

## 2013 DRAFTING REQUEST

### Bill

Received: 9/28/2012 Received By: emueller  
Wanted: As time permits Same as LRB: -2826  
For: Jerry Petrowski (608) 266-2502 By/Representing: Anna Richter  
May Contact: Drafter: emueller  
Subject: Transportation - driver licenses Addl. Drafters:  
Extra Copies: ARG

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

---

#### Pre Topic:

No specific pre topic given

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#### Topic:

Motorcycle driving skills test and instruction permit waiver for more advanced rider courses (NB 1315-18).

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#### Instructions:

See attached

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#### 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 12/3/2012			_____			
/P1	emueller 12/19/2012	jdyer 12/6/2012	phenry 12/6/2012	_____	lparisi 12/6/2012		State
/P2	emueller 7/22/2013	jdyer 1/2/2013	rschluet 1/2/2013	_____	sbasford 1/2/2013		State

<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 7/23/2013	jfrantze 7/23/2013	_____	srose 7/23/2013	sbasford 8/7/2013	State

FE Sent For:

*at it's  
8/21/13*

<END>

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**Instructions:**

See attached

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/P2	emueller	jdyer 1/2/2013	rschluet 1/2/2013	_____	sbasford 1/2/2013		State

1/1 EVM 7/22/13  
1/1 ECV 7/23/13  
Jo 7/23

FE Sent For:

**<END>**

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May Contact: Drafter: **emueller**  
Subject: **Transportation - driver licenses** Addl. Drafters:  
Extra Copies: **ARG**

Submit via email: **YES**  
Requester's email: **Anna.Richter@dot.wi.gov**  
Carbon copy (CC) to:

**Pre Topic:**

No specific pre topic given

**Topic:**

Motorcycle driving skills test and instruction permit waiver for more advanced rider courses (NB 1315-18).

**Instructions:**

See attached

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**Topic:**

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**Instructions:**

See attached

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/?	emueller 12/3/2012	<i>P2 1/2 jld</i>					
/P1	emueller	jdye 12/6/2012	phenry 12/6/2012		lparisi 12/6/2012		State
<i>1/P2 EVM</i>	<i>12/19/12</i>						

FE Sent For:

*12/13*  
<END>

## Mueller, Eric

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**From:** Richter, Anna - DOT <Anna.Richter@dot.wi.gov>  
**Sent:** Wednesday, December 12, 2012 10:19 AM  
**To:** Mueller, Eric  
**Subject:** FW: Draft review: LRB -0184/P1 Topic: Motorcycle driving skills test waiver for more advanced rider courses (NB 1315-18).

Hi Eric,

Responses to your drafters note below:

**From:** Wyatt, Zachary D - DOT  
**Sent:** Wednesday, December 12, 2012 9:50 AM  
**To:** Richter, Anna - DOT; Patzer, Gregory - DOT  
**Cc:** Nilsen, Paul - DOT; LaSage, Stephanie A - DOT  
**Subject:** RE: Draft review: LRB -0184/P1 Topic: Motorcycle driving skills test waiver for more advanced rider courses (NB 1315-18).

The draft looks good.

As to Eric's questions:

- We do not want to alter 343.06(1)(c). We still want individuals under 18 to take the basic rider course before being allowed to get their M endorsement.
- We do want to alter 343.16(1)(a) to reference more advanced courses, but it will need to operate in conjunction with 343.06(1)(c). The instruction permit exemption should be available after completing a basic course, or after completing an advanced course only if the individual is 18 or older.

**Zachary Wyatt**  
Legislative Liaison  
Division of State Patrol, WisDOT  
608.266.0403

**From:** Richter, Anna - DOT  
**Sent:** Thursday, December 06, 2012 2:28 PM  
**To:** Patzer, Gregory - DOT; Wyatt, Zachary D - DOT  
**Cc:** Nilsen, Paul - DOT; LaSage, Stephanie A - DOT  
**Subject:** FW: Draft review: LRB -0184/P1 Topic: Motorcycle driving skills test waiver for more advanced rider courses (NB 1315-18).

For your review.  
Anna

**From:** LRB.Legal [<mailto:LRB-LegalServices@legis.wisconsin.gov>]  
**Sent:** Thursday, December 06, 2012 1:00 PM  
**To:** Richter, Anna - DOT  
**Subject:** Draft review: LRB -0184/P1 Topic: Motorcycle driving skills test waiver for more advanced rider courses (NB 1315-18).

Following is the PDF version of draft LRB -0184/P1 and drafter's note.

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Subject: **Transportation - driver licenses** Addl. Drafters:  
Extra Copies: **ARG**

Submit via email: **YES**  
Requester's email: **Anna.Richter@dot.wi.gov**  
Carbon copy (CC) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Motorecycle driving skills test waiver for more advanced rider courses (NB 1315-18).

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**Instructions:**

See attached

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**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 12/3/2012			_____			
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FE Sent For:

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**Pre Topic:**

No specific pre topic given

**Topic:**

Motorcycle driving skills test waiver for more advanced rider courses (NB 1315-18).

**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>
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/? emueller

1/1 12/3/12

1/6  
PA  
gm

FE Sent For:

<END>

**LEGISLATIVE BUDGET/NON-BUDGET PROPOSAL  
2013-2015 BIENNIUM**

Wisconsin Department of Transportation

DT1586 6/2012

**Instructions:** Complete this form for any budget/non-budget legislative initiative for which a Division requests the Secretary's Office (SO) approval. Check the budget box only if the proposal has a fiscal impact on department expenditures or revenue. This form must be signed by the Division Administrator(s). Include this form with your budget submittal materials or return one completed copy to the Office of Policy, Budget & Finance (OPBF), Attention: Paul Hammer. The form is available at: <http://dotnet/forms/authorized.htm>.

Short Title of Topic <b>Motorcycle road skills test waiver for Class M license endorsements of intermediate or advanced rider education courses</b>			
Type of Proposal <input type="checkbox"/> Budget <input checked="" type="checkbox"/> Non-Budget	OGC OFFICE USE ONLY "T" Number Assigned	"B" Number Assigned	"NB" Number Assigned 1315-18
Date Submitted 7/11/2012	Division(s) State Patrol		
OPBF Contact Person John Swissler	(Area Code) Telephone Number (608) 266-0349		
Lead Division Contact Person Greg Patzer	(Area Code) Telephone Number (608) 266-7844		
OGC Contact Person Paul Nilsen	(Area Code) Telephone Number (608) 261-0125		
Define Problem Precisely Under current law, M/C skills test waivers are granted only to students who successfully complete a Basic Rider Course such as the BRC1 (Basic Rider Course-1), SBRC (Scooter Basic Rider Course), or (3WBRC) 3-Wheel Basic Rider Course. However M/C skills test waivers are not available to students who successfully complete the BRC2 (Intermediate Rider Course for Motorcycles) or ARC (Advanced Rider Course).			
Description of Proposed Change Amend s.343.16(2)(cm2) to allow the Department of Transportation to provide M/C skills waivers to students who successfully complete the BRC2 (Intermediate Rider Course) or the ARC (Advanced Rider Course) if they do not already possess a Class M license endorsement.			
Justification for Change A large, but unknown, number of M/C riders have extensive riding experience but are not properly licensed (i.e. do not hold a Class M endorsement). If they enroll in/successfully complete one of the WisDOT Basic Rider Courses, they receive a waiver of the M/C road skills test. Due to their extensive on-the-road riding experience, they more appropriately belong in an intermediate or advanced rider course. But, incongruously, successful completion of the more advanced (BRC2) intermediate rider course and (ARC) advanced rider course does not provide a waiver of the road skills test. With less incentive for veteran riders to enroll in an advanced rider course, they either (1) enroll in a basic rider course, which in some years exacerbates waiting list problems at some basic rider course locations, or (2) continue to ride illegally without proper endorsement and without the life-saving skills and knowledge gained from an advanced form of rider education.			
This concept was an element of the 2000 National Agenda for Motorcycle Safety. This proposal was discussed at DOT staff meetings with representatives of the motorcycling community during the winter of 2003-2004.			
Describe any legislative history and related statutory language s.343.16(2)(cm)			

**X** \_\_\_\_\_ (Date)  
(Division Administrator Signature)

**X** \_\_\_\_\_ (Date)  
(Division Administrator Signature)

**X** \_\_\_\_\_ (Date)  
(Division Administrator Signature)



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-0184/P1

EVM: A:...

JLD

Note

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

RMR

In 12/3/12

\* LX  
1

AN ACT ...; relating to: waiver of motorcycle driving skills tests

gen

a

g

**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 the department.

\*

DOT

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:**

2  
3  
4

SECTION 1. 343.16 (2) (cm) of the statutes is amended to read:

343.16 (2) (cm) *Motorcycle waiver.* The department shall waive the driving skills test of a person applying for authorization to operate "Class M" vehicles if the

1 applicant has successfully completed a basic <sup>✓</sup> or more advanced rider course approved  
2 by the department.

3 **Cross-reference:** ~~Cross-reference:~~ ~~Cross-reference:~~ See also s. Trans 129.03, Wis. adm. code. **Cross-reference:**  
**History:** 1971 c. 164 s. 83; 1973 c. 90, 176; 1975 c. 36, 199; 1977 c. 29 ss. 1456, 1654 (7) (a), (c); 1977 c. 273, 418; 1979 c. 34 ss. 1067m, 2102 (52) (a); 1979 c. 221, 345;  
1981 c. 20; 1983 a. 74, 243, 534, 538; 1985 a. 65, 337; 1987 a. 3, 40, 215; 1989 a. 31, 105, 359; 1991 a. 21, 32, 39, 316; 1993 a. 16, 19, 183, 399; 1995 a. 27 s. 9145 (1); 1995  
a. 113, 195, 448; 1997 a. 27, 84, 237; 1999 a. 32, 140; 2001 a. 105; 2003 a. 33; 2005 a. 187, 253, 466; 2007 a. 20, 68, 97, 162; 2009 a. 28, 302; 2011 a. 32, 161.

4 (END)

*Note*

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

LRB-0184/P1dn

EVM:A:...

date

JLD

ATTN: Anna Richter ✓

Do you want to amend ss. 343.06 (1) (c) ✓ and 343.16 (1) (a) ✓, stats., to reference more advanced rider courses?

Eric V. Mueller  
Legislative Attorney  
Phone: (608) 261-7032  
E-mail: eric.mueller@legis.wisconsin.gov

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

LRB-0184/P1dn  
EVM:jld:ph

December 6, 2012

ATTN: Anna Richter

Do you want to amend ss. 343.06 (1) (c) and 343.16 (1) (a), stats., to reference more advanced rider courses?

Eric V. Mueller  
Legislative Attorney  
Phone: (608) 261-7032  
E-mail: [eric.mueller@legis.wisconsin.gov](mailto:eric.mueller@legis.wisconsin.gov)



**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

(R MR)

INSERT

12/19/12

LX  
1  
2

107cm

AN ACT to amend 343.16 (2) (cm) of the statutes relating to: waiver of a motorcycle driving skills test, <sup>operator's licenses</sup> and <sup>and rider courses</sup>

**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.

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  
4  
5

SECTION 1. 343.16 (2) (cm) of the statutes is amended to read:

343.16 (2) (cm) *Motorcycle waiver.* The department shall waive the driving skills test of a person applying for authorization to operate "Class M" vehicles if the

INS-  
Analysis

INS  
1-3

1 applicant has successfully completed a basic or more advanced rider course approved  
2 by the department.

3 (END)

2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-0184/P2ins  
EVM:jld:ph

1 INS-Analysis

2

Also under current law, DOT<sup>✓</sup> 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<sup>18</sup>, 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.<sup>✓</sup> \*

3 INS 1-3

4

5 SECTION 1. 343.16 (1) (a)<sup>X</sup> of the statutes is amended to read:

6 343.16 (1) (a) *General*. Except when examination by a 3rd-party tester is  
7 permitted under pars. (b) to (c), the department shall examine every applicant for an  
8 operator's license, including applicants for license renewal as provided in sub. (3),  
9 and every applicant for authorization to operate a vehicle class or type for which the  
10 applicant does not hold currently valid authorization, other than an instruction  
11 permit. Except as provided in sub. (2) (cm) and (e), the examinations of applicants  
12 for licenses authorizing operation of "Class A", "Class B", "Class C", "Class D" or  
13 "Class M" vehicles shall include both a knowledge test and an actual demonstration  
14 in the form of a driving skills test of the applicant's ability to exercise ordinary and  
15 reasonable control in the operation of a representative vehicle. The department shall  
16 not administer a driving skills test to a person applying for authorization to operate  
17 "Class M" vehicles who has failed 2 previous such skills tests unless the person has  
18 successfully completed a rider course approved by the department. The department



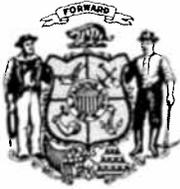
1 may, by rule, exempt certain persons from the rider course requirement of this  
2 paragraph. The department may not require a person who is applying for  
3 authorization to operate "Class M" vehicles and who, if the person is under age 18, ✓  
4 has successfully completed a basic rider course approved by the department <sup>plain</sup> ~~or, if the~~ ✓  
5 person is age 18<sup>✓</sup> or older, has successfully completed a basic or more advanced rider  
6 course approved by the department, ✓ to hold an instruction permit under s. 343.07 (4)  
7 prior to the department's issuance of a license authorizing the operation of "Class M"  
8 vehicles. The department may not require a person applying for authorization to  
9 operate "Class M" vehicles who holds an instruction permit under s. 343.07 (4) to  
10 hold it for a minimum period of time before administering a driving skills test. The  
11 driving skills of applicants for endorsements authorizing the operation of  
12 commercial motor vehicles equipped with air brakes, the transportation of  
13 passengers in commercial motor vehicles or the operation of school buses, as provided  
14 in s. 343.04 (2) (b), (d) or (e), shall also be tested by an actual demonstration of driving  
15 skills. The department may endorse an applicant's commercial driver license for  
16 transporting hazardous materials requiring placarding or any quantity of a material  
17 listed as a select agent or toxin under 42 CFR 73, subject to s. 343.125, or for the  
18 operation of tank vehicles or vehicles towing double or triple trailers, as described  
19 in s. 343.04 (2) (a), (c) or (f), based on successful completion of a knowledge test. In  
20 administering the knowledge test, the department shall attempt to accommodate  
21 any special needs of the applicant. Except as may be required by the department for  
22 an "H" or "S" endorsement, the knowledge test is not intended to be a test for literacy



- 1 or English language proficiency. This paragraph does not prohibit the department
- 2 from requiring an applicant to correctly read and understand highway signs.

**History:** 1971 c. 164 s. 83; 1973 c. 90, 176; 1975 c. 36, 199; 1977 c. 29 ss. 1456, 1654 (7) (a), (c); 1977 c. 273, 418; 1979 c. 34 ss. 1067m, 2102 (52) (a); 1979 c. 221, 345; 1981 c. 20; 1983 a. 74, 243, 534, 538; 1985 a. 65, 337; 1987 a. 3, 40, 215; 1989 a. 31, 105, 359; 1991 a. 21, 32, 39, 316; 1993 a. 16, 19, 183, 399; 1995 a. 27 s. 9145 (1); 1995 a. 113, 195, 448; 1997 a. 27, 84, 237; 1999 a. 32, 140; 2001 a. 105; 2003 a. 33; 2005 a. 187, 253, 466; 2007 a. 20, 68, 97, 162; 2009 a. 28, 302; 2011 a. 32, 161.

(end Ins 1-3)



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-0184/P2  
EVM:jld:rs

stays

RMR

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

No  
Changes

7/22/13

Soon

reg

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.

***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.

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:***

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

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

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 2.** 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 or more advanced rider course approved  
22 by the department.

23 (END)

**Basford, Sarah**

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**From:** Punches, Derek  
**Sent:** Wednesday, August 07, 2013 9:14 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -0184/1 Topic: Motorcycle driving skills test and instruction permit waiver for more advanced rider courses (NB 1315-18).

Please Jacket LRB -0184/1 for the SENATE.