

State of Wisconsin



2017 Senate Bill 415

Date of enactment: April 3, 2018
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2017 WISCONSIN ACT 244

AN ACT to amend 343.50 (4); and to create 341.08 (2) (ag), 341.08 (8), 343.14 (2) (k) and 343.14 (8) of the statutes; relating to: reporting on an operator license or identification card or vehicle registration application the existence of a disability that is not immediately apparent to another.

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

SECTION 1. 341.08 (2) (ag) of the statutes is created to read:

341.08 (2) (ag) A statement that a form on which the applicant may indicate to law enforcement officers the existence of an invisible disability is available on the department's Internet site and at local examining centers. The department shall make available on its Internet site and at each local examining center a separate form on which an applicant may indicate that he or she has a disability that may not be immediately apparent to another. The form shall include the following statement together with a set of check boxes allowing a person to indicate that the person wishes to disclose the condition indicated by the check box. "I have an invisible disability that I wish to disclose to law enforcement officers and that may include:

- Appears deaf or unable to understand.
- Has difficulty speaking or communicating.
- Engages in repetitive or self-stimulating behaviors such as rocking or hand flapping.
- Appears anxious, nervous, or upset.
- Becomes agitated due to physical contact or stressful situations.
- Acts indifferent or unresponsive.

Other (provide brief description)." The department shall inform the applicant that an indication under this paragraph will be available to law enforcement officers and employees of the department.

SECTION 2. 341.08 (8) of the statutes is created to read:

341.08 (8) (a) The department shall maintain a record of applicants who file a form under sub. (2) (ag). In the event of a request of a law enforcement officer or other appropriate person, as determined by the department, for application information, the department shall examine its record of applicants who have indicated a disability that may not be immediately apparent to another and shall advise the law enforcement officer or other person as to whether the applicant is recorded as a person who has indicated a disability that may not be immediately apparent to another and as to any condition that has been disclosed under sub. (2) (ag).

(b) Upon request by a person, the department shall remove any information related to that person from the record under par. (a).

SECTION 3. 343.14 (2) (k) of the statutes is created to read:

343.14 (2) (k) A statement that a form on which the applicant may indicate to law enforcement officers the existence of an invisible disability is available on the

* 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."

department's Internet site and at local examining centers. The department shall make available on its Internet site and at each local examining center a separate form on which an applicant may indicate that he or she has a disability that may not be immediately apparent to another. The form shall include the following statement together with a set of check boxes allowing a person to indicate that the person wishes to disclose the condition indicated by the check box. "I have an invisible disability that I wish to disclose to law enforcement officers and that may include:

Appears deaf or unable to understand.

Has difficulty speaking or communicating.

Engages in repetitive or self-stimulating behaviors such as rocking or hand flapping.

Appears anxious, nervous, or upset.

Becomes agitated due to physical contact or stressful situations.

Acts indifferent or unresponsive.

Other (provide brief description)." The department shall inform the applicant that an indication under this paragraph will be available to law enforcement officers and employees of the department.

SECTION 4. 343.14 (8) of the statutes is created to read:

343.14 (8) (a) The department shall maintain a record of applicants who file a form under sub. (2) (k). In the event of a request of a law enforcement officer or other appropriate person, as determined by the department, for application information, the department shall examine its record of persons who have indicated a disability that

may not be immediately apparent to another and shall advise the law enforcement officer or other person as to whether the person is recorded as a person who has indicated a disability that may not be immediately apparent to another and as to any condition that has been disclosed under sub. (2) (k).

(b) Upon request by a person, the department shall remove any information related to that person from the record under par. (a).

SECTION 5. 343.50 (4) of the statutes is amended to read:

343.50 (4) APPLICATION. The application for an identification card shall include any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em), (es), (gh), ~~and (j)~~, and (k), and such further information as the department may reasonably require to enable it to determine whether the applicant is entitled by law to an identification card. Except with respect to renewals described in s. 343.165 (4) (d) or renewals by mail or electronic means as authorized under sub. (6), and except as provided in sub. (4g), the department shall, as part of the application process for original issuance or renewal of an identification card, take a digital photograph including facial image capture of the applicant to comply with sub. (3). Misrepresentations in violation of s. 343.14 (5) are punishable as provided in s. 343.14 (9).

SECTION 6. Initial applicability.

(1) This act first applies to applications that are made on the effective date of this subsection.

SECTION 7. Effective date.

(1) This act takes effect on January 1, 2019.