5 county high crash probability locations based on previous three years worth of (KABC) county wide crash data.



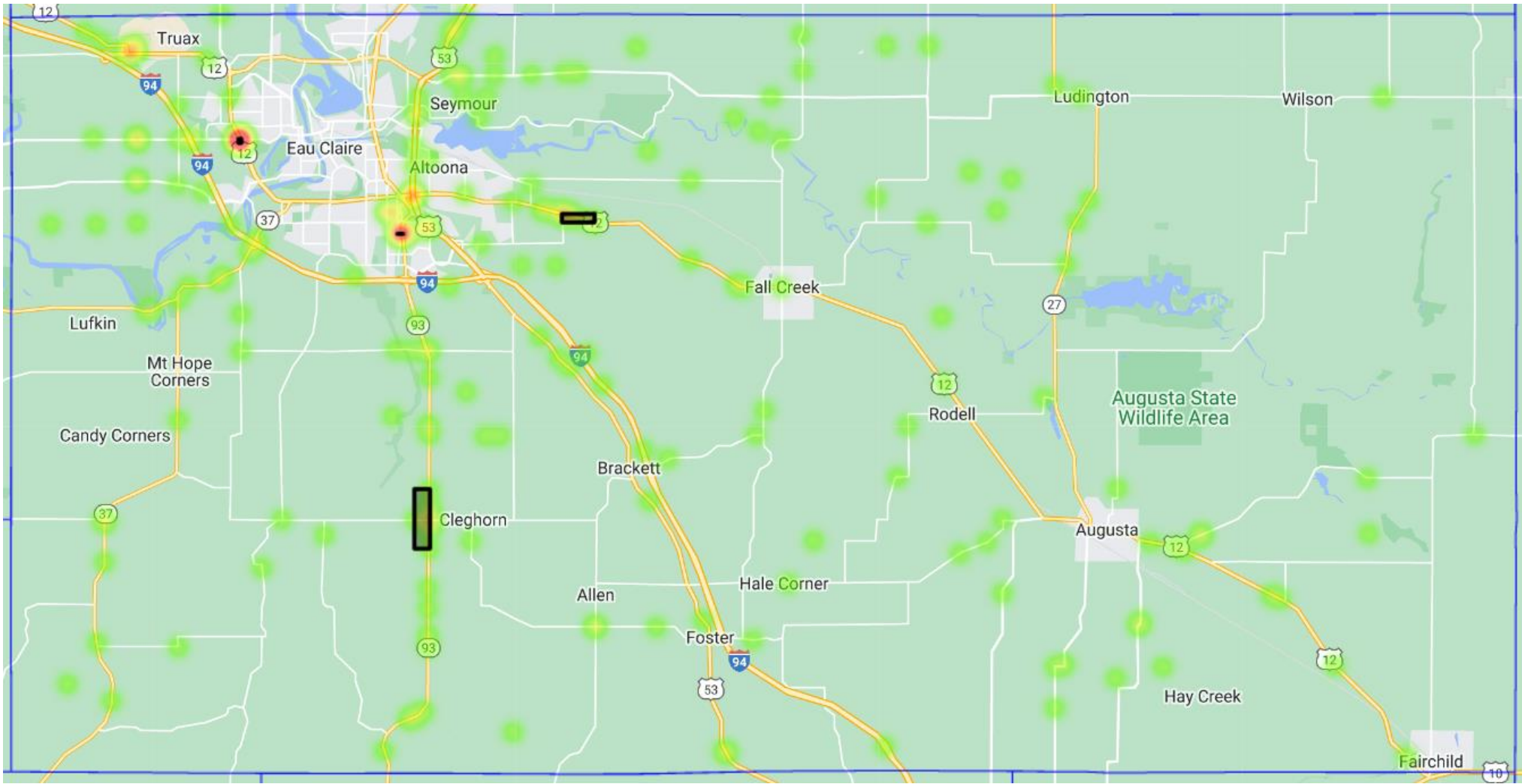
Predictive Analytics

Top 5 county high crash probability locations based on previous three years worth of (KABC) county wide crash data.



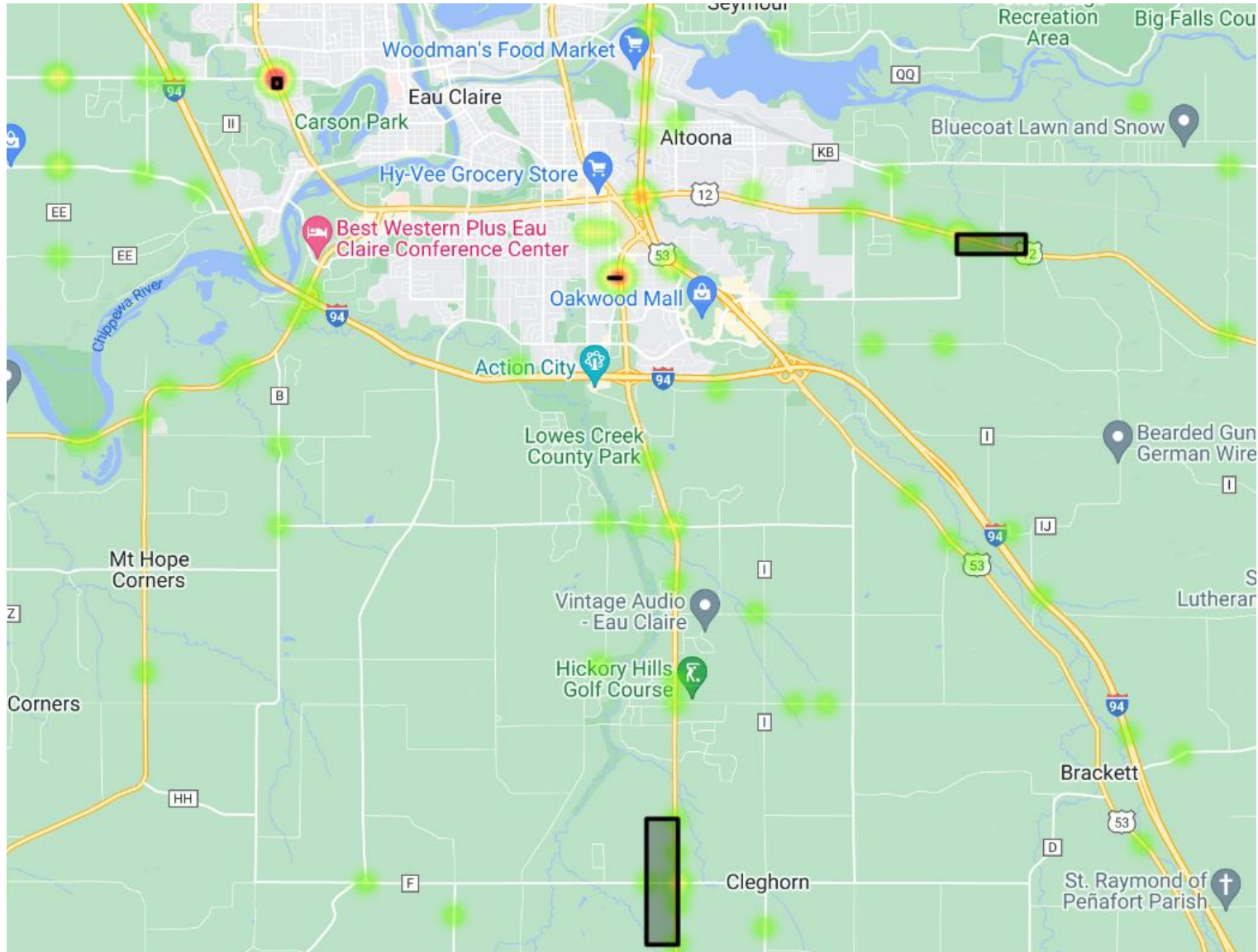
Predictive Analytics

Top 4 county high crash probability locations based on previous three years worth of (KABC) Eau Claire SO crash data.



Predictive Analytics

Top 4 county high crash probability locations based on previous three years worth of (KABC) Eau Claire SO crash data.





A new tool in Wisconsin's Traffic Safety Toolbox!

Judicial Outreach Liaison

Judicial Outreach Liaison (JOL)

What?

A liaison between the WI Highway Safety Office (BOTS) and the Wisconsin Judicial System to enhance traffic safety efforts.

Who?

Todd E. Meurer is the municipal judge for the Western Dane County Joint Municipal Court serving the Towns of Verona and Middleton. He also is the American Bar Associations' Judicial Outreach Liaison for the State of Wisconsin. In this position he seeks to educate Wisconsin's judiciary concerning impaired driving and other highway safety issues

Contact Information

wijolmeurer@gmail.com or 608-332-2864

Join Children's Wisconsin in creating safer roads for everyone.

Through the power of teamwork and friendly competition, we're encouraging everybody to be part of making a positive impact on our communities and scoring big for road safety.



How the Safe Roads Challenge Works

Earn Rewards, Compete, and Collaborate



Leaderboards

Our community of safe drivers compete on teams across North America to earn a spot on our leaderboard. Whether you're a solo driver or part of a team, you'll have the chance to earn recognition and prizes throughout the competition for your safe driving skills.



Friendly Competition

Drivers take on a variety of challenges and compete for weekly and grand prizes. Whether they're striving for a top score or want to be part of the winning team, there's always something to aim for in our community.



Prizes

Our method relies on positive reinforcement and incentives that fuel drivers to win big! Along with the thrill of driving safely, they can win amazing prizes, including exclusive offers from their favorite brands, gift cards, and grand prizes.



We strive for great relationships with our partners.

We have developed such a [meaningful partnership](#) with Medidas and their mobile gaming application, TrypScore. Both of [our businesses are driven by the same thing](#), the desire to help people, which [makes us a great team](#). The app incentivizes safe driving and our [2+ years of sponsorship](#) of it has proven to be [mutually beneficial](#) through joint marketing efforts, driver data access, and of course, the [promotion of safer roads in our communities](#)."

— *Katie Keeling, Marketing & Communications Advisor*

Promote safer roads with impactful advertising.

Sponsor a Social Impact Challenge

Positive Brand Sentiment

Position your brand as a social enterprise and showcase your commitment to Safe Roads. By sponsoring the Safe Roads Challenge, you demonstrate your dedication to community safety and contribute to creating a safer environment for all.

Engage Your Community

Engage with your audience in a whole new way by sponsoring the Safe Roads Challenge. Gain valuable insights and data about your customers while fostering a deeper connection through their participation in this impactful initiative.

Safe Roads Rewards

Make a meaningful contribution to the promotion of safe roads by sponsoring rewards or incentives for responsible drivers. Acquire new customers, improve brand loyalty initiatives, and increase basket size through Safe Roads offers.

Sponsor an Employee Safety Initiative

Safer Workplace

Sponsoring your employees can improve their driving skills, making them safer on the road whether they drive as part of their role or commute to and from the office.

Save on Fleets

By sponsoring your employees to drive safely and efficiently, your company can save money on fleet-related expenses such as fuel, maintenance, and insurance.

Boost Morale

Encourage friendly competition and foster positive culture through a Safe Roads Challenge. Provide rewards and recognition to motivate and engage your team.

Our why

Every day, 320 vehicles collisions take place in Wisconsin; And every 1.6 days, someone dies.

Did you know that in 2020 alone, over **2,800 teens in the United States lost their lives** and **227,000 were injured** in car crashes? These crashes resulted in over **\$40.7 billion in medical costs and other expenses**. Let's work together to make our roads safer for everyone. Join our Safe Roads Movement and let's drive towards a safer future.

Source: Centers for Disease Control and Prevention (CDC)



Be part of the community that cares

Join the Safe Roads Challenge Wisconsin and make a difference today

For more information, please contact:

Randy Wiessinger
WisDOT/BOTS Law Enforcement
Liaison/Consultant
Wiessinger Consulting LLC
rpw@wiessinger.com
1-608-516-6767



Scan to learn more about
Safe Roads Challenge

2023 4th Quarter Crash Data Quality

Narratives are Important

Narrative – F2 Help

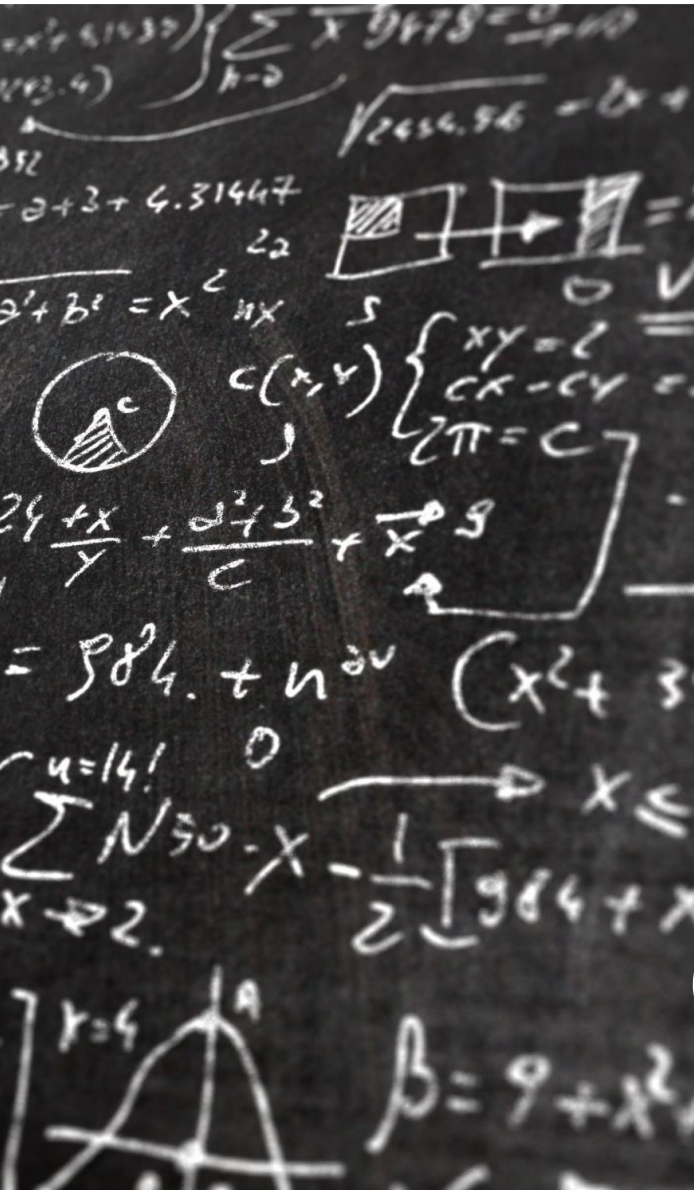
Used to describe the sequence of events for all units involved in the crash. The narrative, along with the diagram, should give a clear picture of what took place. Every crash report, except the abbreviated single vehicle property damage crashes, or non-domesticated animal crashes not resulting in injury, must have a narrative.

Who needs the narrative anyway?

- Engineers review these details and data elements to identify if the crash has an engineering countermeasure
 - ✓ Wording matters. Be as detailed as can be.
 - ✓ If the crash was a failure to stop vs failure to yield crash, different improvements may be implemented.
- Engineers don't always have the ability to collect "local knowledge" from citizens or law enforcement. Information from the report is often the only support data to help with decision making.

Focus on the “What” and “How”

- Do Need
 - Unit(s) direction/path of travel
 - Sequence of events (aligned with the sequence of events section)
 - Description that supports the diagram
 - Driver actions (aligned with driver action flags) if applicable to describe events
 - Suspected medical event or intentional (suicide) **
- Do Not Need
 - Date or time
 - Officer squad, uniform, shift
 - Lengthy report
 - See “Report #1234”



Focus on the “What” & “How”

- The diagram, narrative and sequence of events should support each other and allow the reader to understand the crash.
- DO NOT reference agency case/report numbers. WisDOT does not have access to your supplement reports.

KRL0QPGFGD

Document Number Override		Primary Crash Document #		Agency Crash Number 00253-8273		Investigating Officer/Deputy ██████████	
Crash Date 07/09/2023		Crash Time 11:40 AM		Date Arrived 07/16/2023		Time Arrived 11:50 AM	
Date Notified 07/16/2023		Time Notified 11:46 AM		Total Units 02		Total Injured 02	Total Killed 01
<input type="checkbox"/> On Emergency	<input type="checkbox"/> Hit and Run	<input checked="" type="checkbox"/> Lane Closure	<input type="checkbox"/> Work Zone		<input type="checkbox"/> Trailer or Towed	<input type="checkbox"/> Reporting Threshold	
<input type="checkbox"/> Government Property		<input type="checkbox"/> Active School Zone		School Bus Related NO		Tags	
<input checked="" type="checkbox"/> Reportable		Crash Type DT4000 (STANDARD CRASH)		<input type="checkbox"/> Amended		<input type="checkbox"/> Secondary Crash	

Description	
Diagram <p style="text-align: center;">SEE DIAGRAM FROM RECONSTRUCTION REPORT</p>	Reconstruction By ██████████ Photos By ██████████ Additional Information PHOTOS, RECONSTRUCTION, FATAL CRASH SUPPLEMENT

I, a sworn law enforcement officer, agree that I have not added any CJIS data in this report.

FULL RECONSTRUCTION BEING COMPLETED BY ██████████ ASSISTING WITH ██████████
 INVESTIGATION AND INTERVIEWING DRIVERS / PASSENGER. FULL NARRATIVE REPORTS TO BE COMPLETED BY ██████████



The following Traffic Safety Commission (TSC) resources are available:

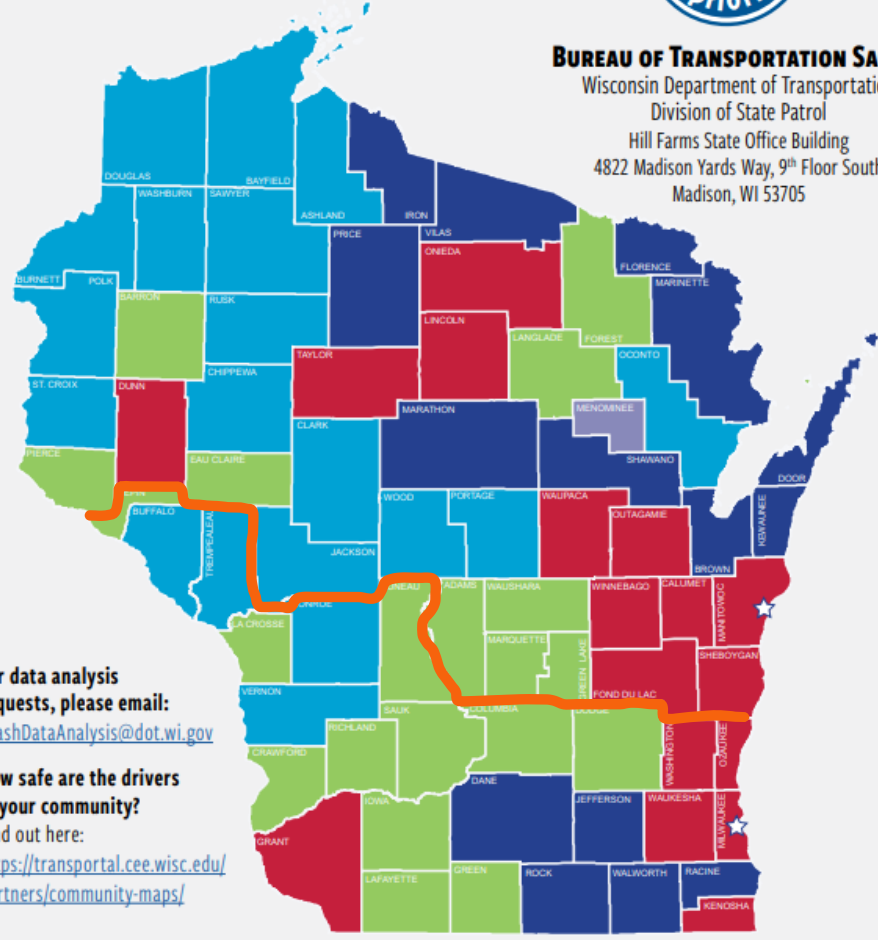


Name	Description	Version
Regional Contact Information	For information about where and when your TSC meets, please contact one of the WisDOT Bureau of Transportation Safety (BOTS) Statewide Law Enforcement Liaisons (LELs).	October 2022
TSC Guidelines (Revised)	Download the new TSC Guideline document.	October 2021
TSC Master Schedules	Click here for a statewide schedule of Traffic Safety Commission meetings. Please note that meeting dates, times and locations are set by each local TSC, and therefore may change. You are encouraged to contact the local TSC or a LEL to verify meeting information.	
Wisconsin SHSP	The current version of the Wisconsin Strategic Highway Safety Plan (SHSP) articulates strategies for the Wisconsin Department of Transportation and its many partners to address key challenges in the highway safety arena through 2020.	2017-2020
Legislative Summary	This document is produced by DSP/BOTS Analysts to provide our traffic safety partners with information on pending legislation that has an impact on traffic safety. Document is updated weekly.	
Teen Driver Safety Presentation	Customizable Power Point presentation intended for law enforcement to use in Driver's Education classes.	October 2022
Teen Driver Safety Resources	Additional resources to be used as needed in the Teen Driver Safety ppt presentation.	October 2022
	The 2021 statewide seat belt survey showed a 88.1% seat belt usage rate. Curious to know the usage in your neighborhood, school, city? Download the app and conduct a survey! The slideshow here will help you get started.	July 2021
County Profiles	Anatomy of Traffic Safety by county, prepared by WISDOT Bureau of Transportation Safety. <ul style="list-style-type: none"> • 1 - ADAMS • 2 - ASHLAND • 3 - BARRON • 4 - BAYFIELD • 5 - BROWN • 6 - BUFFALO • 7 - BURNETT • 8 - CALUMET • 9 - CHIPPEWA • 10 - CLARK • 11 - COLUMBIA • 12 - CRAWFORD • 13 - DANE • 14 - DODGE • 15 - DOOR • 37 - MARATHON • 38 - MARINETTE • 39 - MARQUETTE • 40 - MILWAUKEE • 41 - MONROE • 42 - OCONTO • 43 - ONEIDA • 44 - OUTAGAMIE • 45 - OZAUKEE • 46 - PEPIN • 47 - PIERCE • 48 - POLK • 49 - PORTAGE • 50 - PRICE • 51 - RACINE 	June 2022

Our Team



BUREAU OF TRANSPORTATION SAFETY
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 Division of State Patrol
 Hill Farms State Office Building
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 Madison, WI 53705



For data analysis requests, please email:
CrashDataAnalysis@dot.wi.gov

How safe are the drivers in your community?
 Find out here:
<https://transportal.cee.wisc.edu/partners/community-maps/>

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If I Can Help...



Trace Frost

Law Enforcement Liaison

Wisconsin Department of Transportation

Bureau of Transportation Safety/Wisconsin State Patrol

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Stay Healthy and Safe

Proposed Legislation Introduced in the Assembly (AB)/Senate (SB)

[SB-25](#) / [AB-50](#), **Property Theft: Under current law, theft of property valued at up to \$2,500 is a Class A misdemeanor, and theft of property valued at more than \$2,500 but not more than \$5,000 is a Class I felony. Under this bill, theft of property valued at up to \$1,000 is a Class A misdemeanor, and theft of property valued at more than \$1,000 but not more than \$5,000 is a Class I felony.**

Currently in Wisconsin, the penalty for a Class A misdemeanor is a fine of up to \$10,000 or imprisonment for up to nine months, or both, and the penalty for a Class I felony is a fine of up to \$10,000 or imprisonment for up to three years and six months, or both. [SB-25: Sen. Jacque, R – DePere / AB-50: Rep. Binsfeld, R - Sheboygan]

[SB-65](#) / [AB-75](#), **Animal Abuse: Under current law, a person who commits an act of animal abuse is subject to a Class C forfeiture, unless the animal abuse results in the mutilation, disfigurement, or death of the animal, in which case the person is guilty of a Class I felony. Under current law, animal abuse means treating an animal in a cruel manner, but the prohibition on animal abuse does not prohibit normal and accepted veterinary practices.**

Under this bill, the prohibition on animal abuse does not apply to an injury sustained by a dog while training or hunting with dogs in the manner authorized by the Department of Natural Resources or to the care and treatment of the injury if the injury is treated as soon as is practicable under the circumstances. Under the bill, a person who commits an act of animal abuse is guilty of a Class H felony if the animal abuse results in grievous bodily harm to or the death of the animal and is guilty of a Class I felony if the person knows or reasonably should know that the animal abuse may result in grievous bodily harm to or the death of an animal, regardless of whether grievous bodily harm or death occurs.

Under current law, a court may order that a person who commits an act of animal abuse may not own, possess, or train any animal or type or species of animal for a period specified by the court, but not to exceed five years. Under the bill, the court is required to enter an order that a person who commits an act of animal abuse may not reside with, own, possess, or train any animal of the type involved in the violation, and may also enter such an order pertaining to other animals. Under the bill, if the person is convicted of a misdemeanor violation, the ordered period specified by the court may be up to five years, and if the person is convicted of a felony violation, the ordered period specified by the court may be up to fifteen years. [SB-65: Sen. Wanggaard, R – Racine / AB-75: Rep. Spiros, R - Marshfield]

[SB-77](#) / [AB-81](#), **Failure to Wear Safety Belt Damages: This bill eliminates the cap on the amount that recovery for injuries or damages may be reduced for failure to wear a safety belt. Under current law, evidence of whether an individual complied with the requirement to wear a safety belt for the operator of the motor vehicle and passengers is admissible in a civil action for injuries or damages resulting from the use or operation of a motor vehicle. If the individual failed to wear a safety belt, the recovery for injuries or damages may be reduced by the amount determined to be caused by the failure to wear a safety belt, but the reduction may not be more than 15 percent.**

The bill allows the reduction in recovery but eliminates the 15-percent limit. Under current law and under the bill, the calculation in reduction of recovery for failure to wear a safety belt does not affect

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the determination of causal negligence in the civil action. [SB-77: Sen. James, R – Altoona / AB-81: Rep. Spiros, R - Marshfield]

SB-79 / AB-84, Possession of Vicious Dogs: Current law imposes certain restrictions on felony offenders. A person is a felony offender if any of the following applies: 1) he or she has been found guilty of a felony; 2) he or she has been adjudicated delinquent as a juvenile for an act that would have been a felony if it had been committed by an adult; or 3) he or she has been found not guilty of a felony by reason of mental disease, defect, or illness.

This bill prohibits certain felony offenders from possessing, controlling, or residing with a vicious dog, as determined by a humane officer or a law enforcement officer using criteria specified in the bill. The prohibition applies to persons whose status as felony offenders is due to committing an act that is classified under the bill as a serious felony, which includes homicide, felony battery, sexual assault, and felonies involving controlled substances. A person who violates the prohibition may be fined up to \$10,000 or imprisoned for up to nine months, or both. If a person violates the prohibition, and a person or an animal suffers great bodily harm or death as a result, the person may be fined up to \$10,000 or imprisoned for up to three years and six months, or both. If a person violates the prohibition, and a person suffers great bodily harm or death as a result and the offender knowingly allowed the dog to run loose or failed to take steps to control the dog, the person may be fined up to \$10,000 or imprisoned for up to six years, or both. The prohibition applies to a person for as long as the person is on extended supervision, parole, or probation for committing the serious felony or for 10 years following any of the following: 1) any period of incarceration imposed for the serious felony; 2) the conviction for the serious felony if the penalty does not include a period of incarceration; 3) the delinquency adjudication for the serious felony; or 4) the finding of not guilty of the serious felony by reason of insanity or mental disease, defect, or illness.

This bill allows a person to request an exemption from the prohibition if the exemption is reasonably needed to earn a livelihood or as a condition of employment and will not endanger public safety. A person seeking an exemption must file a motion in the circuit court for the county in which he or she will possess, control, or reside with the vicious dog. The person must provide a copy of the motion to the district attorney for that county, who must in turn make a reasonable attempt to contact local law enforcement agencies to inform them of the request and to solicit any information that may be relevant to whether the request should be granted. [SB-79: Sen. Jacqué, R – DePere/ AB-84: Rep. Gustafson, R - Neenah]

SB-107 / AB-85, Automated Speed Enforcement: This bill would allow law enforcement agencies in a first-class city (presently only Milwaukee) to use an automated speed enforcement system (ASES) to identify speed limit violations and allows the leadership of a first-class city to enact an ordinance that permits the use of a traffic control photographic system (TCPS) on highways under the jurisdiction of the city to identify traffic signal violations.

This bill also authorizes the leadership of a first-class city to enact an ordinance that permits the use of a TCPS on highways under the jurisdiction of the city to detect motor vehicles that fail to properly stop at red traffic signals at intersections. A TCPS is an electronic system that automatically produces photographs of motor vehicles traveling through an intersection.

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The bill also specifies that for a law enforcement agency to use an automated speed enforcement system that they must:

- 1) Clearly identify the presence of a system by signs stating, "Photo Enforced," along with the posted speed limit. The signs shall be visible to traffic traveling on the highway from the direction of travel for which the system is used and shall be posted at all locations the department determines are necessary to provide adequate notice of the presence of a system.
- 2) Identify the streets or portions of streets for which the use of a system has been approved and the hours of enforcement on the local law enforcement agency's website. The information under this subdivision shall be updated whenever the local law enforcement agency change's locations that are enforced with a system or hours of enforcement.
- 3)
 - a. Use law enforcement officers or other trained designated employees to oversee the operation of systems and maintain control over all enforcement activities, including the determination of when a citation should be issued.
 - b. Properly train law enforcement officers and other designated employees in the use of a system, including the operation, set-up, and testing of a system deployed by the law enforcement agency, and the enforcement of traffic and speeding laws.
 - c. Retain documentation demonstrating the successful completion of required training by a law enforcement officer or designated employee who oversees the operation of a system and enforcement activities.
- 4) Ensure that the system is regularly inspected and certify that the system is installed and operating properly. Each camera unit shall be calibrated in accordance with the manufacturer's instructions, and, at least once a year, each camera unit shall be calibrated by an independent calibration laboratory. The municipality shall retain documentation of the regular inspection, operation, and calibration of a system until the date on which the system has been permanently removed from use.
- 5) Use a system that provides real-time notification when violations are detected
- 6) Administer a public information campaign for at least 30 days before the commencement of use of a system. The campaign shall include public announcements in major media outlets and press releases.
- 7) Issue warning notices rather than citations for violations detected by a system during the first 90 days during which a system is used under this section. Whenever a system is first used on a highway, the local law enforcement agency shall issue warning notices rather than citations for violations detected by the systems during the first 90 calendar days of enforcement.

The bill also specifies that after 2 and 5 years that an assessment will be conducted on the system's impact on highway safety and the economic impact on communities where the system is used. [SB-107: Sen. Johnson, D – Milwaukee / AB-85: Rep. Myers, D - Milwaukee]

SB-130 / AB-127 Remote and Delivery Alcohol Retail Sales: This bill allows most alcohol beverage retailers to make online or telephone sales of alcohol beverages to be picked up by the customer at parking spaces that are part of the retail licensed premises or to be delivered by the retailer or a delivery service. The bill also prohibits municipalities from imposing by ordinance additional restrictions on these sales for pickup and creates an alcohol delivery permit issued by the Department of Revenue.

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The licensed retailer is allowed to fill an online or telephone order for the sale and delivery of alcohol beverages only if all the following apply:

- 1) the products ordered are delivered to the customer by the retailer, by a delivery service under common ownership with the retailer, or by a delivery service that is independent of the retailer and derives less than 50 percent of its annual revenues associated with food and beverage delivery from the delivery of alcohol beverages (third-party delivery service);
- 2) the retailer, delivery service under common ownership with the retailer, or third-party delivery service making delivery holds an alcohol delivery permit issued by DOR (discussed further below);
- 3) the products delivered are sold in original, unopened packages or containers, except that a "Class B" licensed retailer may deliver or have delivered intoxicating liquor sold in tamper-evident, licensee-sealed containers (commonly known as cocktails-to-go);
- 4) full payment for the order is made at the time the order is placed, although a delivery tip is permitted;
- 5) at the time the order is placed, the customer asserts that the customer is at least 21 years of age and not intoxicated
- 6) delivery is completed during hours in which the retailer is allowed to make sales for off-premises consumption
- 7) at the time of delivery and prior to transferring possession of the alcohol beverages to the customer, the individual making delivery examines the customer's identification, verifies visually and by using electronic scanning technology that the customer is at least 21 years of age, and creates a record of this age verification. Age verification records must be retained by the retailer that sold the alcohol beverages for three years. An individual may not deliver alcohol beverages to a customer unless the individual is at least 21 years of age and has successfully completed a responsible beverage server training course or comparable course.

Alcohol beverages may not be delivered to a person who is less than 21 years of age or visibly intoxicated. If alcohol beverages are delivered by a third-party delivery service or a delivery service under common ownership with the retailer to an underage person, the delivery service is liable for the violation, and the retailer is not liable if the customer asserted when placing the order that he or she is at least age 21 and not intoxicated.

The bill also prohibits a retailer from 1) entering into an agreement with a producer or wholesaler restricting availability of, or giving availability preferences for, alcohol beverage products offered for sale and delivery by means of remote delivery orders; and 2) charging different prices for these products in comparison with the prices of the same products sold in a face-to-face transaction on the licensed premises, although a retailer may charge an additional fee for delivery. [SB-130: Sen. Stroebel, R – Saukville / AB-127: Rep. Duchow, R - Delafield]

SB-150 / AB-167, Ignition Interlock Restricted License: This bill draft would make numerous changes to the state's IID statutes including creating a new license called Ignition Interlock Restricted License (IIRL). A person who commits their first OWI offense with a BAC below 0.15 and a person who fails a chemical test or refuses a test would have the option of applying for an occupational license or an IIRL. In many cases a person would be able to apply for an IIRL sooner than they could apply for an occupational license. The waiting periods for the IIRL would be different than an occupational license. In other cases, a person who is not eligible for an occupational license might be eligible for an IIRL. A person applying for an IIRL would have to satisfy the required waiting period, prove that a functioning IID has been

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installed in their vehicle, show compliance with any court-ordered assessment and driver safety plans, and pay applicable fees. The bill would also make changes to the fees and imprisonment requirements for those who operate a vehicle not equipped with an IID in violation of their restricted operating privilege. Further with each violation the person's operating privilege would be restricted an additional six months. [SB-150: Sen. Jacque, R – DePere / AB-167: Rep. Murphy, R - Greenville]

SB-209, Law Enforcement Training Reimbursement: This bill draft would increase the reimbursement rate from the Law Enforcement Standards Board (LESB) to political subdivisions for costs associated with annual recertification for law enforcement officers from at least \$160 to at least \$320 per officer. Further, the bill would require the LESB to reimburse for the costs of preparatory training that were paid by an individual who completed the training and subsequently became a certified law enforcement officer, jail officer, or juvenile detention officer in addition to the costs that were paid by a political subdivision on behalf of a recruit. The bill would also require the Office of School Safety (OSS) in DOJ to develop standards and approve a certified training program for school resource officers. School resource officers would then be required to complete the training. The OSS would also be required to create a database of school resources officers and the status of their training. [SB-209: Sen. Jacque, R – DePere / Rep. Krug, R – Nekoosa]

SB-256 / AB-250, Firearm Possession on School Grounds: Current federal and state law prohibit a person from possessing a firearm on school grounds. Federal and state law do provide some exemptions including for law enforcement. This bill draft would create an exemption similar to the current federal exemption that would allow a person who has a license issued by DOJ to possess a firearm on the grounds of a school if the person is employed by the school and the school board/governing entity has adopted a policy allowing this. Further, the bill would waive the initial application fee, renewal fee, and background check fee for teachers who apply for a license. [SB-256: Sen. Tomczyk, R – Mosinee / Rep. Allen, R – Waukesha]

SB-273 / AB-278, Law Enforcement Rehires: Under current law, a WRS annuitant who is hired by an employer participating in the WRS, must suspend their annuity and may not receive a WRS annuity payment until the person is no longer in a WRS-position. This bill draft creates an exception to allow an annuitant who was a law enforcement officer or fire fighter to return to work with an employer participating in the WRS and elect not to become a participating employee for purposes of the WRS, and instead continue to receive his or her annuity. [AB-278: Rep. Wichgers, R – Muskego / SB-273: Sen. Jacque, R – DePere]

SB-363/AB-365, Pig Iron Transport: This bill draft would change the definition of recyclable scrap for the purposes of the overweight or oversize scrap permit to include pig iron. [SB-363: Sen. Ballweg, R – Markesan]

SB-354, Driver Ed (School Bus Safety): This bill draft would require that upon driver license renewal an applicant complete a verbal school bus safety examination. The performance on the exam would not affect whether the license is renewed or not. The knowledge test for new applicants would be required to include school bus safety material. Also, driver education courses would be required to provide instruction on school bus safety. [SB-354: Rep. Johnson, R – Jefferson]

SB-352 / AB-350, Extreme Risk Protection Temporary Restraining Orders: Under current law a person who is subject to a domestic abuse injunction and in some cases a harassment or an individuals-at-risk

Legislative Proposals of Interest to DSP/Law Enforcement **2023-2024 Legislative Session (Current as of 10-20-23)**

injunction they are prohibited from possession a firearm and must surrender them. Violating the prohibition is a Class G felony. This bill draft creates an extreme risk protection temporary restraining order and injunction to prohibit a person from possessing a firearm. Either a law enforcement officer or a family or household member of the person may file a petition with a court to request an extreme risk protection injunction. The petition must allege facts that show that the person is substantially likely to injure himself or herself or another if the person possesses a firearm. If the judge issues a TRO, the TRO is in effect until the injunction hearing, which must occur within 14 days of the TRO issuance. The TRO must require a law enforcement officer to personally serve the person with the order and to require the person to immediately surrender all firearms in his or her possession. If a law enforcement officer is unable to personally serve the person, then the TRO requires the person to surrender within 24 hours all firearms to a law enforcement officer or a firearms dealer and to provide the court a receipt indicating the surrender occurred. At the injunction hearing, the court may grant an extreme risk protection injunction ordering the person to refrain from possessing a firearm and, if the person was not subject to a TRO, to surrender all firearms he or she possesses if the court finds by clear and convincing evidence that the person is substantially likely to injure himself or herself or another if the person possesses a firearm. An extreme risk protection injunction is effective for up to one year and may be renewed. A person who possesses a firearm while subject to an extreme risk protection TRO or injunction is guilty of a Class G felony. In addition, a person who files a petition for an extreme risk protection injunction, knowing the information in the petition to be false, is guilty of the crime of false swearing, a Class H felony. [SB-352: Sen. Taylor, D – Milwaukee / AB-350: Rep. Andraca, D - Whitefish Bay]

AB-368 / SB-372, Firearm Sales: This bill draft would generally require firearms transfers to go through a federally licensed firearms dealer which would involve a background check of the prospective transferee. There would be exceptions for transfers such as to law enforcement, firearms dealer, and gifts between family. The penalty for violating the prohibition would be a fine of \$500 to no more than \$10,000, imprisonment for up to nine months, and the person may not possess a firearm for two years. (AB-368: Rep. Stubbs, D - Madison / SB-372: Sen. Johnson, D – Milwaukee)

SB-384 / AB-397, Determining Lawful Presence: This draft bill would require a law enforcement officer to determine whether a person who is arrested for or charged with a crime or civil violation is a lawfully present in the state. If the officer has reasonable suspicion, based on a failure to provide identification that the person is not lawfully present, the officer must attempt to verify whether the person is a lawfully present. If the person provides proof of lawful presence, then the officer may not inquire further. However, if the person does not provide proof, the officer must attempt to verify the person's immigration status with the federal government. Under the bill draft, an officer may not base reasonable suspicion of unlawful presence on a person's race, color, or national origin except as permitted under the U.S. and Wisconsin Constitutions. If a person is determined to be unlawfully present an officer must report the person to the appropriate federal immigration authority, must cooperate with the immigration authorities to the greatest extent possible, and, if permitted under federal law, must detain the person until the federal immigration authority can take the person into federal custody. Law enforcement agencies would be required to collect data regarding the number of persons who are determined to be unlawfully present in the state who are charged with a crime or civil violation. DOJ must collect this data and submit a report on the data to the legislature every six months. [SB-384: Sen. Bradley, R – Franklin / AB-397: Rep. Gundrum, R – Slinger]

SB-431 / AB-440, Oversize Permits (Liquid Milk Products/Whey): This bill draft would change the definition of fluid milk product under the oversize overweight permit to include raw milk and liquid milk products and by products, including liquid whey and whey by products. [SB-431: Sen. Ballweg, R – Markesan / AB-440: Rep. Kurtz, R – Wonewoc]

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[SB-417](#) / [AB-426](#), Law Enforcement Appointment Eligibility: Under current law, a sheriff deputy or a local law enforcement officer must be a citizen of the United States. This bill draft provides that no person may be appointed as a law enforcement officer or correctional officer unless that person is legally eligible to work in that position in the United States and, if the person is not a citizen of the United States, has been lawfully present in the United States for the six consecutive years preceding appointment. Further, holders of A-3, N-8, or N-9 visas may not be appointed to any of these positions. [SB-417: Sen. James, R – Altoona / AB-426: Rep. Sortwell, R - Two Rivers]

[SB-446](#) / [AB-448](#), Skateboards on a Roadway: Under current law skateboards are defined as a play vehicle, which a person may not ride on a roadway except for crossing at a crosswalk. This bill draft would remove skateboards from the play vehicle definition. Skateboards would instead be treated the same as in-line skates which are allowed on municipal roadways and would be governed under local ordinance. Skateboards would still not be allowed on roadways under the jurisdiction of DOT. [AB-448: Rep. Joers, D – Middleton / SB-446: Sen. Larson, D - Milwaukee]

[SB-460](#) / [AB-463](#), Double Fines When Railroad Workers Present: This bill draft would double fines for traffic violations that are committed where railroad construction or maintenance workers are present and are at risk from traffic. [Sen. Cowles, R - Green Bay / AB-463: Rep. Spiros, R – Marshfield]

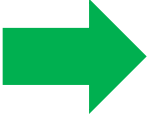
[SB-486](#) / [AB-506](#), Marijuana Legalization: This bill draft would legalize the possession of marijuana for people over 21 and create a medical marijuana registry program. The registry program would allow qualifying patients to not pay tax on the marijuana. The production, processing, and sale of marijuana would be regulated under the Department of Revenue and the Department of Agriculture, Trade, and Consumer Protection. The bill draft also provides funding for the Drug Recognition Expert program. Further the bill draft addresses the review of previous convictions of marijuana, the registration THC testing labs, discrimination based on marijuana use, drug screening and testing for public assistance programs, and community equity grants. [SB-486: Sen. Agard, D – Madison / AB-506: Rep. Madison, D – Milwaukee]

[SB-484](#) / [AB-511](#), Oversize Permits (Michigan border permit): This bill draft would expand the Michigan border permit to include the following:

1. STH 70, from the junction with westbound STH 139 in Florence County to the junction with STH 13 in the town of Fifield.
2. STH 54, from the junction with CTH S in Outagamie County to the junction with STH 55 in the town of Oneida in Outagamie County.
3. STH 32, from the junction with STH 64 in Oconto County to a point three-quarters of a mile south of the village of Suring.
4. STH 17, from the junction with STH 70 in the city of Eagle River to the junction with Twelve Oaks Lane in Oneida County.
5. STH 13, from the junction with STH 70 in the town of Fifield in Price County to the junction with 5th Street in the city of Park Falls.
6. USH 63, from the junction with USH 2 in Bayfield County to the junction with Krueger Road in the town of Bass Lake in Sawyer County.
7. STH 22, from the junction with I 41 in the city of Oconto to the junction with STH 55 in the city of Shawano.
8. STH 55, from the junction with STH 22 in the city of Shawano to the junction with USH 151 in Calumet County.

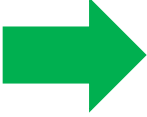
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9. USH 151, from the junction with STH 55 in Calumet County to the junction with CTH S in Manitowoc County. (Rep. Mursau, R – Crivitz / SB-484: Sen. Tomczyk, R - Mosinee)



SB-514 / AB-536, Fleeing an Officer: This bill draft would increase the penalties for fleeing an officer as follows:

1. The penalty for fleeing an officer is increased from a Class I felony to a Class H felony.
2. The penalty for fleeing an officer and causing bodily harm to another or damage to the property of another is increased from a Class H felony to a Class G felony.
3. The penalty for fleeing an officer and causing great bodily harm to another is increased from a Class F felony to a Class E felony, with a mandatory minimum of 1.5 years imprisonment.
4. The penalty for fleeing an officer and causing death to another is increased from a Class E felony to a Class D felony, with a mandatory minimum of 2.5 years imprisonment. [SB-514: Sen. Knodl, R – Germantown / AB-536: Rep. Donovan, R- Greenfield]



SB-525, Vehicle Window Tint: Under this bill draft the limitations on the tinting of motor vehicle windows under DOT administrative rule would not apply to vehicles owned by the state, county, city, village, or town when tinting is necessary for the protection of personnel, passengers, or equipment. [SB-525: Sen. James, R – Altoona / Rep. Novak, R – Dodgeville]

Proposed Legislation in the Public Hearing Process

SJR-13 / AJR-15, Police and Fire Fund (First Consideration): (SJR-13, Public Hearing 3/21/23) Under current law, a communications provider is required to collect from each subscriber of a communications service a monthly fee of 75 cents on each communications service connection with an assigned telephone number, including a communications service provided via a voice over Internet protocol (VoIP) connection. The communications provider must identify the fee as a “charge for funding countywide 911 systems plus police and fire protection fee.” The fee is commonly referred to as the “police and fire protection fee.” The fee is administered by the Public Service Commission, and the revenue from the fee is deposited in the police and fire protection fund. Under current law, most of the revenue from the police and fire protection fund is used to make county and municipal aid payments.

This constitutional amendment, proposed to the 2023 legislature on first consideration, requires that revenues from a police and fire protection fee be deposited into a police and fire fund and used only for expenses related to updating the 911 service infrastructure. The amendment also requires the Department of Military Affairs to administer the fee. [SJR-13: Sen. Jacque, R – DePere / AJR-15: Rep. Sortwell, R – Two Rivers]

SB-445 / AB-393, Kratom Legalization: (AB-393: Public Hearing 9/13/23) This bill draft defines kratom products as products intended for human or animal consumption, including food, drink, chewing gum, and food supplements, made from any part of a leaf of the *Mitragyna speciosa* plant, and legalizes the manufacture, distribution, delivery, and possession of kratom. Under current law, kratom is classified as a Schedule I controlled substance and if a person manufactures, distributes, or delivers kratom, he or she is guilty of a Class H felony, and if a person possesses kratom he or she is guilty of a misdemeanor. The bill draft removes kratom from the schedule of controlled substances and legalizes the

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manufacture, distribution, delivery, and possession of kratom, subject to certain limitations. Under the bill draft, a processor may not distribute the product if it 1) is mixed or packed with another substance that affects the kratom product's quality or strength to such a degree that it may cause injury; 2) contains a poisonous ingredient, controlled substance, or controlled substance analog; 3) contains a level of 7-hydroxymitragynine that is greater than 1 percent; 4) contains any synthetic alkaloid; or 5) does not include a label that states the amount of mitragynine and 7-hydroxymitragynine contained in the product. The bill also prohibits the sale of a kratom product to any person under the age of 21. A person who violates either of these provisions is guilty of a Class C misdemeanor. The bill draft also requires a processor to obtain a food processing plant license from the Department of Agriculture, Trade and Consumer Protection, to register a kratom product before distributing it, and to follow distribution requirements. [AB-393: Rep. Murphy, R – Greenville / SB-445: Sen. Cabral-Guevara, R – Appleton]

SB-386 / AB-395, Peer-to Peer Vehicle Sharing: (SB-386, Public Hearing 9/21/23) This bill draft would create the parameters for liability and insurance related to a peer-to-peer motor vehicle sharing program. A peer-to-peer motor vehicle sharing program is a business platform that connects a vehicle owner with an individual to in which the individual pays to use the vehicle. The driver must have a driver's license to participate in the sharing program. The sharing program would be required to verify the vehicle is free from safety recalls at the time the vehicle is registered with the program. The owner would be responsible for future safety recalls. [SB-386: Sen. Stafsholt, R - New Richmond / Rep. Duchow, R – Delafield]

SB-410, Impounding Vehicles: (SB-410, Public Hearing 10/3/23) This bill draft would allow law enforcement to immediately impound vehicles used in the following offenses for 90 days:

1. Operating a vehicle without a license, with certain exceptions, or with a suspended or revoked operating privilege.
2. Speeding at a rate higher than 25 miles per hour above the speed limit.
3. Fleeing from a law enforcement officer.
4. Racing on a highway

[SB-410: Sen. Jacque, R – DePere]

SB-404 / AB-421, Operating Without License: (SB-404, Public Hearing 10/3/23) This bill draft would increase the penalties for operating a motor vehicle without a license or after license suspension or revocation. The bill proposes the following changes:

Operating without a license

1. Under current law, a person who has more than one operator's license at a time or who unlawfully operates a commercial motor vehicle is subject to a forfeiture of up to \$600 and six months imprisonment for a first offense, with increasing penalties for subsequent offenses. Under the bill, the person is guilty of a Class B misdemeanor.
2. Under current law, a person who is guilty of an OWL violation is subject to a forfeiture of up to \$200 for a first offense, with increasing penalties for certain second and third offenses. Under the bill, a person who is guilty of a second or subsequent OWL violation is guilty of a Class A misdemeanor. The bill also provides that a person who accumulates four or more convictions of OWL is a habitual traffic offender.

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3. Under current law, a person who is guilty of an OWL violation that causes great bodily harm or death to another is subject to a fine of up to \$7,500 and \$10,000, respectively. Under the bill, the person is guilty of a Class H and Class F felony, respectively.

4. Under current law, a person who is guilty of an OWL violation that causes great bodily harm or death to another and who knew that he or she was operating without a license at the time of the violation is guilty of a Class I and Class H felony, respectively. The bill increases these penalties to a Class G and Class E felony, respectively.

Operating while suspended or after revocation:

1. Under current law, a person who is guilty of OWS or OAR is subject to a forfeiture of up to \$200 and \$2,500, respectively. Under the bill, the person is guilty of a Class B and Class A misdemeanor, respectively.

2. Under current law, a person who is guilty of OAR and whose license was revoked for operating while intoxicated or a related violation is subject to a fine of up to \$2,500 and up to one year of imprisonment. Under the bill, the person is guilty of a Class I felony.

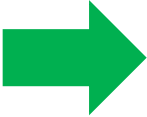
3. Under current law, a person who is guilty of OAR and who has previously been convicted of an OAR violation where the revocation was for certain qualifying convictions (generally, felonies involving the use of a vehicle) is subject to a fine of up to \$10,000 and up to one year of imprisonment. Under the bill, the person is guilty of a Class I felony.

4. Under current law, a person who is guilty of an OWS or OAR violation that causes great bodily harm or death to another is subject to a fine of up to \$7,500 and \$10,000, respectively. Under the bill, the person is guilty of a Class H and Class F felony, respectively.

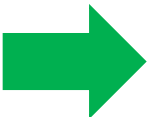
5. Under current law, a person who is guilty of an OWS or OAR violation that causes great bodily harm or death to another and who knew that his or her license was suspended or revoked at the time of the violation is guilty of a Class I and Class H felony, respectively. The bill increases these penalties to a Class G and Class E felony, respectively.

6. The bill creates new penalties that provide that a person who is guilty of OAR and whose license was revoked for any violation of state or local traffic laws or ordinances, or for habitual traffic offender status, is guilty of a Class I and Class H felony, respectively.

7. The bill provides that a person who accumulates four or more convictions of OWS or OAR is a habitual traffic offender. [SB-404: Sen. Wanggaard, R – Racine / AB-421: Rep. Spiros, R - Marshfield]



[SB-438](#) / [AB-447](#), Prisoner Placement: ([AB-447: Public Hearing 10/18/23](#)) This bill draft defines “sex” for the purpose of placing prisoners and conducting strip searches. “Sex” is defined as a person's sex at birth, as being male or female, according to distinct reproductive roles as manifested by sex and reproductive organ anatomy, chromosomal makeup, and endogenous hormone profiles. [SB-438: Sen. James, R - Altoona / AB-447: Rep. Bodden, R - Hilbert]



[SB-87](#) / [AB-87](#), Vehicular Homicide Restitution (Bentley’s Law): ([AB-87, Public Hearing 10/19/23](#)) Under this bill, if a person is convicted of the crime of homicide by intoxicated use of a vehicle, and the

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victim of the homicide is a parent of a minor child, the restitution order may include the reasonable and necessary costs of maintenance for each child of the victim until the child turns 18 or until the child turns 19 if the child is still enrolled in high school. Under current law, when determining the amount of restitution to order, the court considers the amount of loss sustained by the victim, the financial resources and earning ability of the defendant, the needs of the defendant's dependents, and any other factors the court deems appropriate. Under the bill, when setting restitution paid to a parent or guardian of a victim's child, the court may also consider the financial needs and resources of the child and the surviving parent or guardian, the standard of living that the child is accustomed to, the child's emotional needs and physical and legal custody arrangements, and the reasonable work-related childcare expenses of the surviving parent or guardian. Under the bill, this portion of restitution is paid to the surviving parent or guardian of the child instead of to the victim or victim's estate.

Additionally, the bill specifies that a parent or guardian of a victim's children also retains the right to file a civil suit against the defendant, and that restitution ordered to a parent or guardian of the victim's children will offset any damages awarded in the civil suit. Additionally, if the parent or guardian is awarded civil damages before restitution is ordered, the restitution order will be reduced by the amount of civil damages awarded to the parent or guardian. [SB-87: Sen. James, R – Altoona / AB-87: Rep. Kitchens, R – Sturgeon Bay]

Proposed Legislation that has Passed out of Committee

[AB-54](#) / [SB-75](#), Conditions of Release Changes: (AB-54, Public Hearing 3/2/23, Voted out of Committee 3/7/23) (SB-75, Public Hearing 3/7/23) Under the Wisconsin Constitution, a person accused of a crime is eligible for release before conviction under reasonable conditions designed to do any of the following: 1) assure that he or she will appear in court; 2) protect members of the community from serious bodily harm; or 3) prevent the intimidation of witnesses. The conditions of release may include monetary bail only if the court finds that there is a reasonable basis to believe that bail is necessary to assure that the defendant will appear in court. The Wisconsin Statutes relating to pre-conviction release contain the same language as the constitution.

A proposed amendment to the Wisconsin Constitution, to be given second consideration by the 2023 legislature for submittal to the voters in April 2023, changes these provisions. This bill changes the statutes relating to pre-conviction release to conform to the changes in the proposed constitutional amendment. The bill will take effect when the amendment is ratified by the voters and will be void if the amendment is not ratified by the voters.

The proposed constitutional amendment provides that a defendant is eligible for release before conviction under reasonable conditions designed to protect members of the community from “serious harm as defined by the legislature by law,” not just “serious bodily harm.” The bill defines “serious harm,” as required by the amendment, and harmonizes the statutes with the amended constitutional provision to allow the court to set reasonable conditions designed to protect members of the community from serious harm. Under the bill, “serious harm” is defined as any of the following: 1) personal physical pain or injury, illness, any impairment of physical condition, or death, including mental anguish or emotional harm attendant to the personal physical pain or injury, illness, or death; 2) damage to property over \$2,500 in value; or 3) economic loss over \$2,500 in value.

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The proposed constitutional amendment also expands the reasons why a court may impose monetary bail on a defendant as a condition of release. Under current law, monetary bail may be imposed only if the court finds that there is a reasonable basis to believe bail is necessary to assure that the defendant will appear in court. The proposed constitutional amendment adds that, if the defendant is accused of a violent crime as defined by the legislature by law, monetary bail may be imposed if the court finds that there is a reasonable basis to believe that bail is necessary based on the totality of the circumstances. The proposed amendment provides that, when considering the totality of the circumstances, the court may take into account whether the defendant has a previous conviction for a violent crime as defined by the legislature by law; the probability that the defendant will fail to appear; the need to protect members of the community from serious harm as defined by the legislature by law; the need to prevent the intimidation of witnesses; and the potential affirmative defenses of the defendant.

The bill defines “violent crime” for this purpose, and it changes the statutes to incorporate the additional reasons that the court may impose monetary bail as a condition of release. The definition of “violent crime” includes crimes such as homicide, aggravated and special circumstances battery, mayhem, sexual assault, false imprisonment, human trafficking, taking of hostages, kidnapping, stalking, disarming a police officer, arson, felony burglary, and carjacking; crimes to which a domestic abuse or dangerous weapon penalty enhancer may be applied; the violation of a domestic abuse, child abuse, or harassment injunction; or the solicitation, conspiracy, or attempt to commit a Class A felony. [SB-75: Sen. Wanggard, R – Racine / AB-54: Rep. Duchow, R - Delafield]

[SB-97](#) / [AB-89](#), Traffic Penalties, Highway Maintenance Workers: (SB: 97, Public Hearing 3/28/23, Voted out of Committee 5/23/23) (AB-89, Public Hearing 6/6/23, Voted out of Committee 6/20/23)

Under current law, the amount of any applicable minimum and maximum fine or forfeiture is doubled for specified traffic violations committed where persons working in a highway maintenance or construction area are at risk from traffic. These traffic violations include failing to follow certain traffic signs and signals, failing to follow certain orders of traffic officers, exceeding certain maximum speed limits, and driving recklessly. Currently, “highway maintenance or construction area” is defined as the section of highway between the first highway maintenance or construction warning sign and either 1) a sign indicating the end of the maintenance or construction work; or 2) in the case of a moving vehicle engaged in the maintenance or construction work, the section of roadway where traffic may return to normal flow without impeding the maintenance or construction work.

Under this bill, “highway maintenance or construction area” is defined to include the roadway adjacent to which roadside cleanup or maintenance work is being performed. In the case of highway cleanup work or roadside cleanup or maintenance work, including the collection of litter, the highway construction or maintenance area extends from the first advance warning sign to the furthest location at which cleanup or maintenance workers are working. [SB-97: Sen. Tomczyk, R – Mosinee / AB-89: Rep. Penterman, R - Columbus]

[SB-73](#) / [AB-79](#), Prostitution Surcharge: (SB-73, Public Hearing 3/28/23) (AB-79, Public Hearing 5/2/23, Voted out of Committee 5/18/23)

Under current law, the court must impose on a defendant who has been found guilty of a criminal offense certain surcharge, which are in addition to any applicable fines, costs, and fees. For instance, the court must impose a crime victim and witness assistance surcharge in

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an amount of \$67 for each conviction of a misdemeanor count and in an amount of \$92 for each conviction of a felony count. The surcharge amounts collected reimburse counties for services provided to victims and witnesses of crimes.

This bill creates a \$5,000 surcharge to be imposed on persons who are convicted of patronizing or soliciting prostitutes, pandering, or keeping a place of prostitution. Under the bill, the surcharge amounts collected are used for treatment and services for sex-trafficking victims and for criminal investigative operations and law enforcement relating to Internet crimes against children. [SB-73: Sen. Jacque, R – DePere / AB-79: Rep. Bodden, R - Hilbert]

[SB-230](#) / [AB-237](#), Prisoner Release Requirements: (SB-230, Public Hearing 5/10/23, Voted out of Committee 5/23/23) (AB-237, Public Hearing 6/13/23, Voted out of Committee **as amended 9/19/23)**

This bill draft would change requirements for releasing a prisoner to parole or extended supervision. This bill would:

- 1) change a victim's statutory right to participate in a hearing before a prisoner is released from prison on parole or extended supervision,
- 2) change the victim's statutory right to notice when that prisoner is released,
- 3) require a prisoner to submit to a psychological evaluation before release on parole or discretionary release on extended supervision, and
- 4) specify that a police chief or sheriff may disseminate information to the general public regarding a person who is convicted of certain offenses who is released from prison and will be residing in the police chief's or sheriff's jurisdiction. [SB-230: Sen. Bradley, R – Franklin / AB-237: Rep. Maxey, R - New Berlin]

[SB-262](#) / [AB-260](#), ATV/UTV Open Containers: (SB-262: Public Hearing 8/22/23, Voted out of Committee 9/5/23) This bill draft would create an open alcohol container prohibition for ATV/UTVs while on a highway, ATV/UTV trail, or other established ATV/UTV corridor that is open to the public. The draft includes an exception from the prohibition if a person is in possession of an empty bottle or receptacle that was acquired as refuse. [SB-262: Sen. Jacque, R – DePere / AB-260: Rep. Mursau, R – Crivitz]

Proposed Legislation that has Passed in One or Both Chambers

[AB-51](#) / [SB-78](#), Law Enforcement Officers: (AB-51, Public Hearing 2/28/23, Voted out of Committee, 3/7/23, Passed Assembly 3/22/23) (SB-78, Public Hearing 5/10/23, Voted out of Committee 5/23/23) Under current law, no person may be appointed as a deputy sheriff of any county or police officer of any city, village, or town unless that person is a citizen of the United States. This bill allows the sheriff of a county or the appointing authority of a local law enforcement agency to elect to authorize the appointment of aliens who are the subject of a notice of decision from the federal Department of Homeland Security (DHS) granting deferred action under the Deferred Action for Childhood Arrivals program and who are in receipt of a valid employment authorization from the DHS as deputy sheriffs or police officers. The bill also prevents the law enforcement standards board from preventing such an alien from participating in a law enforcement preparatory training program. [SB-78: Sen. James, R – Altoona / AB-51: Rep. Macco, R - Ledgeview]


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[AB-70](#) / [SB-96](#), Riot Participation: (AB-70, Public Hearing 3/2/23, Voted out of Committee 3/7/23, Passed Assembly 3/22/23) This bill makes it a Class I felony to urge, promote, organize, encourage, or instigate others to commit a riot and a Class H felony to intentionally commit an act of violence while participating in a riot.

The bill defines a “riot” as a public disturbance that involves an act of violence, as part of an assembly of at least three persons, that constitutes a clear and present danger of property damage or personal injury or a threat of an act of violence, as part of an assembly of at least three persons having the ability of immediate execution of the threat, if the threatened action constitutes a clear and present danger of property damage or personal injury. [SB-96: Sen. Wanggaard, R – Racine / AB-70: Rep. Spiros, R - Marshfield]

[SB-106](#) / [AB-58](#), Firearm Possession: (SB-106, Public Hearing 3/28/23) (AB-58, Public Hearing 2/28/23, Voted out of Committee 3/7/23, Passed Assembly 3/22/23) Current law prohibits a person who has been convicted of a felony from possessing a firearm. A person who violates the prohibition is guilty of a Class G felony, which is punishable by a maximum term of confinement in prison of five years followed by a maximum term of extended supervision of five years.

Current law has no mandatory minimum term of confinement in prison for this crime. This bill imposes a five-year mandatory minimum term of confinement in prison for a felon who is convicted of illegal possession of a firearm. [AB-58: Rep. Michalski, R – Elm Grove]



[SB-53](#) / [AB-49](#), Disabled Parking: (AB-49, Public Hearing 3/16/23, Voted out of Committee 3/20/23, Passed Assembly 4/18/23, Passed Senate 10/17/23) (SB-53, Public Hearing 9/27/23, Voted out of Committee 10/6/23) This bill expands certain parking privileges for vehicles with disabled parking plates or special identification cards to include University of Wisconsin System campuses. Under current law, a person with a disability that limits or impairs the ability to walk may apply for and obtain from the Department of Transportation special motor vehicle registration plates or a special identification card entitling a motor vehicle used by the person to certain parking privileges. Except as provided by ordinance in first or second class cities, vehicles bearing these plates or cards are not subject to time limitations on parking on any municipally owned or leased street or in any municipally owned or leased parking lot with at least a 30-minute time limitation and no meter payment is required to be made. [SB-53: Sen. Testin, R – Stevens Point / AB-49: Rep. Penterman, R – Columbus]

[SB-117](#) / [AB-145](#), Public Records: (SB-117, Public Hearing 3/12/23, Voted out of Committee 4/13/23, Passed Senate 4/19/23) Currently, if a person requests access to a public record and the agency or officer in state or local government having custody of the record, known as an “authority” under the public records law, withholds or delays granting access to the record or a part of the record, the requester may bring a mandamus action asking a court to order release of the record or part of the record. Current law requires the court to award reasonable attorney fees, damages of not less than \$100, and other actual costs to the requester if the requester prevails in whole or in substantial part in any such action. Under the supreme court's decision in Friends of Frame Park, U.A. v. City of Waukesha (2022), a requester generally is not entitled to attorney fees and costs if the authority voluntarily or unilaterally without a court order provides contested records after the requester files an action in court.

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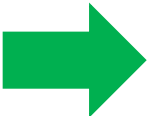
Under the bill, a requester has prevailed in whole or in substantial part if the requester has obtained relief through any of the following means:

1. A judicial order or an enforceable written agreement or consent decree.
2. The authority's voluntary or unilateral release of a record if the court determines that the filing of the mandamus action was a substantial factor contributing to that voluntary or unilateral release.

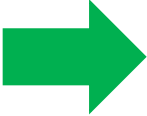
This standard is substantially the same as the standard that applies for a requester to obtain attorney fees and costs under the federal Freedom of Information Act. [SB-117: Sen. Stroebel, R – Saukville]

[AJR-047](#), Law Enforcement Appreciation: (AJR-47, Adopted by Assembly 5/17/23, Adopted by Senate 6/7/23) Recognizing May 2023 as Law Enforcement Appreciation Month in Wisconsin. (Rep. Novak, R – Dodgeville)

[AB-69](#), School Crime Reporting: (AB-69 Public Hearing 3/2/23, Voted out of Committee 3/8/23, Passed Assembly 3/14/23) This bill requires each public school, including a charter school, to report any incident that occurs in a school building or on school grounds to local law enforcement. The bill provides that, if 100 or more incidents occur in and on public school buildings and grounds during a school semester, and at least 25 of those incidents result in an arrest, the school must, no later than the first day of the next school year, employ or contract for the employment of a law enforcement officer as an armed school resource officer (SRO) to work at the school. Under the bill, “incident” is a defined term that includes violations of state and municipal disorderly conduct laws and certain crimes, including homicide, sexual assault, burglary, battery, and arson. However, the bill provides that, for purposes of counting the number of incidents that resulted in arrest, “incident” does not include incidents related to use or possession of alcohol, cigarettes, nicotine, tobacco products, or vaping devices. [AB-69: Rep. Rettinger, R – Mukwonago]



[SB-35](#) / [AB-33](#), DOT Emergency Contact Records: (SB-35, Public Hearing 4/12/23, Voted out of Committee 5/10/23, Passed Senate **as amended 6/7/23, Passed Assembly 10/17/23) (AB-33, Public Hearing 6/6/23, Voted out of Committee **as amended** 6/20/23)** This bill requires the Department of Transportation to inquire whether an applicant for an operator's license or vehicle registration wants to provide specified emergency contact information to DOT. If an applicant provides emergency contact information, DOT must record that information in DOT's file for the applicant. DOT must provide a method for a law enforcement agency that identifies a person to electronically request and automatically receive the emergency contact information recorded in the person's file. [SB-35: Sen. James, R – Altoona / AB-33: Rep. Oldenburg, R - Viroqua]

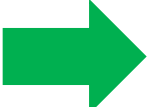


[SB-123](#) / [AB-123](#), Probationary License: (SB-123, Public Hearing 4/12/23, Voted out of Committee 5/10/23, Passed Senate 6/7/23, Passed Assembly 10/17/23) (AB-123, Public Hearing 5/23/23, Voted out of Committee 6/6/23) Under current law, a probationary license is, with certain exceptions, issued to all applicants who qualify for an original driver's license and remains in effect for two years from the date of the licensee's next birthday. Currently, the following persons are exempt from this requirement:

1. Certain persons who have been licensed by another jurisdiction.
2. Persons who are issued a commercial driver license.
3. Persons entitled to a regular license under a foreign license reciprocity agreement.

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Those who are exempt from the probationary license requirement are instead issued a regular license that remains in effect for eight years after the date of issuance. Under this bill, a person who provides to the Department of Transportation documentary proof that the person is enlisted in the U.S. armed forces is also exempt from the probationary license requirement. [SB-123: Sen. Cowles, R – Green Bay]

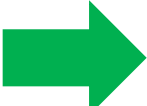


SB-124 / AB-122, Temporary License Plates: (SB-124, Public Hearing 4/12/23, Voted out of Committee 5/10/23, Passed Senate 6/7/23, Passed Assembly 10/17/23) (AB-122, Public Hearing 5/23/23, Voted out of Committee 6/6/23) Under current law, with limited exceptions, a vehicle subject to registration by the Department of Transportation may not be operated upon a highway in this state unless the vehicle is registered or an application for vehicle registration has been mailed or delivered to DOT or delivered to a motor vehicle dealer and, except for a vehicle being operated within two business days of its sale or transfer, the vehicle displays a temporary operation plate. Also under current law, DOT must issue certain temporary operation plates, and may issue other temporary operation plates and permits, for unregistered vehicles. Temporary operation plates are generally valid for a period of 90 days or until the person receives regular registration plates, whichever occurs first. Currently, DOT must issue a sufficient number of temporary operation plates and permits to each motor vehicle dealer licensed in this state for issuance to state residents who purchase or lease certain types of motor vehicles, including automobiles and light trucks.

This bill eliminates the requirement that DOT provide physical temporary operation plates and permits to motor vehicle dealers and requires DOT to issue these temporary operation plates and permits to motor vehicle dealers solely in an electronic format.

Current law provides that, if DOT determines that a motor vehicle dealer has misused temporary operation plates or permits or has violated requirements related to the issuance of these plates or permits, DOT may require the dealer to return any unused temporary operation plates or permits. The bill eliminates this consequence and, instead, allows DOT to issue an order prohibiting an erring dealer from issuing temporary operation plates or permits. The bill also provides that a dealer who has misused temporary operation plates or permits or who has violated requirements related to the issuance of these plates or permits may be required to forfeit not less than \$500 nor more than \$5,000. [SB-124: Sen. Cowles, R – Green Bay / AB-122: Rep. Snyder, R - Schofield]

SB-332 / AB-304, Alcohol Regulation: (AB-304: Public Hearing 6/13/23, Voted out of Committee 6/15/23, Passed Assembly 6/21/23) (SB-332: Public Hearing 8/17/23) This bill draft would make numerous changes within the Department of Revenue's purview to the ways in which alcohol is made, bought, and sold in the state. Included in the changes though, would be an increase in the safe ride forfeiture from \$50 to \$75 and a requirement that municipalities share information about the safe ride program to businesses with Class A and Class B alcohol license. (AB-304: Rep. Vos, R – Rochester / SB-332: Sen. LeMahieu, R - Oostburg)

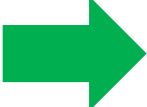


SB-120 / AB-120, Public Safety Health Care: (SB-120, Public Hearing 3/28/23, Voted out of Committee 5/23/23 as amended, Passed Senate 6/28/23 without amendment, Passed Assembly 10/17/23) (AB-120, Public Hearing 4/11/23, Voted out of Committee 9/20/23) Under current law, municipal employees who are public safety employees, such as police officers, fire fighters, and emergency medical service providers for emergency medical services departments, may bargain collectively over

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wages, hours, and conditions of employment. Public safety employees, however, may not bargain over a subject that is identified as a prohibited subject of bargaining. Under current law, all costs and payments associated with health care coverage plans and the design and selection of health care coverage plans by a municipal employer for public safety employees, as well as the impact of the costs and payments and the design and selection of the plans on wages, hours, and conditions of employment of public safety employees, are prohibited subjects of bargaining for public safety employees.

This bill clarifies that for purposes of the prohibition against bargaining over the design of a health care coverage plan selected by a municipal employer, design does not include who is covered by the health care coverage plan. In other words, public safety employees may bargain with a municipal employer about who will be covered by a health care coverage plan selected by the municipal employer. In addition, this bill clarifies that the initial decision of whether or not to provide health care coverage is a permitted subject of bargaining between a municipal employer and public safety employees. [SB-120: Sen. Wanggaard, R – Racine / AB-120: Rep. Donovan, R - Greenfield]




SB-60 / AB-66, Title Transfer: (SB-60, Public Hearing 3/15/23, Voted out of Committee 5/10/23, Passed Senate 9/14/23, Passed Assembly 10/17/23) (AB-66, Public Hearing 5/23/23, Voted out of Committee 6/6/23) Under current law, the Department of Transportation issues a certificate of title to a new owner of a vehicle after ownership of the vehicle is transferred. The new owner pays a \$157 fee for a certificate of title after a transfer and a \$7.50 supplemental title fee. Currently, these two fees are waived when a vehicle is transferred upon a person's death to his or her spouse or domestic partner.

Under this bill, these two fees are also waived when a vehicle is transferred upon a person's death to an immediate family member of the decedent. "Immediate family member" is defined under the bill as "a spouse, grandparent, parent, sibling, child, stepchild, stepparent, or grandchild, or the spouse of a grandparent, parent, sibling, child, stepchild, stepparent, or grandchild." [SB-60: Sen. Cowles, R – Green Bay]

SB-313 / AB-313, Fail to Stop for Bus: (SB-313, Public Hearing 8/22/23, Voted out of Committee 9/5/23 as amended, Passed Senate 9/14/23) This bill draft would increase the penalties for failing to stop for a school bus. Current law requires a driver to stop at least 20 feet from a stopped school bus displaying flashing red lights and remain stopped until the bus moves on or the lights are turned off. The bill draft would increase the forfeiture from \$30-\$300 to \$300-\$1,000 and would also require DOT to assess three demerit points on the violating driver's record. The amendment would increase the demerit points to four. (AB-313: Rep. Penterman, R – Columbus / SB-313: Sen. James, R - Altoona)

SB-218 / AB-219, Communication System Grant: (SB-218, Public Hearing 5/23/23, Voted out of Committee 6/1/23, Passed Senate 9/14/23) This bill draft would create a grant program under the Department of Military Affairs to provide local units of government funding for system upgrades to the statewide public safety interoperable communication system. [Sen. Marklein, R - Spring Green / Rep. Kurtz, R – Wonewoc]

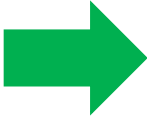


AB-105 / SB-109, ATV/UTV on Highways: (AB-105, Public Hearing 5/16/23, Voted out of Committee 6/6/23 as amended) (SB-109, Public Hearing 9/27/23, Voted out of Committee 10/6/23, Passed Senate 10/17/23, Passed Assembly 10/17/23) Under current law, the operation of all-terrain vehicles (ATVs) or utility terrain vehicles (UTVs) on any freeway that is part of the federal system of interstate

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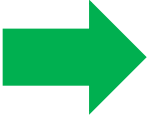
and defense highways and on any part of any other freeway is prohibited unless the Department of Transportation authorizes that use. Current law also generally prohibits operation of an ATV or UTV on all other highways, with various exceptions.

Under current law a “highway” includes all public ways and thoroughfares and all bridges on those public ways and thoroughfares, and a “freeway” is a highway with full control of access and with all crossroads separated in grade from the pavements for through traffic. Current law exempts from these freeway and highway prohibitions the operator of an ATV or UTV owned by a municipality, state agency, or public utility, or by the Great Lakes Indian Fish and Wildlife Commission, while engaged in an emergency or if the operation is directly related to the functions of that entity, unless safety requires strict adherence to the restrictions. This bill adds the operator of an ATV or UTV owned by an electric cooperative to this exemption. [SB-109: Sen. Quinn, R – Cameron]



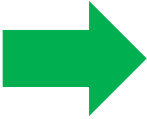
SB-119, Informant Records: (SB-119: Public Hearing, 9/27/23, Voted out of Committee 10/12/23 as amended, Passed Senate 10/17/23 as amended) Current law prohibits a law enforcement agency from disclosing records or parts of records in response to a public records request that, if disclosed, would identify a confidential informant of a law enforcement agency. Current law provides an exception to that nondisclosure requirement if the records custodian determines that the public interest in disclosing the record outweighs the harm done to the public interest by providing access to the record.

This bill extends that nondisclosure requirement concerning the personally identifiable information of confidential law enforcement informants to records or parts of records maintained by any official or body subject to the public records law, not just law enforcement agencies. [SB-119: Sen. Wanggaard, R – Racine]

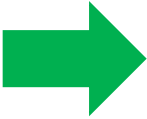


SB-216 / AB-217, ATV Whip Lights: (SB-216, Public Hearing 9/21/23, Voted out of Committee 9/28/23, Passed Senate 10-17/23) This bill draft would authorize the use of whip lights on ATV/UTVs using any color other than flashing red or blue. Whip light would be defined as a series of lights arranged vertically along a flexible rod that is attached to an ATV/UTV so that the emitted light is visible from any direction.

Under current law ATV/UTVs cannot be equipped with any of the following: 1) any color of light other than white or amber visible from the front; 2) any color of light other than red, yellow, amber, or white that is visible from the rear; or 3) any flashing, oscillating, or rotating light in a color other than yellow or amber. [SB-216: Sen. Stafsholt, R - New Richmond / AB-217: Rep. Swearingen, R - New Richmond]



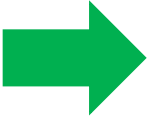
SB-217 / AB-216, ATV Passengers: (SB-217, Public Hearing 9/21/23, Voted out of Committee 9/28/23, Passed Senate 10-17/23) Under current law, it is unlawful to ride on an ATV/UTV on a part of the ATV or UTV that is not designed for use by passengers. It is also unlawful to operate an ATV or UTV with such a passenger. This bill draft provides that these restrictions do not apply to an ATV with one passenger in a second seated position. [SB: 217: Sen. Stafsholt, R - New Richmond / AB-216: Rep. Swearingen, R - New Richmond]



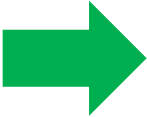
SB-355 / AB-354, Utility Warning Lights (Green): (SB-355, Public Hearing 9/27/23, Voted out of Committee 10/6/23, Passed Senate 10/17/23) (AB-354, Public Hearing 10/10/23) This bill draft would allow vehicles of a public utility, telecommunications carrier, or cooperative to have green flashing lights along with the amber lights. The green warning lights could only be used when the vehicle is operated

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for the purpose of restoration of utility service outside of normal maintenance or construction. (SB-355: Sen. Tomczyk, R – Mosinee / Rep. Callahan, R – Tomahawk)



AB-356 / SB-371, Next Gen 911 Grant: (SB-371: Public hearing 8/8/23, Voted out of Committee 9/5/23, Passed Senate 10/17/23) This bill draft would create a new grant under the Department of Military Affairs to incumbent local exchange carriers as originating service providers for the reimbursement of the incumbent local exchange carriers' certain various costs associated with Next Generation 911. (SB-371: Sen. Testin, R - Stevens Point / AB-356: Rep. Kurtz, R - Wonewoc)



AJR-79 / SJR-76, First Responder Appreciation: (AJR-79: Passed Assembly 10/17/23, Passed Senate 10/17/23) Recognizing October 17, 2023, as First Responders Appreciation Day in Wisconsin. [AJR-79: Rep. August, R - Lake Geneva / SJR-76: Sen. LeMahieu, R – Oostburg]

Signed into Law by Governor Evers

2023 Act 1 / AB-56 / SB-92, Reckless Driving Impoundment: (AB-56, Public Hearing 2/28/23, Voted out of Committee 3/7/23) (SB-92, Public Hearing 3/14/23, Voted out of Committee 2/16/23, Passed Senate and Assembly 3/22/23, Signed into Law by Governor 4/3/23) Under this new law, a political subdivision may enact an ordinance authorizing law enforcement officers to impound vehicles used in reckless driving offenses when the person cited for reckless driving is the owner of the vehicle and has a prior reckless driving conviction for which a forfeiture was imposed that has not been fully paid.

The political subdivision is required to return the vehicle to its owner once payment of prior forfeiture and citation for which the vehicle was impounded. [SB-92: Sen. Nass, R – Whitewater / AB-56: Rep. Donovan, R- Greenfield]

2023 Act 1 Legislative Council Memo (Effective Date: April 5, 2023)

2023 Act 9 / AB-55 / SB-90, Reckless Driving Penalties: (AB-55, Public Hearing 2/28/23, Voted out of Committee 3/7/23, Passed Assembly 3/22/23, Passed Senate 4/19/23, Signed into Law by Governor Evers 5/10/23) (SB-90, Public Hearing 3/14/23, Voted out of Committee 4/13/23) Under previous law, no person may endanger the safety of any person or property by the negligent operation of a vehicle, commonly referred to as “reckless driving.” Under the new law:

1. The penalty for reckless driving is increased from a forfeiture of \$25 to \$200 to a forfeiture of \$50 to \$400.
2. The penalty 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. Previous law increased the penalty for a second reckless driving offense only if the person committed the second offense within four years of the first offense. Now, 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. Under previous law, a person who commits a second or subsequent reckless driving offense may also be imprisoned for not more than one year in the county jail. This penalty was unchanged.

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3. The penalty for recklessly endangering safety by unlawfully driving across a railroad crossing when required to stop is increased from a forfeiture of \$300 to \$1,000 to a forfeiture of \$600 to \$2,000.

4. The penalty for reckless driving that causes bodily harm to another is increased from a fine of \$300 to \$2,000 to a fine of \$600 to \$4,000. Under previous law, a person who causes bodily harm to another in the course of a reckless driving offense may also be imprisoned for not less than 30 days nor more than one year in the county jail. The new law increases the term of imprisonment for this offense to not less than 60 days nor more than two years in the county jail.

5. 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.

Previous law imposed various surcharges against persons who violate certain laws. These surcharges must be paid in addition to any fine or forfeiture imposed for the violation. The driver improvement surcharge and safe ride surcharge are imposed on those who violate certain provisions related to operating while intoxicated. The driver improvement surcharge is \$435 and the safe ride surcharge is \$50. Under this law, the driver improvement surcharge and safe ride surcharge are also imposed on persons found guilty of reckless driving. [SB-90: Sen. Stroebel, R – Saukville / AB-55: Rep. Donovan, R-Greenfield]

[Legislative Council Act Memo Act 9](#) (Effective Date May 12, 2023)

[2023 Act 10 / AB-52 / SB-76, Carjacking: \(AB-52 Public Hearing 3/2/23, Voted out of Committee 3/7/23\) \(SB-76, Public Hearing 3/7/23, Voted out of Committee 3/16/23, Passed Senate 3/22/23, Passed Assembly 4/18/23, Signed into Law by Governor Evers 5/10/23\)](#) Under previous law, it is a Class C felony to intentionally take a vehicle without the consent of the owner if the person possesses a weapon and uses or threatens to use force or the weapon. It is a Class E felony to intentionally take a vehicle without the consent of the owner if the person uses or threatens to use force. These crimes are commonly known as “carjacking.” The statutes did not previously use this term, and these crimes are organized under the statutory section titled “Operating vehicle without owner's consent.”

This new law reorganizes the carjacking crimes under their own statutory section titled “Carjacking” and changed the statutory references to the carjacking statutes so as to maintain current law. Further, the law increased the penalty for carjacking from a Class C felony to a Class B felony if the person possesses a weapon and uses or threatens to use force or the weapon. The penalty for a Class C felony is a fine that is not more than \$100,000 or imprisonment for not more than 40 years, or both. The penalty for a Class B felony is imprisonment for not more than 60 years. [SB-76: Sen. James, R – Altoona / AB-52: Rep. Spiros, R - Marshfield]

(Effective Date May 12, 2023)

[Legislative Council Act Memo Act 10](#) (Effective Date May 12, 2023)

[Act 21 / AB-322, WLEA Agreement: \(Passed Assembly 6/21/23, Passed Senate 6/28/23, Signed into Law by Governor Evers 7/19/23\)](#) Ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin Law Enforcement Association, for the 2021-23 biennium, covering employees in the public safety collective bargaining unit, and authorizing an expenditure of funds.

[Legislative Council Act Memo Act 21](#) (Effective Date July 21, 2023)

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[Act 28](#) / [SB-66](#) / [AB-74](#), Farm License Endorsement: (SB-66, Public Hearing 3/15/23, Voted out of Committee 4/12/23, Passed Senate 4/19/23, Passed Assembly 6/21/23 [as amended](#), Passed Senate 6/28/23 [as amended](#), Signed into Law by Governor Evers 8/4/23) (AB-74, Public Hearing 5/23/23, Voted out of Committee 6/6/23) An “F” endorsement authorizes a seasonal farm employee who is eligible for a restricted commercial driver license under federal law to operate certain commercial vehicles for a seasonal period not to exceed 180 days in any calendar year. This law increases the seasonal period for an “F” endorsement to 210 days. [SB-66: Sen. Tomczyk, R – Mosinee / AB-74: Rep. Plumer, R - Lodi]

[Legislative Council Act Memo Act 28](#) (Effective Date August 6, 2023)

[Act 29](#) / [SB-101](#) / [AB-68](#), Reckless Homicide: (AB-68, Public Hearing 2/28/23, Voted out of Committee 3/7/23) (SB-101, Public Hearing 3/14/23, Voted out of Committee 3/16/23, Passed by Senate 3/22/23, Passed Assembly 6/7/23, Signed into Law by Governor Evers 8/4/23) Under prior law, it was a Class C felony to cause the death of another human being by manufacture, distribution, or delivery of, or by administering or assisting in administering, certain schedule I or schedule II controlled substances, controlled substance analogs, or ketamine or flunitrazepam. Under this law the penalty is increased to a Class B felony. A Class B felony is punishable by imprisonment for up to 60 years. [AB-68: Rep. Allen, R - Waukesha / SB-101: Sen. Wanggaard, R – Racine]

Unintroduced Draft Legislative Proposals

[LRB-1964](#), **CCAP Information:** Under current law, the director of state courts maintains the consolidated court automation programs website, which is an Internet site that is the statewide electronic circuit court case management system. The director of state courts has discretion regarding what information is available through the CCAP website.

Under the bill, the director of state courts must establish a separate website, called the Circuit Court Crime Information Internet Site, which must provide all of the following information in a searchable format for all crimes, for a period of 10 years after a criminal charge is filed: 1) the county in which charges were filed, 2) the judge assigned to the case, 3) the prosecutor assigned to the case, 4) the criminal charge filed, 5) the charging recommendation from the referring law enforcement agency, if applicable, 6) the monetary amount of bail if bail was required, 7) whether any plea bargain was offered in the case, 8) whether a deferred prosecution agreement was offered in the case, 9) whether any charge relating to the case was dismissed, and 10) whether the case resulted in a conviction. The director of state courts must ensure that the information provided on the Circuit Court Crime Information Internet Site does not contain a criminal defendant's personally identifying information. [Rep. Donovan, R- Greenfield]

[LRB-1699](#), **Bail Conditions:** Under current law, a judge may release a person charged with a crime without bail or may release the defendant only if he or she executes an unsecured appearance bond or may require a defendant to execute a secured bond to be released.

Under this bill, a judge may not release a defendant without bail or on an unsecured bond if the defendant has previously failed to comply with a condition of his or her release for the present offense.

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Such a defendant may be released only if he or she executes a secured bond or deposits cash in lieu of a bond. [Rep. Duchow, R - Delafield]

LRB-2489, Electronic Credentials: This bill draft would require DOT to create an electronic credential to function as an extension of a physical operator's license or ID issued by DOT. A person would not be able to use an electronic ID in place of a ID card when required, unless authorized by law. The electronic ID must meet the following criteria:


- 1) be authenticated through the use of secure encrypted communication,
- 2) enable the holder to share only the electronic credential data elements that are required to complete the transaction for which that data is being requested,
- 3) enable validation of the electronic credential without the holder relinquishing possession of any device, and
- 4) display the words "Not valid for motor vehicle operation." [Sen. Testin, R - Stevens Point / Rep. Callahan, R - Tomahawk]

LRB-4573, Officer Training Expenses: This bill draft would require the Law Enforcement Standards Board to pay law enforcement agencies for approved prepatory training expenses. The bill would also increase the minimum amount per officer from \$160 to \$320 and specifies that the agency that employs the officer be paid for the approved expenses of the officer's annual recertification training. [Sen. Stafsholt, R - New Richmond, Rep. Donovan, R - Greenfield]


LRB-4521, Electric Vehicles Indicia: This bill draft would require a vehicle that operates at greater than 50 volts to have an abbreviation "EV" displayed on the registration plate. The indication would be a sticker or be a part of the registration plate. Whether a sticker or new registration plate is issued would depend on the timing of the registration plate reissuance cycle. [Sen. James, R - Altoona / Rep. Pronschinske R - Mondovi]



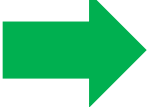
LRB-4741, Undetectable Firearms: This bill draft would create a state prohibition against the manufacture, transportation, sale possession and carrying of undetectable firearms. A violation of this would be a Class G felony. Further the bill prohibits the sale, posting, provision, or possession of plans for the manufacturing of an undetectable firearm, the violation would be a Class H felony. The prohibitions would not apply to law enforcement, armed forces, or national guard personnel while on official duty. [Rep. Joers, D - Middleton / Sen. Hesselbein, D - Middleton]



LRB-4078, Firearm Buybacks: This bill draft would create a firearm buyback grant program for counties or law enforcement agencies under the Department of Justice. [Rep. Joers, D - Middleton / Sen. Agard, D - Madison]



LRB-4758, Work Zone Cameras: This bill draft would allow a political subdivision to install cameras in highway work zones to capture video/photo evidence of traffic crashes. Evidence captured by a camera could only be accessed by a law enforcement agency and only if a police report is filed in connection with a traffic crash. [SB-256: Sen. Tomczyk, R - Mosinee / Rep. Novak, R - Dodgeville]



LRB-4462, Rehired Annuitants: Under current law, certain persons who receive a retirement or disability annuity from the Wisconsin Retirement System and who are hired by an employer that participates in the WRS must suspend that annuity and may not receive a WRS annuity payment until the employee is no longer in a WRS-covered position. This bill draft would allow an annuitant who

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retired as a protective occupation participant to return to work with an employer who participates in the WRS and elect to not become a participating employee for purposes of the WRS, and instead continue to receive his or her annuity. [Sen. Tomczyk, R – Mosinee / Rep. Rettinger, R – Mukwonago]