



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-4247/1
EVM:cdc

2021 ASSEMBLY BILL 620

October 14, 2021 - Introduced by Representatives CONSIDINE, MOORE OMOKUNDE, ORTIZ-VELEZ, ANDRACA, ANDERSON, BOWEN, DRAKE, HEBL, NEUBAUER, POPE, SHELTON and VRUWINK, cosponsored by Senator ERPENBACH. Referred to Committee on Transportation.

1 **AN ACT** *to amend* 343.06 (1) (c) and 343.16 (1) (a); and *to create* 343.16 (1) (cm)
2 of the statutes; **relating to:** motor vehicle operator’s license driving skills
3 testing.

Analysis by the Legislative Reference Bureau

Under current law, with limited exceptions, an applicant for an operator’s license authorizing operation of “Class D” vehicles, which are automobiles and most passenger vehicles, must successfully complete a knowledge test and a driving skills (road) test. This bill allows the Department of Transportation to waive the road test for a person if all of the following are satisfied:

1. The person is under 18 years of age.
 2. The person is applying for authorization to operate only “Class D” vehicles.
 3. The person has satisfactorily completed a course in driver education.
 4. The person has held an instruction permit for not less than six months.
 5. The person has not committed a moving violation during the six-month period immediately preceding application.
 6. An adult sponsor of the person consents to a waiver of the driving skills test.
- 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:

ASSEMBLY BILL 620**SECTION 1**

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 Wisconsin department of transportation motorcycle safety program.
19 The department may, by rule, exempt certain persons from the basic rider course
20 requirement of this paragraph. Applicants for a license under s. 343.08 or 343.135
21 are exempt from the driver education, basic rider or driver training course
22 requirement. The secretary shall prescribe rules for licensing of schools and
23 instructors to qualify under this paragraph. The driver education course shall be
24 made available to every eligible student in the state. Except as provided under s.

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1 343.16 (1) (bm) ~~and, (c), and (cm)~~ and (2) (cm) to (e), no operator's license may be
2 issued unless a driver's examination has been administered by the department.

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

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

ASSEMBLY BILL 620**SECTION 2**

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

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

17 343.16 (1) (cm) *Driving skills test waiver.* The department may waive the
18 driving skills test of an individual applying for an operator's license if all of the
19 following apply:

- 20 1. The applicant is under 18 years of age.
- 21 2. The application is for authorization to operate only "Class D" vehicles.
- 22 3. The applicant has satisfactorily completed a course in driver education in a
23 public school approved by the department of public instruction, or in a technical
24 college approved by the technical college system board, or in a nonpublic and private
25 school or tribal school, as defined in s. 115.001 (15m), that meets the minimum

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1 standards set by the department of public instruction, or has satisfactorily completed
2 a substantially equivalent course in driver training approved by the department and
3 given by a school licensed by the department under s. 343.61, or has satisfactorily
4 completed a substantially equivalent course in driver education or training approved
5 by another state.

6 4. The applicant has held an instruction permit issued under s. 343.07 for not
7 less than 6 months.

8 5. The applicant has not committed a moving violation, specified by the
9 department by rule, resulting in a conviction during the 6-month period
10 immediately preceding application.

11 6. An adult sponsor who has signed for the applicant under s. 343.15 (1)
12 consents to a waiver of the driving skills test.

13 (END)