



2013 ASSEMBLY BILL 857

March 10, 2014 – Introduced by Representatives WEININGER, BALLWEG and A. OTT, cosponsored by Senators OLSEN and LEHMAN. Referred to Committee on Transportation.

1 **AN ACT to amend** 343.61 (2) (a) 3., 343.61 (2) (am), 343.61 (4) (b) and 343.62 (4)
2 (b) of the statutes; **relating to:** online instruction provided by driver schools
3 licensed by the Department of Transportation.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Transportation (DOT) licenses schools that give instruction, for compensation, in the operation of motor vehicles (driver schools). In an application for a driver school license, the applicant must identify all driver school office and driver school classroom locations. DOT may promulgate rules relating to driver schools and these rules currently include provisions relating to driver school classrooms. By statute, a driver school classroom is a facility that is approved by DOT and used to conduct driver training.

Under this bill, a driver school may provide driver training instruction by means of the Internet instead of, or in addition to, providing instruction at a driver school classroom.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

4 **SECTION 1.** 343.61 (2) (a) 3. of the statutes is amended to read:

ASSEMBLY BILL 857**SECTION 1**

1 343.61 (2) (a) 3. Identification of all driver school office locations and
2 identification of all driver school classroom locations and, if instruction is to be
3 provided by means of the Internet, a statement to this effect.

4 **SECTION 2.** 343.61 (2) (am) of the statutes is amended to read:

5 343.61 (2) (am) A driver school may provide to the department a written
6 certification that the driver school has complied with all applicable driver school
7 office and driver school classroom requirements imposed under this subchapter or
8 under any rule promulgated by the department under this subchapter. For purposes
9 of this paragraph, classroom instruction includes instruction provided by means of
10 the Internet if the driver school provides instruction by means of the Internet.

11 **SECTION 3.** 343.61 (4) (b) of the statutes is amended to read:

12 343.61 (4) (b) The location of each driver school office shall be identified in the
13 license. Except as provided by the department by rule, no licensee may establish any
14 driver school office within 1,500 feet of a department office where operator's licenses
15 are issued, nor within 1,500 feet of any headquarters where official driving skills
16 tests are given. Any change in address of any driver school office or driver school
17 classroom must be reported to and approved by the department. A driver school may
18 maintain driver school classrooms at locations other than the driver school office.
19 A driver school may provide driver training instruction by means of the Internet
20 instead of, or in addition to, providing instruction at a driver school classroom.

21 **SECTION 4.** 343.62 (4) (b) of the statutes is amended to read:

22 343.62 (4) (b) Notwithstanding par. (a), the department may issue an original
23 instructor's license that is restricted to classroom instruction to an applicant who
24 does not otherwise qualify for a license because the applicant does not meet the
25 requirements specified in par. (a) 2., 3., or 5. The department may not issue an

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1 instructor's license that is restricted to classroom instruction under this paragraph
2 unless the applicant satisfies standards established by the department by rule
3 relating to the ability of the applicant to communicate clearly and concisely and to
4 control the classroom environment and behavior and establishing any further
5 certification required by the department. For purposes of this paragraph and par.
6 (c), classroom instruction includes instruction provided by means of the Internet if
7 the driver school provides instruction by means of the Internet.

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(END)