



MEMORANDUM

LEGISLATIVE REFERENCE BUREAU

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To: Ald. Michael J. Murphy
From: Tea Norfolk, Legislative Fiscal Analyst – Lead
Date: December 4, 2020
Subject: Recommendations for State Legislative Changes from the City-County Carjacking and Reckless Driving Task Force

This memo is in response to your request for information to be provided to the Department of Administration – Intergovernmental Relations Division (IRD) regarding State legislative changes recommended by the City-County Carjacking and Reckless Driving Task Force.

The City-County Carjacking and Reckless Driving Task Force issued its final report on June 7, 2020, a copy of which is attached to Common Council Communication File Number 190063, which was placed on file July 7, 2020. The report contained a list of recommendations for State legislative changes to address the issue of reckless driving.

IRD has as part of its legislative agenda package the following item:

Create Wis. Stat. § 346 to allow for the use of Automated Traffic Enforcement Cameras for the purpose of speed, red light running and accident reduction at certain qualifying intersections and amend Wis. Stat. § 346 and all relevant statutes to provide additional tools to curb the epidemic of reckless driving per the recommendations of the City-County Carjacking and Reckless Driving Task Force (#190063).

IRD has clarified that this item includes all of the recommendations from the Task Force, and that it is not necessary to add each item individually to an already robust package. However, it may be useful to provide a list to IRD of those legislative items, distilled from the Report. The complete list of recommended State legislative changes from the Task Force is listed below.

- A. Make driver education classes a requirement for all drivers before obtaining a license, regardless of age.

- B. Require all drivers who have lost their driver's license to take and pass a driver education class before reinstating the driver's license.
- C. Increasing the penalties for adults for reckless driving gives a signal to offenders that there are serious consequences for endangering the public.
- D. The level of felony offense for fleeing an officer needs to be increased, and graduated penalties must be provided for repeat offenders.
- E. A change in legislation is required to allow a serious juvenile offender disposition for all felony offenses, leaving discretion to the judge.
- F. Red light cameras should be evaluated based on metrics regarding whether they are effective as a deterrent and enforcement tool.
- G. Provide for alternative penalties, including:
 - 1. Impound vehicles that have been involved in a reckless driving incident for 72 hours. After 72 hours, the vehicle owner would be required to pay applicable towing and storage fees, outstanding vehicle citations, and provide evidence of vehicle registration and insurance coverage.
 - 2. Community service in communities most impacted by reckless driving.
 - 3. Road trash pickup or cleanup after collisions.
 - 4. Require mediation.
 - 5. Require anger management classes.
 - 6. Require substance abuse classes.
 - 7. Require driver education classes.
- H. Discontinue suspension of licenses for nonpayment and non-driving-related offenses. Instead, driver's license suspension should only be done for safety reasons.
- I. Require insurance companies to consider a driver's driving record as the primary criteria for setting liability limits.
- J. Expand owner liability for all reckless driving violations.

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