



AGENDA

Eau Claire County Traffic Safety Commission
Tuesday, April 23, 2024, 9:00 a.m. CST
Eau Claire County Highway Department
5061 US Hwy 53, Room 103, Eau Claire, WI 54701

WebEx Teleconference

Join from the meeting link:

<https://eauclairecounty.webex.com/eauclairecounty/j.php?MTID=m808324d18ebd79f58e6197ed4a9b0c43>

Join by meeting number:

Meeting number (access code): 2536 161 8219

Meeting password: zmFHDFmV354

Join from a video system or application:

Dial [25361618219@eauclairecounty.webex.com](tel:25361618219)

You can also dial 173.243.2.68 and enter your meeting number.

Those wishing to make a written public comment must e-mail ecchwy@eauclairecounty.gov at least 30 minutes prior to the start of the meeting or attend the meeting in-person or virtually. You will be called on during the public comment session to make your comments. Comments are limited to 3 minutes per person and 30 minutes maximum for the public comment period. PLEASE MUTE DEVICES UPON ENTRY INTO MEETING.

A majority of the county board may be in attendance at this meeting, however, only members of the committee may take action on an agenda item.

1. Call to Order and Confirmation of Meeting Notice
2. Review/Approval of Past Committee Meeting Minutes (01/23/24) - Discussion/Action
3. Public Comment
4. Highway T Corridor - Discussion
5. Resolution to Add New Members – Discussion/Action
6. Traffic Crash Summary
 - City of Eau Claire
 - City of Altoona
 - City of Augusta
7. Commission Member Reports
 - Wisconsin State Patrol
 - DOT Traffic Safety Coordinator

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.

- DOT Highway Engineer
8. Construction Status Report
 9. Future Meeting Dates/Times/Agenda Items – Discussion/Action
 10. Adjourn

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.



MINUTES

Eau Claire County Traffic Safety Commission
Tuesday, January 23, 2024, 9:00 a.m. CST
Eau Claire County Highway Department
5061 US Hwy 53, Room 103, Eau Claire, WI 54701

In Attendance: Natalie Szews-ECC Highway Dept., Brian Spilde – ECC Assistant Highway Commissioner, Todd Horn – BOTS, Trace Frost-BOTS, Tyler Esh – ECC Emergency Mgmt., Scott Gooch – MCHS, Sonja Leenhouts – ECC Risk Mgmt., Chad Hoyord – ECPD, Scott Kelley – Altoona PD, Edmin Rothrack – MPO, Mike Heffernan – WSP, Chad Hines – WisDOT, John Staber – Augusta PD

1. Meeting called to order by Tyler Esh at 9:00 a.m.

2. Review/Approval of Past Meeting Minutes (10/24/23) – Discussion/Action

- All in favor, minutes approved.

3. Public Comment

4. ATV/UTV Use on County Roads Update – Discussion

- Brian Spilde reviewed ATV/UTV route process and map draft. Also went over timeline of updating ATV ordinance.

5. Traffic Crash Summary

- Todd Horn is the new BOTS LEL for Eau Claire County.
- Todd Horn presented crash summary data in Community Maps for the cities of Eau Claire, Altoona, and Augusta.

6. Commission Member Reports

• **Wisconsin State Patrol**

- Working on predictive analytic zones.
- Over New Year’s working OWI in the city.
- Don’t have a plane right now but starting to schedule aircraft details and hope to have the plane back soon. A lot of the time will be on Highway 53 and will send an email out.
- No big events since it has been a mild winter.

• **DOT Traffic Safety Coordinator**

- Todd Horn reviewed Eau Claire County Traffic Safety Commission Quarterly Informational slides – see attached presentation.

• **DOT Highway Engineer**

- Upcoming summer construction
 1. 94 from 53 to Mallard Rd. - Starting 3-year project to replace pavement.
 2. 94 Eastbound Lowes Creek Bridge just west of 93.
 3. 94 and 93 bridges.

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.

4. 53 deck sealing project – night work.

5. Not in Eau Claire County, but on 53 from 40th up to CTH B will have some pavement replacement that may have some effects down the corridor.

6. Concrete patching job from 94 to 40th.

– Local projects

1. Fairfax St. from Hastings Way to Spooner Ave reconstruction.

2. State St./CTH F from Heather Rd to Hamilton Ave. reconstruction.

– Completed a traffic study on 93 in Pleasant Valley, looking to add traffic signals to slow traffic. Traffic signals are not needed as the road volumes are not high enough and there isn't a significant crash history. Will continue to monitor that.

– Looking at 53 corridor crash history and getting them mapped and summarized. Since 2018 through 2023, from 94 up to 29 there has been 701 crashes. Of those, 71 were secondary crashes due to crash congestion.

7. Construction Status Report

- Eau Claire County

– Reviewed 2024 construction projects.

1. Everything east of 94 are pavement replacements, so minimal traffic impacts.

2. CTH F/State St. reconstruction

3. CTH CC/Folsom St. by Town of Union reconstruction.

4. County south/southeast have large culvert replacements.

5. Bridge replacement on CTH KK north of Foster, CTH H bridge replacement still up in the air.

6. Culvert replacement on CTH R and CTH Z

8. Closures of HSHS and Prevea

- Scott Gooch advised that there will be a lot of discussion between Marshfield and Mayo Clinic health systems on how to continue support for after-hours drug and alcohol testing. Will bring information once he learns more.

9. FMCSA (Federal Motor Carrier Safety Administration) Update

- Medical Examiner's Handbook has been updated.

- Getting inquiries from FMCSA about CDL drivers that have been passed with questionable medical histories and conditions. Over the next 6 to 12 months commercial drivers may start losing their CDLs.

- Drivers are having to redo their Fed Med cards because their employers and employer's insurers will no longer accept cards done by a chiropractor.

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

- Next meeting will be on April 23.

- Future agenda items – None.

11. Adjourn at 9:45 a.m.

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.

Respectfully submitted,

Natalie Szews

Natalie Szews, Administrative Associate III
Eau Claire County Highway Department

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.



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

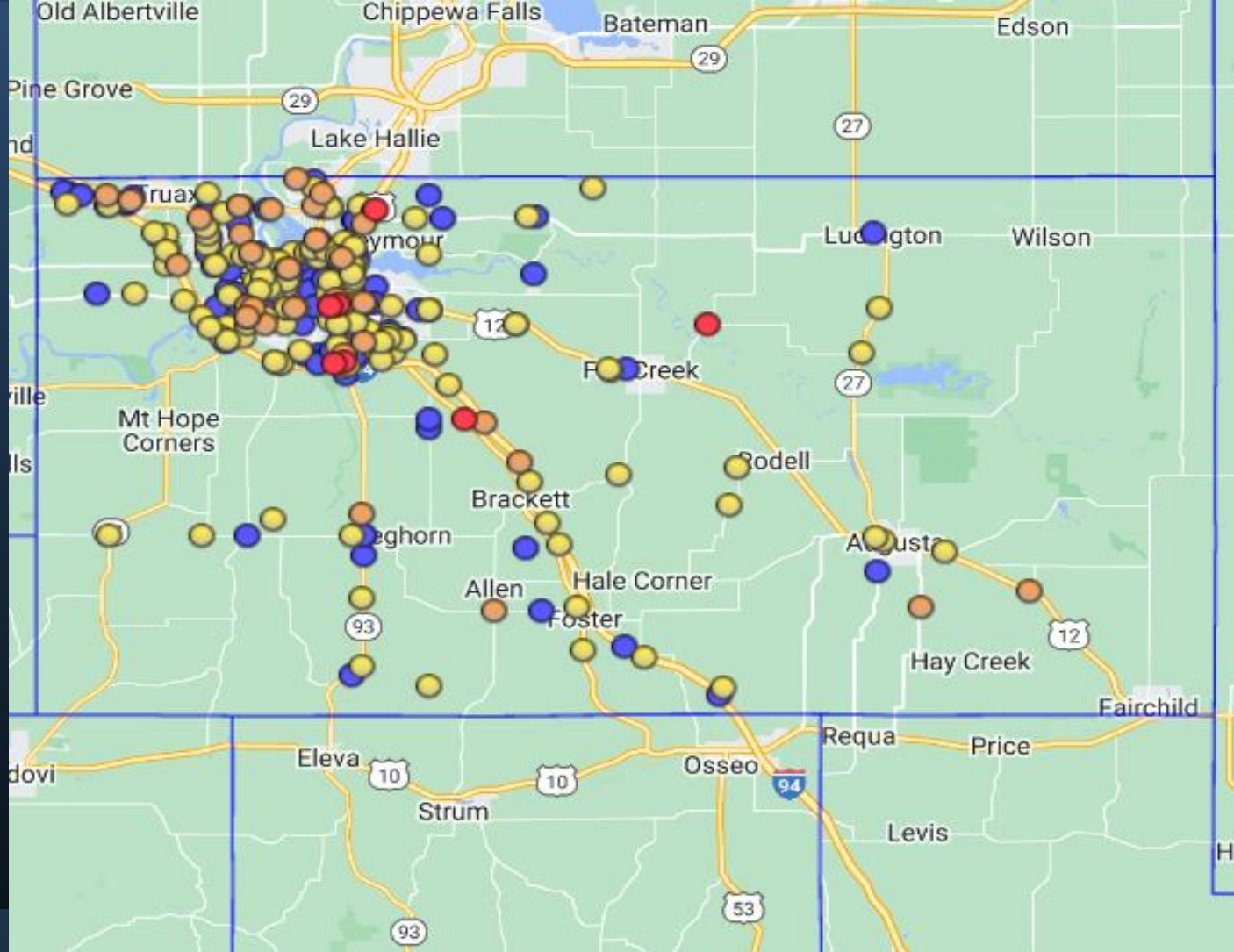
January 23, 2024

EAU CLAIRE COUNTY

01-23-23-
01-23-24

(K,A,B,C)

397 Crashes
540 Injuries
08 Fatalities



- Fatality
- Injury (A)
- Injury (B)
- Injury (C)
- Property Damage

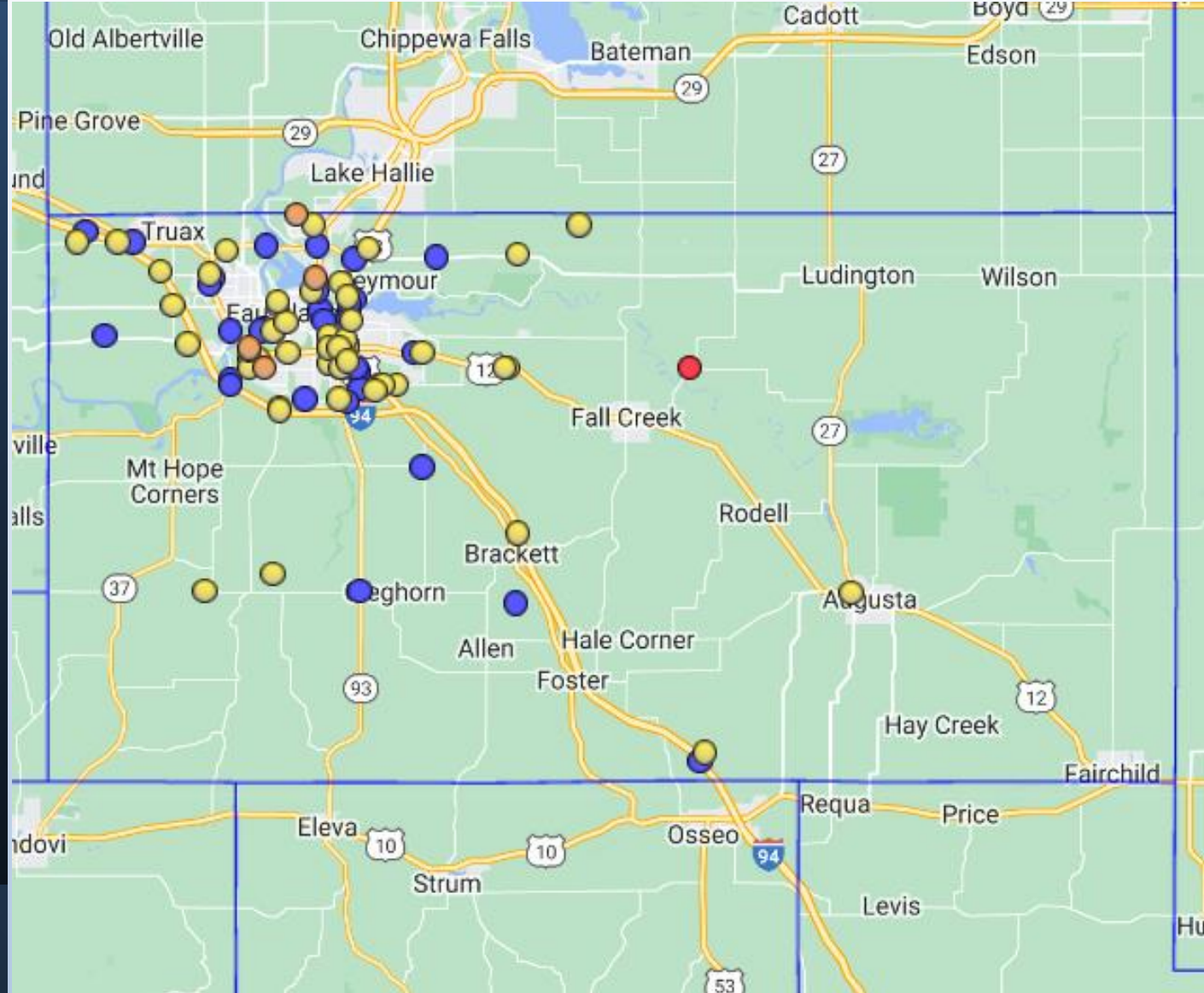
There were **397** total crashes reported resulting in **8** fatalities and **540** injuries. Of this total, **397** crashes are mapped. [\[More\]](#)

EAU CLAIRE COUNTY

10-24-23-
01-23-24

(K,A,B,C)

97 Crashes
134 Injuries
2 Fatalities



There were **97** total crashes reported resulting in **2** fatalities and **134** injuries. Of this total, **97** crashes are mapped. [\[More\]](#)

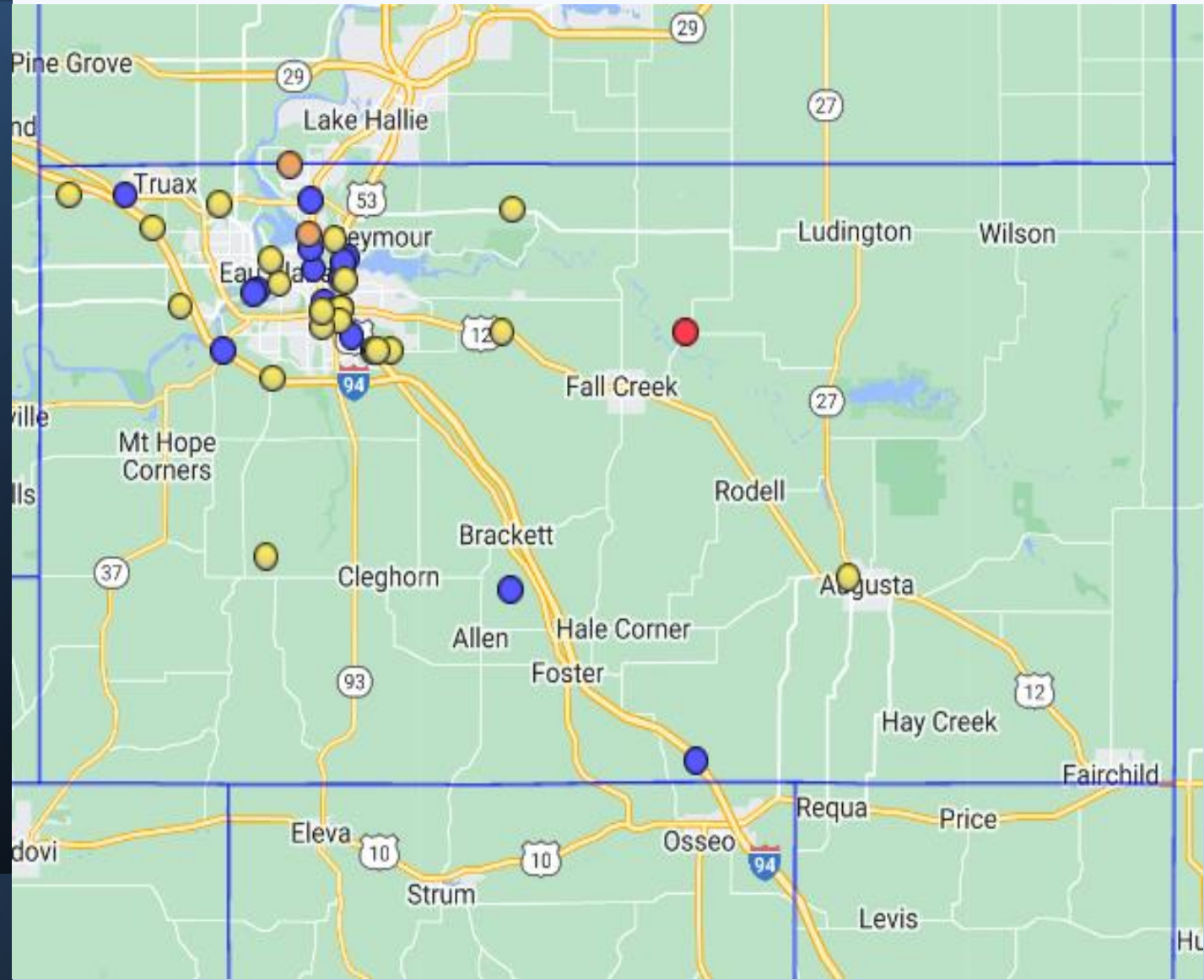
EAU CLAIRE COUNTY

10-24-23-
01-23-24

(K,A,B,C)

43 CRASHES
FLAGED

SPEED-
IMPAIRED-
DISTRACTED



- Fatality
- Injury (A)
- Injury (B)
- Injury (C)
- Property Damage

There were **43** total crashes reported resulting in **2** fatalities and **60** injuries. Of this total, **43** crashes are mapped. [\[More\]](#)

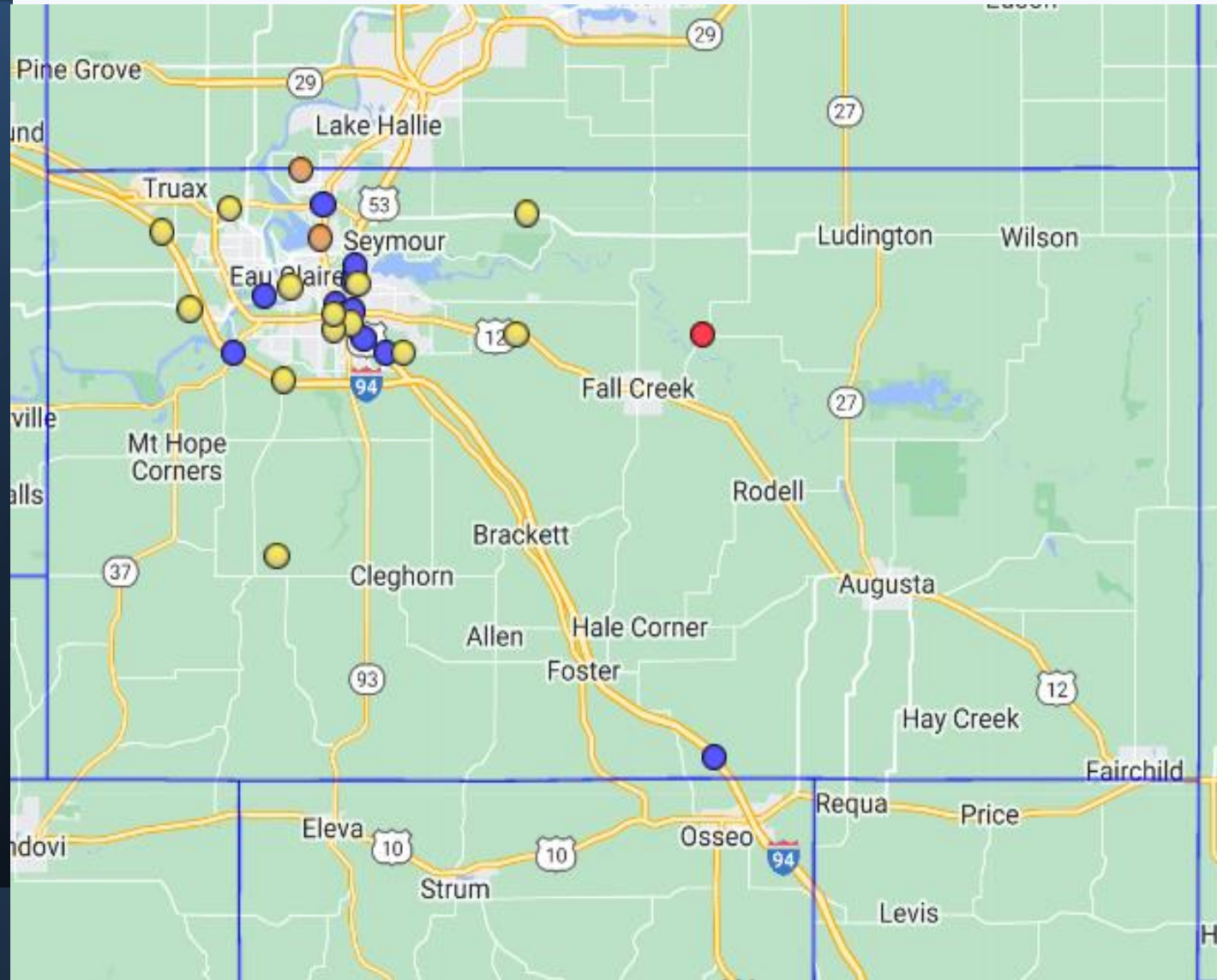
EAU CLAIRE COUNTY

10-24-23-
01-23-24

(K,A,B,C)

28 CRASHES
FLAGGED

SPEED



- Fatality
- Injury (A)
- Injury (B)
- Injury (C)
- Property Damage

There were **28** total crashes reported resulting in **2** fatalities and **41** injuries. Of this total, **28** crashes are mapped. [\[More\]](#)

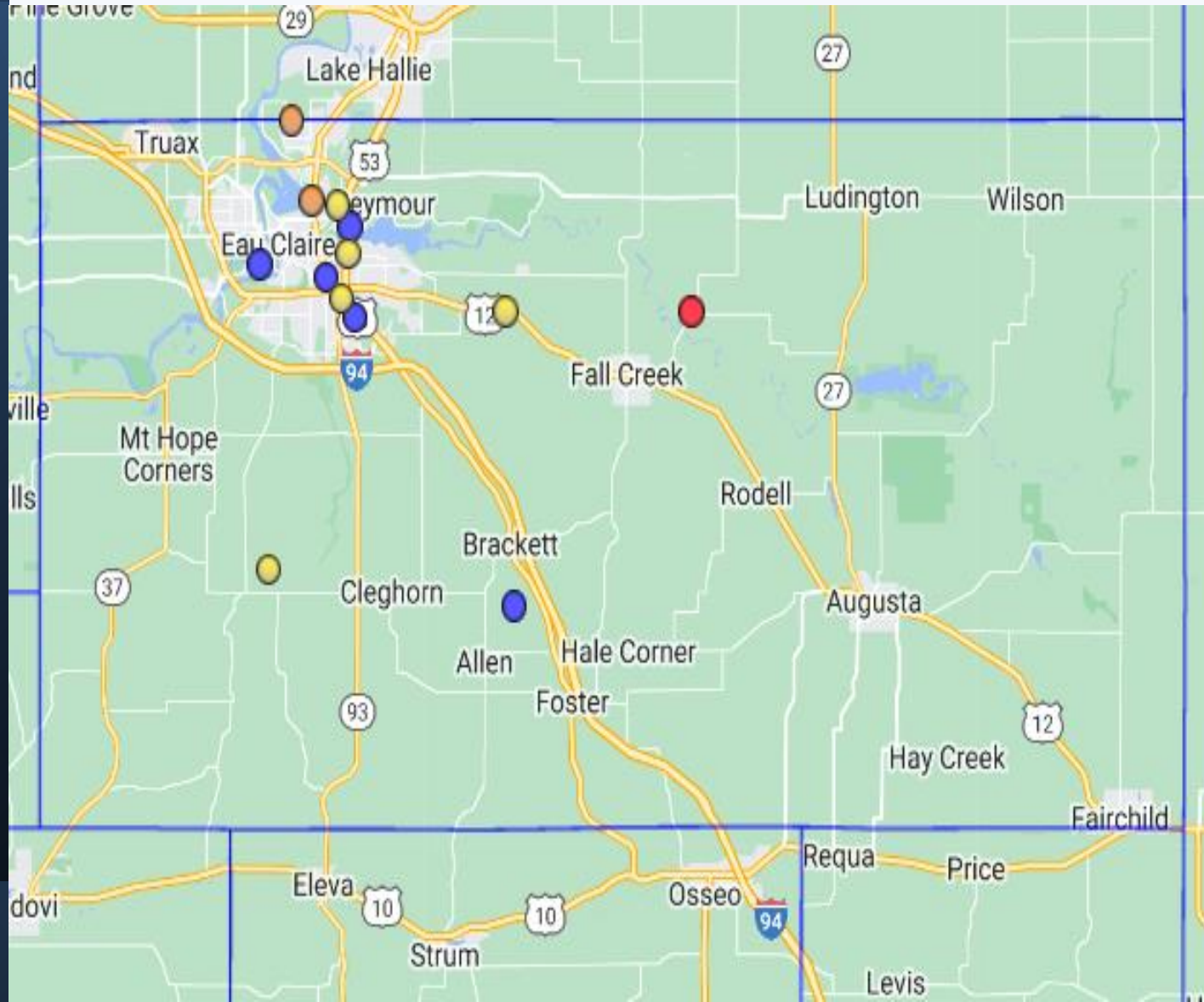
EAU CLAIRE COUNTY

10-24-23-
01-23-24

(K,A,B,C)

13 CRASHES
FLAGGED

IMPAIRED



- Fatality
- Injury (A)
- Injury (B)
- Injury (C)
- Property Damage

There were **13** total crashes reported resulting in **2** fatalities and **18** injuries. Of this total, **13** crashes are mapped. [\[More\]](#)

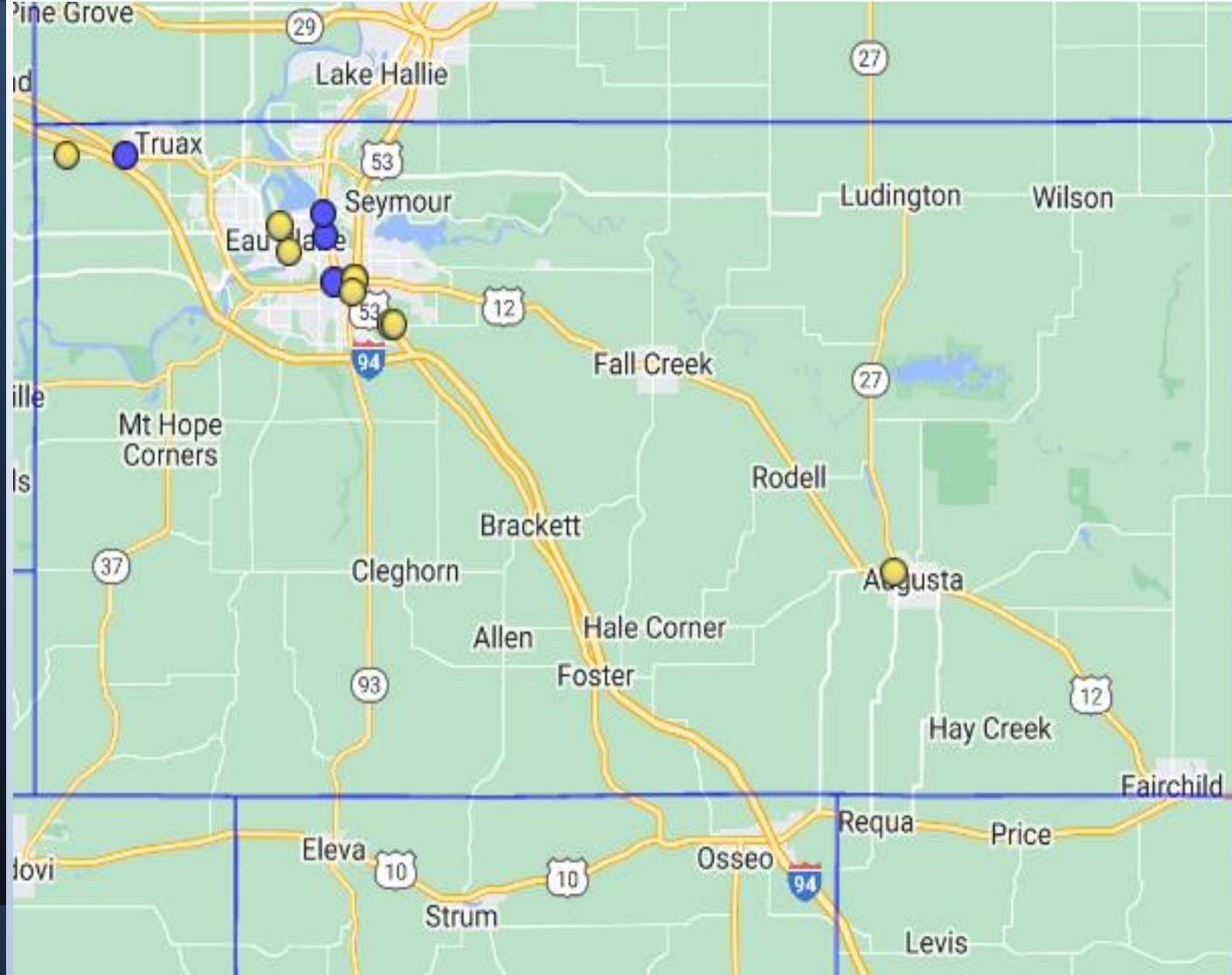
EAU CLAIRE COUNTY

10-24-23-
01-23-24

(K,A,B,C)

13 CRASHES
FLAGGED

DISTRACTED



- Fatality
- Injury (A)
- Injury (B)
- Injury (C)
- Property Damage

There were **13** total crashes reported resulting in **0** fatalities and **19** injuries. Of this total, **13** crashes are mapped. [\[More\]](#)

YEAR-TO-DATE TRAFFIC DEATHS AND FATAL CRASHES:

**WISCONSIN
FATALITY
TOTALS**

| | 2023 | 2022 | |
|-------------------------|-------------|-------------|--------------|
| | ----- | ----- | |
| FATALITIES | | | |
| Drivers | 309 | 331 | -6.6% |
| Passengers | 95 | 94 | 1.1% |
| Occupant Total | <u>404</u> | <u>425</u> | <u>-4.9%</u> |
| Motorcycle Drivers | 97 | 78 | 24.4% |
| Motorcycle Passengers | 5 | 2 | 150.0% |
| Motorcycle Total | <u>102</u> | <u>80</u> | <u>27.5%</u> |
| Pedestrians | 56 | 72 | -22.2% |
| Bicyclists | 8 | 13 | -38.5% |
| Unknown | 1 | 4 | -0.75 |
| TOTAL FATALITIES | 571 | 594 | -3.9% |
| FATAL CRASHES | 520 | 546 | -4.8% |
| DEATHS Per CRASH | 1.10 | 1.09 | 0.9% |
| PASS/DRVR RATIO | 0.31 | 0.28 | 8.3% |

SOURCE: DSP/Crash Records Unit "Weekly Fatal Report"

**EAU CLAIRE
COUNTY**

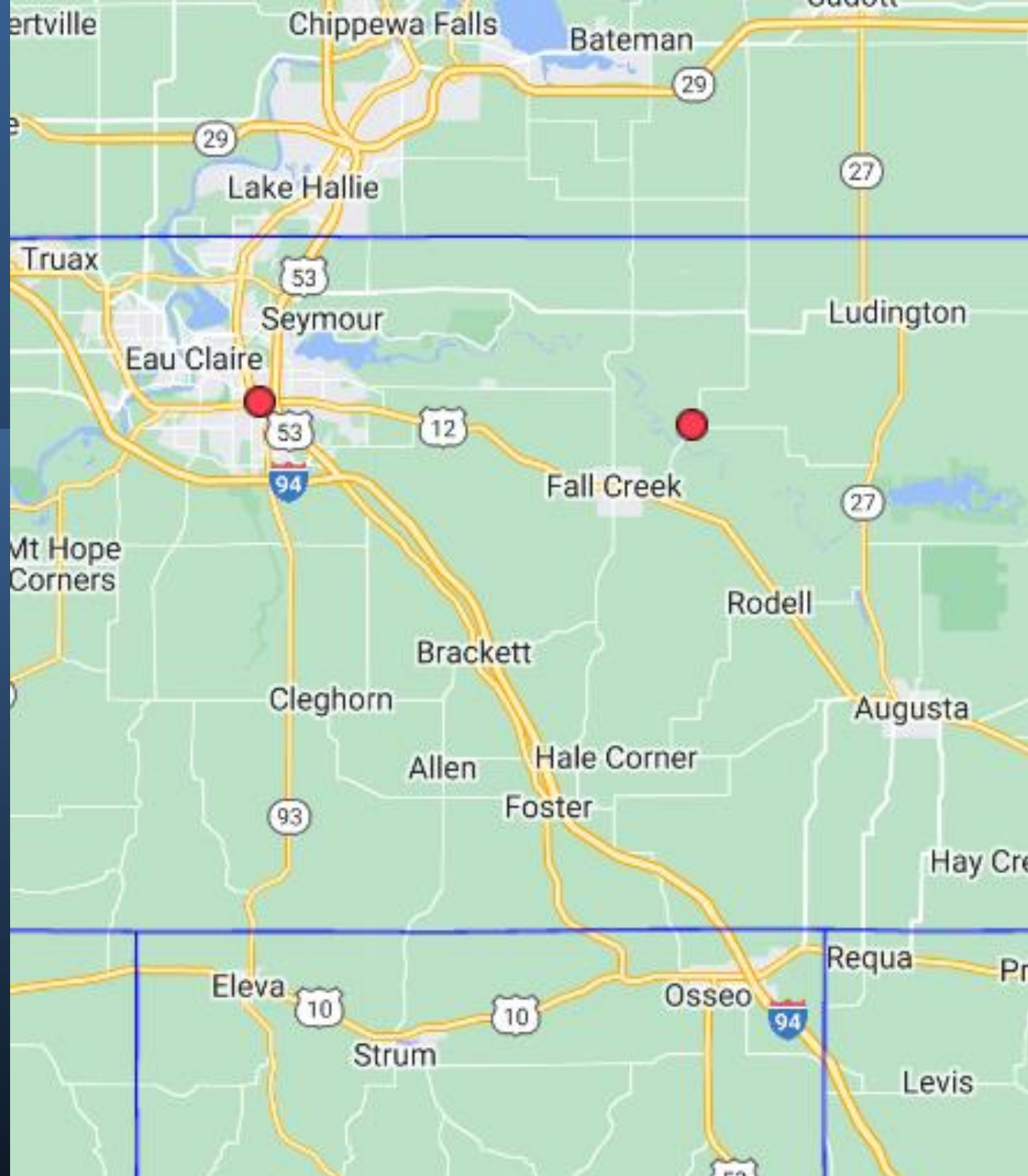
**FATAL CRASH
REVIEW**

**CLAIREMONT
AVENUE @
LONDON ROAD**

and

**CTH D
west of
CTH N**

**2 CRASHES
3 FATALITIES**



FATAL CRASH REVIEW

10-19-23
@9:54 PM

CLAIREMONT
AVENUE @
LONDON ROAD

BICYCLE
FATALITY

2VL0KD6N8S

| | | | | | |
|--|---|--|------------------------------------|---|--|
| Document Number Override | | Primary Crash Document # | Agency Crash Number | Investigating Officer/Deputy SAM SPERRY | |
| Crash Date 10/19/2023 | | Crash Time 09:54 PM | Date Arrived 10/19/2023 | Time Arrived 10:00 PM | |
| Date Notified 10/19/2023 | | Time Notified 09:55 PM | Total Units 02 | Total Injured 00 | Total Killed 01 |
| <input type="checkbox"/> On Emergency | <input type="checkbox"/> Hit and Run | <input 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 |

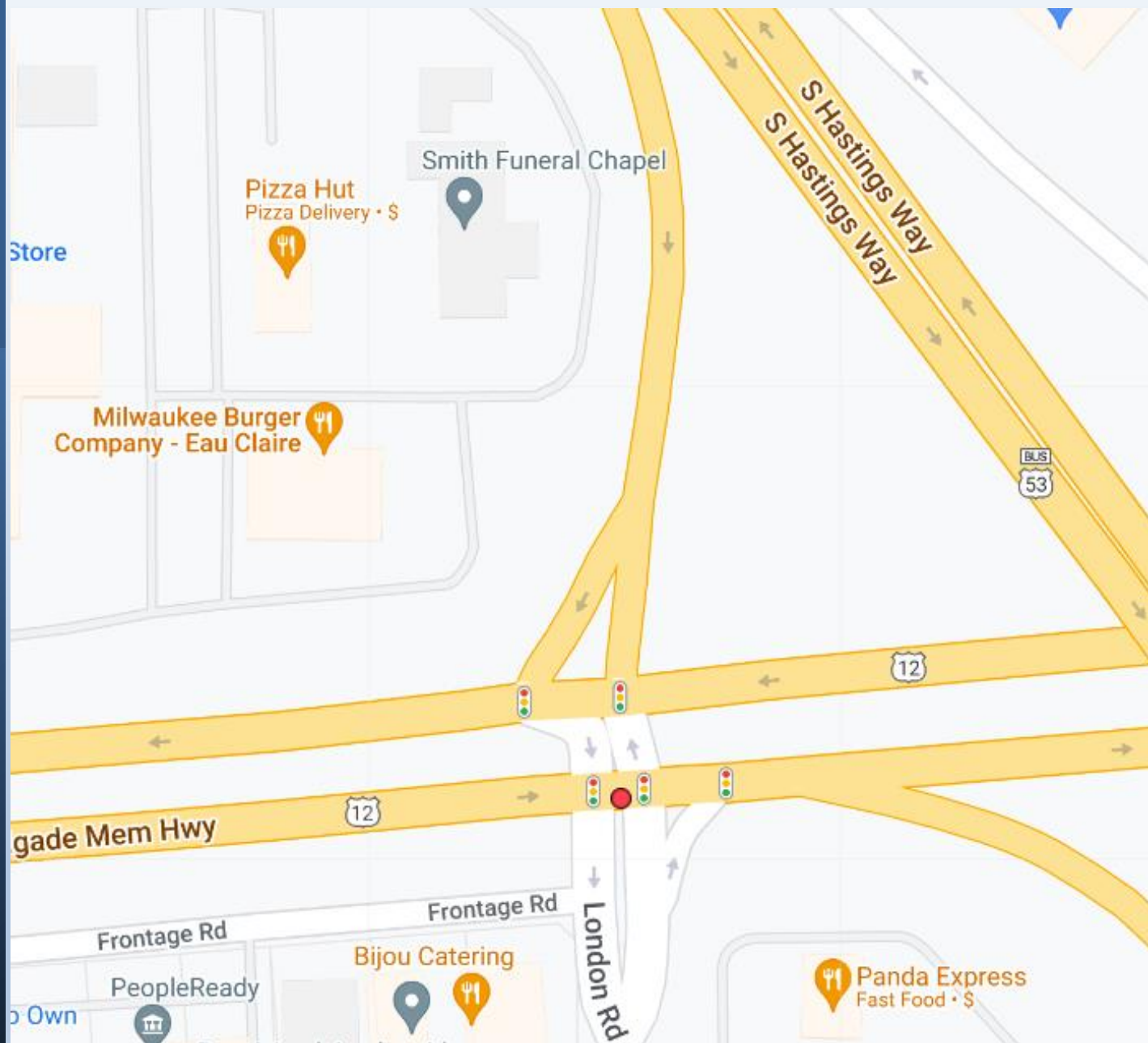
Description

| | | |
|--------------|--|---|
| Diagram | | Reconstruction By WISCONSIN STATE PATROL NWR/EAU |
| Not to Scale | | Photos By OFFICER SPERRY |
| | | Additional Information RECONSTRUCTION, PHOTOS, FATAL CRASH SUPPLEMENT |

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

UNIT 1 WAS TRAVELING SOUTHBOUND ON THE HASTINGS WAY EXIT RAMP TRAVELING ONTO LONDON ROAD, CROSSING CLAIREMONT AVE. UNIT 2 WAS EASTBOUND ON CLAIREMONT AVE. UNIT 2 HAD A GREEN LIGHT AND UNIT 1 HAD A RED LIGHT. UNIT 1 DID NOT HAVE ANY ILLUMINATION ON HIS BIKE AND ACCORDING TO NUMEROUS WITNESS' DID NOT OBEY THE RED LIGHT. UNIT 2 STRUCK UNIT 1 IN THE MIDDLE OF THE INTERSECTION.

**CLAIREMONT
AVENUE
at
LONDON
ROAD**





HWY 12/Clairemont Avenue (Eastbound View) at London Road

FATAL CRASH REVIEW

NIGHTTIME WITH
RAINY COND.

LIGHTED
ROADWAY WITH
GLARE

BICYCLE VS
TOYOTA RAV4

INTERSECTION
RELATED

TRAFFIC SIGNAL

Location

| | | |
|---|---------------------------------------|-----------------------------------|
| ON LONDON RD 14 FT S OF USH12 EB IN THE CITY OF EAU CLAIRE IN EAU CLAIRE COUNTY | Latitude 44.794627383 | Longitude -91.463188103 |
| | X Coordinate 146975.296875 | Y Coordinate 4969834 |
| | Structure Type NO STRUCTURE | |

Crash Scene

| | | |
|--|---|---|
| First Harmful Event PEDALCYCLE | First Harmful Event Location ON ROADWAY | |
| Manner of Collision 00 - NO COLLISION W/VEHICLE IN TRANSPORT | Light Condition DARK/LIGHTED | |
| Road Surface Condition(s) WET | Roadway Factor(s) NONE | |
| Environment Factor(s) GLARE | | |
| Weather Condition(s) RAIN | | |
| Animal Type | Relation To Trafficway TRAFFICWAY - ON ROAD | |
| Crash Classification - Location PUBLIC PROPERTY | Crash Classification - Jurisdiction NO SPECIAL JURISDICTION | |
| Tribal Land | Access Control NO CONTROL | Special Study |
| Within Interchange Area NO | Junction Location INTERSECTION | Intersection Type FOUR-WAY INTERSECTION |

Unit Summary

| | | | | | |
|----------------|---|---|--|--|--|
| UNIT 01 | Unit Status IN TRANSIT | Vehicle Operating As Classification O CLASS | Unit Type BICYCLE | | |
| | Vehicle Type BICYCLE | Operating As Endorsements | | | |
| | Total Occs 1 | Train/Bus # Recorded | Total # Citations Issued 0 | Total Trailers 0 | |
| | Insurance? NO | Direction Of Travel SOUTHBOUND | <input type="checkbox"/> Pre Crash Tire Mark | Speed Limit 30 | |
| | Total HazMat Types 0 | | Total Lanes 5 | | |
| | Most Harmful Event: Collision With MOTOR VEH IN TRANSPORT | | Special Function NO SPECIAL FUNCTION | Emergency Motor Vehicle Use NOT APPLICABLE | |
| | Traffic Way TWO-WAY, NOT DIVIDED | | Traffic Control TRAFFIC SIGNAL | Traffic Control Inoperative/Missing NO | |
| | Surface Type CONCRETE | | Road Curvature STRAIGHT | Road Grade LEVEL | |
| | Truck Bus or HazMat NO | | | | |

| | | | | |
|---------------------------|--|-----------------------------------|---------------------|-------------------------|
| UNIT 01 VEHICLE 01 | Vehicle | | | |
| | License Plate Number | Plate Type | St | Country of Issuance |
| | Vehicle Identification Number 1 | Make | Year 2020 | Model UNKNOWN |
| | Color BLK - BLACK | Body Style BI - BICYCLE | | Bus Use |
| | Initial Contact Point 99 - UNKNOWN | Vehicle Damage | | |
| | Extent Of Damage DISABLING DAMAGE | 15 - ALL AREAS | | |



FATAL CRASH REVIEW

55-YEAR-OLD
MALE BICYLIST

NO HELMET

1 FATALITY

| | | | | |
|---------------------------|------------|--|--|--|
| UNIT | VEHICLE | Towed Due To Damage NOT TOWED | Vehicle Removed By OPERATOR | |
| | | What Driver Was Doing | Vehicle Factors | |
| | | Driver Prior Action Other | NOT APPLICABLE | |
| 01 | 01 | Driver Actions | | |
| | | Owner Name KEITH A NICHOLS (715) 514-2414 | Owner Address 5702 OTTER CREEK CT #8 EAU CLAIRE, WI 54701 , US | |
| Sequence Of Events | | | | |
| UNIT | VEHICLE | 01 | Event MOTOR VEH IN TRANSPORT | |
| | | 02 | Event | |
| | | 03 | Event | |
| 04 | Event | | | |
| UNIT | INDIVIDUAL | Individual | | |
| | | Bicyclist KEITH A NICHOLS (715) 514-2414 | Citations Issued 0 | Sex MALE |
| | | Address 5702 OTTER CREEK CT # 8 EAU CLAIRE, WI 54701 , US | Date of Birth 03/29/1968 | Race WHITE |
| | | Driver License Number N2425016810901 STATE: WISCONSIN COUNTRY: UNITED STATES | | |
| UNIT | INDIVIDUAL | Safety Equipment | | |
| | | On Duty Crash | Safety Equipment | |
| | | Row 98 - NOT APPLICABLE | Seat Position | NONE |
| | | Helmet Use | Helmet Compliance | |
| | | Eye Protection | Tint Compliance | |
| UNIT | INDIVIDUAL | Injury | | |
| | | Injury Severity FATAL INJURY | Airbag NOT APPLICABLE | |
| | | Ejected NOT APPLICABLE | Ejection Path NOT EJECTED/NOT APPLICABLE | Trapped/Extricated NOT TRAPPED |
| | | Medical Transport EMS GROUND | EMS Agency Identifier 6001106 | EMS Run # UNKNOWN |
| | | Hospital MAYO CLINIC HEALTH SYS-EAU CLAIRE | Date of Death 10/24/2023 | Time of Death 18:45 |
| | | Distracted By Distracted By Source UNKNOWN | | |
| | | Distracted By Action UNKNOWN | | |
| | | Striking Unit # 02 | Location AT INTERSECTION-NOT IN CROSSWALK | |
| | | Non Motorist | | |

FATAL CRASH REVIEW

**BICYCLIST
DISREGARDED
TRAFFIC SIGNAL**

**FAILURE to YIELD
RIGHT of WAY**

**FAILURE to OBEY
SIGN**

**DARK CLOTHING
NO LIGHTING**

NO TEST

| | | | | | | | | | | | | | | | |
|---|------------------------------------|--|---------------------------|------------------------------------|---------------------------------|---|-------------------|----------------------|--|----------------|-------------------|-----------|--|--|---|
| UNIT | INDIVIDUAL | Prior Action CROSSING ROADWAY | | | | | | | | | | | | | |
| | | Action DISREGARDED SIGNAL, SUDDEN MOVEMENT INTO TRAFFIC, DARK CLOTHING, FAILURE TO YIELD RIGHT-OF-WAY, FAILURE TO OBEY TRAFFIC SIGNS, SIGNALS, OR OFFICER, NOT VISIBLE (DARK CLOTHING, NO LIGHTING, ETC.) | | | | | | | | | | | | | |
| 01 | 002 | Action Other To/From School NO | | | | | | | | | | | | | |
| | | <table border="1"> <tr> <td>Drug & Alcohol</td> <td>Suspected Alcohol Use NO</td> <td>Suspected Drug Use NO</td> </tr> <tr> <td>Alcohol Test Given TEST NOT GIVEN</td> <td>Alcohol Test Type</td> <td>Alcohol Test Results</td> </tr> <tr> <td>Drug Test Given TEST NOT GIVEN</td> <td>Drug Test Type</td> <td>Drug Test Results</td> </tr> <tr> <td colspan="3">Drug Type</td> </tr> <tr> <td colspan="3">Individual Condition NOT OBSERVED</td> </tr> </table> | Drug & Alcohol | Suspected Alcohol Use NO | Suspected Drug Use NO | Alcohol Test Given TEST NOT GIVEN | Alcohol Test Type | Alcohol Test Results | Drug Test Given TEST NOT GIVEN | Drug Test Type | Drug Test Results | Drug Type | | | Individual Condition NOT OBSERVED |
| Drug & Alcohol | Suspected Alcohol Use NO | Suspected Drug Use NO | | | | | | | | | | | | | |
| Alcohol Test Given TEST NOT GIVEN | Alcohol Test Type | Alcohol Test Results | | | | | | | | | | | | | |
| Drug Test Given TEST NOT GIVEN | Drug Test Type | Drug Test Results | | | | | | | | | | | | | |
| Drug Type | | | | | | | | | | | | | | | |
| Individual Condition NOT OBSERVED | | | | | | | | | | | | | | | |

Unit Summary

| | | | | | | |
|------|----|---|---|--|----------------------------|--------------------------------|
| UNIT | 02 | Unit Status IN TRANSIT | Vehicle Operating As Classification D CLASS | Unit Type AUTOMOBILE | | |
| | | Vehicle Type (SPORT) UTILITY VEHICLE | Operating As Endorsements | | | |
| UNIT | 02 | Total Occs 1 | Train/Bus # Recorded | Total # Citations Issued 0 | Total Trailers 0 | Total HazMat Types 0 |
| | | Insurance? YES | Direction Of Travel EASTBOUND | <input type="checkbox"/> Pre CrashTire Mark | Speed Limit 45 | Total Lanes 4 |
| UNIT | 02 | Most Harmful Event: Collision With PEDALCYCLE | Special Function NO SPECIAL FUNCTION | Emergency Motor Vehicle Use NOT APPLICABLE | | |
| | | Traffic Way TWO-WAY, NOT DIVIDED | Traffic Control TRAFFIC SIGNAL | Traffic Control Inoperative/Missing NO | | |
| UNIT | 02 | Surface Type CONCRETE | Road Curvature STRAIGHT | Road Grade LEVEL | | |
| | | Truck Bus or HazMat NO | | | | |

Vehicle

| | | | | | | |
|------|---------|----|--|---|---------------------|---|
| UNIT | VEHICLE | 02 | License Plate Number AAC8021 | Plate Type AUT - AUTOMOBILE | St WI | Country of Issuance UNITED STATES |
| | | | Vehicle Identification Number JTMBFREV7HJ706193 | Make TOYOTA | Year 2017 | Model RAV4 |
| UNIT | VEHICLE | 02 | Color WHI - WHITE | Body Style UT - SPORT UTILITY VEHICLE | Bus Use | |
| | | | Initial Contact Point 12 - FRONT | Vehicle Damage 01 - RIGHT FRONT CORNER, 02 - RIGHT SIDE FRONT, 10 - LEFT SIDE FRONT, 11 - LEFT FRONT CORNER, 12 - FRONT | | |
| UNIT | VEHICLE | 02 | Extent Of Damage FUNCTIONAL DAMAGE | Vehicle Removed By CHAD'S | | |
| | | | Towed Due To Damage TOWED BUT NOT DUE TO DISABLING DAMAG | What Driver Was Doing GOING STRAIGHT | | |

FATAL CRASH REVIEW

20-YEAR-OLD-
FEMALE DRIVER

NO
CONTRIBUTING
DRIVER ACTIONS

NO INJURY

SEAT BELTED

NOT DISTRACTED

| | | | |
|--|--|--|-----------------------------------|
| | | Vehicle Factors | |
| Driver Prior Action Other | | NOT APPLICABLE | |
| UNIT VEHICLE | Driver Actions NO CONTRIBUTING ACTION | | |
| | 02 | 02 | 02 |
| Owner Name MARK ALLEN FETTING (715) 835-7824 | | Owner Address 3216 KOHLHEPP RD EAU CLAIRE, WI 54703 , US | |
| Sequence Of Events | | | |
| UNIT VEHICLE | 01 | Event PEDALCYCLE | |
| | 02 | Event | |
| | 03 | Event | |
| 04 | Event | | |
| Policy Holder | | | |
| Insurance Company AMERICAN-FAMILY-INS-CO | | Individual MARK FETTING | |
| Individual | | | |
| UNIT INDIVIDUAL | Driver REBEKAH LYNN FETTING (715) 835-7824 | | Citations Issued 0 |
| | Date of Birth 09/25/2003 | | Sex FEMALE |
| | Address 3216 KOHLHEPP RD EAU CLAIRE, WI 54703 , US | | Race WHITE |
| Driver License Number F3527320384502 | | STATE: WISCONSIN COUNTRY: UNITED STATES | |
| Safety Equipment | | On Duty Crash | |
| Safety Equipment | | Safety Equipment | |
| Row 01 - FRONT ROW | Seat Position 07 - LEFT | SHOULDER & LAP BELT | |
| Helmet Use | | Helmet Compliance | |
| Eye Protection | | Tint Compliance | |
| UNIT INDIVIDUAL | Injury Severity NO APPARENT INJURY | | Airbag NON DEPLOYED |
| | Injury | | |
| Ejected NOT EJECTED | | Ejection Path NOT EJECTED/NOT APPLICABLE | Trapped/Extricated NOT TRAPPED |
| Medical Transport NOT TRANSPORTED | | EMS Agency Identifier | EMS Run # |
| Hospital | | Date of Death | Time of Death |
| Distracted By | | Distracted By Source NOT APPLICABLE (NOT DISTRACTED) | |
| Distracted By Action NOT DISTRACTED | | | |
| Non Motorist | | Striking Unit # | Location |

2VL0KD6N8S
23PD20188

WISCONSIN MOTOR VEHICLE
CRASH REPORT

EAU CLAIRE POLICE DEPARTMENT
721 OXFORD AVE / SUITE 1400
EAU CLAIRE, WI 54703
(715) 839-4984

**FATAL
CRASH
REVIEW**

**20-YEAR-OLD
FEMALE DRIVER
NO TEST GIVEN**

| | | | |
|---|--|------------------------------------|---------------------------------|
| UNIT INDIVIDUAL 02 001 | Prior Action | | |
| | Action | | |
| | Action Other | | To/From School |
| | Drug & Alcohol | Suspected Alcohol Use NO | Suspected Drug Use NO |
| | Alcohol Test Given TEST NOT GIVEN | Alcohol Test Type | Alcohol Test Results |
| | Drug Test Given TEST NOT GIVEN | Drug Test Type | Drug Test Results |
| | Drug Type | | |
| | Individual Condition APPEARED NORMAL | | |

FATAL CRASH REVIEW

12-01-23
@11:24 AM

CTH D (EB)
west of
CTH N

DOUBLE
FATALITY

2WL0990C5K
23SO06911

WISCONSIN MOTOR VEHICLE CRASH REPORT

EAU CLAIRE COUNTY SHERIFFS DEP
721 OXFORD AVE / SUITE 1400
EAU CLAIRE, WI 54703
(715) 839-4701

2WL0990C5K

| | | | | | |
|--|---|--|------------------------------------|--|--|
| Document Number Override | | Primary Crash Document # | Agency Crash Number | Investigating Officer/Deputy T. REINKE | |
| Crash Date 12/01/2023 | | Crash Time 11:24 AM | Date Arrived 12/01/2023 | Time Arrived 11:28 AM | |
| Date Notified 12/01/2023 | | Time Notified 11:25 AM | Total Units 01 | Total Injured 00 | Total Killed 02 |
| <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

| | |
|--|---|
| <p>Diagram</p> <p>NOT DRAWN TO SCALE</p> | Reconstruction By |
| | Photos By TY REINKE |
| | Additional Information FATAL CRASH SUPPLEMENT, PHOTOS, WITNESS STATEMENTS |

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

UNIT 1 WAS TRAVELING EB ON COUNTY ROAD D E OF S 140TH AVE. UNIT 1 WAS TRAVELING AT A HIGH RATE OF SPEED AND NEGOTIATED THE CORNER. UNIT 1 THEN OVER CORRECTED CAUSING LOSS OF CONTROL OF THE VEHICLE. UNIT 1 THEN CRASH INTO THE DITCH AND CAME TO A STOP WHEN STRIKING A SERIES OF TREES. BOTH OCCUPANTS WERE PRONOUNCED DECEASED AT THE SCENE.

CTH D MAP OVERVIEW



CTH D (Eastbound View) 9 WARNING ARROWS



FATAL CRASH REVIEW

DAYLIGHT
DRY ROADS
CLEAR SKY

'86 CORVETTE

NEGOTIATING
A CURVE

PRE-CRASH
TIRE MARKS
STRUCK DITCH

| Location | | |
|---|---------------|--------------|
| ON CTHD EB 697 FT W OF CTHN IN THE TOWN OF LUDINGTON IN EAU CLAIRE COUNTY | Latitude | Longitude |
| | 44.785631589 | -91.23441686 |
| | X Coordinate | Y Coordinate |
| | 165018.515625 | 4967865 |
| Structure Type | | |
| NO STRUCTURE | | |

| Crash Scene | | | |
|--|-----------------------------|--|--------------------|
| First Harmful Event | | First Harmful Event Location | |
| DITCH | | ROADSIDE | |
| Manner of Collision | | Light Condition | |
| 00 - NO COLLISION W/VEHICLE IN TRANSPORT | | DAYLIGHT | |
| Road Surface Condition(s) | | Roadway Factor(s) | |
| DRY | | NONE | |
| Environment Factor(s) | | | |
| NONE | | | |
| Weather Condition(s) | | | |
| CLEAR | | | |
| Animal Type | | Relation To Trafficway | |
| | | TRAFFICWAY - NOT ON ROAD | |
| Crash Classification - Location | | Crash Classification - Jurisdiction | |
| PUBLIC PROPERTY | | NO SPECIAL JURISDICTION | |
| Tribal Land | | Access Control | Special Study |
| | | NO CONTROL | |
| Within Interchange Area | Junction Location | Intersection Type | |
| NO | NON-JUNCTION | NOT AN INTERSECTION | |
| Closure Type | | Reasons for Closure | |
| FULL CLOSURE | | LAW ENFORCEMENT, TOW TRUCK, FIRE/EMS, MED FLIGHT | |
| Date Initial Lane/Rd Closed | Time Initial Lane/Rd Closed | | |
| 12/01/2023 | 11:46 AM | | |
| Date All Lanes Open | Time All Lanes Open | Date Scene Cleared | Time Scene Cleared |
| 12/01/2023 | 02:15 PM | 12/01/2023 | 02:15 PM |

| Unit Summary | | | | | |
|-----------------------|------------------------------------|----------------------|---|-------------------------------------|-----------------------------|
| 01 UNIT | Unit Status | | Vehicle Operating As Classification | | Unit Type |
| | IN TRANSIT | | D CLASS | | AUTOMOBILE |
| | Vehicle Type | | | Operating As Endorsements | |
| | PASSENGER CAR | | | | |
| | Total Occs | Train/Bus # Recorded | Total # Citations Issued | Total Trailers | Total HazMat Types |
| | 2 | | 0 | 0 | 0 |
| | Insurance? | Direction Of Travel | <input checked="" type="checkbox"/> Pre Crash Tire Mark | Speed Limit | Total Lanes |
| | UNKNOWN | EASTBOUND | | 55 | 2 |
| | Most Harmful Event: Collision With | | Special Function | | Emergency Motor Vehicle Use |
| | DITCH | | NO SPECIAL FUNCTION | | NOT APPLICABLE |
| Traffic Way | | Traffic Control | | Traffic Control Inoperative/Missing | |
| TWO-WAY, NOT DIVIDED | | NO CONTROL | | NO | |
| Surface Type | | Road Curvature | | Road Grade | |
| BLACKTOP (BITUMINOUS) | | CURVE RIGHT | | LEVEL | |
| Truck Bus or HazMat | | | | | |
| NO | | | | | |

| Vehicle | | | | | |
|----------|-------------------------------|--|------------------|------|---------------------|
| 01 01 | License Plate Number | | Plate Type | St | Country of Issuance |
| | AVL8112 | | AUT - AUTOMOBILE | WI | UNITED STATES |
| | Vehicle Identification Number | | Make | Year | Model |
| | 1G1YY0781G5105921 | | CHEVROLET | 1986 | CORVETTE |

FATAL CRASH REVIEW

SPEED
AGGRESSIVE
DRIVING

OVER
CORRECTED

33-YEAR-OLD
MALE DRIVER
FATALITY

NO SEATBELT

| | | | | |
|---|--|--|---|---|
| UNIT VEHICLE | Color BLK - BLACK | Body Style CP - COUPE | Bus Use | |
| | Initial Contact Point 12 - FRONT | Vehicle Damage | | |
| | Extent Of Damage DISABLING DAMAGE | 15 - ALL AREAS | | |
| | Towed Due To Damage TOWED DUE TO DISABLING DAMAGE | Vehicle Removed By AUGUSTA TIRE & AUTO | | |
| UNIT VEHICLE | What Driver Was Doing NEGOTIATING CURVE | Vehicle Factors | | |
| | Driver Prior Action Other | NOT APPLICABLE | | |
| UNIT VEHICLE | Driver Actions EXCEED SPEED LIMIT, FAILURE TO CONTROL, RAN OFF ROADWAY, DISREGARDED OTHER ROAD MARKINGS, FAILED TO KEEP IN DESIGNATED LANE, OPERATED MOTOR VEHICLE IN AGGRESSIVE/RECKLESS MANNER, OPERATED MOTOR VEHICLE IN INATTENTIVE, CARELESS OR ERRATIC MANNER, OVER-CORRECTING/OVER-STEERING | | | |
| | Owner Name MICHAEL TERRANCE RUSCH (414) 213-0869 | Owner Address 421 COLFAX ST APT 5 AUGUSTA, WI 54722 , US | | |
| UNIT 01 | Sequence Of Events | | | |
| | Event 01 MOTOR VEH IN TRANSPORT | | | |
| | Event 02 DITCH | | | |
| | Event 03 TREE | | | |
| | Event | | | |
| UNIT INDIVIDUAL | Individual | | | |
| | Driver MICHAEL TERRANCE RUSCH (414) 213-0869 | Citations Issued 0 | Sex MALE | |
| | | Date of Birth 02/19/1990 | Race WHITE | |
| | Address 421 COLFAX ST APT 5 AUGUSTA, WI 54722 , US | Driver License Number R2005589005907 STATE: WISCONSIN COUNTRY: UNITED STATES | | |
| UNIT 01 | Safety Equipment | | On Duty Crash | |
| | | | Safety Equipment | |
| | Row 01 - FRONT ROW | Seat Position 07 - LEFT | NONE USED - VEHICLE OCCUPANT | |
| | Helmet Use | | Helmet Compliance | |
| | Eye Protection | | Tint Compliance | |
| | Injury | Injury Severity FATAL INJURY | Airbag | NOT APPLICABLE |
| | | Ejected PARTIALLY EJECTED | Ejection Path THROUGH ROOF OPENING (SUN ROOF/CONVERTIBLE TO | Trapped/Extricated TRAPPED/EXTRICATED |
| Medical Transport NOT TRANSPORTED | | EMS Agency Identifier | EMS Run # | |
| Hospital | | Date of Death 12/01/2023 | Time of Death 11:52 | |

FATAL CRASH REVIEW

DISTRACTED?

**DRUG TEST
PENDING**

**4-YEAR-OLD
PASSENGER
FATALITY**

**IN CHILD
RESTRAINT
SEAT**

| | | | | | | |
|--------------------|---|-----------------------------|---|----------|--|--|
| UNIT INDIVIDUAL | Distracted By | | Distracted By Source UNKNOWN | | | |
| | Distracted By Action UNKNOWN | | | | | |
| | Non Motorist | | Striking Unit # | Location | | |
| | Prior Action | | | | | |
| | Action | | | | | |
| | Action Other | | | | | |
| | Ta/From School | | | | | |
| | Drug & Alcohol | | Suspected Alcohol Use NO | | Suspected Drug Use YES | |
| | Alcohol Test Given TEST NOT GIVEN | | Alcohol Test Type | | Alcohol Test Results | |
| | Drug Test Given TEST GIVEN | | Drug Test Type OTHER | | Drug Test Results PENDING | |
| UNIT 001 | Drug Type | | | | | |
| | Individual Condition OTHER | | | | | |
| | Individual | | | | | |
| | Passenger EVANGELINE RUSCH | | Citations Issued 0 | | Sex FEMALE | |
| | | | Date of Birth 11/24/2019 | | Race WHITE | |
| | Address 1103 GLADES DR # 8 ALTOONA, WI 54720 , US | | Driver License Number | | | |
| | Safety Equipment | | On Duty Crash | | Safety Equipment | |
| | Row 01 - FRONT ROW | Seat Position 09 - RIGHT | CHILD RESTRAINT SYSTEM - FORWARD FACING | | | |
| | Helmet Use | | Helmet Compliance | | | |
| | Eye Protection | | Tint Compliance | | | |
| UNIT 002 | Injury | | Injury Severity FATAL INJURY | | Airbag NOT APPLICABLE | |
| | Ejected NOT EJECTED | | Ejection Path NOT EJECTED/NOT APPLICABLE | | Trapped/Extricated TRAPPED/EXTRICATED | |
| | Medical Transport NOT TRANSPORTED | | EMS Agency Identifier | | EMS Run # | |
| | Hospital | | Date of Death 12/01/2023 | | Time of Death 11:52 | |
| | Distracted By | | Distracted By Source | | | |

How Does Community Maps Define Aggressive Driving?

Tier 1:

- Operated Motor Vehicle in Aggressive/Reckless Manner

Tier 2:

- Exceed Speed Limit
- Speed Too Fast for Conditions
- Following Too Close
- Improper Overtaking / Passing Right
- Improper Overtaking / Passing Left
- Operated Motor Vehicle in Inattentive, Careless or Erratic Manner

Tier 3:

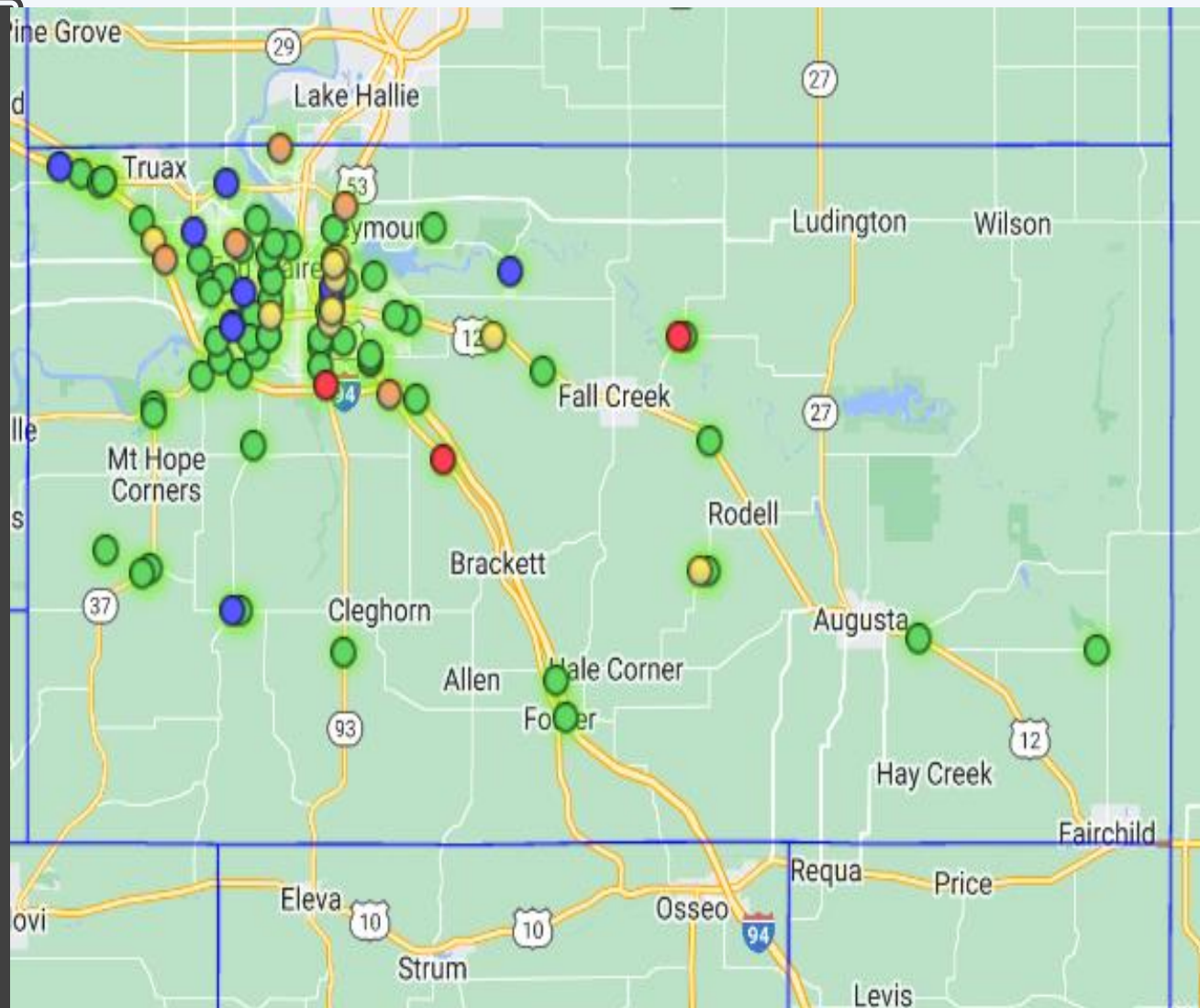
- Failed To Yield Right-Of-Way
- Failure To Control
- Disregarded Red Light
- Disregarded Stop Sign
- Disregarded Other Traffic Control
- Disregarded Other Road Markings

EAU CLAIRE COUNTY

(K,A,B,C,O)

92 CRASHES
FLAGGED IN
2023 AS

AGGRESSIVE
DRIVERS



There were **92** total crashes reported resulting in **4** fatalities and **38** injuries. Of this total, **90** crashes were mapped and analyzed. [\[More\]](#)

FATAL CRASH FLAGS

1-23-23-

1-23-24

2WL09FXHLS

053 AT NORTH RD

WASHINGTON (T), EAU CLAIRE County

(K) Fatality

04/26/2023

Flags: Distracted, Speed, Aggressive,
Lane Depart 2U+

2VL0KX84FN

012 AT FAIRFAX ST

EAU CLAIRE (C), EAU CLAIRE County

(K) Fatality

05/12/2023

Flags: Government Property, Impaired,
Occp Protection, Speed, Intersection

KRLOGGK172

093 AT 094

EAU CLAIRE (C), EAU CLAIRE County

(K) Fatality

05/26/2023

Flags: Motorcycle, Speed, Aggressive,
Intersection

KRL0T49M4F

094 AT 094

EAU CLAIRE (C), EAU CLAIRE County

(K) Fatality

06/14/2023

Flags: Government Property, Motorcycle,
Helmet, Lane Depart 1U

**FATAL
CRASH
FLAGS**

**1-23-23-
1-23-24**

2VL0KFFP79

053 AT LASALLE ST

EAU CLAIRE (C), EAU CLAIRE County

(K) Fatality

07/09/2023

Flags: 65+ Driver

2VL0KD6N8S

LONDON RD AT 012

EAU CLAIRE (C), EAU CLAIRE County

(K) Fatality

10/19/2023

Flags: Bike, Intersection

2WL0990C5K

D AT N

LUDINGTON (T), EAU CLAIRE County

(K) Fatality

12/01/2023

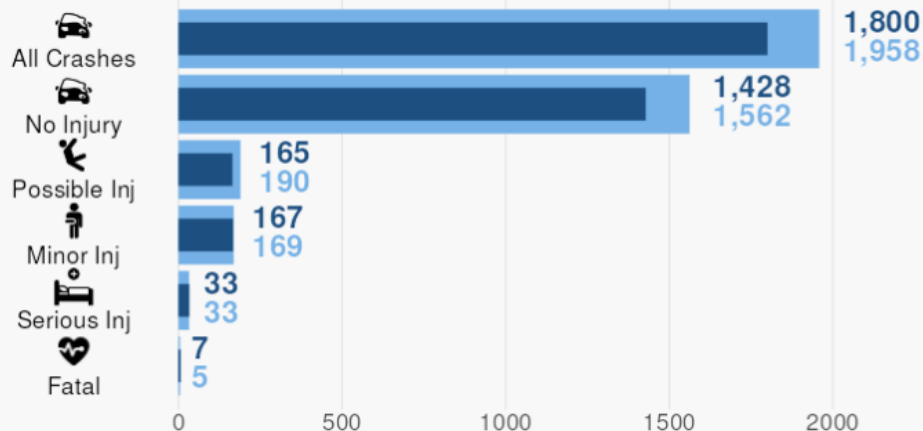
Flags: Impaired, Occp Protection, Speed,
Aggressive, Lane Depart 1U

EAU CLAIRE COUNTY

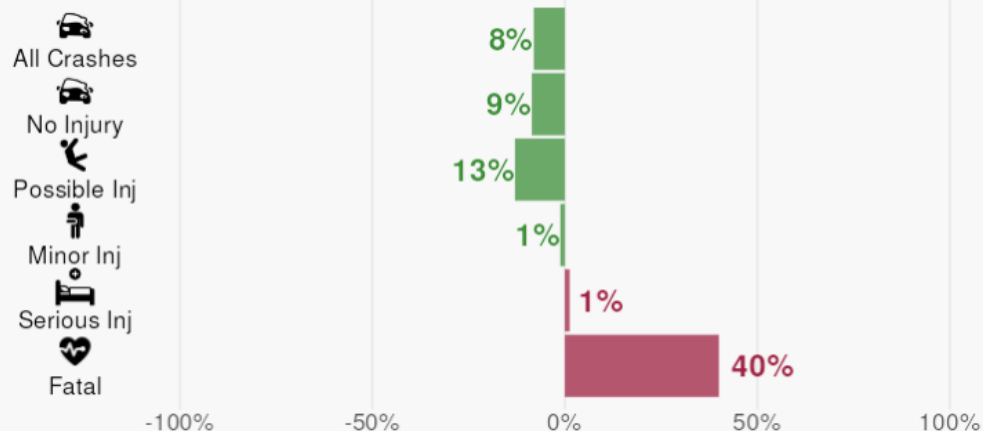
Jan. to Dec. 2023 (Dark Blue)

versus 5-year average (Light Blue)

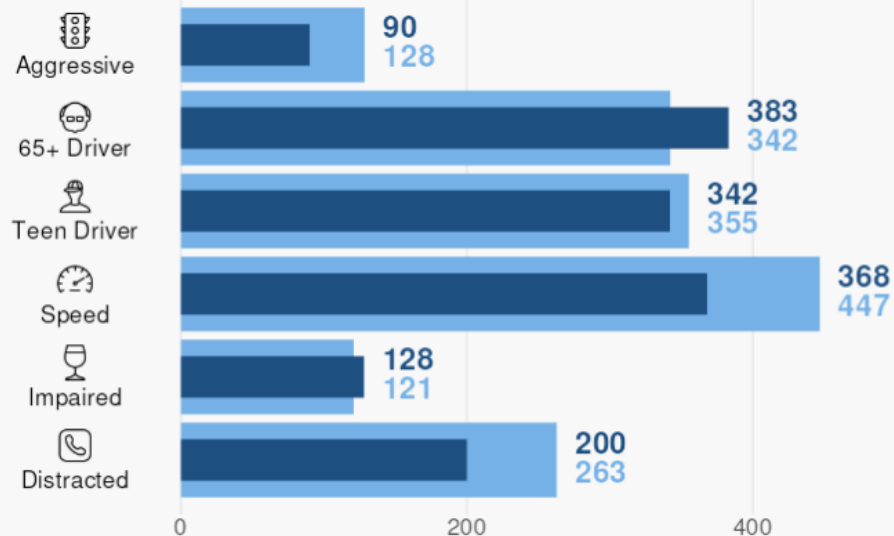
🚗 Crashes by Injury Severity



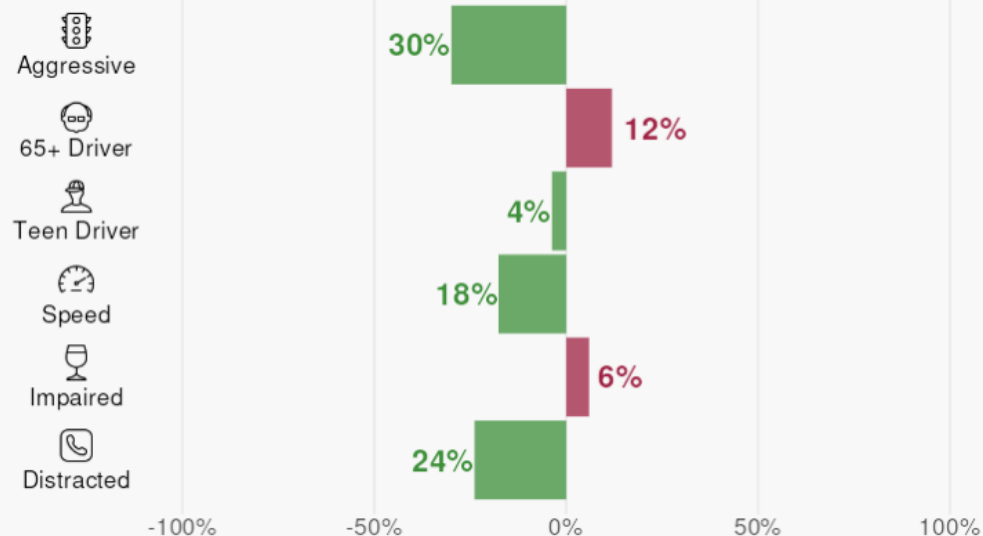
📊 Percent Change



🚗 Driver Behavior

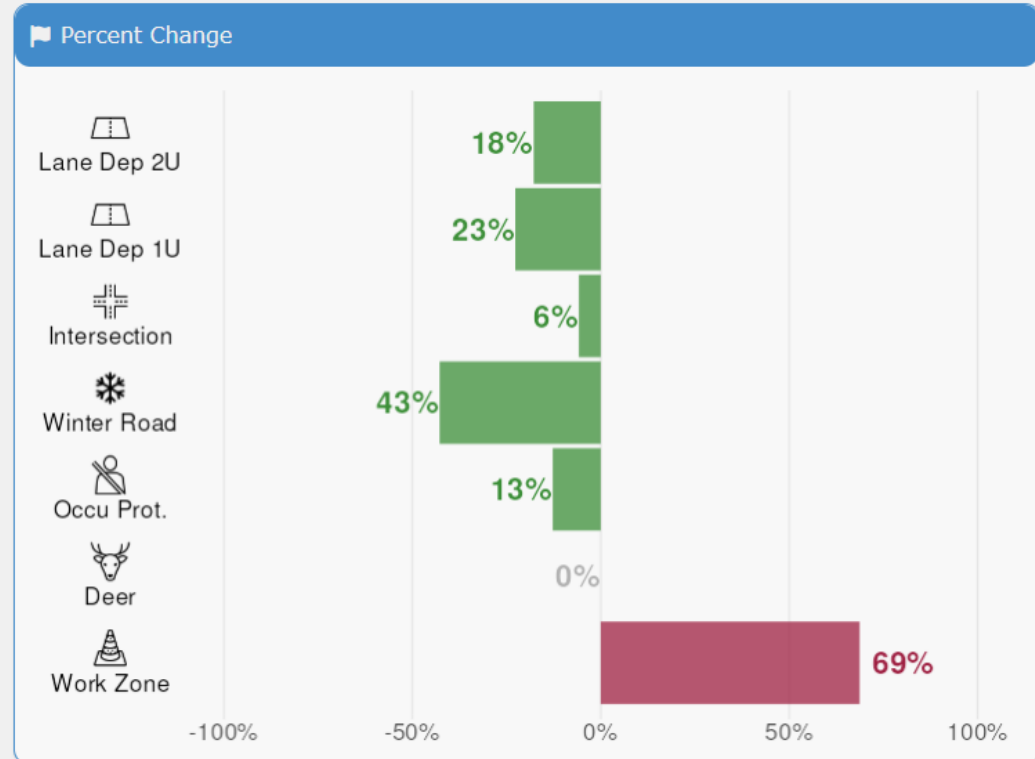
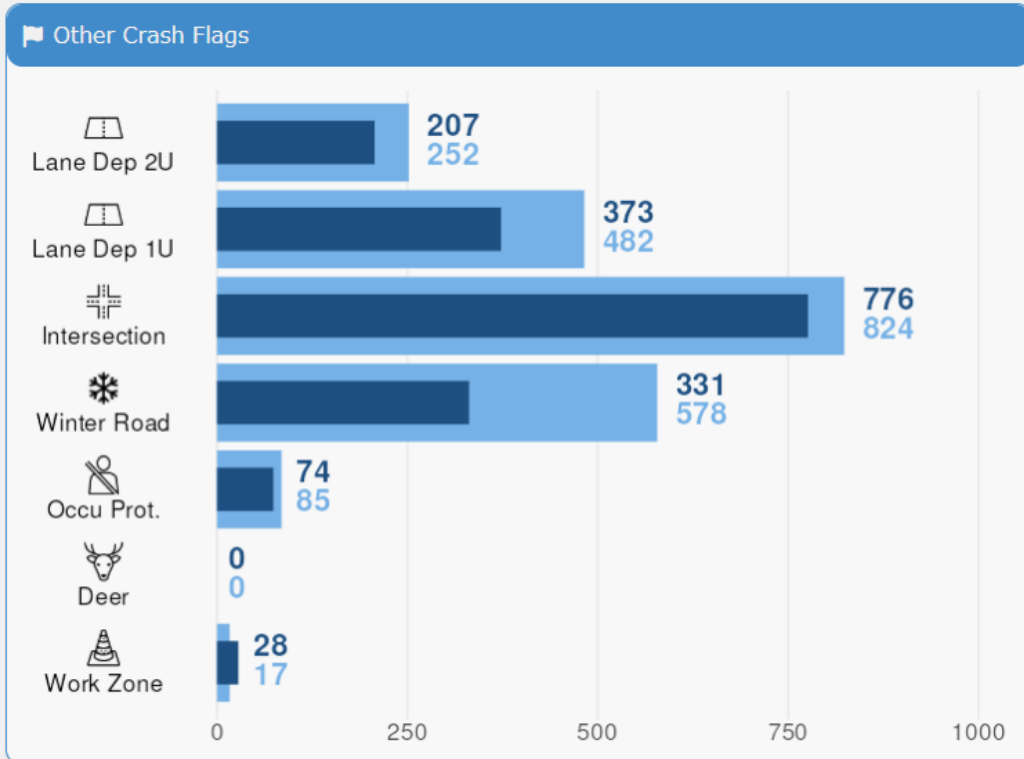
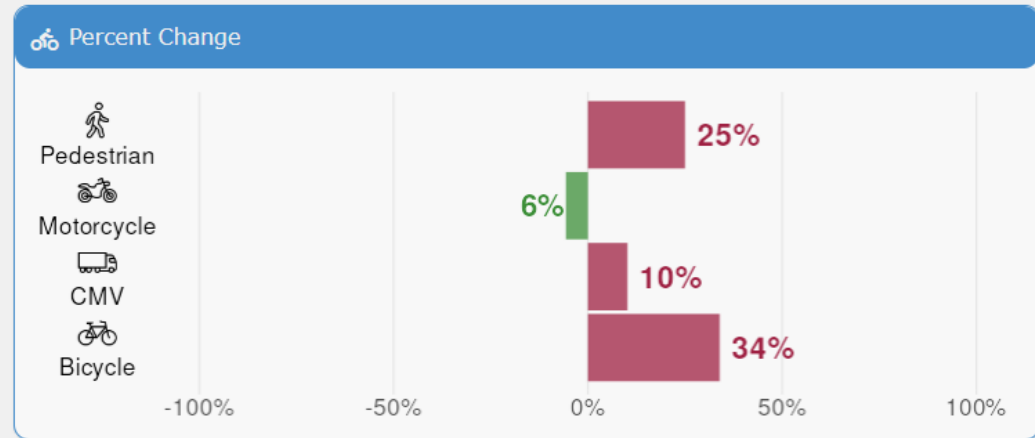
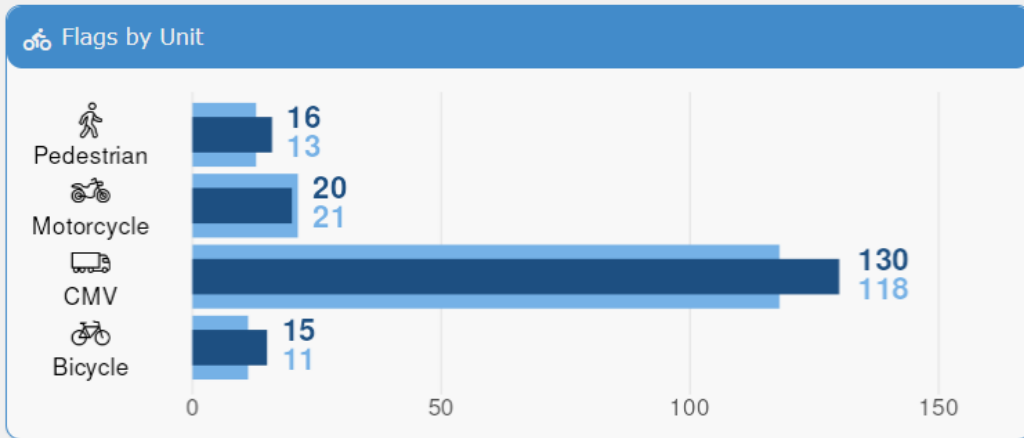


📊 Percent Change



EAU CLAIRE COUNTY

Jan. to Dec. 2023 (Dark Blue) versus 5-year average (Light Blue)





LAW ENFORCEMENT PHLEBOTOMY

Amy Miles
Steve Krecji

LAW ENFORCEMENT PHLEBOTOMY

What is Law Enforcement Phlebotomy?

Law Enforcement Phlebotomy (LEP) is a specially trained law enforcement officer who is certified to draw blood for driving under the influence of alcohol and drugs investigations.

Is Wisconsin the first state to begin a LEP program?

No, in 1995 Arizona was the first state to begin a LEP program. Since then, 15 other states have created a program.

LAW ENFORCEMENT PHLEBOTOMY

Why would Wisconsin want a LEP program?

Time sensitivity - Alcohol and drugs dissipate quickly over time. The average time to get blood drawn for an OWI is 1 ½ to 2 hours. This is enough time for many drugs to completely dissipate from the blood. Of particular concern is THC. As Wisconsin nears marijuana decriminalization, it is important to draw the blood as closely to the time of driving as possible. Delaying the blood draw means the concentration reported by the labs will not reflect what the concentration was in the driver at the time of driving.

LAW ENFORCEMENT PHLEBOTOMY

Does Wisconsin statutes allow for a law enforcement officer to perform a legal blood draw?

Yes, WI statute [343.305\(5\)\(b\)](#) states blood may be drawn by a phlebotomist, among others.

Will those trained through the LEP be phlebotomists?

Yes, the technical college is accredited and will provide certifications to law enforcement who successfully complete the program.

LAW ENFORCEMENT PHLEBOTOMY

Can others within a police agency be trained as a phlebotomist?

This training will focus on only legal blood draws. If your agency has administrative staff, support staff, or other individuals who are not law enforcement interested in the training, please contact Steve Krejci or Amy Miles for further discussion.

Is there oversight of the LEP program?

Yes, there will be a manual outlining the minimum guidelines to which agencies must adhere. Agencies may choose to create additional standards, however, they must be in compliance with the standards of the Clinical & Laboratory Standards Institute (CLSI) and the technical college providing the phlebotomy certification.

LAW ENFORCEMENT PHLEBOTOMY

Will hospitals refuse to perform legal blood draws because of the LEP?

No, there will not be LEPs in all areas of the state. Hospitals will still be necessary to complete legal blood draws.

How much time will the law enforcement officer spend training to be a phlebotomist?

We are currently working with a technical college to create a curriculum that meets CLSI and accreditation standards, but would be amenable to the officer's time. Some of the classroom portion may be available online, however, there will be in-person practicums in order for the officer to become proficient in legal blood draws.

LAW ENFORCEMENT PHLEBOTOMY

Is this a mandatory training?

No, purely voluntary by the officer and their agency.

How much will the training program cost?

Through the support of the Wisconsin Bureau of Transportation Safety (BOTS), costs to the officer's agency will be covered. This will include the course cost, any related materials and supplies, and the officer's time.

LEP PROGRAM

Begin
small

Oversight

Standards

Training



CURRENT
FEEDBACK

Prosecutors

Law Enforcement

Judges

CONTACT INFORMATION

Steve Krejci
skrejci911@earthlink.net

Amy Miles
amy.miles@sh.wisc.edu

TSC PILOT “TOOLBOX” PROJECT

A NEW WISCONSIN PILOT PROGRAM SPEARHEADED BY BOTS WITH THE INTENT OF ASSISTING TRAFFIC SAFETY COMMISSIONS BY PROVIDING ADDITIONAL RESOURCES.

THE PROGRAM WILL DEVELOP A “TOOLBOX” OF RESOURCES AND INFORMATION FOR TSC’S TO USE. THE PROJECT WILL BE STARTING IN DANE COUNTY WITHIN THE NEXT FEW MONTHS

COUNTIES WILL SOON BE INVITED TO USE THE NEW TSC “TOOLBOX”. PARTICIPATING TSC’S WILL BE REQUESTED TO PROVIDE INPUT TO IMPROVE UPON THE PROGRAMS INITIAL EFFORTS.

**511
Wisconsin**



Winter Road Conditions: Former Data Source

Law Enforcement → Dispatch → Winter Road System → 511 WI

- 5 AM
- 9 AM
- 2 PM
- 7 PM

Wisconsin Traffic Operations and Safety Laboratory
WRS Winter Roads System

Home > Applications > WRS Home Welcome, spierce | Manage AS

WRS Current Conditions Last Refresh:

Winter Road Filters

Post: Highway: Condition: Last Updated By:

All Posts All Highways All Conditions All Users

Apply Filters Reset Page

| ID | Highway Segment | Condition | Post | Last Updated |
|------|---|---------------------|----------|--------------------|
| 1138 | I-39/I-90 between Beloit and Janesville | Good Winter Driving | DeForest | 01/14/2022 8:58 AM |
| 1139 | I-39/I-90 between Janesville and Madison | Good Winter Driving | DeForest | 01/14/2022 8:58 AM |
| 1140 | I-39/I-90/I-94 between Madison and Portage | Good Winter Driving | DeForest | 01/14/2022 8:58 AM |
| 1144 | I-43 between Beloit and Darlen | Good Winter Driving | DeForest | 01/14/2022 8:58 AM |
| 1156 | I-94 between Lake Mills and Madison | Good Winter Driving | DeForest | 01/14/2022 8:58 AM |
| 1157 | I-90/I-94 between Portage and Wisconsin Dells | Good Winter Driving | DeForest | 01/14/2022 8:58 AM |
| 1172 | US 12 between Monona and Middleton | Good Winter Driving | DeForest | 01/14/2022 8:58 AM |

511 WISCONSIN WISCONSIN DEPARTMENT OF TRANSPORTATION

Home Traffic My 511WI Travel Services Trucker Information About Construction Projects Admin Stacey Log off All Regions

Alerts

Location

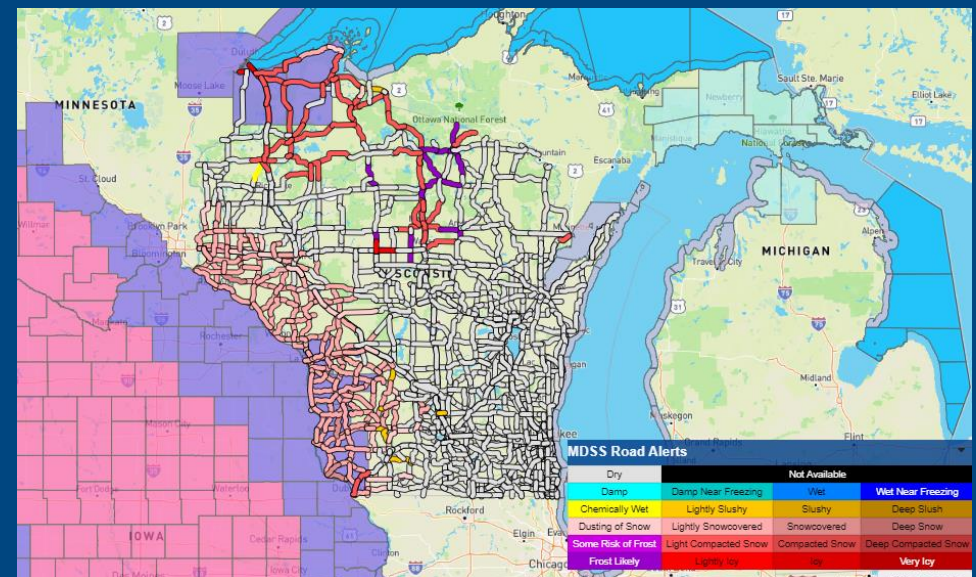
511 Layers

- Traffic Speeds
- Winter Road Conditions
 - Good Winter Driving
 - Slippery Stretches
 - Snow Covered
- Ice Covered
- Travel Not Advised
- No Report
- Cameras
- My Cameras
- Incidents
- Roadwork
- Special Events
- Closures
- Message Signs
- Park & Ride
- Rest Areas
- Weather Radar
- Weather Alerts



Winter Road Conditions: New Data Source Maintenance Decision Support System (MDSS)

- Same technology used for 10 years in Bureau of Highway Maintenance for winter road treatments
- Surveyed other states
- > 10,000 more miles of roadway
- More frequent updates
- Automated/calculated conditions
- Reduces State Patrol workload

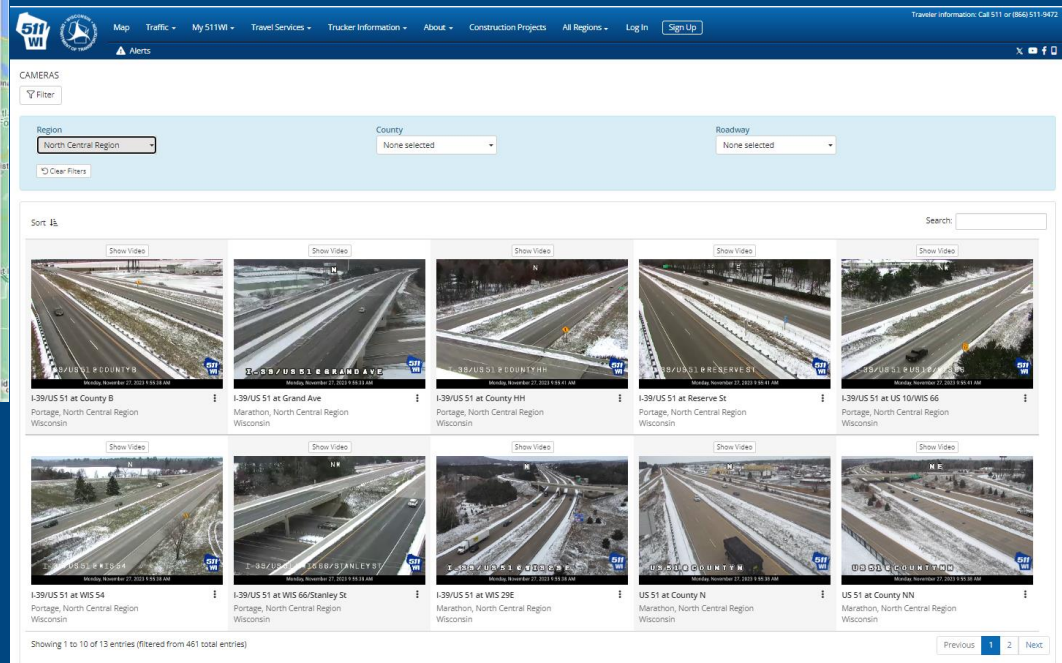
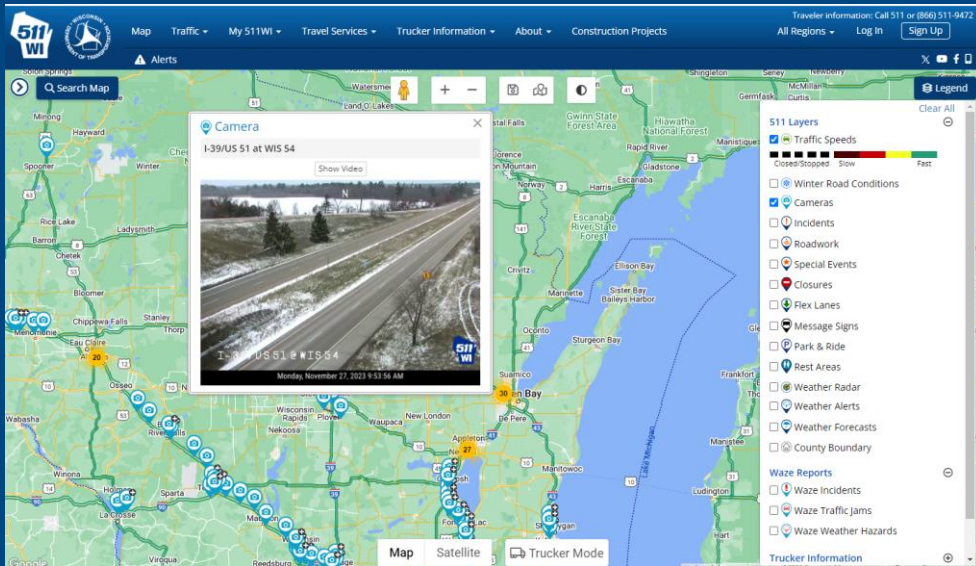


View Video: 511WI

- 511WI (View live cameras on map page or camera page: website or mobile app)
 - Provides snapshot images and live video to traveling public
 - Map Page: <https://511wi.gov/>
 - Camera Page: <https://511wi.gov/cctv>
 - Sign up for My511WI to utilize additional features on the camera page
 - Create custom view lists (up to 10 cameras per page)
 - Nickname cameras
 - A 511WI developer data feed is available for agencies that use this technology
 - <https://511wi.gov/developers/resources>
 - <https://511wi.gov/help/endpoint/cameras>



511WI Map Page and Camera Page



Questions/Contact

- For Questions on 511 Wisconsin Program:

- Rebecca Klein 262-822-5947 Rebecca.Klein@dot.wi.gov
- Randy Hoyt 414-227-4671 Randall.Hoyt@dot.wi.gov



Community Maps - Traffic Safety for Wisconsin

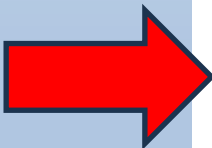
See the [Community Maps Release Notes](#) for important updates. [About Community Maps crash data.](#)

[About](#) [Search](#) [Advanced](#) [Predictive Analytics](#) [Dashboard](#) [TSC Resources](#) [Admin](#) [Contact](#) [Help](#)

Welcome, thorn

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). | January 2024 |
| TSC Guidelines (Revised Feb 2023) | Download the new TSC Guideline document. | February 2023 |
| 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. | 2024 |
| Wisconsin SHSP 2023-27 | 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 2027. | 2023-2027 |
| 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. | Updated Weekly |
| Teen Driver Safety Presentation | Customizable Power Point presentation intended for law enforcement to use in Driver's Education classes. | June 2023 |
| Teen Driver Safety Resources | Additional resources to be used as needed in the Teen Driver Safety ppt presentation. | June 2023 |



Legislative Update

Proposed Legislation
Introduced in the
Assembly (AB) and
Senate(SB) as of
1-12-2024



Cell Phones in School Zones

SB-830 / AB-889, Cell Phones in School Zones: This bill draft would extend the cell phone use prohibition that currently exists in construction zones to school zones during school hours or when a child is present. [AB-889: Rep. Kitchens, R-Sturgeon Bay / SB-830: Sen. James, R – Altoona]



Drivers Education (Work Zones)

[SB-591](#) / [AB-629](#), Driver Education (Work Zones): ([SB-591](#), Public Hearing 12/5/23, **Voted out of Committee 1/11/24)** This bill draft would require approved driver education courses to include 30 minutes of instruction in work zone safety. DOT would be required to determine the materials to be used in in the work zone safety instruction. [SB-591: Sen. Testin, R - Stevens Point / AB-629: Rep. Callahan, R – Tomahawk]

[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.

Automated Speed Enforcement

Automated Enforcement Considerations

Three Major Automated Enforcement Technologies Used in the United States



AE for distracted driving and seat belt enforcement is being tested.

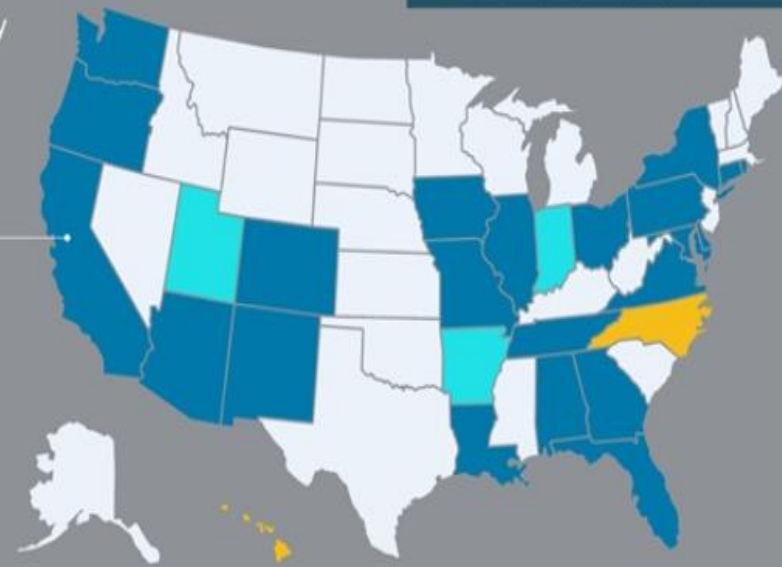
Permitted Use of Automated Enforcement Technologies by State Law

U.S. states/ territories that permit both: CT, DE, DC, MD, NY, PA, and RI

- Red-light cameras only
- Speed cameras only
- Both
- Not permitted/ not addressed

Beginning in January 2024, speed cameras will be permitted in six California cities under a state law enacted in October 2023.

Source: Insurance Institute for Highway Safety





We're challenging you

Join us on our mission for safer roads, and get rewarded for it!

Get ready to harness the incredible power of teamwork and embrace some friendly competition! We're inviting young drivers like you to join us in making a huge difference in our communities while scoring big for road safety.



What is the Safe Roads Challenge Wisconsin

A fun and engaging movement rewarding positive driving behavior

This initiative is designed to **raise awareness about safe driving practices and encourage responsible behavior on the Wisconsin roads** to reduce injuries and fatalities caused by vehicle collisions. Through friendly competition, positive reinforcement, rewards, and collaboration, we can make it happen!

The Safe Roads Challenge Wisconsin is a state-wide movement that **rewards Wisconsin drivers for positive driving behavior** and encourages friendly competition. **Counties will go head-to-head to achieve the highest overall driving score**, and members contribute by striving for safe driving performance. At the end of the season, the team with the highest overall driving score will be crowned the winner. **Best part? One lucky team member will be randomly chosen to win the grand prize!**

Our why

Every day, 320 vehicle collisions take place in

We want to change this narrative, and we need your active participation. We believe that together, we can make a greater

Get started in 4 easy steps

1



Download our driving scoring tool - TrypScore

Start by downloading the TrypScore app, a fun and engaging tool where you can get rewarded for safe driving. To download, scan the QR code or click the link below:

[Download now](#)

2



Create a TrypScore account.

Create an account through the TrypScore app to start collecting Tryps and scores that will go towards the Safe Roads Challenge. Make sure you select the right settings based on your mobile device.

3



Input your team join code on the app.

Once you're in the TrypScore app, navigate to your profile page, click the Team Activation tile, and enter your team code. Click the link below or scan the code to find your state and its assigned join code. Please note that the join code is case sensitive.

[Find my Team Join Code](#)

4



Sign in to your Safe Roads Challenge Dashboard.

Finally, sign in to the Safe Roads Challenge Dashboard using your TrypScore sign in details. Here's where you'll find the leaderboards, challenges, and much more!

[Sign in to Safe Roads Dashboard](#)

What you can win

Gift cards ranging from \$25 to \$500 from your favourite brands!

Two members will win this exciting prize! The more you engage, the more chances of winning. Start your journey to Seattle now!

GRAND PRIZE

Have an overall score of 80+ to enter.



Are you up to the challenge?

Get your team's challenge score and see who's ready to team up.

@trypscore

Our Team



Division of State Patrol Bureau of Transportation Safety and Technical Services Law Enforcement Liaisons and Regional Program Managers Region Map

Hill Farms State Office Building (HFSOB)
4822 Madison Yards Way, 9th Floor South
Madison, WI 53705

SUPERVISOR

Valerie K. Payne
Telephone (608) 709-0065
Email ValerieK.Payne@dot.wi.gov

LAW ENFORCEMENT LIAISONS (LEL)

Randy Wiessinger
Telephone (608) 516-6767
Email rpw@wiessinger.com

Trace Frost

Telephone (920) 382-2424
Email trace@tracefrost.com

Rick Olig

Telephone (920) 979-0459
Email rick@oligconsulting.net

Daniel Kontos

Telephone (715) 498-6762
Email IncidentResponseLLC@gmail.com

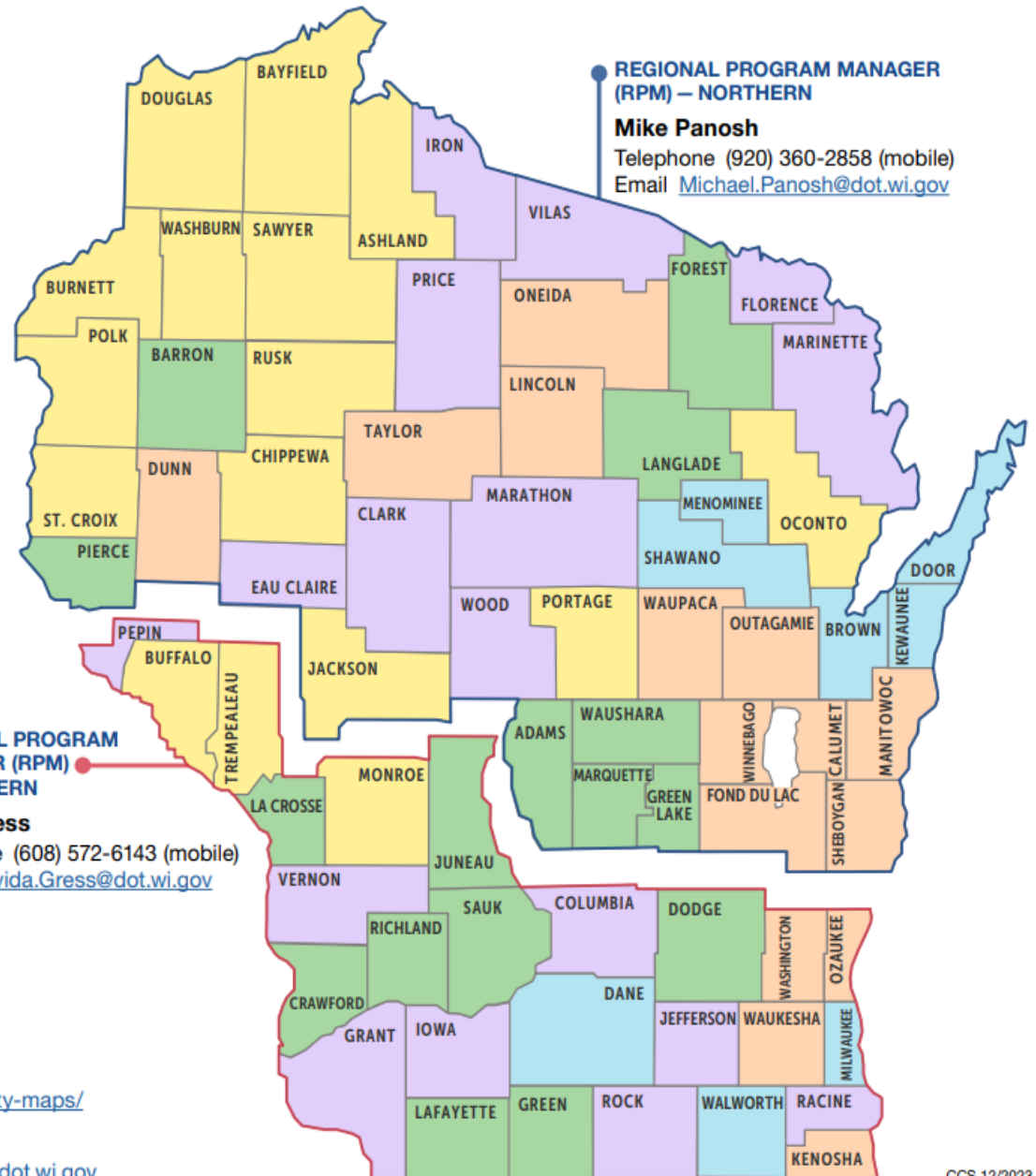
Todd Horn

Telephone (608) 617-3347
Email todd@toddhorn.com



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

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



If I Can Help...



Todd Horn

Law Enforcement Liaison

Wisconsin Department of Transportation

Bureau of Transportation Safety/Wisconsin State Patrol

todd@toddhorn.com

[608-617-3347](tel:608-617-3347)

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

Legislative Proposals of Interest to DSP/Law Enforcement **2023-2024 Legislative Session (Current as of 01-19-2024)**

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. Jacque, 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.

Legislative Proposals of Interest to DSP/Law Enforcement **2023-2024 Legislative Session (Current as of 01-19-2024)**

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.

Legislative Proposals of Interest to DSP/Law Enforcement **2023-2024 Legislative Session (Current as of 01-19-2024)**

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-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]

Legislative Proposals of Interest to DSP/Law Enforcement **2023-2024 Legislative Session (Current as of 01-19-2024)**

[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-354](#) / [AB-614](#) **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 / AB-614: Rep. S. 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 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. L. 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-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**

Legislative Proposals of Interest to DSP/Law Enforcement 2023-2024 Legislative Session (Current as of 01-19-2024)

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-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]

AB-650, 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]

SB-636 / AB-677, 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. [AB-677: Rep. Joers, D – Middleton / SB-636: Sen. Hesselbein, D - Middleton]

SB-630 / AB-671, 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 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

Legislative Proposals of Interest to DSP/Law Enforcement 2023-2024 Legislative Session (Current as of 01-19-2024)

continue to receive his or her annuity. [SB-630: Sen. Tomczyk, R – Mosinee / AB-671: Rep. Rettinger, R – Mukwonago]

[SB-638](#) / [AB-673](#), Firearm Buybacks: This bill draft would create a firearm buyback grant program for counties or law enforcement agencies under the Department of Justice. [AB-673: Rep. Joers, D – Middleton / SB-638: Sen. Agard, D – Madison]

[SB-676](#) / [AB-693](#), CMV Definition: This bill draft would remove the reference to “registered” weight in the statutory definition of commercial motor vehicle and would also remove the reference from the DOT administrative code. [SB-676: Sen. Stroebel, R – Saukville / AB-693: Rep. Callahan, R – Tomahawk]

[SB-863](#) / [AB-764](#) Lost Firearm Reporting: This bill draft would require a firearm owner whose firearm is missing or stolen to report it to a law enforcement agency within 24 hours. The penalty for violating this would be a Class A misdemeanor for a first offense and a Class I felony for a subsequent offense. Commercial retailers for firearms would be required to provide customers with written notice of the requirement or face a fine and/or imprisonment. [AB-764: Rep. Subeck, D – Madison / SB-863: Sen. L. Taylor, D – Milwaukee]

[AB-861](#), Possession of Marijuana: This bill draft would reduce the penalty for possession of 14 grams or less of marijuana to a \$100 civil forfeiture. The bill draft would also eliminate counting, for the purposes of determining if a conviction is a repeat conviction, a criminal offense of marijuana possession involving 28 grams or less. Further, it would reduce the imprisonment time for a repeat conviction for marijuana possession from three years and six months to 90 days. Local governments would only be allowed to impose a forfeiture of \$100 to \$250 for the violation of the ordinance of the possession of 14 grams or less of marijuana. The bill draft also reduces the penalty to a civil forfeiture of not more than \$10 for using or possessing drug paraphernalia that relates to marijuana consumption. Law enforcement would be given discretion in how to complete processing of a person for the violation of state law or ordinance prohibiting possession or attempted possession of marijuana or marijuana paraphernalia, including whether to take the person to jail, complete a booking photo, or fingerprint the person. An officer would still need to obtain certain personal identification. The bill draft would also limit liability of employers, with certain exceptions, that would not require an employee to submit to a THC test as a condition of employment. [AB-861: Rep. Sortwell, R - Two Rivers / Sen. L. Taylor, D – Milwaukee]

[SB-875](#) / [AB-950](#), Xylazine Testing Materials: This bill draft would exempt xylazine testing materials from the definition of drug paraphernalia and civil and criminal liability exemptions for distributing and administering xylazine testing products. [SB-875: Sen. James, R - Altoona / AB-950: Rep. Kitchens R – Sturgeon Bay]

[SB-890](#) / [AB-960](#), Emergency Communications Device Location Information: This bill draft would require a wireless communications provider to provide the device location to law enforcement without a warrant if the customer or subscriber consents to the disclosure, if the provider believes in good faith an emergency involving the danger of death or serious physical injury to any person exists and that disclosure of the location is relevant to preventing death or injury, or if the provider receives a written request with the same qualifications from law enforcement. Wireless communication providers would also be required to provide emergency contact information for such requests to DOJ on an annual basis and DOJ would be required to maintain the database of the information to provide to law enforcement agencies and 911 call centers to facilitate requests from law enforcement agencies. [SB-890: Sen. James, R - Altoona / Rep. Kitchens R – Sturgeon Bay]

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 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) (AB-395, Public Hearing 12/5/23) 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

Legislative Proposals of Interest to DSP/Law Enforcement **2023-2024 Legislative Session (Current as of 01-19-2024)**

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-438 / AB-447, Prisoner Placement: (AB-447, Public Hearing 10/18/23) (SB-438, Public Hearing 11/2/23) 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-150 / AB-167, Ignition Interlock Restricted License: (SB-150, Public Hearing 11/2/23) 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 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. Jacques, R – DePere / AB-167: Rep. Murphy, R - Greenville]

SB-384 / AB-397, Determining Lawful Presence: (SB-384, Public Hearing 1/3/24) 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-209, Law Enforcement Training Reimbursement: (SB-209, Public Hearing 1/10/24) 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

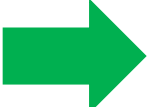
Legislative Proposals of Interest to DSP/Law Enforcement 2023-2024 Legislative Session (Current as of 01-19-2024)

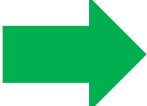
became a certified law enforcement officer, jail officer, or juvenile detention officer in addition to the costs that were paid by a political subdivision on behalf of a recruit. The bill would also require the Office of School Safety (OSS) in DOJ to develop standards and approve a certified training 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 resource officers and the status of their training. [SB-209: Sen. Jacque, R – DePere / Rep. Krug, R – Nekoosa]

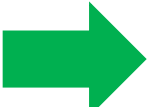
[SB-641](#) / [AB-684](#), Electric Weapons: (SB-641, Public Hearing 1/11/24) This bill draft would allow electric weapons to be possessed without a conceal carry permit. The only prohibition against possessing an electric weapon would be if a person is prohibited from possessing a firearm. [SB-641: Sen. James, R – Altoona / Rep. Sortwell, R - Two Rivers]


[SB-830](#) / [AB-889](#), Cell Phones in School Zones: (SB-830, Public Hearing 1/11/24) This bill draft would extend the cell phone use prohibition that currently exists in construction zones to school zones during school hours or when a child is present. [AB-889: Rep. Kitchens, R – Sturgeon Bay / SB-830: Sen. James, R – Altoona]

[SB-517](#) / [AB-544](#), Criminal Complaints: (AB-517, Public Hearing 1/11/24) Under current law, a district attorney has the discretion as to whether or not to issue a complaint to charge a person with a crime. Current law also provides that, if a district attorney refuses to issue a complaint against a person, a judge may conduct a hearing to determine if there is probable cause to believe that the person committed a crime and, if so, issue a complaint. Under this bill draft, if the district attorney refused to issue the complaint because the person has a defense of self-defense, the court may not conduct a hearing or issue a complaint unless the court has new evidence that the person's actions were not self-defense under the law. [Sen. Hutton, R – Brookfield / Rep. Moses, R – Menomonie]

 **[SB-840](#) / [AB-869](#), Traffic Control Light Preemption: (SB-840, Public Hearing 1/17/24)** This bill draft would allow snowplows to be equipped with traffic control signal priority devices, like what is currently allowed for authorized emergency vehicles. The authority responsible for the maintenance of a traffic control signal would be able to establish procedures for resolving conflicts between multiple requests for signal preemption/priority but an emergency vehicle must always be given priority. [SB-840: Sen. Tomczyk, R – Mosinee / AB-869: Rep. Snyder, R - Schofield]

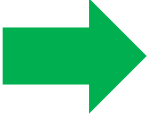
 **[SB-612](#) / [AB-649](#), Seasonally Maintained Highways: (SB-612, Public Hearing 1/17/24)** This bill draft would allow a town to designate any highway or portion of a highway under its jurisdiction as a seasonally maintained highway, which the town is not required to maintain as passable for motor vehicle traffic from December 15 to March 31. The bill sets out criteria for the designation as well as signage requirements. [SB-612: Sen. Marklein, R - Spring Green / Rep. Callahan, R – Tomahawk]

 **[SB-614](#) / [AB-651](#), Work Zone Cameras: (SB-614, Public Hearing 1/17/24)** 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. [Sen. Tomczyk, R – Mosinee / AB-651: Rep. Novak, R – Dodgeville]

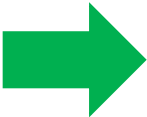
 **[SB-617](#) / [AB-672](#), Electric Vehicles Indicia: (SB-617, Public Hearing 1/17/24)** This bill draft would require a vehicle that operates at greater than 50 volts to have an abbreviation “EV” displayed on the registration plate. The indication would be a sticker or be a part of the registration plate. Whether a

Legislative Proposals of Interest to DSP/Law Enforcement 2023-2024 Legislative Session (Current as of 01-19-2024)

sticker or new registration plate is issued would depend on the timing of the registration plate reissuance cycle. [SB-617: Sen. James, R – Altoona / AB-672: Rep. Pronschinske R – Mondovi]



SB-525 / AB-561, Vehicle Window Tint: (SB-525, Public Hearing 1/17/24) 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 / AB-561: Rep. Novak, R – Dodgeville]



SB-684 / AB-720, Speed Limits: (SB-684, Public Hearing 1/17/24) This bill draft would allow a local highway authority to reduce the speed limit on a highway under its jurisdiction by not more than 20 mph. Further if the local highway authority had previously lowered the speed limit by 10 mph or less, then they may further reduce the speed limit to now lower than 35 mph. [AB-720: Rep. Penterman, R - Columbus / SB-684: Sen. Cowles, R - Green 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.

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

Legislative Proposals of Interest to DSP/Law Enforcement 2023-2024 Legislative Session (Current as of 01-19-2024)

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-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 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]

Legislative Proposals of Interest to DSP/Law Enforcement 2023-2024 Legislative Session (Current as of 01-19-2024)

[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]**

[SB-410](#) / [AB-930](#), **Impounding Vehicles: (SB-410, Public Hearing 10/3/23, Voted out of Committee 10/24/23 [as amended](#)) 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 / AB-930: Rep. Penterman, R – Columbus]

[SB-225](#) / [AB-230](#), **Recreational Vehicles: (SB-225, Public Hearing 10/24/23) (AB-230, Public Hearing 5/18/23, Voted out of Committee 1/11/24 [as amended](#)) This bill draft would make changes to the way the recreational vehicle (RV) dealers, manufacturers, and distributors are regulated. In addition, the draft changes the definition of an RV and adds truck campers to the definition which would be required to meet certain equipment requirements. [SB-225: Sen. Testin, R - Stevens Point / AB-230: Rep. Krug, R – Nekoosa]**

[SB-87](#) / [AB-87](#), **Vehicular Homicide Restitution (Bentley’s Law): (AB-87, Public Hearing 10/19/23, Voted out of Committee 1/11/24) Under this bill, if a person is convicted of the crime of homicide by intoxicated use of a vehicle, and the 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]

Legislative Proposals of Interest to DSP/Law Enforcement
2023-2024 Legislative Session (Current as of 01-19-2024)

 **[SB-514 / AB-536](#), Fleeing an Officer: (AB-536: Public Hearing 1/11/24, Voted out of Committee 1/17/24)** 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]

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]

[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.

Legislative Proposals of Interest to DSP/Law Enforcement 2023-2024 Legislative Session (Current as of 01-19-2024)

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-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.

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)

[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-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

Legislative Proposals of Interest to DSP/Law Enforcement 2023-2024 Legislative Session (Current as of 01-19-2024)

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) (AB-313, Public Hearing 12/5/23, Voted out of Committee 1/9/24 as amended) 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]

SB-119 / AB-118, 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) (AB-118, Public Hearing 11/15/23, Voted out of Committee 12/5/23) 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 / AB-118: Rep. Nedweski, R - Pleasant Prairie]

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) (AB-217, Public Hearing 11/8/23, Voted out of Committee 11/14/23) 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.

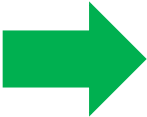
Under current law ATV/UTVs cannot be equipped with any of the following: 1) any color of light other than white or amber visible from the front; 2) any color of light other than red, yellow, amber, or white that is visible from the rear; or 3) any flashing, oscillating, or rotating light in a color other 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) /21/23, Voted out of Committee 9/28/23, Passed Senate 10-17/23) (AB-216, Public Hearing 11/8/23, Voted out of Committee 11/14/23) 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

Legislative Proposals of Interest to DSP/Law Enforcement 2023-2024 Legislative Session (Current as of 01-19-2024)

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, Voted out of Committee 10/24/23) 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 for the purpose of restoration of utility service outside of normal maintenance or construction. [SB-355: Sen. Tomczyk, R – Mosinee / AB-354: 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) (AB-356, Public Hearing 12/20/23, Voted out of Committee 1/10/24 as amended, Passed Assembly 1/18/24 as amended) 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]

[SB-97 / AB-89](#), Traffic Penalties, Highway Maintenance Workers: (SB: 97, Public Hearing 3/28/23, Voted out of Committee 5/23/23, Passed Senate 11/7/23) (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-404 / AB-421](#), Operating Without License: (SB-404, Public Hearing 10/3/23, Voted out of Committee 10/24/23, Passed Senate 11/14/23) (AB-421, Public Hearing 1/10/24) 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

Legislative Proposals of Interest to DSP/Law Enforcement
2023-2024 Legislative Session (Current as of 01-19-2024)

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.

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.


Legislative Proposals of Interest to DSP/Law Enforcement 2023-2024 Legislative Session (Current as of 01-19-2024)

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]

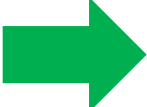
[SB-460 / AB-463](#), Double Fines When Railroad Workers Present: (SB-460, Public Hearing 11/2/23, Voted out of Committee 11/10/23, Passed Senate 11/14/23) (AB-463: Public Hearing 1/9/24) This bill draft would double fines for traffic violations that are committed where railroad construction or maintenance workers are present and are at risk from traffic. [SB-460: Sen. Cowles, R - Green Bay / AB-463: Rep. Spiros, R – Marshfield]

[SB-363 / AB-365](#), Pig Iron Transport: (SB-363: Public Hearing 10/24/23, Voted out of Committee **as amended 11/9/23, Passed Senate **as amended** 11/14/23) (AB-365: Public Hearing 1/9/24) 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 / AB-365: Rep. Petersen, R - Waupaca]**

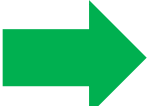
[SB-431 / AB-440](#), Oversize Permits (Liquid Milk Products/Whey): (SB-431: Public Hearing 10/24/23, Voted out of Committee **as amended 11/9/23, Passed Senate **as amended** 11/14/23) (AB-440: Public Hearing 11/21/23, Voted out of Committee **as amended** 12/7/23) This bill draft would change the definition 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]**



[AB-573 / SB-610](#), DHS Pilot Program (Field crisis care services): (AB-573, Public Hearing 11/1/23, Voted out of **as amended Committee 11/9/23, Passed Assembly **as amended** 11/14/23, Passed Senate 1/16/24) (SB-610, Public Hearing 11/28/23, Voted out of Committee 12/13/23) This bill draft would create a pilot program under the Department of Health Services to implement virtual behavioral health crisis care services for use by county or municipal law enforcement agencies. It would be used in the field to connect officers to behavioral healthcare services when they encounter a person in crisis. [AB-573: Rep. Donovan, R- Greenfield / SB-610: Sen. James, R – Altoona]**



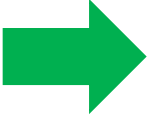
[SB-621 / AB-576](#), Public Safety Peer Counseling: (AB-576, Public Hearing 11/1/23, Voted out of Committee **as amended 11/9/23, Passed Assembly **as amended** 11/14/23, Passed Senate 1/16/24) (SB-621, Public Hearing 11/28/23, Voted out of Committee 12/13/23) This bill draft would create under the Department of Justice a program under which those working in public safety (law enforcement agency, a tribal law enforcement agency, a fire protection or emergency medical service agency, or any other agency that employs law enforcement officers, tribal law enforcement officers, correctional officers, jail officers, juvenile detention officers, fire fighters, dispatchers, emergency medical responders, emergency medical services practitioners, public safety personnel, or ambulance service provider personnel) could establish peer support teams and critical incident stress management service teams. DOJ would regulate the program and training requirements. The Law Enforcement Standards Board (LESB) with the Department of Health Services and other relevant entities would advise the LESB in establishment of the curriculum. [AB-576: Rep. Kitchens, R – Sturgeon Bay / SB-621: Sen. James, R – Altoona]**



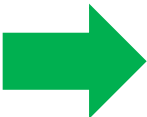
[SB-573 / AB-620](#), Officer Training Expenses: (AB-620, Public Hearing 11/30/23, Voted out of Committee 1/11/24) (SB-573, Public Hearing 12/6/23, Voted out of Committee 1/10/24 **as amended, Passed Senate 1/16/24 **as amended**) This bill draft would require the Law Enforcement Standards Board to pay law enforcement agencies for approved preparatory training expenses. The bill would also increase the minimum amount per officer from \$160 to \$320 and specifies that the agency that employs the**

Legislative Proposals of Interest to DSP/Law Enforcement
2023-2024 Legislative Session (Current as of 01-19-2024)

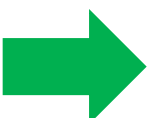
officer be paid for the approved expenses of the officer's annual recertification training. [SB-573: Sen. Stafsholt, R - New Richmond / AB-620: Rep. Donovan, R - Greenfield]



SB-591 / AB-629, Driver Education (Work Zones): (SB-591, Public Hearing 12/5/23, Voted out of Committee 1/11/24, Passed Senate 1/16/24) This bill draft would require approved driver education courses to include 30 minutes of instruction in work zone safety. DOT would be required to determine the materials to be used in in the work zone safety instruction. [SB-591: Sen. Testin, R - Stevens Point / AB-629: Rep. Callahan, R – Tomahawk]

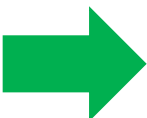


SB-789 / AB-837, Redacting Fees for Law Enforcement Agencies: (SB-789, Public Hearing 1/3/24, Voted out of Committee 1/10/24 as amended, Passed Senate 1/16/24) This bill draft would allow law enforcement agencies to charge a requester a fee for the costs of redacting, whether by pixelization or other means, recorded video in response to a public records request when redaction is necessary to comply with the law. [SB-789: Sen. James, R - Altoona / AB-837: Rep. Spiros, R – Marshfield]



SB-484 / AB-511, Oversize Permits (Michigan border permit): (SB-484, Public Hearing 10/24/23, Voted out of Committee 1/11/24) (AB-511, Public Hearing 12/5/23, Voted out of Committee 1/11/24 as amended, Passed Assembly 1/18/24 as amended) 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.
9. USH 151, from the junction with STH 55 in Calumet County to the junction with CTH S in Manitowoc County. (AB-511: Rep. Mursau, R – Crivitz / SB-484: Sen. Tomczyk, R - Mosinee)



SB-879 / AB-637, Catalytic Converter Theft: (AB-637, Public Hearing 11/30/23, Voted out of Committee 1/11/24, Passed Assembly 1/18/24) This bill draft would make it a Class I felony to remove the catalytic converter from a vehicle without the owner's consent. [AB-637: Rep. Rettinger, R – Mukwonago / SB-879: Sen. Knodl, R – Germantown]

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.
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.

Legislative Proposals of Interest to DSP/Law Enforcement 2023-2024 Legislative Session (Current as of 01-19-2024)

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)

[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

Legislative Proposals of Interest to DSP/Law Enforcement 2023-2024 Legislative Session (Current as of 01-19-2024)

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]

[Legislative Council Act Memo Act 29](#) (Effective Date August 6, 2023)

[Act 34 / 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, Signed into Law by Governor Evers 10/25/23) (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 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]

[Legislative Council Act Memo Act 34](#) (Effective Date 10/27/23)

[Act 38 / SB-554 / AB-546](#), WLEA Agreement (JCOER): (SB-554: Passed Senate 11/7/23, Passed Assembly 11/8/23, Signed into Law by Governor Evers 11/16/23) Ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin Law Enforcement Association, for the 2023-25 biennium, covering employees in the public safety collective bargaining unit, and authorizing an expenditure of funds.

[Legislative Council Act Memo Act 38](#) (Effective Date 11/18/23)

[Act 86 / SB-396 / AB-394](#), Driver Education Grants: (AB-394, Public Hearing 9/20/23, Voted out of Committee **as amended 10/11/23, Passed Assembly 10/17/23, Voted out of Senate Committee 11/2/23, Passed Senate 11/7/23, Signed into Law by Governor Evers 12/6/23) (SB-396, Public Hearing 10/24/23)** This act creates a grant program under the DOT which provides funding for either a provider of a driver education course or to a person enrolled in or seeking to be enrolled in a driver education course. [SB-396: Sen. Knodl, R – Germantown / AB-394: Rep. Donovan, R- Greenfield]

[Legislative Council Act Memo Act 86](#) (Effective Date 12/8/23)

[Act 44 / 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, Signed into Law by Governor Evers 12/6/23) (AB-123, Public Hearing 5/23/23, Voted out of Committee 6/6/23) Under prior law, a probationary license was, with certain exceptions, issued to all applicants who qualify for an original

Legislative Proposals of Interest to DSP/Law Enforcement 2023-2024 Legislative Session (Current as of 01-19-2024)

driver's license and remained in effect for two years from the date of the licensee's next birthday. Currently, the following persons were 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.

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 act, 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 / AB-123: Rep. Snyder, R - Schofield]

[Legislative Council Act Memo Act 44](#) (Effective Date 12/8/23)

Act 45 / 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, Signed into Law by Governor Evers 12/6/23) (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. Previously, DOT was required to 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 act eliminated 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.

Previous law provided that, if DOT determined 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 act eliminates this consequence and, instead, allows DOT to issue an order prohibiting an erring dealer from issuing temporary operation plates or permits. The act 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]

[Legislative Council Act Memo Act 45](#) (Effective Date 12/8/23)

Act 57 / 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, Signed into Law by Governor Evers 12/6/23) (AB-33, Public Hearing 6/6/23, Voted out of Committee **as amended** 6/20/23)** This act 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

Legislative Proposals of Interest to DSP/Law Enforcement 2023-2024 Legislative Session (Current as of 01-19-2024)

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]

[Act 59](#) / [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, Signed into Law by Governor Evers 12/6/23) (SB-53, Public Hearing 9/27/23, Voted out of Committee 10/6/23) This act 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]

[Act 64](#) / [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, Signed into Law by Governor Evers 12/6/23) 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 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 act adds the operator of an ATV or UTV owned by an electric cooperative to this exemption. [SB-109: Sen. Quinn, R – Cameron / AB-105: Rep. Green, R - Grand View] [Legislative Council Act Memo Act 64](#) (Effective Date 12/8/23)

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

Legislative Proposals of Interest to DSP/Law Enforcement
2023-2024 Legislative Session (Current as of 01-19-2024)

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. 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-2858, Medical Cannabis: This bill draft would allow the possession of medical cannabis by registered patients and only for certain medical conditions. The Office of Medical Cannabis Regulation (under DHS) would operate and regulate the cannabis dispensaries. Only 5 total dispensaries would be allowed in the state. Further, the Office of Medical Cannabis Regulation would also establish and manage the patient and caregiver registry to oversee the dispensing of medical cannabis. Under the bill, medical cannabis products would only include concentrates, oils, tinctures, edibles, pills, topical forms, gels, creams, vapors, patches, liquids, and forms administered by a nebulizer but excludes cannabis in a form that can be smoked. DATCP would handle the regulation of cannabis growers, processors, and testing laboratories. [Rep. Snyder, R – Schofield]