

2013 DRAFTING REQUEST

Bill

Received: **9/19/2013** Received By: **agary**
Wanted: **As time permits** Same as LRB:
For: **Luther Olsen (608) 266-0751** By/Representing: **Sara Archibald**
May Contact: Drafter: **agary**
Subject: **Transportation - driver licenses** Addl. Drafters:
Extra Copies: **EVM**

Submit via email: **YES**
Requester's email: **Sen.Olsen@legis.wisconsin.gov**
Carbon copy (CC) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Authorizing online driver courses

Instructions:

Constituent wants to offer 30 hour driver ed course as an online course; DOT says it can only be done in person, that online courses are not allowed, per Trans 105; create statutory provision authorizing online driver ed courses

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>
/?	agary 10/7/2013			_____			
/P1	agary 12/5/2013	jdyer 10/8/2013	jmurphy 10/8/2013	_____	sbasford 10/8/2013		State
/P2	agary	jdyer	rschluet	_____	sbasford		State

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	2/19/2014	12/5/2013	12/5/2013	_____	12/5/2013		
/1		evinz 2/19/2014	rschluet 2/19/2014	_____	srose 2/19/2014	srose 2/19/2014	State

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Handwritten signature and date: 2/20/14

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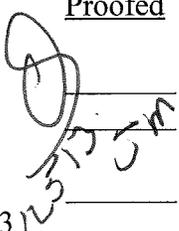
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/?	agary	P1 10/7 jld	Jw 10/8	self			

FE Sent For:

<END>



in
10/7



soon

JLD

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

D-Note

✓ Gen

1 AN ACT ...; relating to: online instruction provided by driver schools licensed by
2 the Department of Transportation. ✓

Analysis by the Legislative Reference Bureau

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

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

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

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

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

4 343.61 (2) (a) 3. Identification of all driver school office locations and
5 identification of all driver school classroom locations or, if instruction is to be

1 provided by means of the Internet rather than at a classroom, a statement to this
2 effect.

History: 1977 c. 29 s. 1654 (7) (a), (e); 1977 c. 273; 1989 a. 31; 1993 a. 455; 1997 a. 27, 191, 237; 1999 a. 9, 32, 124; 2005 a. 397, ss. 6 to 18, 31 to 38, 55, 67, and 72; 2005 a. 466; 2007 a. 20; 2013 a. 36.

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

4 343.61 (2) (am) A driver school may provide to the department a written
5 certification that the driver school has complied with all applicable driver school
6 office and driver school classroom requirements imposed under this subchapter or
7 under any rule promulgated by the department under this subchapter. For purposes
8 of this paragraph and par. (c), classroom instruction includes instruction provided
9 by means of the Internet if the driver school provides instruction by means of the
10 Internet in lieu of providing instruction at a driver school classroom.

History: 1977 c. 29 s. 1654 (7) (a), (e); 1977 c. 273; 1989 a. 31; 1993 a. 455; 1997 a. 27, 191, 237; 1999 a. 9, 32, 124; 2005 a. 397, ss. 6 to 18, 31 to 38, 55, 67, and 72; 2005 a. 466; 2007 a. 20; 2013 a. 36.

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

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

History: 1977 c. 29 s. 1654 (7) (a), (e); 1977 c. 273; 1989 a. 31; 1993 a. 455; 1997 a. 27, 191, 237; 1999 a. 9, 32, 124; 2005 a. 397, ss. 6 to 18, 31 to 38, 55, 67, and 72; 2005 a. 466; 2007 a. 20; 2013 a. 36.

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

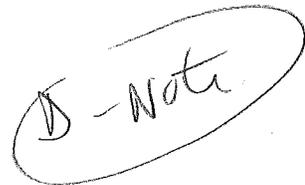
22 343.62 (4) (b) Notwithstanding par. (a), the department may issue an original
23 instructor's license that is restricted to classroom instruction to an applicant who

1 does not otherwise qualify for a license because the applicant does not meet the
2 requirements specified in par. (a) 2., 3., or 5. The department may not issue an
3 instructor's license that is restricted to classroom instruction under this paragraph
4 unless the applicant satisfies standards established by the department by rule
5 relating to the ability of the applicant to communicate clearly and concisely and to
6 control the classroom environment and behavior and establishing any further
7 certification required by the department. For purposes of this paragraph and par.
8 (c), classroom instruction includes instruction provided by means of the Internet if
9 the driver school provides instruction by means of the Internet in lieu of providing
10 instruction at a driver school classroom.

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36.

11

(END)



DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3193/P1dn

ARG:.....

date

Jld

ATTN: Sara Archibald ✓

Please review the attached draft carefully to ensure that it is consistent with your intent.

Do you want to require, as a condition of the driver school providing online instruction, that DOT have electronic access to that instruction? ✓

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3193/P1dn
ARG:jld:jm

October 8, 2013

ATTN: Sara Archibald

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Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

Gary, Aaron

From: Gary, Aaron
Sent: Tuesday, December 03, 2013 4:23 PM
To: Harriman, Amy
Subject: RE: LRB 3193

Hi Amy,

I'm not sure if that exact language will work, but I understand DOT's intent and will redraft accordingly. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Harriman, Amy
Sent: Tuesday, December 03, 2013 3:11 PM
To: Gary, Aaron
Subject: LRB 3193

Aaron-

Sarah in our office was previously working with you on LRB 3193. We have heard from the Department of Transportation who would like the works, "in lieu of" to be replaced by "in place of or in addition to". Would it be possible to get a P2 on the bill with that language?

Let me know your thoughts.

Thanks,

Amy Harriman

Senator Luther Olsen
14th Senate District
608-266-0751
amy.harriman@legis.wisconsin.gov
[Senator Olsen on Facebook](#)



soon



LRB-3193/PZ
ARG:jld:jm

in
12/5

KMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

✓ instead of, or in addition to,

Regen

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

Analysis by the Legislative Reference Bureau

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

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

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

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

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 2 identification of all driver school classroom locations ^{and} ~~or~~ ^{if} instruction is to be
 3 provided by means of the Internet rather than at a classroom, a statement to this
 4 effect.

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

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 7 certification that the driver school has complied with all applicable driver school
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6 control the classroom environment and behavior and establishing any further
7 certification required by the department. For purposes of this paragraph and par.
8 (c), classroom instruction includes instruction provided by means of the Internet if
9 the driver school provides instruction by means of the Internet [✓] in lieu of providing
10 instruction at a driver school classroom.

11

(END)

Gary, Aaron

From: Parisi, Lori
Sent: Wednesday, February 19, 2014 3:21 PM
To: Gary, Aaron
Subject: LRB 13-3193/P2

Hi Aaron, Yet another..... Sarah from Sen. Olson's office just called and requested this draft be converted to a /1 asap please.

Thanks.
Lori



State of Wisconsin
2013 - 2014 LEGISLATURE

in
2/19



LRB-3193/271

ARG:jld:rs

TODAY

RMA

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

No changes

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8 (END)