

# State of Wisconsin



2015 Assembly Bill 684

Date of enactment: **February 29, 2016**

Date of publication\*: **March 1, 2016**

## 2015 WISCONSIN ACT 193

AN ACT *to repeal* 20.566 (1) (gm), 85.07 (6), 85.515 and subchapter IV of chapter 139 [precedes 139.87]; and *to amend* 343.165 (1) (intro.), 343.165 (4) (a), 343.165 (5), 343.165 (7) (a) 2. and 343.165 (7) (b) of the statutes; **relating to:** certain drinking age reports, the effective date of certain changes to the requirements for issuing operator's licenses and identification cards, and repealing the tax on controlled substances (suggested as remedial legislation by the Department of Transportation).

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Transportation and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

**SECTION 1.** 20.566 (1) (gm) of the statutes is repealed.

**SECTION 2.** 85.07 (6) of the statutes is repealed.

NOTE: SECTION 2 repeals the statute that requires the Department of Transportation to study the impact of raising the legal drinking age to 21 and report the results to the legislature by January 1, 1988, 1989, 1990, and 1991.

**SECTION 3.** 85.515 of the statutes is repealed.

NOTE: SECTION 3 repeals the statute that requires the secretary of the Department of Transportation to determine whether the state is ready to implement the federal REAL ID Act. On November 30, 2012, the Department of Transportation published the required notice that it was ready to fully implement the federal REAL ID Act.

**SECTION 4.** Subchapter IV of chapter 139 [precedes 139.87] of the statutes is repealed.

NOTE: SECTIONS 1 and 4 repeal the statutory provisions relating to the occupational tax on controlled substances.

**SECTION 5.** 343.165 (1) (intro.) of the statutes is amended to read:

343.165 (1) (intro.) Subject to ss. 343.14 (3m) and 343.50 (4g), the department may not complete the processing of an application for initial issuance or renewal of an operator's license or identification card ~~received by the department after the date stated in the notice provided by the secretary of transportation and published in the Wisconsin Administrative Register under s. 85.515 (2) (b),~~ and no such license or identification card may be issued or renewed, unless the applicant presents or provides, and, subject to sub. (7), the department verifies under sub. (3), all of the following information:

**SECTION 6.** 343.165 (4) (a) of the statutes is amended to read:

343.165 (4) (a) Subsection (1) does not apply to an application for renewal of an operator's license or identification card ~~received by the department after the date stated in the notice provided by the secretary of transportation and published in the Wisconsin Administrative Register under s. 85.515 (2) (b),~~ if in connection with a prior application ~~after the date stated in the notice provided by the secretary of transportation and published in~~

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

the Wisconsin Administrative Register under s. 85.515 (2) (b), the applicant previously presented or provided, and the department verified under sub. (3) or (7), the information specified in sub. (1) and, if verified under sub. (3), the department recorded the date on which the verification procedures were completed as described in sub. (2) (b).

**SECTION 7.** 343.165 (5) of the statutes is amended to read:

343.165 (5) The department may, by rule, require that applications for reinstatement of operator's licenses or identification cards, issuance of occupational licenses, reissuance of operator's licenses, or issuance of duplicate operator's licenses or identification cards, ~~received by the department after the date stated in the notice provided by the secretary of transportation and published in the Wisconsin Administrative Register under s. 85.515 (2) (b),~~ be processed in a manner consistent with the requirements established under this section for applications for initial issuance or renewal of operator's licenses and identification cards.

NOTE: 2007 Wisconsin Act 20 contains provisions that incorporate into state law provisions relating to the effective date of the federal REAL ID Act. SECTIONS 5 to 7 remove language that refers to the undetermined future date of the notice provided by the Department of Transportation. On November 30, 2012, the Department of Transportation published the required notice that it was ready to fully implement the federal REAL ID Act effective January 1, 2013.

**SECTION 8.** 343.165 (7) (a) 2. of the statutes is amended to read:

343.165 (7) (a) 2. The operator's license or identification card is processed and issued or renewed in compliance with applicable department practices and procedures that were in effect ~~immediately prior to the date stated in the notice provided by the secretary of transportation and published in the Wisconsin Administrative Register under s. 85.515 (2) (b)~~ on December 31, 2012.

**SECTION 9.** 343.165 (7) (b) of the statutes is amended to read:

343.165 (7) (b) In addition to other instances of original issuance or renewal, this subsection specifically applies to renewals occurring after ~~the date stated in the notice provided by the secretary of transportation and published in the Wisconsin Administrative Register under s. 85.515 (2) (b),~~ December 31, 2012, of operator's licenses or identification cards originally issued prior to ~~the date stated in the notice provided by the secretary of transportation and published in the Wisconsin Administrative Register under s. 85.515 (2) (b)~~ January 1, 2013.

NOTE: SECTIONS 8 and 9 remove language that refers to the undetermined future date of the notice provided by the Department of Transportation regarding full implementation of the federal REAL ID Act and insert the appropriate dates to reflect the effective date of the full implementation of the federal REAL ID Act.