

2/11/99

Rep. Brandemuehl - F. V. I. (sent to state's daily newspapers) Thanks for your leadership and support on this bill!

Ernest Stetenfeld

EDITOR: Feb. 26, 1999—Please consider the guest editorial below for publication in the op-ed pages of your newspaper. The topic, teen graduated driver licensing, is timely and important. Just yesterday the Assembly Transportation Committee approved—on an 11-6 vote—a graduated driver licensing bill, A.B. 52, in amended form. The legislation may move to the Assembly floor as soon as next week.



Thank you for your consideration. Please call 608/828-2486 with any questions or if you would like the text of this piece e-mailed to you.

Graduated Licensing Bill is a Life-saver

By Ernest Stetenfeld

Last April, I took my then 9-year-old son to a hearing at the Wisconsin Legislature. A committee was considering a proposal for graduated driver licensing, and I wanted Danny to understand some of the reasons for the system under which he'll likely receive his own license in just six short years.

Also known as GDL, graduated driver licensing is a system that helps teens become safer drivers by easing them into the driving privilege and by providing more driving experience in supervised settings. More than half of all the states—including all four of our immediate neighbors—have implemented some form of GDL. AAA clubs have strongly supported this movement. Lawmakers are putting these systems in place because the crash experience of teen drivers, especially the newest teen drivers, shows that traditional systems of licensure and training just have been good enough.

Currently, we provide 16-year-olds with a virtually unrestricted license to operate a several-thousand-pound potential weapon on the public roadways—with precious little opportunity for those new drivers to prove themselves as safe drivers. Combine that license with inexperience, a youthful tendency toward peer-pressured risk-taking, and common feelings of invulnerability, and you've got a recipe for all-too-frequent tragedy.

About 19 percent of Wisconsin's 16-year-old drivers had a crash in 1997. Drivers 15-19 represented just 6.2 percent of the states's driving population that year but accounted for 14.4 percent of all drivers in crashes—including more than 12 percent of all fatal crashes. Nearly one in seven of Wisconsin's teen drivers are involved in a crash annually. Among their parents and grandparents, that crash-involvement rate is more like one in 20.

Last Thursday (Feb. 25), the Assembly Transportation Committee—under the leadership of its chairman, Rep. David Brandemuehl (R-Fennimore)—approved an amended version of Assembly Bill 52, a graduated driver licensing bill strongly supported by AAA Wisconsin. The bill's chief author is Rep. Luther Olsen (R-Berlin), and its chief Senate cosponsor is Sen. Robert Jauch (D-Poplar).

As amended by the Transportation Committee, A.B. 52 would—among other measures—require 50 hours of adult-supervised driving practice before an applicant under 18 is granted a probationary

(—MORE—)

GDL-AAA WISCONSIN--PAGE TWO

license. The bill would then prohibit the new driver from driving with non-family passengers under 21 for nine months. During that time, the new teen licensee would not be permitted to drive between midnight and 5 a.m.—except for school, work or emergencies—without adult supervision. Also, points assessed for moving violations would double during the teen's probationary license phase. Conviction on a moving violation or a violation of a GDL restriction would result in a six-month extension of the period during which the restrictions apply.

The current minimum ages for each stage of licensure would not change under A.B. 52. Existing driver education requirements for classroom and behind-the-wheel instruction would be maintained.

A.B. 52 may go to the Assembly floor for a vote as early as the coming week (the week of March 1). If passed there, the bill would then move to the Senate for committee consideration. Gov. Tommy Thompson announced his support last summer for Rep. Olsen's GDL proposal, which has since become A.B. 52.

GDL measures are proving their worth around North America. Federal safety studies have shown that some of the earliest state GDL programs implemented resulted in teen-driver crash reductions of between 5 percent and 16 percent—with typical improvements in the 8 percent to 10 percent range. The recent good news is that studies of GDL systems implemented more recently have shown even better results.

In Florida, 1997 was the first full year that state's GDL law was in effect. The state saw a 9 percent combined fatal- and injury-crash rate reduction for teen drivers in 1997 compared with 1995, but Florida's youngest drivers, 15-year-olds, saw the greatest reduction in this crash rate--19 percent.

Ontario's system has produced the best GDL news yet. This province put GDL in place during 1994. Study results released last year showed that the 1995 crash rate for Ontario drivers age 16-19 had declined 27 percent since 1993. The fatal crash rate for 16-year-olds went from three times that of the general public to a level comparable to that of the general public. The overall crash rate for 16-year-olds actually dipped below that of the broader population.

These kind of results offer the promise that GDL is worth the modest added investment in time and attention the system will make on teens and their parents. That investment will pay dividends in lives saved, injuries reduced and tragedies avoided. Working to support this bill, I've met a number of families who have lost a child in a teen-driver crash. When I get the chance to supplement my own son's driver education with well more than 50 hours of practice driving, a simple glance to my left at the investment our family has seated behind the steering wheel will remind me why I supported Assembly Bill 52.

Ernest Stetenfeld is vice president of public and government relations at AAA Wisconsin, the state's 540,000-member motor and travel club. More information about graduated driver licensing appears on the "News and Information" portion of AAA Wisconsin's Web site at www.aaawisc.com. Click on "AAA Newswire."

Krause, Sheri

From: Clark, Julie
Sent: Tuesday, March 16, 1999 10:01 AM
To: Pluta, Mary; Krause, Sheri
Subject: FW: GDL Tennessee-style

More good info on GDL from KY. Any word on when GDL will be scheduled for Assembly?//Julie

-----Original Message-----

From: Hughes, Dennis-DTIM
Sent: Tuesday, March 16, 1999 9:49 AM
To: Larson, Beverly; Evans, John-DTIM; Fernan, Joan; Woldseth, David; Clark, Julie; Brumund, Lorelee
Subject: GDL Tennessee-style

FYI

> Crashes involving 16-year-old drivers decline with new license
>
>
> FRANKFORT, Ky. (AP) _ The number of crashes involving 16-year-olds
has
> declined dramatically since adoption of a law that forces a 180-day
> waiting period on new drivers, more training and lower alcohol
tolerance.
>
> According to statistics compiled by the Transportation Cabinet, there
were
> 4,657 crashes involving 16-year-old drivers in 1997, the first full
year
> of the new requirements. Over the preceding three years, there were
an
> average of 6,493 crashes involving 16-year-olds, which represented a
28.3
> percent drop.
>
> The number of injury crashes involving 16-year-olds declined even
more, by
> 30.1 percent. Fatal crashes also fell, but a large number of
fatalities in
> 1995 may have skewed that comparison somewhat.
>
> The study also showed that drivers age 17 to 19 during the same
period saw
> their number of crashes and injury crashes rise. The number of
crashes
> involving drivers over 19 also rose during the study period.
>
> Gov. Paul Patton said the study was encouraging and showed that the
> graduated licensing program ``one of the most important laws ever
passed
> by the General Assembly.'' < <
>
> Other provisions of the law require a 21-year-old to accompany a
driving
> permit holder, restrictions on nighttime driving for permit holders
and

> zero alcohol tolerance.

>

LRB or Bill No./Adm. Rule No.
AB 52
Amendment No. if Applicable
ASA 2

FISCAL ESTIMATE
DOA-2048 N(R1298)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

Subject
Graduated Driver Licensing (GDL)

Fiscal Effect
State: No State Fiscal Effect
Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.
 Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation Decrease Costs
 Increase Costs - May be possible to Absorb Within Agency's Budget Yes No

Local: No local government costs
1. Increase Costs Permissive Mandatory
2. Decrease Costs Permissive Mandatory
3. Increase Revenues Permissive Mandatory
4. Decrease Revenues Permissive Mandatory
5. Types of Local Governmental Units Affected:
 Towns Villages Cities
 Counties Others _____
 School Districts WTCS Districts

Fund Sources Affected GPR FED PRO PRS SEG SEG-S
Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate
Conclusion
AB 52 ASA 2 will directly impact approximately 103,600 16 and 17 year old drivers. Cost and revenue impact are as follows:
The Department of Transportation (WisDOT) will incur:
1.) \$383,700 in one time costs
• \$292,700 for 476 DP development days or 2.6 programmers for 9 months to complete computer system changes.
• \$ 91,000 for public awareness, materials and training.
2.) \$46,100 net ongoing cost increase including an additional 1 FTE in DMV for additional customer contacts and processing.
3.) \$47,800 net ongoing revenue increase related to instruction permits processed.
Local Costs
1.) Courts incur an indeterminable cost increase and related revenue increase from the additional operating while suspended convictions due to an increase in demerit point suspensions.
2.) Courts and law enforcement will incur an indeterminable cost increase and related revenue increase from the additional safety belt convictions due to primary enforcement.
3.) The Wisconsin Technical College System (WTCS) will incur an indeterminable cost increase and related revenue increase from additional attendees in traffic safety school due to an increase in attendance in point reduction classes.

Long-Range Fiscal Implications
None other than ongoing cost increases.

Agency/Prepared by: (Name & Phone No.)
John Alley 266 0614
Authorized Signature/Telephone No.
Roger D. Cross 266-2233
Date
2/24/99

Assumptions Used in Arriving at Fiscal Estimate (continued from page 1)

Basis for Conclusion

SECTION 2 - Additional requirements for obtaining probationary license.

Assumptions

- Applicants under age 18 must have completed 50 hours driving time with 10 hours at night.
 - ◆ If with qualified instructor 1 hour equal to 2 (5 for 10 is max)
- There will be an increase in DMV public contacts related to this requirement.

Fiscal Impact

- \$9,450 ongoing annual cost increase .3 FTE
- Indeterminable potential ongoing local cost and local revenue increase for school districts if high schools choose to offer additional driving time.

SECTION 5 - Length of instruction permits

Assumptions

- Class D (regular) instruction permits are valid for 12 months - all others stay at 6 months.
- WisDOT will need to modify the length of permit on computer systems.
- There will be an increase in DMV public phone/mail contacts related to this change.
- Longer permit results in fewer people needing to renew. There is a corresponding revenue loss and position reduction.

Fiscal Impact

- \$5,000 one time cost for DP development 8 days
- \$9,500 ongoing annual cost increase .3 FTE
- \$62,700 ongoing annual cost decrease 1.7 FTE
- \$352,200 ongoing revenue decrease

SECTION 7 - Prohibits issuance of probationary license to certain individuals

Assumptions

- The department may not issue probationary licenses to anyone under 18 unless they have:
 - ◆ held an instruction permit for at least 6 months
 - ◆ no moving violations resulting in a conviction in 6 month period immediately preceding application
- WisDOT will need to modify issuance system to check for eligibility.
- There will be an increase in DMV public contacts due to this requirement and additional contacts for ineligible applicants.

Fiscal Impact

- \$9,300 one time cost for DP development 15 days
- \$29,000 ongoing annual cost increase .8 FTE

Assumptions Used in Arriving at Fiscal Estimate (continued from page 2)

SECTION 8 - GDL Restrictions

Assumptions

- GDL restrictions apply to any driver with a class D probationary who is under 18 as follows:
- Initial restriction period is 9 months
 - ◆ No passengers other than immediate family in the motor vehicle
 - ◆ No operation between 12 midnight and 5 a.m. unless with parent/guardian or other as defined in section 2.
- Exempts teen safe rider program participants from restrictions
 - ◆ burden is on participant to have proper documentation with them
- DMV computer systems will need to be modified to create the new restrictions and calculate the end date of the restriction.
- There will be an increase in DMV public contacts related to this requirement.

Fiscal Impact

- \$24,900 one time cost for DP development 40 days
 - \$9,500 ongoing annual cost increase .3 FTE
-

Assumptions

- Restrictions are extended 6 months if any of the following occur while under initial restriction period:
 - ◆ offense committed as specified by department rule for which the person is convicted
 - ◆ GDL restrictions are violated
 - ◆ suspension or revocation of the driving privilege except for physical or mental disability
 - ◆ period will not be extended for multiple violations on one day nor from suspensions for which the underlying conviction resulted in an extension.
 - ◆ Driver must be notified by 1st class mail.
- GDL restrictions apply until they expire or until driver turns 18, whichever comes first.
- DMV computer systems will need to be modified to check for violations, compare for same incident, update driver record accordingly and generate customer notification letter.
- There will be an increase in DMV public contacts related to this requirement.

Fiscal Impact

- \$94,500 one time cost for DP development 152 days
 - \$12,600 ongoing annual cost increase .4 FTE
 - \$5,200 annual mailing costs
-

Assumption:

- The restriction period stops while the person is suspended or revoked.
- DMV computer systems will need to be modified to check for suspension, recalculate restriction end date, update driver record accordingly and generate customer notification letter.
- There will be an increase in DMV public contacts related to this requirement.

Fiscal Impact

- \$54,700 one time cost for DP development 88 days
- \$3,200 ongoing annual cost increase .1 FTE

SECTION 12 - Instruction Permit fee

Assumption

- Raises the fee Class D instruction permits to \$25.
- DMV computer systems will need to be modified to change the fee in a fee table.
- There will be an increase in DMV public contacts related to this requirement.

Fiscal Impact

- \$3,100 one time cost for DP development 5 days
- \$6,300 ongoing annual cost increase .2 FTE
- \$400,000 ongoing annual revenue increase

Assumptions Used in Arriving at Fiscal Estimate (continued from page 3)

SECTION 13 - Demerit points for probationary drivers

Assumptions

- Doubles demerit points for offenses by probationary drivers, instruction permit holders and unlicensed drivers who would be on probationary status if licensed.
- DMV computer systems will need to be modified to change point calculations.
- Point doubling will result an estimated 651 new suspension cases per year which provide an ongoing cost and revenue increase from 358 reinstatements using an estimated 55% rate.

Fiscal Impact

- \$8,100 one time cost for DP development 13 days
- \$9,900 ongoing annual cost increase .3 FTE
- \$17,900 ongoing revenue increase
- Indeterminable ongoing local cost increase

SECTION 16 - Safety belt enforcement

Assumptions

- Allows law enforcement to make stop if it appears occupants are not complying with safety belt requirement and appear to be under 18 years of age.
- It is difficult to estimate the increase in traffic stops, citations, and convictions related to this new authority.

Fiscal Impact

- Indeterminable ongoing cost increase
- Indeterminable ongoing local cost increase
- Indeterminable local revenue increase

SECTION 17 - Non-statutory provisions

Assumptions

- DOT shall submit proposed rules related to GDL violations to the Legislative Council within 4 months of effective date.
- This requires WisDOT to develop new charge codes to identify GDL violations.

Fiscal Impact

- \$87,100 one time cost for DP development 140 days

SECTION 19 - Effective dates

Assumptions

- There will be a significant need by contract programmer DP project leader to coordinate development efforts with other mandated implementations such as Year 2000 efforts and 1997 Act 84.

Fiscal Impact

- \$6,000 one time cost for DP development 15 days

Assumptions Used in Arriving at Fiscal Estimate (continued from page 4)

OTHER FISCAL IMPACT

Assumptions

- WisDOT will coordinate a statewide informational campaign to provide information to the general public and the traffic safety community.
- WisDOT will need to create, revise and produce related forms and materials.
- DMV personnel will need to be trained on GDL laws and related system changes.

Fiscal Impact

- \$50,000 one time cost for statewide informational campaign.
- \$18,000 one time cost for overtime training of DMV field staff that can't be covered during normal hours due to short implementation time-frame.
- \$2,600 one time cost for modifications to Motorist Handbook and related materials used by the general public and traffic safety educators.
- \$20,000 one time cost to replace unused out-of-date-motorist handbooks with updated stock.
- \$14,400 ongoing cost for creation/printing of program materials.

FISCAL ESTIMATE WORKSHEET

1999 Session

Detailed Estimate of Annual Fiscal Effect
DOA-2047 (R1298)

ORIGINAL
 CORRECTED

UPDATED
 SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
AB 52

Amendment No.
ASA 2

Subject **Graduated Driver Licensing (GDL)**

I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

\$292,700 in one-time data processing development costs

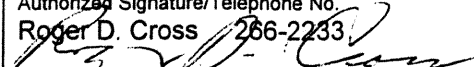
\$90,900 in other implementation costs related to public awareness, materials creation and revision and training.

II. Annualized Costs:

	Annualized Fiscal impact on State funds from:	
	Increased Costs	Decreased Costs
A. State Costs by Category		
State Operations - Salaries and Fringes	\$ 89,200	\$ -62,700
(FTE Position Changes)	(2.7 FTE)	(-1.7 FTE)
State Operations - Other Costs	19,600	-
Local Assistance		-
Aids to Individuals or Organizations		-
TOTAL State Costs by Category	\$ 108,800	\$ -62,700
B. State Costs by Source of Funds	Increased Costs	Decreased Costs
GPR	\$	\$ -
FED		-
PRO/PRS		-
SEG/SEG-S	108,800	-62,700
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	Increased Rev.	Decreased Rev.
GPR Taxes	\$	\$ -
GPR Earned		-
FED		-
PRO/PRS		-
SEG/SEG-S	400,000	-352,200
TOTAL State Revenues	\$ 400,000	\$ -352,200

NET ANNUALIZED FISCAL IMPACT

	<u>STATE</u>	<u>LOCAL</u>
NET CHANGE IN COSTS	\$46,100	\$Indeterminable
NET CHANGE IN REVENUES	\$47,800	\$Indeterminable

Agency/Prepared by: (Name & Phone No.) John Alley 266-0614	Authorized Signature/Telephone No. Roger D. Cross 266-2233 	Date 02/24/99
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CORRESPONDENCE/MEMORANDUM

STATE OF WISCONSIN

Date: 2/24/99

File Ref:

To: Representative David Brandemuehl , Chair
Members of the Assembly Transportation Committee
Legislative Reference Bureau

From: Julie Clark, Bureau of Driver Services



Subject: Technical Note for AB 52 ASA 2 on Graduated Driver Licensing (GDL)

Section 7 & 8

- 343.085(1)(b) and 343.085(2m)(b)1.a. both use "moving violation". This term is defined in 343.01(2)(cg) in a very broad manner that includes such violations as equipment convictions. Will the term "moving violation" require DOT to include all violations mentioned in those Chapters in the rule, or can we specify only the GDL violations?

Section 15

- We suggest including language (similar to Section 13) allowing the 6 month suspension for unlicensed violators who, if licensed, would hold a probationary license and for pre-probationary permit holders. Currently drivers who are not licensed or hold permits are suspended or revoked if they accumulate 12 demerit points in a year. .

GRADUATED DRIVER LICENSING (GDL)

COMPARISON OF CURRENT LAW AND ASA 2 TO AB52

Class D

Provision	Current Law	ASA2 to AB 52 Proposal
Practice time required on instruction permit	6 hours practice time with instructor	Additional 50 hours (10 at night) practice time with parent, guardian.
Who may accompany permit holder	<p>16 and over must be accompanied by:</p> <ul style="list-style-type: none"> • a licensed person <ul style="list-style-type: none"> ⇒ with at least 2 years of licensed driving experience ⇒ who holds a valid license ⇒ occupies passenger seat. <li style="text-align: center;">or • a qualified instructor • No other passengers except: <ul style="list-style-type: none"> ⇒ If with qualified instructor in instructional vehicle equipped with dual controls, up to 3 other persons in the back seat. ⇒ One other licensed person 25 years of age or more with at least 2 years' driving experience in the back seat. <p>If under 16 must be accompanied by:</p> <ul style="list-style-type: none"> • qualified instructor <li style="text-align: center;">or • parent or guardian who meets minimum requirements in first bullet. • licensed person 21 years of age who meets minimum requirements in first bullet and is designated in writing to accompany by the permittee's parent or guardian prior to operation of the vehicle <p>No operation during the hours of darkness unless accompanied by:</p> <ul style="list-style-type: none"> • licensed person 25 years of age or more who meets minimum requirements in first bullet 	<p>Any permit holder may only drive when accompanied by:</p> <ul style="list-style-type: none"> • a person with a regular (non-probationary) license with 2 years driving experience who occupies the passenger seat <li style="text-align: center;">and is: • a qualified instructor 19 or older. <ul style="list-style-type: none"> ⇒ 3 others may accompany if car equipped with dual controls <li style="text-align: center;">or • a parent, guardian or spouse at least 19. <ul style="list-style-type: none"> ⇒ immediate family members of permittee may also accompany <li style="text-align: center;">or • a person 21 or older <ul style="list-style-type: none"> ⇒ If permittee is under 18, this person must be designated in writing by parent or guardian.
Length of instruction permit	6 months	12 months
Instruction permit fee	\$20	\$25

Provision	Current Law	ASA2 to AB 52 Proposal
Requirements for probationary drivers license	Hold instruction permit for 19 days prior to application	Hold instruction permit for 6 months
	No provision for checking violations prior to delay issuance of probationary	Must be 6 month "moving violation" free to obtain probationary
	No restriction on passengers	No passengers for first nine months other than immediate family or those listed who may accompany permit holders
	No restriction on hours of operation	No operation between 12 am and 5 am unless with a parent of guardian or those listed who may accompany permit holders
	No restriction period or extension	Passenger and curfew restriction extended 6 months for violation of the restriction, other convictions or suspension or revocation
Accelerated demerit points for probationary drivers	2 additional points are charged on all 2nd and subsequent convictions	Points are doubled for probationary drivers (Class D & M)
Suspension for demerit points	All drivers suspended at least 2 months if 12 points in 12 months	Probationary drivers who accumulate 12 points in 12 months are suspended for 6 months (Class D & M)
Seat belt enforcement	Secondary enforcement for all drivers (officer may not make a traffic stop based solely on observation of safety belt violation.)	Primary if driver appears to be 18 or under

FISCAL ESTIMATE
DOA-2048 N(R1298)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
AB 52 (99-0241/3)

Amendment No. if Applicable
ASA 3 (99s0046/2)

Subject
Graduated Driver Licensing (GDL)

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation
or affects a sum sufficient appropriation.

Increase Costs - May be possible to Absorb
Within Agency's Budget Yes No
See Long-Range Fiscal Implications below

Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

Decrease Costs

Local: No local government costs

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Increase Costs
<input checked="" type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory | 3. <input checked="" type="checkbox"/> Increase Revenues
<input checked="" type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory |
| 2. <input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 4. <input type="checkbox"/> Decrease Revenues
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory |

5. Types of Local Governmental Units Affected:
 Towns Villages Cities
 Counties Others _____
 School Districts WTCS Districts

Fund Sources Affected
 GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations
20.395(5)(cq)

Assumptions Used in Arriving at Fiscal Estimate

Conclusion

LRBs0046/2 (AB 52 ASA 3) will directly impact approximately 103,600 16 and 17 year old drivers. Cost and revenue impact are as follows:

The Department of Transportation (WisDOT) will incur:

- 1.) \$383,700 in one time costs
 - \$292,700 for 476 DP development days or 2.6 programmers for 9 months to complete computer system changes.
 - \$ 91,000 for public awareness, materials and training.
- 2.) \$41,100 net ongoing cost increase including an additional 1 FTE in DMV for additional customer contacts and processing.
- 3.) \$57,400 net ongoing revenue increase related to instruction permits processed. (Note: This fiscal estimate corrects previous fiscal estimates which neglected to include in the revenue summary, the stated increase in reinstatement fees identified in Section 14.)

Local Costs

- 1.) Courts incur an indeterminable cost increase and related revenue increase from the additional operating while suspended convictions due to an increase in demerit point suspensions.
- 2.) The Wisconsin Technical College System (WTCS) will incur an indeterminable cost increase and related revenue increase from additional attendees in traffic safety school due to an increase in attendance in point reduction classes.

Long-Range Fiscal Implications This fiscal estimate is revised to reflect costs the department will absorb to facilitate the implementation of the proposed legislation. DOT will redirect programming staff currently committed to computer system redesign efforts and other projects to accomplish the required data processing changes without the appropriation of additional resources. This will result in further delays in these other areas.

Agency/Prepared by: (Name & Phone No.)
John Alley 266 0614 (DOT)

Authorized Signature/Telephone No.
Roger D. Cross 266-2233

Date
5/7/99

Assumptions Used in Arriving at Fiscal Estimate (continued from page 1)

Basis for Conclusion

SECTION 2 - Additional requirements for obtaining probationary license.

Assumptions

- Applicants under age 18 must have completed 30 hours driving time with 10 hours at night.
 - ◆ If with qualified instructor 1 hour equal to 2 (5 for 10 is max)
- There will be an increase in DMV public contacts related to this requirement.

Fiscal Impact

- \$9,450 ongoing annual cost increase .3 FTE
- Indeterminable potential ongoing local cost and local revenue increase for school districts if high schools choose to offer additional driving time.

SECTION 6 - Length of instruction permits

Assumptions

- Class D (regular) instruction permits are valid for 12 months - all others stay at 6 months.
- WisDOT will need to modify the length of permit on computer systems.
- There will be an increase in DMV public phone/mail contacts related to this change.
- Longer permit results in fewer people needing to renew. There is a corresponding revenue loss and position reduction.

Fiscal Impact

- \$5,000 one time cost for DP development 8 days
- \$9,500 ongoing annual cost increase .3 FTE
- \$62,700 ongoing annual cost decrease 1.7 FTE
- \$352,200 ongoing revenue decrease

SECTION 8 - Prohibits issuance of probationary license to certain individuals

Assumptions

- The department may not issue probationary licenses to anyone under 18 unless they have:
 - ◆ held an instruction permit for at least 6 months
 - ◆ no moving violations resulting in a conviction in 6 month period immediately preceding application
- WisDOT will need to modify issuance system to check for eligibility.
- There will be an increase in DMV public contacts due to this requirement and additional contacts for ineligible applicants.

Fiscal Impact

- \$9,300 one time cost for DP development 15 days
- \$29,000 ongoing annual cost increase .8 FTE

Assumptions Used in Arriving at Fiscal Estimate (continued from page 2)

SECTION 9 - GDL Restrictions

Assumptions

- GDL restrictions apply to any driver with a class D probationary who is under 18 as follows:
- Initial restriction period is 9 months
 - ◆ No passengers other than immediate family in the motor vehicle
 - ◆ No operation between 12 midnight and 5 a.m. unless with parent/guardian or other as defined in section 2.
- Exempts teen safe rider program participants from restrictions
 - ◆ burden is on participant to have proper documentation with them
- DMV computer systems will need to be modified to create the new restrictions and calculate the end date of the restriction.
- There will be an increase in DMV public contacts related to this requirement.

Fiscal Impact

- \$24,900 one time cost for DP development 40 days
 - \$9,500 ongoing annual cost increase .3 FTE
-

Assumptions

- Restrictions are extended 6 months if any of the following occur while under initial restriction period:
 - ◆ offense committed as specified by department rule for which the person is convicted
 - ◆ GDL restrictions are violated
 - ◆ suspension or revocation of the driving privilege except for physical or mental disability
 - ◆ period will not be extended for multiple violations on one day nor from suspensions for which the underlying conviction resulted in an extension.
 - ◆ Driver must be notified by 1st class mail.
- GDL restrictions apply until they expire or until driver turns 18, whichever comes first.
- DMV computer systems will need to be modified to check for violations, compare for same incident, update driver record accordingly and generate customer notification letter.
- There will be an increase in DMV public contacts related to this requirement.

Fiscal Impact

- \$94,500 one time cost for DP development 152 days
 - \$12,600 ongoing annual cost increase .4 FTE
 - \$5,200 annual mailing costs
-

Assumption:

- The restriction period stops while the person is suspended or revoked.
- DMV computer systems will need to be modified to check for suspension, recalculate restriction end date, update driver record accordingly and generate customer notification letter.
- There will be an increase in DMV public contacts related to this requirement.

Fiscal Impact

- \$54,700 one time cost for DP development 88 days
- \$3,200 ongoing annual cost increase .1 FTE

SECTION 13 - Instruction Permit fee

Assumption

- Raises the fee Class D instruction permits to \$25.
- DMV computer systems will need to be modified to change the fee in a fee table.
- There will be an increase in DMV public contacts related to this requirement.

Fiscal Impact

- \$3,100 one time cost for DP development 5 days
- \$6,300 ongoing annual cost increase .2 FTE
- \$400,000 ongoing annual revenue increase

Assumptions Used in Arriving at Fiscal Estimate (continued from page 3)

SECTION 14 - Demerit points for probationary drivers

Assumptions

- Doubles demerit points for second and subsequent offenses by probationary drivers, instruction permit holders and unlicensed drivers who would be on probationary status if licensed.
- DMV computer systems will need to be modified to change point calculations.
- Point doubling will result an estimated 350 new suspension cases per year which provide an ongoing cost and revenue increase from 192 reinstatements using an estimated 55% reinstatement rate.

Fiscal Impact

- \$8,100 one time cost for DP development 13 days
- \$4,900 ongoing annual cost increase .2 FTE
- \$9,600 ongoing revenue increase
- Indeterminable ongoing local cost increase

SECTION 17 - Non-statutory provisions

Assumptions

- DOT shall submit proposed rules related to GDL violations to the Legislative Council within 4 months of effective date.
- This requires WisDOT to develop new charge codes to identify GDL violations.

Fiscal Impact

- \$87,100 one time cost for DP development 140 days

SECTION 19 - Effective dates

Assumptions

- There will be a significant need by contract programmer DP project leader to coordinate development efforts with other mandated implementations such as Year 2000 efforts and 1997 Act 84.

Fiscal Impact

- \$6,000 one time cost for DP development 15 days

OTHER FISCAL IMPACT

Assumptions

- WisDOT will coordinate a statewide informational campaign to provide information to the general public and the traffic safety community.
- WisDOT will need to create, revise and produce related forms and materials.
- DMV personnel will need to be trained on GDL laws and related system changes.

Fiscal Impact

- \$50,000 one time cost for statewide informational campaign.
- \$18,000 one time cost for overtime training of DMV field staff that can't be covered during normal hours due to short implementation time-frame.
- \$2,600 one time cost for modifications to Motorist Handbook and related materials used by the general public and traffic safety educators.
- \$20,000 one time cost to replace unused out-of-date motorist handbooks with updated stock.
- \$14,400 ongoing cost for creation/printing of program materials.

FISCAL ESTIMATE WORKSHEET

1999 Session

Unfiled Estimate of Annual Fiscal Effect
JA-2047 (R1298)

ORIGINAL
 CORRECTED
 UPDATED
 SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
LRBs0046/2 (AB 52)

Amendment No.
(ASA 3)

Subject: Graduated Driver Licensing (GDL)

One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

\$292,700 in one-time data processing development costs

\$90,900 in other implementation costs related to public awareness, materials creation and revision and training.

I. Annualized Costs:	Annualized Fiscal Impact on State funds from:	
	Increased Costs	Decreased Costs
A. State Costs by Category		
State Operations - Salaries and Fringes	\$ 84,900	\$ -62,700
(FTE Position Changes)	(2.6 FTE)	(-1.7 FTE)
State Operations - Other Costs	18,900	-
Local Assistance		-
Aids to Individuals or Organizations		-
TOTAL State Costs by Category	\$ 103,800	\$ -62,700
B. State Costs by Source of Funds		
GPR		
FED		
PRO/PRS		
SEG/SEG-S	103,800	-62,700
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)		
GPR Taxes		
GPR Earned		
FED		
PRO/PRS		
SEG/SEG-S	409,600	-352,200
TOTAL State Revenues	\$ 409,600	\$ -352,200

NET ANNUALIZED FISCAL IMPACT

	STATE	LOCAL
NET CHANGE IN COSTS	\$41,100	\$Indeterminable
NET CHANGE IN REVENUES	\$57,400	\$Indeterminable

Agency/Prepared by: (Name & Phone No.)
John Alley 266-0614

Authorized Signature/Telephone No.
Roger D. Cross 266-2233

Roger D. Cross

Date
05/07/99



BILL SUMMARY

AB 52: Graduated Driver Licensing Bill

Date: May 12, 1999

BACKGROUND

Under current law, a person who is at least 15½ years old and has passed the DOT's written test for a driver's license may apply for an instruction permit. An instruction permit allows a person to drive if accompanied by an instructor or other person who has a valid driver's license and at least 2 years of driving experience. If the permittee is at least 16, one other person (besides the accompanying adult in the front seat) may sit in the back seat as long as that person is at least 25 years old and has 2 years of driving experience. If the permittee (regardless of age) is accompanied by an instructor and is driving a car with dual controls, up to 3 other people may ride in the back seat. The permittee may not drive at night unless accompanied by an instructor or a person at least 25 years old with at least 2 years of driving experience.

An instruction permit is valid for 6 months and costs \$20. Once the permittee has held an instruction permit for at least 19 days, attained the age of 16 and completed the 30 hours of required classroom training, 6 hours of required driving with an instructor and 6 hours of observation, he/she is eligible to apply for a probationary license. The probationary license is generally valid until the driver turns 19. During the probationary license period, there are no restrictions on passengers or hours of operation. However, for two or more traffic convictions, the number of demerit points assessed by DOT is increased by 2 points. If the driver receives 12 points in 12 months, the license is suspended for at least 2 months.

SUMMARY OF AB 52 (AS AMENDED BY COMMITTEE)

Under Assembly Substitute Amendment 3 (ASA 3) to Assembly Bill 52, the current minimum age requirements for obtaining an instructional permit (15½) and probationary license (16) are not affected. There are some revisions to who may accompany a permittee while operating a vehicle, including allowing an unspecified number of immediate family members to sit in the back seat as long as a parent, guardian or spouse is in the front passenger seat. The period of validity for an instruction permit would be increased to one year and the fee increased to \$25. The restrictions regarding driving at night are not affected.

Under ASA 3, the eligibility requirements for a probationary license issued to an applicant under 18 years of age would be enhanced. In addition to the current classroom and driving requirements, the following conditions would apply: the applicant must hold an instruction permit for at least 6 months; he or she may not have been convicted of a moving violation within 6 months prior to applying; and the applicant must have at least 30 hours of behind-the-wheel driving experience, 10 of which need to be accumulated at night. Each hour of driving with a qualified instructor, up to 5 hours, is counted as 2 hours of behind-the-wheel driving experience. High schools and technical colleges can provide driving instruction to meet the 30-hour requirement.

During the first 9 months of the probationary license period, or until the age of 18, whichever occurs first, the licensee may not transport persons other than immediate family members or those allowed to accompany permit holders. In addition, the licensee may not drive between the hours of midnight and 5 a.m. unless accompanied by a parent, guardian or person allowed to accompany a permit holder. This provision does not apply if the licensee is traveling between home, work or school. Neither the nighttime nor the passenger

restrictions are applicable if there is an emergency or if the teenager is participating in a Safe Ride program. The DOT is required to extend the passenger and nighttime driving restrictions for an additional 6 months if the licensee violates one of the restrictions or is convicted of a moving violation. In addition, the demerit points for violating any traffic violation would be doubled for second and subsequent offenses. If the probationary driver accumulates 12 points in 12 months, the license would be suspended for 6 months.

POTENTIAL AMENDMENTS

1. There may be an amendment to reduce the length of time an instruction permit needs to be held from 6 months to 4 months.
2. There may be an amendment to allow a probationary license holder, who is under the passenger and nighttime restrictions, to transport one person who would otherwise not be allowed under AB 52.

FISCAL EFFECT

A fiscal estimate prepared by the Department of Transportation indicates this bill will directly impact approximately 103,600 16 and 17 year old drivers. The DOT will incur \$383,700 in one time costs (\$292,700 for data processing and \$90,900 for public awareness materials and training). The ongoing costs for the DOT will be about \$41,100 which reflects the cost of adding 1 FTE in DMV for additional customer contacts and processing. The annual revenue increase will be approximately \$57,400. The local court and law enforcement costs are indeterminable. The Joint Committee on Finance attached an emergency clause.

PROS

1. Studies show that teenagers' inexperience and risk-taking behavior are the main factors in their increased crash rates (in Wisconsin, 16- to 19-year olds are 6% of the drivers, but account for 14% of the crashes.) AB 52 addresses these problems by requiring more behind-the-wheel training over an extended period of time, encouraging greater parental participation and allowing young drivers to gradually move to the next stage of licensure as they gain experience and improve their skills.
2. AB 52 gives new drivers an opportunity to develop their skills in a less risky environment by limiting the driving hours and passengers for the first 9 months of the probationary license period. Since they can still drive unsupervised and transport immediate family members during this time, these restrictions will not significantly hinder teenagers' extracurricular and social activities.
3. AB 52 enhances the motivation for safe driving by doubling the demerit points for second and subsequent driving violations for instruction permit and probationary license holders.
4. Although parents will have greater responsibility to ensure that their teenagers get at least 30 hours of behind-the-wheel driving, AB 52 gives them more flexibility by allowing other immediate family members (including younger brothers and sisters) to be in the vehicle as well.
5. In comparison to older drivers, 16-year olds are more likely to be involved in single vehicle crashes and be responsible for their crashes. Teen drivers are also more likely to be reported for speeding, driving too fast for conditions, failing to control their vehicles and driving inattentively. Thus, proponents of AB 52 argue

that Wisconsin's traditional system of licensure and training is not doing an adequate job of preparing our young people to be safe drivers.

6. AB 52 has widespread support among parents, educators, and the medical community and law enforcement.

CONS

1. It may be difficult for parents, especially single parents, to find the time to drive with their teenagers for at least 30 hours during the 6-month instructional period, and there is no mechanism in place to ensure that they have complied with this requirement.
2. The passenger and nighttime restrictions imposed on the first nine months of the probationary license period may cause inconveniences for parents and teenagers and cause more young drivers to be on the road since they won't be able to carpool.
3. Some believe AB 52 is punitive and discriminatory to teenagers.

SUPPORTERS

Rep. Luther Olsen, author; Sen. Bob Jauch, lead co-sponsor; Rep. Dave Ward; Rep. Scott Walker; Sen. Carol Roessler; Rep. Gregg Underheim; Rep. John LaFave; Rep. Joan Spillner; Ernie Stetenfeld, AAA of Wisconsin; Steve Blackistone, National Transportation Safety Board; Dr. Murray Katcher, American Academy of Pediatrics; Julie Clark, WisDOT; Dr. Randy Thiel, DPI; Colleen Wilson, State Medical Society; Terry Witkowski, WI Highway Safety Coordinator; LaVerne Hermann, WI Association of Highway Safety Leaders; Gary Williams, WI Auto & Truck Dealers Association; Laura Leitch, WI Chapter of American Colleges of Emergency Physicians; Jeffrey Wiswell, Miller Brewing; Joe Zwettler, American Family Insurance; William Donohue, State Farm Insurance; and 20 other individuals, representing themselves, testified or registered in support of AB 52.

OPPOSITION

Dennis Kruger, WI Troopers Association; David Dwyer, American Biking Association Through Education (ABATE); and 6 individuals, representing themselves, testified or registered in opposition to AB 52.

HISTORY

Assembly Bill 52 was introduced on January 21, 1999, and referred to the Assembly Committee on Transportation. A public hearing was held on February 11, 1999. On February 25, 1999, the Committee voted 11-6-0 [Reps. Leibham, Balow, Gronemus, Hasenohrl, Turner and Young voted no] to recommend passage. On March 11, 1999, AB 52 was referred to the Joint Committee on Finance. On April 21, 1999, the Committee voted 14-2-0 [Rep. Huber and Sen. Decker voted no] to recommend passage of AB 52 as amended by Assembly Substitute Amendment 3. The Joint Committee on Finance also attached an emergency clause.

CONTACT: Sheri Krause, Office of Rep. David Brandemuehl

1999 Session

LRB or Bill No./Adm. Rule No.
LRBs0046/2 (AB 52)

Amendment No. if Applicable
LRSs0046/2 (ASA 3)

FISCAL ESTIMATE
DOA-2048 N(R1298)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

Subject
Graduated Driver Licensing (GDL)

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation
or affects a sum sufficient appropriation.

Increase Costs - May be possible to Absorb
Within Agency's Budget Yes No
See Long-Range Fiscal Implications below

Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

Decrease Costs

Local: No local government costs

1. Increase Costs Permissive Mandatory
2. Decrease Costs Permissive Mandatory
3. Increase Revenues Permissive Mandatory
4. Decrease Revenues Permissive Mandatory
5. Types of Local Governmental Units Affected:
 Towns Villages Cities
 Counties Others
 School Districts WTCS Districts

Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations
20,395(5)(cq)

Assumptions Used in Arriving at Fiscal Estimate

Conclusion

LRBs0046/2 (AB 52 ASA 3) will directly impact approximately 103,600 16 and 17 year old drivers. Cost and revenue impact are as follows:

The Department of Transportation (WisDOT) will incur:

- 1.) \$383,700 in one time costs
 - \$292,700 for 476 DP development days or 2.6 programmers for 9 months to complete computer system changes.
 - \$ 91,000 for public awareness, materials and training.
- 2.) \$41,100 net ongoing cost increase including an additional 1 FTE in DMV for additional customer contacts and processing.
- 3.) \$57,400 net ongoing revenue increase related to instruction permits processed. (Note: This fiscal estimate corrects previous fiscal estimates which neglected to include in the revenue summary, the stated increase in reinstatement fees identified in Section 14.)

Local Costs

- 1.) Courts incur an indeterminable cost increase and related revenue increase from the additional operating while suspended convictions due to an increase in demerit point suspensions.
- 2.) The Wisconsin Technical College System (WTCS) will incur an indeterminable cost increase and related revenue increase from additional attendees in traffic safety school due to an increase in attendance in point reduction classes.

Long-Range Fiscal Implications This fiscal estimate is revised to reflect costs the department will absorb to facilitate the implementation of the proposed legislation. DOT will redirect programming staff currently committed to computer system redesign efforts and other projects to accomplish the required data processing changes without the appropriation of additional resources. This will result in further delays in these other areas.

Agency/Prepared by: (Name & Phone No.)
John Alley 266 0614

Authorized Signature/Telephone No.
Roger D. Cross 266-2233

Date
5/7/99

Assumptions Used in Arriving at Fiscal Estimate (continued from page 1)**Basis for Conclusion****SECTION 2 - Additional requirements for obtaining probationary license.****Assumptions**

- Applicants under age 18 must have completed 30 hours driving time with 10 hours at night.
 - If with qualified instructor 1 hour equal to 2 (5 for 10 is max)
- There will be an increase in DMV public contacts related to this requirement.

Fiscal Impact

- \$9,450 ongoing annual cost increase .3 FTE
- Indeterminable potential ongoing local cost and local revenue increase for school districts if high schools choose to offer additional driving time.

SECTION 6 - Length of instruction permits**Assumptions**

- Class D (regular) instruction permits are valid for 12 months - all others stay at 6 months.
- WisDOT will need to modify the length of permit on computer systems.
- There will be an increase in DMV public phone/mail contacts related to this change.
- Longer permit results in fewer people needing to renew. There is a corresponding revenue loss and position reduction.

Fiscal Impact

- \$5,000 one time cost for DP development 8 days
- \$9,500 ongoing annual cost increase .3 FTE
- \$62,700 ongoing annual cost decrease 1.7 FTE
- \$352,200 ongoing revenue decrease

SECTION 8 - Prohibits issuance of probationary license to certain individuals**Assumptions**

- The department may not issue probationary licenses to anyone under 18 unless they have:
 - held an instruction permit for at least 6 months
 - no moving violations resulting in a conviction in 6 month period immediately preceding application
- WisDOT will need to modify issuance system to check for eligibility.
- There will be an increase in DMV public contacts due to this requirement and additional contacts for ineligible applicants.

Fiscal Impact

- \$9,300 one time cost for DP development 15 days
- \$29,000 ongoing annual cost increase .8 FTE

Assumptions Used in Arriving at Fiscal Estimate (continued from page 2)**SECTION 9 - GDL Restrictions****Assumptions**

- GDL restrictions apply to any driver with a class D probationary who is under 18 as follows:
- Initial restriction period is 9 months
 - No passengers other than immediate family in the motor vehicle
 - No operation between 12 midnight and 5 a.m. unless with parent/guardian or other as defined in section 2.
- Exempts teen safe rider program participants from restrictions
 - burden is on participant to have proper documentation with them
- DMV computer systems will need to be modified to create the new restrictions and calculate the end date of the restriction.
- There will be an increase in DMV public contacts related to this requirement.

Fiscal Impact

- \$24,900 one time cost for DP development 40 days
- \$9,500 ongoing annual cost increase .3 FTE

Assumptions

- Restrictions are extended 6 months if any of the following occur while under initial restriction period:
 - offense committed as specified by department rule for which the person is convicted
 - GDL restrictions are violated
 - suspension or revocation of the driving privilege except for physical or mental disability
 - period will not be extended for multiple violations on one day nor from suspensions for which the underlying conviction resulted in an extension.
 - Driver must be notified by 1st class mail.
- GDL restrictions apply until they expire or until driver turns 18, whichever comes first.
- DMV computer systems will need to be modified to check for violations, compare for same incident, update driver record accordingly and generate customer notification letter.
- There will be an increase in DMV public contacts related to this requirement.

Fiscal Impact

- \$94,500 one time cost for DP development 152 days
- \$12,600 ongoing annual cost increase .4 FTE
- \$5,200 annual mailing costs

Assumption:

- The restriction period stops while the person is suspended or revoked.
- DMV computer systems will need to be modified to check for suspension, recalculate restriction end date, update driver record accordingly and generate customer notification letter.
- There will be an increase in DMV public contacts related to this requirement.

Fiscal Impact

- \$54,700 one time cost for DP development 88 days
- \$3,200 ongoing annual cost increase .1 FTE

SECTION 13 - Instruction Permit fee**Assumption**

- Raises the fee Class D instruction permits to \$25.
- DMV computer systems will need to be modified to change the fee in a fee table.
- There will be an increase in DMV public contacts related to this requirement.

Fiscal Impact

- \$3,100 one time cost for DP development 5 days
- \$6,300 ongoing annual cost increase .2 FTE
- \$400,000 ongoing annual revenue increase

Assumptions Used in Arriving at Fiscal Estimate (continued from page 3)**SECTION 14 - Demerit points for probationary drivers**

Assumptions

- Doubles demerit points for second and subsequent offenses by probationary drivers, instruction permit holders and unlicensed drivers who would be on probationary status if licensed.
- DMV computer systems will need to be modified to change point calculations.
- Point doubling will result an estimated 350 new suspension cases per year which provide an ongoing cost and revenue increase from 192 reinstatements using an estimated 55% reinstatement rate.

Fiscal Impact

- \$8,100 one time cost for DP development 13 days
- \$4,900 ongoing annual cost increase .2 FTE
- \$9,600 ongoing revenue increase
- Indeterminable ongoing local cost increase

SECTION 17 - Non-statutory provisions

Assumptions

- DOT shall submit proposed rules related to GDL violations to the Legislative Council within 4 months of effective date.
- This requires WisDOT to develop new charge codes to identify GDL violations.

Fiscal Impact

- \$87,100 one time cost for DP development 140 days

SECTION 19 - Effective dates

Assumptions

- There will be a significant need by contract programmer DP project leader to coordinate development efforts with other mandated implementations such as Year 2000 efforts and 1997 Act 84.

Fiscal Impact

- \$6,000 one time cost for DP development 15 days

OTHER FISCAL IMPACT

Assumptions

- WisDOT will coordinate a statewide informational campaign to provide information to the general public and the traffic safety community.
- WisDOT will need to create, revise and produce related forms and materials.
- DMV personnel will need to be trained on GDL laws and related system changes.

Fiscal Impact

- \$50,000 one time cost for statewide informational campaign.
- \$18,000 one time cost for overtime training of DMV field staff that can't be covered during normal hours due to short implementation time-frame.
- \$2,600 one time cost for modifications to Motorist Handbook and related materials used by the general public and traffic safety educators.
- \$20,000 one time cost to replace unused out-of-date motorist handbooks with updated stock.
- \$14,400 ongoing cost for creation/printing of program materials.

FISCAL ESTIMATE WORKSHEET

1999 Session

Detailed Estimate of Annual Fiscal Effect
DOA-2047 (R1298)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB or Bill No./Adm. Rule No. LRBs0046/2 (AB 52)	Amendment No. (ASA 3)
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Subject **Graduated Driver Licensing (GDL)**

I. **One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):**

\$292,700 in one-time data processing development costs

\$90,900 in other implementation costs related to public awareness, materials creation and revision and training.

II. **Annualized Costs:**

A. State Costs by Category	Annualized Fiscal Impact on State funds from:	
	Increased Costs	Decreased Costs
State Operations - Salaries and Fringes	\$ 84,900	\$ -62,700
(FTE Position Changes)	(2.6 FTE)	(-1.7 FTE)
State Operations - Other Costs	18,900	-
Local Assistance		-
Aids to Individuals or Organizations		-
TOTAL State Costs by Category	\$ 103,800	\$ -62,700
B. State Costs by Source of Funds	Increased Costs	Decreased Costs
GPR	\$	\$ -
FED		-
PRO/PRS		-
SEG/SEG-S	103,800	-62,700
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	Increased Rev.	Decreased Rev.
GPR Taxes	\$	\$ -
GPR Earned		-
FED		-
PRO/PRS		-
SEG/SEG-S	409,600	-352,200
TOTAL State Revenues	\$ 409,600	\$ -352,200

NET ANNUALIZED FISCAL IMPACT

	<u>STATE</u>	<u>LOCAL</u>
NET CHANGE IN COSTS	\$41,100	\$Indeterminable
NET CHANGE IN REVENUES	\$57,400	\$Indeterminable

Agency/Prepared by: (Name & Phone No.) John Alley 266-0614	Authorized Signature/Telephone No. Roger D. Cross 266-2233 <i>Jane A. Gzowski for</i>	Date 05/07/99
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Executive Director
Jan Steinbergs

Wisconsin Troopers' Association, Inc.

P.O. Box 769 • East Troy, WI 53120
1-800-232-1392

MAY 11 1999

TO: All Members of the Wisconsin State Assembly
FR: Dennis Kruger, Legislative Liaison, and
Casey Perry, President
Wisconsin Troopers' Association
DA: May 11, 1999
RE: Support for Assembly Bill 52 – Graduated Driver's Licensing

On behalf of the Wisconsin Troopers' Association, we would like to express our support for Assembly Bill 52, which would establish a graduated licensing system for Wisconsin's young drivers. This bill makes great strides in our effort to ensure the safety of Wisconsin's roadways, and more specifically, young drivers.

Please know that while our association always supported the intent of the bill, we originally struggled with some provisions from an enforcement perspective. Many of those concerns have been addressed, and we would like to thank all those who have been so receptive to listening and responding to those concerns.

A couple of issues remain, which concern many of our members. It is our hope that these can be clarified yet in the Assembly. The issues deal with placing greater emphasis on penalties in two ways. First, by doubling demerit points, and second, by extending license suspension time to 6 months. We understand the desire to place extra emphasis in these areas, however we believe the emphasis on the demerit points and suspension time goes a bit too far. Ultimately, this will defeat the main goal of the legislation, which is to ensure we have experienced young drivers on Wisconsin's roadways.

The Troopers' Association is pleased that a change has been made so that double demerit points are not assessed upon a first violation, but rather for second and subsequent moving violations. **We would like to see an additional change so that double demerit points are not assessed for equipment problems or failures.** For example, a defective tail lamp at night while driving (3 points) should not be assessed double demerit points. It is important to place emphasis on certain moving violations, but equipment failures is not one of them. Also, we recommend a suspension time of 3 months, as opposed to 6 months. The three month duration would still provide a longer suspension than current law, but would not keep the young driver off the road for so long during a time when experience is so crucial.

Thank you for your attention to this matter. We support this very valuable piece of legislation, and we appreciate your consideration of our insights from an enforcement perspective.



Proud Member of the National Troopers Coalition



MAY 11 1999

May 10, 1999

8030 Excelsior Drive
P.O. Box 33
Madison, WI 53701-0033
608/836-6555
800/236-1300

TO: **Members of the Wisconsin Assembly**

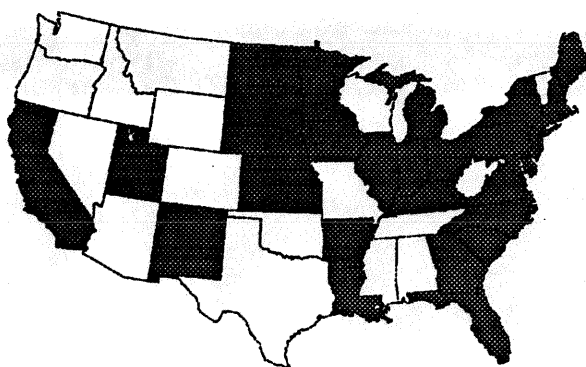
FROM: **Ernie Stetenfeld, ^{ES}AAA Wisconsin Vice President
Public and Government Relations (608/828-2487)**

RE: ***AAA Wisconsin Support for Teen Graduated Driver Licensing***
(Support for ASA 3 to A.B. 52)

This Wednesday you'll be asked to debate and vote on one of the most important and worthwhile traffic-safety measures ever considered by the Wisconsin Legislature. On behalf of AAA Wisconsin--representing the traffic-safety interests of more than 540,000 member-motorists in this state--I strongly urge you to vote for Assembly Substitute Amendment 3 to Assembly Bill 52, which would implement graduated licensing for our newest teen drivers.

AAA Wisconsin believes A.B. 52 would improve Wisconsin's licensing system in ways that would help produce safer teen drivers. This bill would give Wisconsin one of the nation's best systems of licensure for our youngest, newest drivers and would thus improve traffic safety for all.

Graduated driver licensing, or "GDL," is a means of gradually increasing a new licensee's driving privileges as he or she demonstrates growth in safe, responsible operation of a motor vehicle and in driving skills. AAA and other national safety organizations regard 31 states--including Wisconsin neighbors Illinois, Iowa, Michigan and Minnesota--as having enacted a form of graduated driver licensing to help their new teen drivers become better drivers. Colorado's bill--due to be signed into law any day now--will bring the total to 32 states.)



31 GDL States (CO pending signing)

In those states--and, I hope, here in Wisconsin--this is the problem GDL helps solve: Teen drivers are over-represented in traffic crashes, the leading cause of death for their age group. Although only 6.1 percent of the state's licensed drivers were teens, teen drivers were involved in 14.4 percent of all Wisconsin crashes--and more than 12 percent of fatal crashes--in 1997. Nearly one in seven--13.7 percent--of the state's teen drivers were involved in a crash that year; for 16-year-old drivers, the picture was even worse; their crash-involvement figure was 18.7 percent.

(--MORE--)

Overall, teen drivers in Wisconsin have a crash rate about three times that of their parents and grandparents. These statistics are made all the more daunting in light of this trend: by 2010, the nation's teen driving population is expected to grow by about 23 percent over its 1996 level. More teens on the roads will only exacerbate the safety challenge of drivers for whom--too often--inexperience, developing skills and risk-taking behavior combine in a dangerous and tragic mix.

The problem extends beyond teen drivers to young people riding with them. More than 14 percent of all persons killed in either car and truck crashes in our state during 1997 were teens. Typically about two-thirds of teen passengers killed are in vehicles driven by a teen.

Studies collected by the National Highway Traffic Safety Administration (NHTSA) have credited early GDL systems (generally enacted in the '80s) with teen-driver crash reductions of between 5 percent and 16 percent. The typical teen-driver crash reductions credited to GDL in the jurisdictions studied were in the range of 8 percent to 10 percent. And most of those were for systems less thorough-going than the GDL programs recently enacted in our four neighbor states and elsewhere around the nation. GDL means lives saved and injuries reduced and prevented--among teens and all others with whom they share the road.

According to NHTSA and other sources, the following are among jurisdictions which enacted forms of GDL that have since been studied for their effects on teen-driver crashes:

- * **Maryland**--As of 1983, evaluation of this state's GDL law--in place since 1979--showed a 5 percent reduction in crashes and a 10 percent reduction in violation convictions among all 16- and 17-year-old drivers, even though only about half of that population was in the GDL program at that time. Maryland has since implemented a number of measures to improve its GDL system further.
- * **California**--This state found that its initial GDL law, which took effect in 1983, contributed to a 5.3 percent reduction in crashes involving drivers ages 15 to 17. California has since implemented further GDL improvements.
- * **Oregon**--A provisional licensing system was put in place in this state in 1989. This program showed a marked effect on the crash rates of 16- and 17-year-old males. In their first year of driving, provisionally licensed males had 16 percent fewer crashes than non-provisionally licensed males. (No statistically significant results for new female drivers were reported at that time.)
- * **New Zealand**--This nation put GDL measures in place in 1987 and by 1992 had reported an 8 percent reduction in crashes involving drivers 15-19 years old.
- * **Florida**--This state implemented GDL measures in mid-1996. An Insurance Institute for Highway Safety study of Florida's GDL program has recently reported that for drivers ages 15, 16, and 17, Florida saw a 9 percent combined fatal- and injury-crash rate reduction for 1997 compared with 1995. Florida's youngest drivers, 15-year-olds, saw the greatest reduction in this crash rate--19 percent. Crash reductions were not seen among teen drivers in Alabama, a neighboring state without a GDL law, nor among 18-year-olds in Florida, who had not been licensed under the state's GDL system.

(--MORE--)

- * **Ontario**--This province implemented GDL in 1994 and has produced the most clear-cut evidence for GDL effectiveness of any jurisdiction. Results released in 1998 indicated that the 1995 crash rate for drivers age 16-19 had declined 27 percent from 1993 levels. The fatal crash rate for 16-year-olds went from three times that of the general public to a level comparable to that of the general public. The overall crash rate for 16-year-olds dipped below that of the general population. (Six Canadian provinces have GDL in place.)

Please consider areas of change A.B. 52 would bring about and why these changes make sense:

- * **Thirty hours of required adult-supervised driving practice for teen drivers during the instructional permit phase.** Colorado will soon bring to 11 the number of states requiring 30 or more hours of teen practice-driving time certified by a responsible adult, usually a parent or guardian. Six of these states have 50-hour requirements. Wisconsin currently requires just six hours of instructor-guided practice (retained under A.B. 52). In a AAA Wisconsin membership survey mailed early this year, 87 percent of respondents indicated they favor a novice-driver graduated licensing program that would require more behind-the-wheel experience before full driving privileges are granted.
- * **For probationary-license holders under 18, a restriction on driving without an adult over 21 between midnight and 5 a.m. during the first nine months of the probationary period (with school, work and emergency exceptions).** In the 23 states that have them, night-time driving restrictions have reduced crashes during those hours by up to 69 percent for the teens to whom the restriction applies. Teen crash reductions in the 50 to 55 percent range are not uncommon. National studies show that on a per-mile-driven basis, the rate of teen-driver involvement in fatal crashes is three to four times as high at night as during daylight hours.
- * **Not allowing probationary-license holders under 18 to transport non-family passengers (except those allowed under the instructional-permit) during the first nine months of the probationary period.** Several studies--as well as common sense--validate that teen passengers are often a risk factor for teen drivers. One 1998 study documented that requiring 16-year-old drivers to operate a vehicle alone appears to reduce their risk of being involved in a fatal crash by about 30 percent. The study also found that allowing passengers to ride with 16-year-old drivers appears to increase their chances of fatal-crash involvement by about 100 percent. The study's results suggest what I believe most of us already understand: for many teen drivers, not only are teen passengers too-often distracting, but their presence may actually encourage teen drivers to drive dangerously. Requiring teens--in this brief stage of their development as drivers--to hone their skills without interference from young passengers is a prudent, crash-reducing step.

AAA Wisconsin also supports the bill's other significant provisions: a six-month minimum period to hold a learner's permit that remains valid for one year; required conviction-free periods for advancement in the licensure process; extending the skill-development period for probationary-license holders convicted of violating traffic laws or GDL restrictions; point-doubling for second and subsequent moving-violation convictions during the probationary-license phase; and six-month license suspension after accumulation of 12 demerit points in a year. Each of these elements increases the value Wisconsin's teens will place on the role their own safe driving will play in maintaining their driving privileges.

In AAA Wisconsin's most recent survey of a random, representative sample of our primary member base (which in turn represents more than 340,000 Wisconsin households), we found that 82 percent of respondents indicated they favored GDL legislation that includes the major provisions of A.B. 52. The very detailed question that garnered this result was part of a survey mailed early this year and completed by respondents *before* the recent, tragic teen traffic fatalities that have focused still more attention on the need for graduated driver licensing in our state.

In a few areas--because this bill is easily subject to misinterpretation--it is important to clarify what A.B. 52 is and is not, and what it will and will not do:

This bill is not anti-teen. It is for teens. It will encourage more driving by new teen drivers both in supervised settings and--with a new probationary license--alone, without distractions. This bill as law will save teen lives and reduce teen injuries. It will help teens become better drivers, and the improved teen driving attitudes and skills that this graduated licensing bill will foster should provide a lifetime of benefits.

This bill *does not* change the minimum ages at which Wisconsin teens will become eligible for the various stages of licensure. At 15-1/2, a teen will still be able to obtain an instructional permit; at 16, eligible teens will be able to apply for the probationary license; and, for most teens, their 19th birthday should still mark the point at which they reach eligibility for the full license.

This bill does aim to reward teens gradually for growth in driving skill and maturity. It does not seek to punish teens. It does recognize, however, that what we've done in the past--what we still do today--is hand new teen drivers a virtually unrestricted pass to operate a several-thousand-pound potential weapon on the public roadways. And we allow them to do so after they've had only the most minimal practical preparation. That's neither fair nor safe.

Compliance with this bill as law would benefit from a whole layer of enforcement most laws simply can't access; enforcement of Wisconsin's GDL law would *begin at home*--with parents or other significant adults in teens' lives. Most laws demand a large measure of voluntary compliance but rely on the involvement of law enforcement officers when a violation is observed. Much the same would be true of A.B. 52 as law, of course. This bill would also, however, aid parents in countering teen objections to reasonable new-driver rules by supplying the powerful notion that those rules are law.

This bill is pro-family. It provides parents with some of the important tools needed to help ensure that their teens will become safe drivers. It would reinforce the notion that driving the family car is too important a responsibility to be left to the minimal hours of supervised practice currently required. And most importantly, for some families this bill would mean the difference between seeing a teenaged son or daughter grow safely to maturity versus lifetimes of missing a teen snatched away so soon.

I urge your favorable consideration of ASA 3 to A.B. 52 when the measure comes to the floor of the Assembly. Thank you for considering AAA Wisconsin's position on this important issue.

MAY 11 1999

1364 County Rd. D
Glenwood City WI, 54013
May 4, 1999

David Brandemuehl
317 State Capital
Madison WI 53702

Dear Mr. Brandemuehl:

We are eighth grade Civics students who are lobbying the Graduated Drivers Licenses bill. We are truly interested in this bill, Assembly Bill 52, because we will soon be behind the wheel ourselves.

We think this bill would be a great asset to our state because in 26 other states the crash rates has decreased from 5% to 30%. The licensee would be prohibited from driving between 12midnight and 5AM. New drivers wouldn't be driving during the highest crash hours of the day.

Moreover, we would really like to see this bill passed. We cannot tell the future but we strongly believe that this bill may save our lives, lives of loved ones, and lives of people we have never met.

Sincerely,

Ranae Ohman, Lindsey Tudahl, and Beth Wold

Graduated Drivers Licenses

In 1997, five thousand, five hundred eighty teenagers from the ages of 16-19 were involved in a car crash caused by speeding. We chose graduated drivers licenses because we think that this program could save hundreds of lives. In Kentucky, injury crashes decreased an amazing 30% since the graduated drivers licenses had gone into effect. For this reason, we are writing you facts which would help our state be a safer one to drive in if the graduated drivers licenses, Assembly Bill 52 was put into effect.

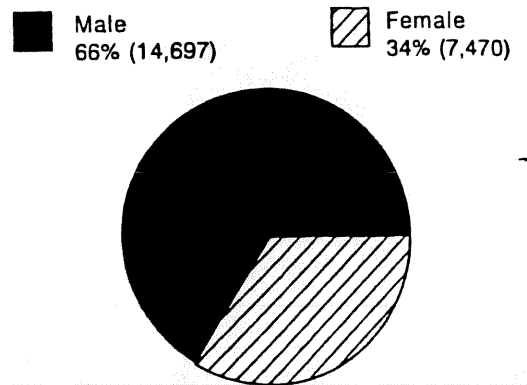
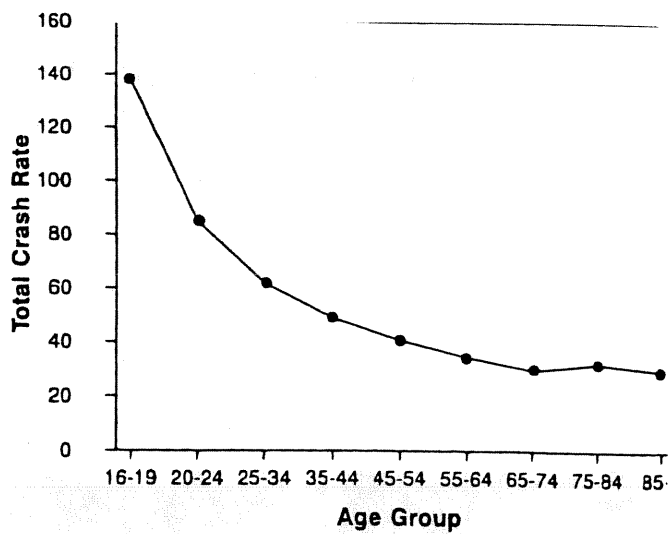
The fact that we found to be most interesting was that one in every seven teen drivers in Wisconsin will be involved in a car crash in 1999. In 1997, only 6.2% of all licensed drivers were 16-19 year olds but 14.4% of crashes were caused by this age range.

The requirements for the permit stage of the graduated drivers licenses are as followed: 30 hours of practice which include ten hours at night with an adult or a designated adult. The licensee will have a permit for at least 6 months. When the licensee passes the driving test he/she will yet go through another stage.

For the first 9 months, the licensee will only be able to drive from 5AM to 12 midnight. There are two exceptions for this regulation. Driving from and to school and work. Also, for the first 9 months, the licensee will not be able to drive with another teen in the car. The licensee must remain violation free, if a violation were to occur the probation period would be extended for another 6 months.

For every one thousand drivers in crashes, 140 of those drivers were 16-19 years of age in 1997. Also in 1997, 66% of all drivers in crashes caused by speeding were males.

We hope these facts will convince you to pass this bill and help save a few lives in the process.



Hoiland, Paul

From: Dave G [daveg@goldenbatch.com]
Sent: Tuesday, May 11, 1999 9:20 AM
To: Rep.Brandemuehl
Subject: Assembly Bill 52 - GDL

To: State Representatives
Subject: Assembly Bill 52-Graduated Driver Licensing

Wednesday, you will have an opportunity to save the lives of some teenagers you have never met. They won't know what you have done for them, and they won't ever thank you for your actions. But you will know that many more of them will be alive to fulfill their dreams because you voted yes to Assembly Bill 52. In 1998 16 yr. old drivers were involved in crashes that claimed 36 lives. At least a dozen of those lives would have been spared had this bill been in place last year.

This bill has been carefully researched, with input received from experts on driving safety from around the country. It is not designed to keep 16 yr. olds from driving, it's designed to make them better drivers. Some of you may believe you have a way to improve the bill or make it more acceptable to some. I ask you to consider how many lives those changes will cost.

Some have expressed the opinion that this bill is an "anti-dating" bill because of the passenger restriction during the 9 month Skill Development Period (SDP). Nonsense - there is no greater deterrent to dating than our current system of licensing . . . I know my son, Kris won't be going on any dates. Sam and Rebecca from New Berlin won't be dating. Talk to the Keith Miller family from Sun Prairie, who lost their daughter Tobi two summers ago when her date lost control of his car (he had his license 8 days). Ask Dale & Kim Voss from Mazomanie if they think having just one passenger is a good idea. Their son was killed 16 months ago when his friend lost control of his car eight weeks after getting his license. With your help, teens will continue to date at 16 yrs., six months the same way they did at 15 yrs., eleven months. This is a pro-dating bill!

Statistics show that 16-17 yr. old drivers have a 50% greater chance of having a fatal crash when there are passengers in the car. Two out of three teens who die in crashes are passengers - not drivers. Consider those statistics when someone suggests an amendment to include passengers.

There may be other amendment suggestions as well, like reducing the SDP to six months. Ask yourself whether someone who just got their license last month has ever driven on ice or snow, and if they will have in six months. Would you want your children or grandchildren riding with that driver as they gain that experience.

Each amendment that is approved will carry a cost - in lives. Maybe the author of the amendment in Joint Finance to change the point allocation, can explain why he believes a sixteen year old driver should be able to get three speeding tickets in a twelve month period before losing their license. How many lives will be lost because of that amendment?

I hope you consider these costs when you are debating Assembly Bill 52. Vote yes to this bill without any further amendments - the life you save may be someone you know or love.

Sincerely,

Dave Greening

827 Thomas St.
Ripon, WI 54971
(920) 748-7716 ext. 128 (wk)
(920) 748-2784 (home)



WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

One East Main Street, Suite 401; P.O. Box 2536; Madison, WI 53701-2536

Telephone: (608) 266-1304

Fax: (608) 266-3830

Email: leg.council@legis.state.wi.us

DATE: May 7, 1999

TO: REPRESENTATIVE LUTHER S. OLSEN

FROM: William Ford, Senior Staff Attorney

SUBJECT: Assembly Substitute Amendment 3 to 1999 Assembly Bill 52, Relating to Graduated Driver Licensing for Persons Under 18 Years of Age

A. INTRODUCTION

This memorandum describes Assembly Substitute Amendment 3 to 1999 Assembly Bill 52 ("the Substitute Amendment"). The Substitute Amendment imposes a number of conditions and restrictions upon the issuance of instruction permits and upon the initial issuance of motor vehicle operator's licenses (driver's licenses) to persons who are under 18 years of age in order to implement a system commonly referred to as "graduated driver licensing." As will be explained in more detail below, the Substitute Amendment does this by increasing operator training requirements, imposing additional restrictions relating to persons who are required, or who are allowed, to be in a motor vehicle operated by a person subject to graduated driver licensing; and imposing additional penalties on persons subject to graduated driver licensing for certain offenses committed while operating a motor vehicle.

B. INSTRUCTION PERMITS

1. Current Law

Under *current law*, a person who is at least 15-1/2 years of age and who has passed the knowledge test prescribed by the Department of Transportation (DOT) for the issuance of a driver's license may apply for an *instruction permit* [s. 343.07, Stats.]. Generally, an instruction permit may not be issued to anyone under 18 years of age unless the person is enrolled in an approved driver education and training course for the purpose of receiving training in the operation of motor vehicles. An instruction permit authorizes a person to operate a motor vehicle, except a commercial motor vehicle, school bus or type 1 motorcycle, a motor bicycle or a moped, subject to the following restrictions:

a. A permittee at least 16 years of age *must* be accompanied by a qualified instructor (as defined in s. 343.07 (5), Stats.) or by a licensed person with at least two years of licensed driving experience who occupies the seat beside the permittee. If the person accompanying the operator is a qualified instructor and the vehicle used for instruction is equipped with dual controls, up to three other persons may occupy seats in the motor vehicle other than the front seat. If the accompanying person is not a qualified instructor, one other licensed person 25 years of age or more with at least two years of driving experience may occupy a seat in the motor vehicle other than the front seat. No other persons may be in the vehicle.

b. If the permittee is under 16 years of age, the permittee *must* be accompanied by a qualified instructor or a person who is at least 21 years of age who is authorized to accompany the permittee in writing by the parent or guardian of the permittee. If the person accompanying the operator is a qualified instructor and the vehicle used for instruction is equipped with dual controls, up to three other persons may occupy seats in the motor vehicle other than the front seat. This person must occupy the seat beside the permittee. No other persons may be in the vehicle.

c. A permittee (regardless of age) may not operate a motor vehicle during hours of darkness unless accompanied by a qualified instructor or a licensed person 25 years of age or more with at least two years of driving experience who occupies the seat beside the permittee. "Hours of darkness" is defined as the period from one-half hour after sunset to one-half hour before sunrise and all other times when there is not sufficient natural light to render clearly visible any person or vehicle upon a highway at a distance of 500 feet. [s. 340.01 (23), Stats.]

2. The Substitute Amendment

The Substitute Amendment revises the qualifications for persons who must or may accompany a permittee while operating a motor vehicle. (The Substitute Amendment does not affect persons holding motorcycle instruction permits.) Under the Substitute Amendment, a permittee *must* be accompanied by one of the following persons, who must hold a valid regular motor vehicle operator's license, have at least two years of licensed driving experience and occupy the seat next to the permittee:

a. A qualified instructor who is at least 19 years of age. If the motor vehicle used for instruction is equipped with dual controls, up to three other persons in addition to the qualified instructor may occupy a vehicle operated by the permittee.

b. The permittee's parent, guardian or spouse who is at least 19 years of age. In addition to the parent, guardian or spouse, the permittee's immediate family members may occupy seats in the motor vehicle other than the front seat.

c. A person who is at least 21 years of age. However, if the permittee is younger than 18 years of age, the accompanying person must be designated in writing to accompany the permittee by the permittee's parent or guardian prior to the operation of the vehicle by the permittee.

In addition, the Substitute Amendment increases the period of validity for an instruction permit from six months to one year [SECTION 6] and increases the fee for an instruction permit from \$20 to \$25. [SECTION 13.] The restrictions under current law relating to who must accompany a permittee operating during hours of darkness, are not affected by the Substitute Amendment.

C. PROBATIONARY LICENSE

1. Current Law

Under current law, an applicant who qualifies for initial issuance of a driver's license, including passing the driving test prescribed by DOT, is issued a probationary license which generally lasts until the applicant's second birthday occurring after the date on which the probationary license is issued. (However, a person who is at least 21 years of age and has been licensed to drive in another jurisdiction for at least three years is issued a regular driver's license and not a probationary license [s. 343.085, Stats.].) During the probationary period, the number of demerit points assessed by DOT for a second or subsequent traffic conviction is increased by two demerit points. A person who accumulates an excessive number of demerit points may have his or her probationary period increased or operating privilege suspended.

2. The Substitute Amendment

The Substitute Amendment revises the eligibility requirements for a probationary license issued to an applicant for a driver's license (but not for a "motorcycle only" license) who is under 18 years of age. These changed eligibility requirements are:

- a. The applicant must have held an instruction permit for at least six months before applying for a driver's license.
- b. The applicant may not have been convicted of a moving violation specified by DOT by rule within a six-month period immediately preceding the application.
- c. The applicant must have accumulated at least 30 hours of behind-the-wheel driving experience, at least 10 of which were during hours of darkness. Each hour of behind-the-wheel driving experience while accompanied by a qualified instructor, up to five hours, is counted as two hours of behind-the-wheel driving experience. Secondary schools and technical colleges are authorized to provide driving instruction for the 30-hour requirement.

In addition, the Substitute Amendment creates driving restrictions that apply to persons (other than persons with "motorcycle only" licenses or persons operating a motor vehicle for emergency purposes) who are under the age of 18 at the time the probationary license is issued. During the first nine months following the issuance of a probationary license, or until attaining the age of 18, whichever occurs first, these licensees may not:

- a. Transport persons other than an immediate family member or persons who are authorized to accompany a person driving under an instruction permit; or

b. Drive between the hours of 12 midnight and 5:00 a.m. unless the licensee's parent or guardian or a person who is authorized to accompany a person driving under an instruction permit occupies the seat beside the licensee or unless the licensee is traveling between his or her place of residence, school or place of employment.

These two restrictions do not apply, under certain circumstances and with proper authentication, to a person operating a motor vehicle in the service of an organized program that, without compensation, transports teenagers to their homes.

The DOT is required to extend the two restrictions listed above for an additional six-month period if any of the following occurs while the licensee is subject to the restrictions:

- a. The licensee is convicted of a moving offense specified by DOT by rule.
- b. The licensee violates one of the two restrictions in a. or b.
- c. A court or the DOT suspends or revokes the licensee's operating privilege for any reason other than a mental or physical disability. The nine-month period of restriction does not run while a person's operating privilege is suspended or revoked.

[SECTIONS 8-10.]

The Substitute Amendment provides that no separate cause of action under tort law is created by the provisions of the Substitute Amendment that specify the persons who may accompany a person with a probationary license. [SECTION 9.]

D. SUSPENSION FOR EXCESSIVE DEMERIT POINT ACCUMULATION

1. Current Law

Under current law, DOT may suspend a person's operating privilege for excessive demerit point accumulation if a person accumulates 12 demerit points in 12 months. During the period of a probationary license, two demerit points are added to the otherwise applicable demerit points for a second or subsequent violation of a traffic law. [s. 343.085 (3) and (5), Stats.]

2. The Substitute Amendment

Under the Substitute Amendment, the number of demerit points assessed against a person who violates a traffic law while operating under an instruction permit or a probationary license is doubled if the person has a previous traffic conviction for which demerit points were assessed. The DOT is required to suspend the operating privilege of a probationary licensee who accumulates 12 demerit points in 12 months. [SECTIONS 14 and 15.]

Please contact me at the Legislative Council Staff offices if I can be of further assistance.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa0318/1
PEN:jlj:km

ASSEMBLY AMENDMENT,
TO ASSEMBLY SUBSTITUTE AMENDMENT 2,
TO 1999 ASSEMBLY BILL 52

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 1. Page 4, line 18: delete lines 18 to 20 and substitute:
- 3 "1. If, in addition to the licensee, the vehicle is occupied by any person other
- 4 than the following:
- 5 a. Any number of members of the licensee's immediate family.
- 6 b. A person who meets the requirements under s. 343.07 (1) (a).
- 7 c. Any one person not described in subs. 1. a. and b."

8

(END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa0316/1
PEN:jlj:jf

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 2,
TO 1999 ASSEMBLY BILL 52**

no

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 4, line 9: delete “6 months and, during the 6-month” and substitute
- 3 “4 months and, during the 4-month”.
- 4 **2.** Page 4, line 12: delete “6” and substitute “4”.
- 5 **(END)**

sh



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa0282/1
PEN;jlg:km

Technical

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 2,
TO 1999 ASSEMBLY BILL 52**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 9, line 21: delete lines 21 to 23.

3 (END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa0304/1
PEN:kmg:jf

ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 2,
TO 1999 ASSEMBLY BILL 52

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 3, line 15: after that line insert:

3 "SECTION 3m. 343.07 (1) (bm) of the statutes is created to read:

4 343.07 (1) (bm) Except as provided in par. (a), no permittee may operate a motor
5 vehicle upon a highway in this state whenever any person is in the motor vehicle."

6 **2.** Page 9, line 16: after "(1) (a), (b)" insert ", (bm)".

7 (END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa0323/1
PEN:jlj:jf

SK
**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 2,
TO 1999 ASSEMBLY BILL 52**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 7, line 19: delete lines 19 to 21 and substitute:

3 "343.32 (2) (bc) The scale adopted by the secretary shall assess, for each
4 conviction, twice the number of demerit points that are assessed for the same offense
5 committed by the holder of a regular license, if the convicted person has been
6 previously convicted of an offense for which demerit points are assessed and the
7 person is one of the following:"

8 (END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa0317/1
PEN:jlg:hmh

5/2

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 2,
TO 1999 ASSEMBLY BILL 52**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 2, line 6: delete "50" and substitute "30".

3 **2.** Page 2, line 15: delete "50" and substitute "30".

4 (END)



WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

One East Main Street, Suite 401; P.O. Box 2536; Madison, WI 53701-2536
Telephone: (608) 266-1304
Fax: (608) 266-3830
Email: leg.council@legis.state.wi.us

DATE: February 24, 1999
TO: REPRESENTATIVE LUTHER S. OLSEN
FROM: William Ford, Senior Staff Attorney
SUBJECT: Assembly Substitute Amendment 2 to 1999 Assembly Bill 52, Relating to Graduated Driver Licensing for Persons Under 18 Years of Age

A. INTRODUCTION

This memorandum describes Assembly Substitute Amendment 2 to 1999 Assembly Bill 52 ("the Substitute Amendment"). The Substitute Amendment imposes a number of conditions and restrictions upon the issuance of instruction permits and upon the initial issuance of motor vehicle operator's licenses (driver's licenses) to persons who are under 18 years of age in order to implement a system commonly referred to as "graduated driver licensing." As will be explained in more detail below, the Substitute Amendment does this by increasing operator training requirements, imposing additional restrictions relating to persons who are required, or who are allowed, to be in a motor vehicle operated by a person subject to graduated driver licensing; and imposing additional penalties on persons subject to graduated driver licensing for certain offenses committed while operating a motor vehicle.

B. INSTRUCTION PERMITS

1. Current Law

Under *current law*, a person who is at least 15-1/2 years of age and who has passed the knowledge test prescribed by the Department of Transportation (DOT) for the issuance of a driver's license may apply for an *instruction permit* [s. 343.07, Stats.]. Generally, an instruction permit may not be issued to anyone under 18 years of age unless the person is enrolled in an approved driver education and training course for the purpose of receiving training in the operation of motor vehicles. An instruction permit authorizes a person to operate a motor vehicle, except a commercial motor vehicle, school bus or type 1 motorcycle, a motor bicycle or a moped, subject to the following restrictions:

a. A permittee at least 16 years of age *must* be accompanied by a qualified instructor (as defined in s. 343.07 (5), Stats.) or by a licensed person with at least two years of licensed driving experience who occupies the seat beside the permittee. If the person accompanying the operator is a qualified instructor and the vehicle used for instruction is equipped with dual controls, up to three other persons may occupy seats in the motor vehicle other than the front seat. If the accompanying person is not a qualified instructor, one other licensed person 25 years of age or more with at least two years of driving experience may occupy a seat in the motor vehicle other than the front seat. No other persons may be in the vehicle.

b. If the permittee is under 16 years of age, the permittee *must* be accompanied by a qualified instructor or a person who is at least 21 years of age who is authorized to accompany the permittee in writing by the parent or guardian of the permittee. If the person accompanying the operator is a qualified instructor and the vehicle used for instruction is equipped with dual controls, up to three other persons may occupy seats in the motor vehicle other than the front seat. This person must occupy the seat beside the permittee. No other persons may be in the vehicle.

c. A permittee (regardless of age) may not operate a motor vehicle during hours of darkness unless accompanied by a qualified instructor or a licensed person 25 years of age or more with at least two years of driving experience who occupies the seat beside the permittee. "Hours of darkness" is defined as the period from one-half hour after sunset to one-half hour before sunrise and all other times when there is not sufficient natural light to render clearly visible any person or vehicle upon a highway at a distance of 500 feet. [s. 340.01 (23), Stats.]

2. The Substitute Amendment

The Substitute Amendment revises the qualifications for persons who must or may accompany a permittee while operating a motor vehicle. (The Substitute Amendment does not affect persons holding motorcycle instruction permits.) Under the Substitute Amendment, a permittee *must* be accompanied by one of the following persons, who must hold a valid regular motor vehicle operator's license, have at least two years of licensed driving experience and occupy the seat next to the permittee:

a. A qualified instructor who is at least 19 years of age. If the motor vehicle used for instruction is equipped with dual controls, up to three other persons in addition to the qualified instructor may occupy a vehicle operated by the permittee.

b. The permittee's parent, guardian or spouse who is at least 19 years of age. In addition to the parent, guardian or spouse, the permittee's immediate family members may occupy seats in the motor vehicle other than the front seat.

c. A person who is at least 21 years of age. However, if the permittee is younger than 18 years of age, the accompanying person must be designated in writing to accompany the permittee by the permittee's parent or guardian prior to the operation of the vehicle by the permittee.

In addition, the Substitute Amendment increases the period of validity for an instruction permit from six months to one year [SECTION 4] and increases the fee for an instruction permit from \$20 to \$25. [SECTION 11.] The restrictions under current law relating to who must accompany a permittee operating during hours of darkness, are not affected by the Substitute Amendment.

C. PROBATIONARY LICENSE

1. Current Law

Under current law, an applicant who qualifies for initial issuance of a driver's license, including passing the driving test prescribed by DOT, is issued a probationary license which generally lasts until the applicant's second birthday occurring after the date on which the probationary license is issued. (However, a person who is at least 21 years of age and has been licensed to drive in another jurisdiction for at least three years is issued a regular driver's license and not a probationary license [s. 343.085, Stats.]) During the probationary period, the number of demerit points assessed by DOT for a second or subsequent traffic conviction is increased by two demerit points. A person who accumulates an excessive number of demerit points may have his or her probationary period increased or operating privilege suspended.

2. The Substitute Amendment

The Substitute Amendment revises the eligibility requirements for a probationary license issued to an applicant for a driver's license (but not for a "motorcycle only" license) who is under 18 years of age. These changed eligibility requirements are:

- a. The applicant must have held an instruction permit for at least six months before applying for a driver's license.
- b. The applicant may not have been convicted of a moving violation specified by DOT by rule within a six-month period immediately preceding the application.
- c. The applicant must have accumulated at least 50 hours of behind-the-wheel driving experience, at least 10 of which were during hours of darkness. Each hour of behind-the-wheel driving experience while accompanied by a qualified instructor, up to five hours, is counted as two hours of behind-the-wheel driving experience. Secondary schools and technical colleges are authorized to provide driving instruction for the 50-hour requirement.

In addition, the Substitute Amendment creates driving restrictions that apply to persons (other than persons with "motorcycle only" licenses) who are under the age of 18 at the time the probationary license is issued. During the first nine months following the issuance of a probationary license, or until attaining the age of 18, whichever occurs first, these licensees may not:

- a. Transport persons other than an immediate family member or persons who are authorized to accompany a person driving under an instruction permit; or

b. Drive between the hours of 12 midnight and 5:00 a.m. unless the licensee's parent or guardian or a person who is authorized to accompany a person driving under an instruction permit occupies the seat beside the licensee or unless the licensee is traveling between his or her place of residence, school or place of employment.

These two restrictions do not apply, under certain circumstances and with proper authentication, to a person operating a motor vehicle in the service of an organized program that, without compensation, transports teenagers to their homes.

The DOT is required to extend the two restrictions listed above for an additional six-month period if any of the following occurs while the licensee is subject to the restrictions:

- a. The licensee is convicted of a moving offense specified by DOT by rule.
- b. The licensee violates one of the two restrictions in a. or b.
- c. A court or the DOT suspends or revokes the licensee's operating privilege for any reason other than a mental or physical disability. The nine-month period of restriction does not run while a person's operating privilege is suspended or revoked.

[SECTIONS 1, 6-8.]

The Substitute Amendment provides that no separate cause of action under tort law is created by the provisions of the Substitute Amendment that specify the persons who may accompany a person with a probationary license.

D. SUSPENSION FOR EXCESSIVE DEMERIT POINT ACCUMULATION

1. Current Law

Under current law, DOT may suspend a person's operating privilege for excessive demerit point accumulation if a person accumulates 12 demerit points in 12 months. During the period of a probationary license, two demerit points are added to the otherwise applicable demerit points for a second or subsequent violation of a traffic law. [s. 343.085 (3) and (5), Stats.]

2. The Substitute Amendment

Under the Substitute Amendment, the number of demerit points assessed against a person who violates a traffic law while operating under an instruction permit or a probationary license is doubled and the DOT is required to suspend the operating privilege of a probationary licensee who accumulates 12 demerit points in 12 months. [SECTIONS 13 and 15.]

E. ENFORCEMENT OF SAFETY BELT REQUIREMENTS

1. Current Law

Under current law, a law enforcement officer may not stop or inspect a vehicle solely to determine compliance with safety belt equipment, installation or use requirements. However, a law enforcement officer may issue a citation for a safety belt violation observed in the course of a stop or inspection made for other purposes. In addition, a law enforcement officer may not take a person into physical custody solely for a violation of those requirements. [s. 347.48 (2m), Stats.]

2. The Substitute Amendment

The Substitute Amendment provides that a law enforcement officer may stop or inspect a vehicle solely to determine compliance with safety belt equipment installation or use requirements if the driver of the vehicle reasonably appears to be under 18 years of age. [SECTION 16.]

Please contact me at the Legislative Council Staff offices if I can be of further assistance.

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