

2013 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB347)

Received: 9/25/2013 Received By: emueller
Wanted: As time permits Same as LRB:
For: Thomas Weatherston (608) 266-0731 By/Representing: John Leiber
May Contact: Drafter: emueller
Subject: Transportation - driver licenses Addl. Drafters:
Extra Copies: ARG

Submit via email: YES
Requester's email: Rep.Weatherston@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Motorcycle driving skills test waiver for certain courses approved by Wisconsin Motorcycle Safety Program

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	emueller 9/25/2013	kfollett 9/25/2013	jfrantze 9/25/2013	_____			
/P1	emueller 9/25/2013			_____	srose 9/25/2013		
/P2	emueller 9/26/2013	kfollett 9/25/2013	jfrantze 9/25/2013	_____	lparisi 9/25/2013		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1		evinz 9/26/2013	jmurphy 9/26/2013	_____	srose 9/26/2013	srose 9/26/2013	

FE Sent For:

<END>

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/P2		kfollett 9/25/2013	jfrantze 9/25/2013	_____	lparisi 9/25/2013		
11	<i>em</i> 9/26/13	<i>1 eev</i> 9/26/13	<i>Jim</i> 9/26	<i>self</i>			

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/P1	emueller 1P2 & rm 9/25/13	1P2/5f 9/25	Jb	9/25	srose 9/25/2013		
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Motorcycle driving skills test waiver for certain courses approved by Wisconsin Motorcycle Safety Program and DOT

Instructions:

See attached

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/P1				_____	_____	rose 9/25/2013	

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/?	emueller	1 P/15f 9/25		g ba/25			
1 P1	emm 9/25/13						

FE Sent For:

<END>

John @ Rep. Weatherston

- incorp. AAI into AB 347 + make substitute amended.
- use "Wis. Motorcycle Safety Program" in lieu of "Motorcycle Safety Foundation"
 - approval rules by this body reqd.
- restore "basic" in 3 instances in 343.06 (i)(c)



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB 2958/D 50123/P
EVM:jld:ja

ASA to

jld/eev/lje [initials]

INSERTS

RMNR

2013 ASSEMBLY BILL 347

9/25/13

today

August 29, 2013 - Introduced by Representatives STONE, RIPP, BALLWEG, TITTL, BROOKS, KNODL, MURSAU, SPIROS and WEATHERSTON, cosponsored by Senators PETROWSKI, GROTHMAN, L. TAYLOR and LEHMAN. Referred to Committee on Transportation.

reger

- 1 AN ACT to amend 343.16 (1) (a) and 343.16 (2) (cm) of the statutes relating to:
- 2 motorcycle operator's licenses and rider courses.

Substitute amendments

Analysis by the Legislative Reference Bureau

Under current law, with limited exceptions, applicants for a motor vehicle operator's license are required to successfully complete a knowledge test and an on-the-road driving skills test. Also under current law, the Department of Transportation (DOT) must waive the driving skills test for a person applying for authorization to operate motorcycles if the person has successfully completed a basic rider course approved by DOT. This ~~bill~~ requires DOT to waive the motorcycle driving skills test for an applicant who has successfully completed a ~~basic or more advanced~~ rider course approved by DOT.

Also under current law, DOT may not require a person applying for authorization to operate motorcycles who has successfully completed a basic rider course approved by DOT to hold an instruction permit prior to the issuance of a license authorizing the operation of motorcycles. Under this ~~bill~~, DOT may not require a person who is applying for authorization to operate motorcycles and who ~~if the person is under age 18, has successfully completed a basic rider course approved by DOT or, if the person is age 18 or older, has successfully completed a basic or more advanced rider course approved by DOT~~ to hold an instruction permit prior to the issuance of a license authorizing the operation of motorcycles.

INS Analysis

the Wisconsin Motorcycle Safety program use twice

ASSEMBLY BILL 347

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

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

SECTION 1. 343.16 (1) (a) of the statutes is amended to read:

343.16 (1) (a) *General*. Except when examination by a 3rd-party tester is permitted under pars. (b) to (c), the department shall examine every applicant for an operator's license, including applicants for license renewal as provided in sub. (3), and every applicant for authorization to operate a vehicle class or type for which the applicant does not hold currently valid authorization, other than an instruction permit. Except as provided in sub. (2) (cm) and (e), the examinations of applicants for licenses authorizing operation of "Class A", "Class B", "Class C", "Class D" or "Class M" vehicles shall include both a knowledge test and an actual demonstration in the form of a driving skills test of the applicant's ability to exercise ordinary and reasonable control in the operation of a representative vehicle. The department shall not administer a driving skills test to a person applying for authorization to operate "Class M" vehicles who has failed 2 previous such skills tests unless the person has successfully completed a rider course approved by the department. The department may, by rule, exempt certain persons from the rider course requirement of this paragraph. The department may not require a person who is applying for authorization to operate "Class M" vehicles and who, if the person is under age 18, has successfully completed a ^{strike}basic rider course approved by the department ^{strike} or, if the person is age 18 or older, has successfully completed a basic or more advanced rider course approved by the department, to hold an instruction permit under s. 343.07 (4) prior to the department's issuance of a license authorizing the operation of "Class M"

Wisconsin Motorcycle Safety Program

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ASSEMBLY BILL 347

1 vehicles. The department may not require a person applying for authorization to
 2 operate "Class M" vehicles who holds an instruction permit under s. 343.07 (4) to
 3 hold it for a minimum period of time before administering a driving skills test. The
 4 driving skills of applicants for endorsements authorizing the operation of
 5 commercial motor vehicles equipped with air brakes, the transportation of
 6 passengers in commercial motor vehicles or the operation of school buses, as provided
 7 in s. 343.04 (2) (b), (d) or (e), shall also be tested by an actual demonstration of driving
 8 skills. The department may endorse an applicant's commercial driver license for
 9 transporting hazardous materials requiring placarding or any quantity of a material
 10 listed as a select agent or toxin under 42 CFR 73, subject to s. 343.125, or for the
 11 operation of tank vehicles or vehicles towing double or triple trailers, as described
 12 in s. 343.04 (2) (a), (c) or (f), based on successful completion of a knowledge test. In
 13 administering the knowledge test, the department shall attempt to accommodate
 14 any special needs of the applicant. Except as may be required by the department for
 15 an "H" or "S" endorsement, the knowledge test is not intended to be a test for literacy
 16 or English language proficiency. This paragraph does not prohibit the department
 17 from requiring an applicant to correctly read and understand highway signs.

18 SECTION 343.16 (2) (cm) of the statutes is amended to read:

19 343.16 (2) (cm) *Motorcycle waiver.* The department shall waive the driving
 20 skills test of a person applying for authorization to operate "Class M" vehicles if the
 21 applicant has successfully completed a ~~basic~~^{strike} or more advanced rider course approved
 22 by the ~~department~~^{strike}.

(END)

Wisconsin Motorcycle Safety Program



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBa0845/1
EVM:eev:rs

~~ASSEMBLY AMENDMENT 1,
TO ASSEMBLY BILL 347~~

INSERT

~~September 23, 2013 Offered by Representative WEATHERSTON~~

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 1: before that line insert:

3 ~~SECTION 19.343.06~~ 343.06 (1) (c) of the statutes is amended to read:

4 343.06 (1) (c) To any person under age 18 unless the person is enrolled in a
5 school program or high school equivalency program and is not a habitual truant as
6 defined in s. 118.16 (1) (a), has graduated from high school or been granted a
7 declaration of high school graduation equivalency, or is enrolled in a home-based
8 private educational program, as defined in s. 115.001 (3g), and has satisfactorily
9 completed a course in driver education in public schools approved by the department
10 of public instruction, or in technical colleges approved by the technical college system
11 board, or in nonpublic and private schools or tribal schools, as defined in s. 115.001
12 (15m), that meet the minimum standards set by the department of public
13 instruction, or has satisfactorily completed a substantially equivalent course in

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cfd.

C+D.

1 driver training approved by the department and given by a school licensed by the
 2 department under s. 343.61, or has satisfactorily completed a substantially
 3 equivalent course in driver education or training approved by another state and has
 4 attained the age of 16, except as provided in s. 343.07 (1g). The department shall not
 5 issue a license to any person under the age of 18 authorizing the operation of "Class
 6 M" vehicles unless the person has successfully completed a ^{plain} ~~basic~~ rider course
 7 designated by the Motorcycle Safety Foundation as a driving skills test waiver course
 8 ~~and~~ ^{strike} approved by the ~~department~~. The department may, by rule, exempt certain
 9 persons from the ^{plain} ~~basic~~ rider course requirement of this paragraph. Applicants for
 10 a license under s. 343.08 or 343.135 are exempt from the driver education, ^{undo strike} ~~basic~~ rider
 11 or driver training course requirement. The secretary shall prescribe rules for
 12 licensing of schools and instructors to qualify under this paragraph. The driver
 13 education course shall be made available to every eligible student in the state.
 14 Except as provided under s. 343.16 (1) (bm) and (c) and (2) (cm) to (e), no operator's
 15 license may be issued unless a driver's examination has been administered by the
 16 department." ^{plain}

17 **2.** Page 2, line 1: delete "SECTION 1" and substitute "SECTION 1m".

18 **3.** Page 2, line 17: delete lines 17 to 20 and substitute "authorization to operate
 19 "Class M" vehicles and who has successfully completed a basic rider course
 20 designated by the Motorcycle Safety Foundation as a driving skills test waiver course
 21 and approved by the department to hold an instruction permit under s. 343.07 (4)".

Wisconsin Motorcycle Safety Program



stays

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY SUBSTITUTE AMENDMENT,
TO ASSEMBLY BILL 347

9/25/13

Today

1 **AN ACT to amend** 343.06 (1) (c), 343.16 (1) (a) and 343.16 (2) (cm) of the statutes;
2 **relating to:** motorcycle operator's licenses and rider courses.

DOT

Analysis by the Legislative Reference Bureau

Under current law, with limited exceptions, applicants for a motor vehicle operator's license are required to successfully complete a knowledge test and an on-the-road driving skills test. Also under current law, the Department of Transportation (DOT) must waive the driving skills test for a person applying for authorization to operate motorcycles if the person has successfully completed a basic rider course approved by DOT. This substitute amendment requires DOT to waive the motorcycle driving skills test for an applicant who has successfully completed a rider course approved by the Wisconsin Motorcycle Safety Program.

Also under current law, DOT may not require a person applying for authorization to operate motorcycles who has successfully completed a basic rider course approved by DOT to hold an instruction permit prior to the issuance of a license authorizing the operation of motorcycles. Under this substitute amendment, DOT may not require a person who is applying for authorization to operate motorcycles and who has successfully completed a rider course approved by the Wisconsin Motorcycle Safety Program to hold an instruction permit prior to the issuance of a license authorizing the operation of motorcycles.

DOT

DOT

Under current law, DOT generally may not issue a license authorizing the operation of motorcycles to a person under the age of 18 unless the person has completed a basic rider course approved by DOT. Under this substitute amendment, DOT may not issue such a license unless the person has completed a basic rider course approved by the Wisconsin Motorcycle Safety Program.

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

1 SECTION 1. 343.06 (1) (c) of the statutes is amended to read:

2 343.06 (1) (c) To any person under age 18 unless the person is enrolled in a
3 school program or high school equivalency program and is not a habitual truant as
4 defined in s. 118.16 (1) (a), has graduated from high school or been granted a
5 declaration of high school graduation equivalency, or is enrolled in a home-based
6 private educational program, as defined in s. 115.001 (3g), and has satisfactorily
7 completed a course in driver education in public schools approved by the department
8 of public instruction, or in technical colleges approved by the technical college system
9 board, or in nonpublic and private schools or tribal schools, as defined in s. 115.001
10 (15m), that meet the minimum standards set by the department of public
11 instruction, or has satisfactorily completed a substantially equivalent course in
12 driver training approved by the department and given by a school licensed by the
13 department under s. 343.61, or has satisfactorily completed a substantially
14 equivalent course in driver education or training approved by another state and has
15 attained the age of 16, except as provided in s. 343.07 (1g). The department shall not
16 issue a license to any person under the age of 18 authorizing the operation of "Class
17 M" vehicles unless the person has successfully completed a basic rider course
18 approved by the ~~department~~ ^{department of transportation} Wisconsin motorcycle safety program. The department
19 may, by rule, exempt certain persons from the basic rider course requirement of this

1 paragraph. Applicants for a license under s. 343.08 or 343.135 are exempt from the
2 driver education, basic rider or driver training course requirement. The secretary
3 shall prescribe rules for licensing of schools and instructors to qualify under this
4 paragraph. The driver education course shall be made available to every eligible
5 student in the state. Except as provided under s. 343.16 (1) (bm) and (c) and (2) (cm)
6 to (e), no operator's license may be issued unless a driver's examination has been
7 administered by the department.

8 **SECTION 2.** 343.16 (1) (a) of the statutes is amended to read:

9 343.16 (1) (a) *General.* Except when examination by a 3rd-party tester is
10 permitted under pars. (b) to (c), the department shall examine every applicant for an
11 operator's license, including applicants for license renewal as provided in sub. (3),
12 and every applicant for authorization to operate a vehicle class or type for which the
13 applicant does not hold currently valid authorization, other than an instruction
14 permit. Except as provided in sub. (2) (cm) and (e), the examinations of applicants
15 for licenses authorizing operation of "Class A", "Class B", "Class C", "Class D" or
16 "Class M" vehicles shall include both a knowledge test and an actual demonstration
17 in the form of a driving skills test of the applicant's ability to exercise ordinary and
18 reasonable control in the operation of a representative vehicle. The department shall
19 not administer a driving skills test to a person applying for authorization to operate
20 "Class M" vehicles who has failed 2 previous such skills tests unless the person has
21 successfully completed a rider course approved by the department. The department
22 may, by rule, exempt certain persons from the rider course requirement of this
23 paragraph. The department may not require a person who is applying for
24 authorization to operate "Class M" vehicles and who has successfully completed a
25 basic rider course approved by the department Wisconsin motorcycle safety program
department of transportation

1 to hold an instruction permit under s. 343.07 (4) prior to the department's issuance
2 of a license authorizing the operation of "Class M" vehicles. The department may not
3 require a person applying for authorization to operate "Class M" vehicles who holds
4 an instruction permit under s. 343.07 (4) to hold it for a minimum period of time
5 before administering a driving skills test. The driving skills of applicants for
6 endorsements authorizing the operation of commercial motor vehicles equipped with
7 air brakes, the transportation of passengers in commercial motor vehicles or the
8 operation of school buses, as provided in s. 343.04 (2) (b), (d) or (e), shall also be tested
9 by an actual demonstration of driving skills. The department may endorse an
10 applicant's commercial driver license for transporting hazardous materials
11 requiring placarding or any quantity of a material listed as a select agent or toxin
12 under 42 CFR 73, subject to s. 343.125, or for the operation of tank vehicles or
13 vehicles towing double or triple trailers, as described in s. 343.04 (2) (a), (c) or (f),
14 based on successful completion of a knowledge test. In administering the knowledge
15 test, the department shall attempt to accommodate any special needs of the
16 applicant. Except as may be required by the department for an "H" or "S"
17 endorsement, the knowledge test is not intended to be a test for literacy or English
18 language proficiency. This paragraph does not prohibit the department from
19 requiring an applicant to correctly read and understand highway signs.

20 **SECTION 3.** 343.16 (2) (cm) of the statutes is amended to read:

21 343.16 (2) (cm) *Motorcycle waiver.* The department shall waive the driving
22 skills test of a person applying for authorization to operate "Class M" vehicles if the
23 applicant has successfully completed a basic rider course approved by the
24 department ^{department of transportation} Wisconsin motorcycle safety program.



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY SUBSTITUTE AMENDMENT,
TO ASSEMBLY BILL 347

RMK

No changes

9/26/13

Today

regen

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- 2 relating to: motorcycle operator's licenses and rider courses.

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Also under current law, DOT may not require a person applying for authorization to operate motorcycles who has successfully completed a basic rider course approved by DOT to hold an instruction permit prior to the issuance of a license authorizing the operation of motorcycles. Under this substitute amendment, DOT may not require a person who is applying for authorization to operate motorcycles and who has successfully completed a rider course approved by the Wisconsin DOT Motorcycle Safety Program to hold an instruction permit prior to the issuance of a license authorizing the operation of motorcycles.

Under current law, DOT generally may not issue a license authorizing the operation of motorcycles to a person under the age of 18 unless the person has completed a basic rider course approved by DOT. Under this substitute amendment, DOT may not issue such a license unless the person has completed a basic rider course approved by the Wisconsin DOT Motorcycle Safety Program.

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

1 **SECTION 1.** 343.06 (1) (c) of the statutes is amended to read:

2 343.06 (1) (c) To any person under age 18 unless the person is enrolled in a
3 school program or high school equivalency program and is not a habitual truant as
4 defined in s. 118.16 (1) (a), has graduated from high school or been granted a
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8 of public instruction, or in technical colleges approved by the technical college system
9 board, or in nonpublic and private schools or tribal schools, as defined in s. 115.001
10 (15m), that meet the minimum standards set by the department of public
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13 department under s. 343.61, or has satisfactorily completed a substantially
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21 successfully completed a rider course approved by the department. The department
22 may, by rule, exempt certain persons from the rider course requirement of this
23 paragraph. The department may not require a person who is applying for
24 authorization to operate "Class M" vehicles and who has successfully completed a
25 basic rider course approved by the department Wisconsin department of

1 transportation motorcycle safety program to hold an instruction permit under s.
2 343.07 (4) prior to the department's issuance of a license authorizing the operation
3 of "Class M" vehicles. The department may not require a person applying for
4 authorization to operate "Class M" vehicles who holds an instruction permit under
5 s. 343.07 (4) to hold it for a minimum period of time before administering a driving
6 skills test. The driving skills of applicants for endorsements authorizing the
7 operation of commercial motor vehicles equipped with air brakes, the transportation
8 of passengers in commercial motor vehicles or the operation of school buses, as
9 provided in s. 343.04 (2) (b), (d) or (e), shall also be tested by an actual demonstration
10 of driving skills. The department may endorse an applicant's commercial driver
11 license for transporting hazardous materials requiring placarding or any quantity
12 of a material listed as a select agent or toxin under 42 CFR 73, subject to s. 343.125,
13 or for the operation of tank vehicles or vehicles towing double or triple trailers, as
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22 343.16 (2) (cm) *Motorcycle waiver.* The department shall waive the driving
23 skills test of a person applying for authorization to operate "Class M" vehicles if the

1 applicant has successfully completed a basic rider course approved by the
2 department Wisconsin department of transportation motorcycle safety program.

3 (END)