

No. 90, A.]

[Published July 20, 1955.

CHAPTER 386

AN ACT to amend 85.08 (9) (a); and to repeal and recreate 85.08 (7m) (a) of the statutes, relating to automobile drivers' instruction permits.

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

SECTION 1. 85.08 (7m) (a) of the statutes is repealed and recreated to read:

85.08 (7m) (a) The department upon receiving proper application may in its discretion issue a restricted instruction permit to an applicant who is enrolled in a driver education program in any school which includes practice driving which is approved by the department of public instruction, even though the applicant has not reached the legal age to be eligible for an operator's license, providing the applicant is 15 years of age and is otherwise qualified to obtain a license under this section. Such instruction permit shall entitle the permittee, when he has such permit in his immediate possession, to operate a motor vehicle within a designated area but only when an approved instructor is occupying a seat beside the permittee. No such permit shall be issued unless the applicant can complete

the driver education program not earlier than 2 months before he reaches the age of 16.

SECTION 2. 85.08 (9) (a) of the statutes is amended to read:

85.08 (9) (a) The department may issue a license to any person otherwise qualified, who is less than 16 years and more than 14 years of age, if satisfied that it is necessary for such person to operate his parent's or guardian's motor vehicle licensed as an automobile or a farm truck. Such license shall be of such form or color so that it may be readily distinguishable from licenses issued to persons who are 16 years of age or over, and shall restrict the holder thereof to the operation of a motor vehicle licensed as an automobile or farm truck belonging to his parent or guardian during the daylight hours only and shall not authorize such licensee to operate a motorcycle, motor bicycle, commercial motor truck, motor bus or taxicab. A license shall not be issued to a person who is less than 16 years of age until such person accompanied by his parent or guardian appears in person before an examining officer, as provided in this section, with a certificate of birth to show that such person is at least 14 years of age; nor until such person shall have passed an oral examination and a test of his ability to safely operate a motor vehicle as provided herein and the examining officer shall attest the signature of the applicant and the parent or guardian as required on the application for licenses issued to persons under the age of 16 years. Nothing in this section shall be construed to permit any person who is less than 16 years of age to operate any type of motor vehicle in any city of this state having a population of 500,000 or more, *except those persons with restricted instruction permits issued pursuant to sub. (7m) (a).*

Approved July 14, 1955.
