

STATE OF WISCONSIN : LAKE COUNTRY MUNICIPAL COURT

**2009 WISCONSIN ACT 100 - MAKING MAJOR
REVISIONS TO WISCONSIN'S DRUNK DRIVING LAW**

Wisconsin's drunk driving law has been significantly strengthened in response to valid public policy concerns to prevent people from mixing drinking and driving. The change in the law will provide additional incentive and sanctions to accomplish this end. Highlights of 2009 Wisconsin Act 100 are as follows:

1. Section 343.21(1)(jr) raises the driver's license reinstatement fee following the mandatory drunk driving driver's license revocation from the current \$60 to \$200.
2. Section 343.301(1)(g)(b)1. Any conviction on a first offense OWI where the BAC (blood alcohol content) is in excess of .15 requires that an interlock device be placed on any vehicle owned or operated by the offender. The cost of this interlock device (generally, an installation fee, plus a monthly rental fee) is the convicted individual's responsibility, except as set forth in #3.
3. Section 343.301(3)(b). If the individual who is required to have an ignition interlock device has income below 150% of the federal poverty guidelines, that individual only pays 50% of the cost of installation and operating the device. Presumably, there will be a state or county program that will pick up the other 50% of the cost.
4. Section 343.301(5). Assesses a new \$50 surcharge on each OWI ticket which is payable to the county.
5. Section 346.65 (2)(f) 2 specifies that any drunk driving offense with a child under 16 as a passenger becomes a criminal offense.
6. Section 346.65(5)(1), 814.63(1)(c) and 814.63(2). This closes the .08-.1 loophole where first offenders could be afforded some relief from a portion of the penalties imposed by the law.

2009 Wisconsin Act 100 is a lengthy bill. This synopsis attempts to provide highlights for first time offenses that are heard in the municipal court. Certainly, the far reaching effect of this law and the strengthening of consequences relating to drunk driving will become more widely known to the general public after the 7-01-10 effective date.

Honorable Douglas R. Stern
Municipal Court Judge