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Wisconsin State Senator

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Testimony on Assembly Bill 222

Thank you members of the committee for hearing Assembly Bill 222 (AB 222) today. This bill makes a few technical changes to current law enacted in the 2017-2019 legislative session.

Last session, Governor Walker signed Senate Bill 135, the "4 Strikes Bill", into law as 2017 Wisconsin Act 172 (Act 172), revoking the license of repeat drunk drivers that receive four OWIs or a combination of OWIs and OWI-related offenses such as homicide by intoxicated use of a vehicle. After ten years, the person may apply for reinstatement of their license if they meet certain criteria and do not commit any traffic violations while on revocation.

Following the implementation of Act 172, some technical issues came to light. Questions arose regarding retroactivity and the lookback period inserted through an Assembly amendment. AB 222 clarifies that the provision would not be retroactive, but would apply for subsequent offenses after the 4th offense. The bill removes confusing language regarding the 15-year look back period that applies to the offense that would trigger revocation of driving privileges. Language in current law could be interpreted to mean that the third and fourth offenses had to happen within fifteen years of each other to trigger revocation, regardless of subsequent offenses. Basically, a person could be caught driving drunk six, seven, eight, or more times throughout their lifetime and may not be subject to the revocation because the third and fourth offenses specifically were not within fifteen years.

Making these slight changes would bolster Act 172 by assuring the law is interpreted as intended and strengthen Wisconsin's drunk driving laws. AB 222 has received support from the Wisconsin Chiefs of Police Association and I urge the members of this committee to support it as well.

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