

State of Wisconsin



2023 Assembly Bill 55

Date of enactment: **May 10, 2023**

Date of publication*: **May 11, 2023**

2023 WISCONSIN ACT 9

AN ACT *to amend* 346.65 (1) (a), 346.65 (1) (b), 346.65 (3), 346.65 (4m), 346.65 (5), 346.655 (1) and 346.657 (1) of the statutes; **relating to:** penalties for reckless driving and providing a penalty.

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

SECTION 1. 346.65 (1) (a) of the statutes is amended to read:

346.65 (1) (a) May be required to forfeit not less than ~~\$25~~ \$50 nor more than ~~\$200~~ \$400, except as provided in par. (b).

SECTION 2. 346.65 (1) (b) of the statutes is amended to read:

346.65 (1) (b) May be fined not less than ~~\$50~~ \$100 nor more than ~~\$500~~ \$1,000 or imprisoned for not more than one year in the county jail or both ~~if the total of convictions under s. 346.62 (2) or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.62 (2) equals 2 or more in a 4-year period. The 4-year period shall be measured from the dates of the violations which resulted in the convictions for a 2nd or subsequent violation.~~

SECTION 3. 346.65 (3) of the statutes is amended to read:

346.65 (3) Except as provided in sub. (5m), any person violating s. 346.62 (3) shall be fined not less than ~~\$300~~ \$600 nor more than ~~\$2,000~~ \$4,000 and may be imprisoned for not less than ~~30~~ 60 days nor more than ~~one~~ 2 years in the county jail.

SECTION 4. 346.65 (4m) of the statutes is amended to read:

346.65 (4m) Except as provided in sub. (5m), any person violating s. 346.62 (2m) shall forfeit not less than ~~\$300~~ \$600 nor more than ~~\$1,000~~ \$2,000.

SECTION 5. 346.65 (5) of the statutes is amended to read:

346.65 (5) Except as provided in sub. (5m), any person violating s. 346.62 (4) is guilty of a Class ~~F~~ H felony.

SECTION 6. 346.655 (1) of the statutes is amended to read:

346.655 (1) If a court imposes a fine or a forfeiture for a violation of s. ~~346.62~~ or 346.63 (1) or (5), or a local ordinance in conformity therewith, or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, it shall impose a driver improvement surcharge under ch. 814 in an amount of \$435 in addition to the fine or forfeiture, plus costs, fees, and other surcharges imposed under ch. 814.

SECTION 7. 346.657 (1) of the statutes is amended to read:

346.657 (1) If a court imposes a fine or a forfeiture for a violation of s. ~~346.62~~ or 346.63 (1) or (5), or a local ordinance in conformity therewith, or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, it shall impose a safe ride program surcharge

* 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."

under ch. 814 in an amount of \$50 in addition to the fine or forfeiture, plus costs, fees, and other surcharges imposed under ch. 814.

SECTION 8. Initial applicability.

(1) This act first applies to violations committed on the effective date of this subsection.
