



2009 ASSEMBLY BILL 158

March 19, 2009 - Introduced by Representatives VAN ROY, PETROWSKI, MURSAU, STONE, SPANBAUER, BIES, A. OTT and BROOKS, cosponsored by Senators PLALE, COWLES and TAYLOR. Referred to Committee on Transportation.

1 **AN ACT** *to amend* 115.28 (11) (a); and *to create* 38.04 (4) (e) 5., 115.28 (11) (e)
2 and 343.71 (5) (e) of the statutes; **relating to:** driver education instruction.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Public Instruction (DPI) must approve driver education courses offered by school districts, county children with disabilities education boards, and technical college districts. DPI must also establish minimum standards for driver education courses offered by private driver schools. DPI may not approve a driver education course or establish driver education course standards unless the course or standards, among other things, acquaint students with the hazards posed by farm machinery and animals on highways and by railroad grade crossings and provides instruction in safely dealing with these hazards.

Under current law, the Technical College System Board (TCSB) must approve courses of study for each program offered in technical college district schools, including driver education courses. TCSB may not approve a driver education course unless the course, among other things, acquaints students with the hazards posed by farm machinery and animals on highways and provides instruction in safely dealing with these hazards. The Department of Transportation (DOT) licenses private driver schools, and DOT may not license a driver school unless its course of instruction includes the content required for TCSB approval of a driver education course.

Under this bill, all approved driver education courses must acquaint each student with the hazards posed by railroad highway grade crossings and provide at least 30 minutes of instruction in safely dealing with these hazards.

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For further information see the *state and local* 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.** 38.04 (4) (e) 5. of the statutes is created to read:

2 38.04 (4) (e) 5. Acquaints each student with the hazards posed by railroad
3 highway grade crossings and provides at least 30 minutes of instruction in safely
4 dealing with these hazards.

5 **SECTION 2.** 115.28 (11) (a) of the statutes is amended to read:

6 115.28 (11) (a) Acquaint each student with the hazards posed by farm
7 machinery and animals on highways ~~and by railroad grade crossings~~ and provide
8 instruction in safely dealing with such hazards.

9 **SECTION 3.** 115.28 (11) (e) of the statutes is created to read:

10 115.28 (11) (e) Acquaint each student with the hazards posed by railroad
11 highway grade crossings and provide at least 30 minutes of instruction in safely
12 dealing with these hazards.

13 **SECTION 4.** 343.71 (5) (e) of the statutes is created to read:

14 343.71 (5) (e) Acquaints each student with the hazards posed by railroad
15 highway grade crossings and provides at least 30 minutes of instruction in safely
16 dealing with these hazards.

17 **SECTION 5. Initial applicability.**

18 (1) This act first applies to driver education courses that begin on the effective
19 date of this subsection.

20 **SECTION 6. Effective date.**

