



## 1997 ASSEMBLY BILL 760

February 3, 1998 - Introduced by Representative BRANDEMUEHL, cosponsored by Senator PLACHE, by request of Department of Transportation. Referred to Committee on Highways and Transportation.

1     **AN ACT to amend** 343.05 (1) (a); and **to create** 343.085 (2) (c), 343.16 (1) (d) and  
2           343.20 (1) (e) 3. of the statutes; **relating to:** issuing regular operator's licenses  
3           to drivers licensed to operate certain noncommercial vehicles in another  
4           country.

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### *Analysis by the Legislative Reference Bureau*

With limited exceptions, current law requires the department of transportation (DOT) to examine every person who applies for a driver's license or an authorization to operate a vehicle class or type which the person may not then operate. The examinations generally 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.

This bill authorizes the chief administrator of the division of motor vehicles in DOT to enter into reciprocal agreements with corresponding officials of other countries, or of other provinces or subdivisions of a country, to waive both the knowledge test and the driving skills test of any applicant for a regular driver's license who possesses a valid equivalent license issued by the other country, province or subdivision. Under an agreement, DOT will issue a regular license that expires 3 years after the applicant's next birthday to an applicant who has been issued a license by the country, province or subdivision for at least 3 years and who is at least 21 years of age. Any other applicant who possesses a valid license issued by the country, province or subdivision will be issued a probationary license that expires 2 years after the applicant's next birthday. The bill limits these agreements to

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countries, provinces or subdivisions whose testing standards are at least as stringent as those of this state. The bill authorizes the reciprocal waiver of testing for a license to operate only "Class D" vehicles, such as automobiles and light trucks, and "Class M" vehicles (type 1 motorcycles) and does not authorize a waiver of any test for a license to operate commercial motor vehicles.

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

1           **SECTION 1.** 343.05 (1) (a) of the statutes is amended to read:

2           343.05 (1) (a) Except as provided in this subsection, no person may at any time  
3 have more than one operator's license. This prohibition includes, without limitation,  
4 having licenses from more than one state, having licenses under more than one name  
5 or birthdate, having an occupational license without having surrendered the revoked  
6 or suspended license document, and having more than one license issued for the  
7 operation of different types or classes of vehicles. This paragraph does not apply to  
8 any person who has only operator's licenses issued by this state and by a country,  
9 province or subdivision that is a party to an agreement under s. 343.16 (1) (d).

10           **SECTION 2.** 343.085 (2) (c) of the statutes is created to read:

11           343.085 (2) (c) Any person entitled to a regular license under an agreement  
12 entered into under s. 343.16 (1) (d) is exempt from this section.

13           **SECTION 3.** 343.16 (1) (d) of the statutes is created to read:

14           343.16 (1) (d) *Foreign license reciprocity.* The chief administrator of the  
15 division of motor vehicles may, with the appropriate official of another country or of  
16 a province or other subdivision of another country, enter into a reciprocal agreement  
17 under which this state and the other country, province or other subdivision agree to  
18 waive any knowledge test and driving skills test of an applicant for an operator's  
19 license to operate "Class D" vehicles, as described in s. 343.04 (1) (d), or "Class M"

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1 vehicles, as described in s. 343.04 (1) (e), or both, if the applicant possesses a valid  
2 license to operate those vehicles, other than an instructional permit, issued by this  
3 state or the other country, province or other subdivision. The chief administrator  
4 may enter into an agreement under this paragraph only if the criteria for any  
5 knowledge test and driving skills test required by the other country, province or other  
6 subdivision for those types of vehicles are at least as stringent as the requirements  
7 of this state. The agreement shall specify all of the following:

8 1. That the department will issue a regular license, as described in s. 343.03  
9 (3) (a), to any person moving to this state who has been licensed by the other country,  
10 province or other subdivision for at least 3 years, who presently holds a license to  
11 operate that type of vehicle, other than an instructional permit, from the other  
12 country, province or other subdivision and who is at least 21 years of age.  
13 Notwithstanding s. 343.03 (3) (a), a regular license issued under this subdivision  
14 may be endorsed to permit operation of Type 1 motorcycles, but may not be endorsed  
15 to permit operation of school buses. The department shall issue a probationary  
16 license under s. 343.085 to any other applicant who holds a valid operator's license  
17 issued by the other country, province or other subdivision.

18 2. That whenever the secretary has good cause to believe that an operator  
19 licensed under an agreement entered into under this paragraph is incompetent or  
20 otherwise not qualified to be licensed, the secretary may, upon written notice of at  
21 least 5 days to the licensee, require the licensee to submit to an examination  
22 including all or part of the tests specified in par. (a). Upon the conclusion of such  
23 examination the secretary shall take such action as is appropriate under this  
24 chapter, including cancellation of the license or permitting the licensee to retain the  
25 license subject to such restrictions as the secretary may order or without restrictions.

