

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: **09/23/1999**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Dyck**

This file may be shown to any legislator: **NO**

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Transportation - driver licenses**

Extra Copies: **tnf**

Pre Topic:

LFB:.....Dyck -

Topic:

Graduated driver licensing

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>
/?	nilsepe 09/23/1999	chanaman 09/23/1999		_____			
/P1	nilsepe 09/29/1999	chanaman 09/30/1999	mclark 09/24/1999	_____	lrb_docadmin 09/24/1999		
/1			mclark 09/30/1999	_____	lrb_docadmin 09/30/1999	lrb_docadmin 09/30/1999	

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

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/?	nilsepe 09/23/1999	chanaman 09/23/1999		_____			
/P1			mclark 09/24/1999	_____	lrb_docadmin 09/24/1999		
FE Sent For:		um 9/30 /1	9/30 MRC	MRC	KJF 9/30 <END>		

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/?	nilsepe	cmh als 1	9/24 MRC	MRC/cmH 9/24			

FE Sent For:

<END>

1999 - 2000 LEGISLATURE

LRBb1759A

5054

PEN

.....
Cmt

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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 (END)

↓

ENGROSSED 1999 ASSEMBLY BILL 52

May 19, 1999 - Printed by direction of ASSEMBLY CHIEF CLERK.

1 **AN ACT** *to repeal* 343.07 (1) (c); *to renumber and amend* 343.085 (1) and 343.32
2 (2) (c); *to consolidate, renumber and amend* 343.07 (1) (a) and (b); *to amend*
3 121.41 (2), 343.07 (3), 343.085 (3), 343.085 (5), 343.19 (1) and 343.21 (1) (i); and
4 *to create* 343.06 (1) (cm), 343.07 (1) (bm), 343.085 (1) (b), 343.085 (2m), 343.17
5 (3) (a) 13., 343.21 (1) (ir), 343.32 (2) (bc) and 343.32 (2) (c) 2. of the statutes;
6 **relating to:** instruction permits, probationary licenses and regular licenses to
7 operate motor vehicles; driver education programs; granting rule-making
8 authority; and providing a penalty.

Analysis by the Legislative Reference Bureau***Engrossment information:***

The text of Engrossed 1999 Assembly Bill 52 consists of the following documents adopted in the Assembly on May 12, 1999: Assembly Substitute Amendment 3, as affected by the following Assembly Amendments: Assembly Amendments 1 and 4, Assembly Amendment 6 (Part 1, lines 1 to 9) and Assembly Amendment 10.

In engrossing, the text in Item 2 of Assembly Amendment 10 to Assembly Substitute Amendment 3 to Assembly Bill 52 was repositioned, by LRB correction

ENGROSSED ASSEMBLY BILL 52

dated May 19, 1999, after line 14 of page 9, because the text in Item 2 is an initial applicability provision.

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

#. Page 1127, line 17: after that line insert:

1 SECTION ~~16~~ 121.41 (2) of the statutes is amended to read:

2 121.41 (2) FEES. A school board or the technical college system board may
3 establish and collect reasonable fees for any driver education program or part of a
4 program which is neither required for nor credited toward graduation. The school
5 board or the technical college system board may waive any fee established under this
6 subsection for any indigent pupil.

#. Page 1343, line 6: after that line insert:

7 SECTION ~~27~~ 343.06 (1) (cm) of the statutes is created to read:

8 343.06 (1) (cm) To operate "Class D" vehicles to any person under 18 years of
9 age, unless the person has accumulated at least 30 hours of behind-the-wheel
10 driving experience, at least 10 hours of which were during hours of darkness. Each
11 hour of behind-the-wheel driving experience while accompanied by a qualified
12 instructor, as defined in s. 343.07 (5), shall be considered to be 2 hours of
13 behind-the-wheel driving experience, except that no more than 5 hours of
14 behind-the-wheel driving experience while accompanied by a qualified instructor
15 may be counted in this manner. This paragraph does not apply to applicants for a
16 restricted license under s. 343.08 or a special restricted operator's license under s.
17 343.135. The department may promulgate rules that waive the requirement of
18 accumulating at least 30 hours of behind-the-wheel experience for qualified
19 applicants who are licensed by another jurisdiction to operate "Class D" vehicles.

20 SECTION ~~36~~ 343.07 (1) (a) and (b) of the statutes are consolidated, renumbered

21 343.07 (1) (a) (intro.) and amended to read:

ENGROSSED ASSEMBLY BILL 52

1 343.07 (1) (a) (intro.) ~~If the permittee is at least 16 years of age, the permittee~~
 2 ~~shall not~~ Except as provided in this subsection, no permittee may operate a motor
 3 vehicle unless accompanied by a qualified instructor, or a licensed person with who
 4 has at least 2 years of licensed driving experience, who presently holds a valid
 5 regular license, occupying as defined in s. 343.03 (3) (a), who occupies the seat beside
 6 the permittee. No other passengers are allowed in the vehicle except as provided in
 7 par. (c) or (em). (b) and who is one of the following:

8 1. ~~A permittee under the age of 16 is restricted to operation of a motor vehicle~~
 9 ~~only while accompanied by a qualified instructor, the who is 19 years of age or older.~~
 10 If the motor vehicle is equipped with dual controls, up to 3 other persons, in addition
 11 to the qualified instructor, may occupy seats in the motor vehicle other than the front
 12 seat.

13 2. ~~The permittee's parent or guardian who meets the other qualifications of~~
 14 ~~par. (a) or a licensed or spouse who is 19 years of age or older. In addition to the~~
 15 ~~parent, guardian or spouse, the permittee's immediate family members may occupy~~
 16 ~~seats in the motor vehicle other than the front seat.~~

17 3. ~~A person who is 21 years of age or older who meets the other qualifications~~
 18 ~~of par. (a) and who has.~~ If the permittee is under 18 years of age, this subdivision
 19 applies only if the licensed person has been designated in writing to accompany the
 20 permittee by the permittee's parent or guardian prior to operation of the vehicle by
 21 the permittee. Upon reaching the age of 16, the permittee gains the privilege of any
 22 other permittee.

23 SECTION ~~343.07~~ ^{27349h} (1) (bm) of the statutes is created to read:

24 343.07 (1) (bm) Except as provided in par. (a), no permittee may operate a motor
 25 vehicle upon a highway in this state whenever any person is in the motor vehicle.

ENGROSSED ASSEMBLY BILL 52

SECTION 5

Handwritten notes: 2734gp, 2734gt, 3(B)

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SECTION 5. 343.07 (1) (c) of the statutes is repealed.

SECTION 5. 343.07 (3) of the statutes is amended to read:

343.07 (3) DURATION; CANCELLATION. An instruction permit shall be to operate vehicles other than commercial motor vehicles or school buses is valid for 6 12 months except that it may be canceled upon receipt of information, by the secretary, of noncompletion or unsatisfactory completion of a driver education and training course by a permittee under the age of 18. An instruction permit to operate commercial motor vehicles or school buses is valid for 6 months.

SECTION 5. 343.085 (1) of the statutes is renumbered 343.085 (1) (a) and amended to read:

343.085 (1) (a) Except as provided in par. (b) and sub. (2), the department shall issue a probationary license to all applicants for an original license. The probationary license shall remain in effect ~~during the entire period of the first issuance of the original license as provided in s. 343.20 (1) (a).~~

SECTION 5. 343.085 (1) (b) of the statutes is created to read:

343.085 (1) (b) The department may not issue a probationary license to operate "Class D" vehicles under this section to an applicant who is under 18 years of age unless the applicant has held an instruction permit issued under s. 343.07 for not less than 6 months and, during the 6-month period immediately preceding application, has not committed a moving violation, specified by the department by rule, resulting in a conviction. The department may promulgate rules to waive the requirement of holding an instruction permit for not less than 6 months for qualified applicants who are licensed by another jurisdiction to operate "Class D" vehicles.

SECTION 5. 343.085 (2m) of the statutes is created to read:

Handwritten notes: 2734rp, 3(B)

ENGROSSED ASSEMBLY BILL 52

1 343.085 (2m) (a) Except as provided in this subsection, during the 9-month
2 period after issuance of a probationary license under this section, no licensee under
3 18 years of age may operate a “Class D” vehicle upon a highway in this state:

4 1. If, in addition to the licensee, the vehicle is occupied by any person other than
5 the following:

6 a. Any number of members of the licensee’s immediate family.

7 b. A person who meets the requirements under s. 343.07 (1) (a).

8 c. Not more than one other person not described in subd. 1. a. and b.

9 2. Between the hours of 12 midnight and 5 a.m., unless the licensee’s parent
10 or guardian, or a person who meets the requirements under s. 343.07 (1) (a), occupies
11 the seat beside the licensee, or unless the licensee is traveling between his or her
12 place of residence, school or place of employment.

13 (am) 1. Paragraph (a) does not apply to any licensee to whom all of the following
14 apply:

15 a. The licensee is operating the motor vehicle in the service of an organized
16 program that, without compensation, transports teenagers to their homes.

17 b. The licensee possesses documentation that identifies the program and the
18 licensee and that authorizes the licensee to operate a motor vehicle in service of the
19 program on the date and time of the operation. The documentation is valid only if
20 signed by a person who is at least 25 years of age and associated with the program.

21 c. The licensee is accompanied by another licensee, other than a teenager who
22 is being transported, who is in the motor vehicle in the service of the program
23 described in subd. 1. a. and who possesses the documentation described in subd. 1.

24 b.

ENGROSSED ASSEMBLY BILL 52**SECTION 9**

1 d. The licensee is accompanied by not more than 3 passengers in the vehicle.

2 The licensee described in subd. 1. c. shall not be counted under this subd. 1. d.

3 2. Paragraph (a) does not apply to any licensee operating the motor vehicle to
4 or from a program described in subd. 1. a., if the licensee possesses documentation
5 described in subd. 1. b. A licensee described in this subdivision may be accompanied
6 by any number of persons also traveling to or from a program described in subd. 1.
7 a.

8 (ar) Paragraph (a) does not apply to any licensee operating a motor vehicle for
9 emergency purposes.

10 (b) 1. The department shall extend the restrictions under par. (a) for an
11 additional 6-month period or until the licensee's 18th birthday, whichever occurs
12 earlier, if any of the following occurs while the licensee is subject to the restrictions
13 under par. (a):

14 a. The licensee commits a moving violation specified by the department by rule,
15 resulting in a conviction of the licensee.

16 b. The licensee violates par. (a).

17 c. A court or the department suspends or revokes the licensee's operating
18 privilege for any reason other than a mental or physical disability.

19 2. If the department extends a restriction period under subd. 1., the
20 department shall immediately provide notice of the extension by 1st class mail to the
21 person's last-known residence address.

22 (c) A period of restriction under this subsection does not run while a person's
23 operating privilege is suspended or revoked.

24 (d) The restrictions under this subsection apply until the period of restriction
25 expires or until the licensee reaches 18 years of age, whichever occurs first.

ENGROSSED ASSEMBLY BILL 52

1 (e) Nothing in this subsection may be construed to create a separate cause of
2 action against the parent or guardian of a probationary licensee under this
3 subsection or against the owner of any vehicle operated by a probationary licensee
4 under this section.

5 SECTION ~~110~~ ²⁷³⁴¹⁵ 343.085 (3) of the statutes is amended to read:

6 343.085 (3) The secretary may suspend a person's operating privilege under
7 this section when such person has been assigned sufficient demerit points after
8 conviction for traffic violations to require suspension under the rule adopted under
9 sub. (5) and either holds a license issued under this section or by age comes under
10 this section. The secretary may revoke such a person's operating privilege under this
11 section if such person has a previous suspension under this section. This subsection
12 applies only to a person holding a probationary license issued before the effective
13 date of this subsection [revisor inserts datel]. This subsection does not apply on
14 or after the first day of the 37th month beginning after the effective date of the
15 subsection [revisor inserts datel].

16 SECTION ~~110~~ ²⁷³⁴¹⁵ 343.085 (5) of the statutes is amended to read:

17 343.085 (5) For the purpose of determining when to suspend or to continue a
18 person on probationary status, the secretary may determine and adopt by rule a
19 method of weighing traffic convictions by their seriousness and may change such
20 weighted scale from time to time as experience or the accident frequency in the state
21 makes necessary or desirable. Such scale may be weighted differently for this
22 licensee than the scale used to determine revocations under s. 343.32. This
23 subsection applies only to a person holding a probationary license issued before the
24 effective date of this subsection [revisor inserts datel]. This subsection does not

ENGROSSED ASSEMBLY BILL 52

SECTION 11

1 apply on or after the first day of the 37th month beginning after the effective date
2 of the subsection [revisor inserts date].

3 SECTION ~~11m~~ ^{2744g 3B} 343.17 (3) (a) 13. of the statutes is created to read:

4 343.17 (3) (a) 13. If the person is under 18 years of age at the time of issuance
5 of the license, a distinctive appearance specified by the department that clearly
6 identifies to the public that the person was under 18 years of age at the time of
7 issuance of the license.

8 SECTION ~~11m~~ ^{2744m 3B} 343.19 (1) of the statutes is amended to read:

9 343.19 (1) If a license issued under this chapter or an identification card issued
10 under s. 343.50 is lost or destroyed or the name or address named in the license or
11 identification card is changed or the condition specified in s. 343.17 (3) (a) 12. or 13.
12 no longer applies, the person to whom the license or identification card was issued
13 may obtain a duplicate thereof or substitute therefor upon furnishing proof
14 satisfactory to the department of name and date of birth and that the license or
15 identification card has been lost or destroyed or that application for a duplicate
16 license or identification card is being made for a change of address or name or
17 because the condition specified in s. 343.17 (3) (a) 12. or 13. no longer applies. If the
18 original license or identification card is found it shall immediately be transmitted to
19 the department. Duplicates of nonphoto licenses shall be issued as nonphoto
20 licenses.

21 SECTION ~~11m~~ ^{2746g 3B} 343.21 (1) (i) of the statutes is amended to read:

22 343.21 (1) (i) Except as provided in par. (im) or (ir), for an instruction permit,
23 \$20.

24 SECTION ~~11m~~ ^{2746m 3B} 343.21 (1) (ir) of the statutes is created to read:

ENGROSSED ASSEMBLY BILL 52

1 343.21 (1) (ir) For an instruction permit authorizing the operation of "Class D"

2 vehicles, \$25.

#-Page 1344, line 23 after that line insert
SECTION 14 274999 3(B)

3 SECTION 14 343.32 (2) (bc) of the statutes is created to read:

4 343.32 (2) (bc) 1. Except as provided in subd. 2., the scale adopted by the

5 secretary shall assess, for each conviction, twice the number of demerit points that

6 are assessed for the same offense committed by the holder of a regular license, if the

7 convicted person has been previously convicted of an offense for which demerit points

8 are assessed and the person is one of the following:

9 a. A person who holds a probationary license.

10 b. An unlicensed person who would hold a probationary license if licensed.

11 c. A person who holds an instruction permit under s. 343.07.

12 2. The secretary may not increase under subd. 1. the number of demerit points

13 that are assessed for a violation of ch. 347.

14 SECTION 15 343.32 (2) (c) of the statutes is renumbered 343.32 (2) (c) 1. and
15 amended to read:

16 343.32 (2) (c) 1. ~~In~~ Except as provided in subd. 2., in order for the secretary to

17 suspend or revoke an operating privilege under this subsection, the operator must

18 have accumulated 12 demerit points in any 12-month period.

19 SECTION 16 343.32 (2) (c) 2. of the statutes is created to read:

20 343.32 (2) (c) 2. The secretary shall suspend, for a period of 6 months, the

21 operating privilege of any person who holds a probationary license issued on or after

22 the effective date of this subdivision [revisor inserts date], and who has

23 accumulated 12 demerit points in any 12-month period. 77

24 SECTION 17. Nonstatutory provisions.

ENGROSSED ASSEMBLY BILL 52

#. Page 1551, line 11: after that line insert:

App #14 non-motor

1 " (1) OFFENSES REQUIRING AN EXTENSION OF A PROBATIONARY LICENSEE'S RESTRICTION
 2 PERIOD. Not later than the first day of the 4th month beginning after the effective
 3 date of this subsection, the secretary of transportation shall submit in proposed form
 4 rules required under section 343.085 (2m) (b) 1. a. of the statutes, as created by this
 5 act, to the legislative council staff under section 227.15 (1) of the statutes. The rules
 6 may not propose to extend a period of restriction under section 343.085 (2m) (b) of
 7 the statutes, as created by this act, for a violation of section 343.05 (1) or (3), 343.12
 8 (1), 346.595 (1) or (6), 347.20, 347.28, 347.29 (1), 347.38 (1), (2) or (4), 347.40, 347.42,
 9 347.46, 347.47, 347.485 (2), 347.486 (2), 347.487 or 347.488 of the statutes, nor for
 10 operating a motor vehicle with an operating privilege that is suspended or revoked
 11 or with an operator's license that is expired. "

SECTION 18, Initial applicability

#. Page 1601, line 20: after that line insert:

App #14 initial app

13 (1) INSTRUCTIONAL PERMITS AND PROBATIONARY LICENSES.
 14 (a) The treatment of sections 343.085 (2m) and 343.32 (2) (bc) of the statutes,
 15 the renumbering and amendment of section 343.085 (1) and 343.32 (2) (c) of the
 16 statutes and the creation of sections 343.085 (1) (b) and 343.32 (2) (c) 2. of the statutes
 17 first apply to licenses and permits applied for on the effective date of this paragraph.
 18 (b) The treatment of sections 343.06 (1) (cm), 343.07 (1) (a), (b), (bm) and (c) and
 19 (3) and 343.21 (1) (i) and (ir) of the statutes first applies to licenses and permits
 20 applied for on the effective date of this paragraph.
 21 (2) OPERATORS' LICENSES ISSUED TO CHILDREN UNDER 18 YEARS OF AGE. The
 22 treatment of section 343.17 (3) (a) 13. of the statutes first applies to licenses issued
 23 on January 1, 2000, or on the day after the effective date of this subsection, whichever
 24 is later. "

ENGROSSED ASSEMBLY BILL 52

9150 (5g)

insert
11-1

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SECTION 19. Effective dates. This act takes effect on the first day of the 4th month beginning after publication, except as follows:

- (b) ~~(1)~~ SECTION ~~(1)~~ of this act takes effect on the day after publication.
- (c) ~~(2)~~ The treatment of sections 343.085 (2m), (3) and (5) and 343.32 (2) (bc) of the statutes, the renumbering and amendment of sections 343.085 (1) and 343.32 (2) (c) of the statutes, the creation of sections 343.085 (1) (b) and 343.32 (2) (c) 2. of the statutes and SECTION ~~(1)~~ of this act take effect on the first day of the 10th month beginning after publication, or on September 1, 2000, whichever is later.)

(END)

9350 (4g)

inseq
11-1

EFFECTIVE DATE

1. In the component bar: For the action phrase, execute: ... **create** → **action:** → *NS: → **effdate**
For the text, execute: **create** → **text:** → *NS: → **effdateA**
2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, fill in "____" or "()" only if a "frozen" number is needed.

SECTION # _____ . Effective date.

(#1) () This act takes effect on

1. In the component bar: For the action phrase, execute: ... **create** → **action:** → *NS: → **effdateE**
For the text, execute: **create** → **text:** → *NS: → **effdate**
2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, fill in "____" or "()" only if a "frozen" number is needed.

SECTION # _____ . Effective dates;

..... This act takes effect on the day after publication, except as follows:
(#1) () The treatment of sections of the statutes takes effect on

1. In the component bar: For the budget action phrase, execute: ... **create** → **action:** → *NS: → **94XX**
For the text, execute: **create** → **text:** → *NS: → **effdate**
2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, for the budget, fill in the **9400** department code; and fill in "()" only if a "frozen" number is needed

SECTION 94 _____ . Effective dates;

Page 1615, line 14: after that line insert: (9)

39 (#1) (fm) GRADUATED DRIVER LICENSING (9) The treatment of sections 121.41(2), 343.06(1)(cm), 343.07(1)(a), (b), (bm) and (c), of the statutes takes effect on and (3), 343.08(1)(b), 343.17(3)(a) B, 343.19(1), 343.21(1)(i) and (ir), or

the first day of the 4th month beginning after publication.

and
(end inseq)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1759/P
PEN:cmh:mrc

No changes

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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 133

~~*No changes*~~

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 1127, line 17: after that line insert:
- 3 "SECTION 2142b. 121.41 (2) of the statutes is amended to read:
- 4 121.41 (2) FEES. A school board or the technical college system board may
- 5 establish and collect reasonable fees for any driver education program or part of a
- 6 program which is neither required for nor credited toward graduation. The school
- 7 board or the technical college system board may waive any fee established under this
- 8 subsection for any indigent pupil."
- 9 **2.** Page 1343, line 6: after that line insert:
- 10 "SECTION 2734qd. 343.06 (1) (cm) of the statutes is created to read:

1 343.06 (1) (cm) To operate "Class D" vehicles to any person under 18 years of
2 age, unless the person has accumulated at least 30 hours of behind-the-wheel
3 driving experience, at least 10 hours of which were during hours of darkness. Each
4 hour of behind-the-wheel driving experience while accompanied by a qualified
5 instructor, as defined in s. 343.07 (5), shall be considered to be 2 hours of
6 behind-the-wheel driving experience, except that no more than 5 hours of
7 behind-the-wheel driving experience while accompanied by a qualified instructor
8 may be counted in this manner. This paragraph does not apply to applicants for a
9 restricted license under s. 343.08 or a special restricted operator's license under s.
10 343.135. The department may promulgate rules that waive the requirement of
11 accumulating at least 30 hours of behind-the-wheel experience for qualified
12 applicants who are licensed by another jurisdiction to operate "Class D" vehicles.

13 **SECTION 2734qf.** 343.07 (1) (a) and (b) of the statutes are consolidated,
14 renumbered 343.07 (1) (a) (intro.) and amended to read:

15 343.07 (1) (a) (intro.) ~~If the permittee is at least 16 years of age, the permittee~~
16 ~~shall not~~ Except as provided in this subsection, no permittee may operate a motor
17 vehicle unless accompanied by a qualified instructor, or a licensed person with who
18 has at least 2 years of licensed driving experience, who presently holds a valid
19 regular license, occupying as defined in s. 343.03 (3) (a), who occupies the seat beside
20 the permittee. No other passengers are allowed in the vehicle except as provided in
21 par. (e) or (cm). (b) and who is one of the following:

22 1. A permittee under the age of 16 is restricted to operation of a motor vehicle
23 only while accompanied by a qualified instructor, the who is 19 years of age or older.
24 If the motor vehicle is equipped with dual controls, up to 3 other persons, in addition

1 to the qualified instructor, may occupy seats in the motor vehicle other than the front
2 seat.

3 2. The permittee's parent or guardian who meets the other qualifications of
4 par. (a) or a licensed or spouse who is 19 years of age or older. In addition to the
5 parent, guardian or spouse, the permittee's immediate family members may occupy
6 seats in the motor vehicle other than the front seat.

7 3. A person who is 21 years of age or older who meets the other qualifications
8 of par. (a) and who has. If the permittee is under 18 years of age, this subdivision
9 applies only if the licensed person has been designated in writing to accompany the
10 permittee by the permittee's parent or guardian prior to operation of the vehicle by
11 the permittee. Upon reaching the age of 16, the permittee gains the privilege of any
12 other permittee.

13 **SECTION 2734qh.** 343.07 (1) (bm) of the statutes is created to read:

14 343.07 (1) (bm) Except as provided in par. (a), no permittee may operate a motor
15 vehicle upon a highway in this state whenever any person is in the motor vehicle.

16 **SECTION 2734qp.** 343.07 (1) (c) of the statutes is repealed.

17 **SECTION 2734qt.** 343.07 (3) of the statutes is amended to read:

18 343.07 (3) DURATION; CANCELLATION. An instruction permit ~~shall be to operate~~
19 vehicles other than commercial motor vehicles or school buses is valid for 6 12
20 months except that it may be canceled upon receipt of information, by the secretary,
21 of noncompletion or unsatisfactory completion of a driver education and training
22 course by a permittee under the age of 18. An instruction permit to operate
23 commercial motor vehicles or school buses is valid for 6 months.

24 **SECTION 2734rd.** 343.085 (1) of the statutes is renumbered 343.085 (1) (a) and
25 amended to read:

1 343.085 (1) (a) Except as provided in par. (b) and sub. (2), the department shall
2 issue a probationary license to all applicants for an original license. The
3 probationary license shall remain in effect ~~during the entire period of the first~~
4 ~~issuance of the original license~~ as provided in s. 343.20 (1) (a).

5 **SECTION 2734rh.** 343.085 (1) (b) of the statutes is created to read:

6 343.085 (1) (b) The department may not issue a probationary license to operate
7 “Class D” vehicles under this section to an applicant who is under 18 years of age
8 unless the applicant has held an instruction permit issued under s. 343.07 for not less
9 than 6 months and, during the 6-month period immediately preceding application,
10 has not committed a moving violation, specified by the department by rule, resulting
11 in a conviction. The department may promulgate rules to waive the requirement of
12 holding an instruction permit for not less than 6 months for qualified applicants who
13 are licensed by another jurisdiction to operate “Class D” vehicles.

14 **SECTION 2734rp.** 343.085 (2m) of the statutes is created to read:

15 343.085 (2m) (a) Except as provided in this subsection, during the 9-month
16 period after issuance of a probationary license under this section, no licensee under
17 18 years of age may operate a “Class D” vehicle upon a highway in this state:

18 1. If, in addition to the licensee, the vehicle is occupied by any person other than
19 the following:

- 20 a. Any number of members of the licensee’s immediate family.
21 b. A person who meets the requirements under s. 343.07 (1) (a).
22 c. Not more than one other person not described in subd. 1. a. and b.

23 2. Between the hours of 12 midnight and 5 a.m., unless the licensee’s parent
24 or guardian, or a person who meets the requirements under s. 343.07 (1) (a), occupies

1 the seat beside the licensee, or unless the licensee is traveling between his or her
2 place of residence, school or place of employment.

3 (am) 1. Paragraph (a) does not apply to any licensee to whom all of the following
4 apply:

5 a. The licensee is operating the motor vehicle in the service of an organized
6 program that, without compensation, transports teenagers to their homes.

7 b. The licensee possesses documentation that identifies the program and the
8 licensee and that authorizes the licensee to operate a motor vehicle in service of the
9 program on the date and time of the operation. The documentation is valid only if
10 signed by a person who is at least 25 years of age and associated with the program.

11 c. The licensee is accompanied by another licensee, other than a teenager who
12 is being transported, who is in the motor vehicle in the service of the program
13 described in subd. 1. a. and who possesses the documentation described in subd. 1.

14 b.

15 d. The licensee is accompanied by not more than 3 passengers in the vehicle.
16 The licensee described in subd. 1. c. shall not be counted under this subd. 1. d.

17 2. Paragraph (a) does not apply to any licensee operating the motor vehicle to
18 or from a program described in subd. 1. a., if the licensee possesses documentation
19 described in subd. 1. b. A licensee described in this subdivision may be accompanied
20 by any number of persons also traveling to or from a program described in subd. 1.

21 a.

22 (ar) Paragraph (a) does not apply to any licensee operating a motor vehicle for
23 emergency purposes.

24 (b) 1. The department shall extend the restrictions under par. (a) for an
25 additional 6-month period or until the licensee's 18th birthday, whichever occurs

1 earlier, if any of the following occurs while the licensee is subject to the restrictions
2 under par. (a):

3 a. The licensee commits a moving violation specified by the department by rule,
4 resulting in a conviction of the licensee.

5 b. The licensee violates par. (a).

6 c. A court or the department suspends or revokes the licensee's operating
7 privilege for any reason other than a mental or physical disability.

8 2. If the department extends a restriction period under subd. 1., the
9 department shall immediately provide notice of the extension by 1st class mail to the
10 person's last-known residence address.

11 (c) A period of restriction under this subsection does not run while a person's
12 operating privilege is suspended or revoked.

13 (d) The restrictions under this subsection apply until the period of restriction
14 expires or until the licensee reaches 18 years of age, whichever occurs first.

15 (e) Nothing in this subsection may be construed to create a separate cause of
16 action against the parent or guardian of a probationary licensee under this
17 subsection or against the owner of any vehicle operated by a probationary licensee
18 under this section.

19 **SECTION 2734rs.** 343.085 (3) of the statutes is amended to read:

20 343.085 (3) The secretary may suspend a person's operating privilege under
21 this section when such person has been assigned sufficient demerit points after
22 conviction for traffic violations to require suspension under the rule adopted under
23 sub. (5) and either holds a license issued under this section or by age comes under
24 this section. The secretary may revoke such a person's operating privilege under this
25 section if such person has a previous suspension under this section. This subsection

1 applies only to a person holding a probationary license issued before the effective
 2 date of this subsection [revisor inserts date]. This subsection does not apply on
 3 or after the first day of the 37th month beginning after the effective date of the
 4 subsection [revisor inserts date].

this

5 **SECTION 2734rv.** 343.085 (5) of the statutes is amended to read:

6 343.085 (5) For the purpose of determining when to suspend or to continue a
 7 person on probationary status, the secretary may determine and adopt by rule a
 8 method of weighing traffic convictions by their seriousness and may change such
 9 weighted scale from time to time as experience or the accident frequency in the state
 10 makes necessary or desirable. Such scale may be weighted differently for this
 11 licensee than the scale used to determine revocations under s. 343.32. This
 12 subsection applies only to a person holding a probationary license issued before the
 13 effective date of this subsection [revisor inserts date]. This subsection does not
 14 apply on or after the first day of the 37th month beginning after the effective date
 15 of ~~the~~ ^{this} subsection [revisor inserts date].

16 **SECTION 2744g.** 343.17 (3) (a) 13. of the statutes is created to read:

17 343.17 (3) (a) 13. If the person is under 18 years of age at the time of issuance
 18 of the license, a distinctive appearance specified by the department that clearly
 19 identifies to the public that the person was under 18 years of age at the time of
 20 issuance of the license.

21 **SECTION 2744m.** 343.19 (1) of the statutes is amended to read:

22 343.19 (1) If a license issued under this chapter or an identification card issued
 23 under s. 343.50 is lost or destroyed or the name or address named in the license or
 24 identification card is changed or the condition specified in s. 343.17 (3) (a) 12. or 13.
 25 no longer applies, the person to whom the license or identification card was issued

1 may obtain a duplicate thereof or substitute therefor upon furnishing proof
2 satisfactory to the department of name and date of birth and that the license or
3 identification card has been lost or destroyed or that application for a duplicate
4 license or identification card is being made for a change of address or name or
5 because the condition specified in s. 343.17 (3) (a) 12. or 13. no longer applies. If the
6 original license or identification card is found it shall immediately be transmitted to
7 the department. Duplicates of nonphoto licenses shall be issued as nonphoto
8 licenses.

9 **SECTION 2746g.** 343.21 (1) (i) of the statutes is amended to read:

10 343.21 (1) (i) Except as provided in par. (im) or (ir), for an instruction permit,
11 \$20.

12 **SECTION 2746m.** 343.21 (1) (ir) of the statutes is created to read:

13 343.21 (1) (ir) For an instruction permit authorizing the operation of “Class D”
14 vehicles, \$25.”.

15 **3.** Page 1344, line 2: after that line insert:

16 “**SECTION 2749gg.** 343.32 (2) (bc) of the statutes is created to read:

17 343.32 (2) (bc) 1. Except as provided in subd. 2., the scale adopted by the
18 secretary shall assess, for each conviction, twice the number of demerit points that
19 are assessed for the same offense committed by the holder of a regular license, if the
20 convicted person has been previously convicted of an offense for which demerit points
21 are assessed and the person is one of the following:

- 22 a. A person who holds a probationary license.
23 b. An unlicensed person who would hold a probationary license if licensed.
24 c. A person who holds an instruction permit under s. 343.07.

1 2. The secretary may not increase under subd. 1. the number of demerit points
2 that are assessed for a violation of ch. 347.

3 **SECTION 2749gm.** 343.32 (2) (c) of the statutes is renumbered 343.32 (2) (c) 1.
4 and amended to read:

5 343.32 (2) (c) 1. ~~In~~ Except as provided in subd. 2., in order for the secretary to
6 suspend or revoke an operating privilege under this subsection, the operator must
7 have accumulated 12 demerit points in any 12-month period.

8 **SECTION 2749gr.** 343.32 (2) (c) 2. of the statutes is created to read:

9 343.32 (2) (c) 2. The secretary shall suspend, for a period of 6 months, the
10 operating privilege of any person who holds a probationary license issued on or after
11 the effective date of this subdivision [revisor inserts date], and who has
12 accumulated 12 demerit points in any 12-month period.”.

13 **4.** Page 1551, line 11: after that line insert:

14 “(5g) OFFENSES REQUIRING AN EXTENSION OF A PROBATIONARY LICENSEE’S
15 RESTRICTION PERIOD. Not later than the first day of the 4th month beginning after the
16 effective date of this subsection, the secretary of transportation shall submit in
17 proposed form rules required under section 343.085 (2m) (b) 1. a. of the statutes, as
18 created by this act, to the legislative council staff under section 227.15 (1) of the
19 statutes. The rules may not propose to extend a period of restriction under section
20 343.085 (2m) (b) of the statutes, as created by this act, for a violation of section 343.05
21 (1) or (3), 343.12 (1), 346.595 (1) or (6), 347.20, 347.28, 347.29 (1), 347.38 (1), (2) or
22 (4), 347.40, 347.42, 347.46, 347.47, 347.485 (2), 347.486 (2), 347.487 or 347.488 of the
23 statutes, nor for operating a motor vehicle with an operating privilege that is
24 suspended or revoked or with an operator’s license that is expired.”.

1 **5.** Page 1601, line 20: after that line insert:

2 “(4g) INSTRUCTIONAL PERMITS AND PROBATIONARY LICENSES.

3 (a) The treatment of sections 343.085 (2m) and 343.32 (2) (bc) of the statutes,
4 the renumbering and amendment of section 343.085 (1) and 343.32 (2) (c) of the
5 statutes and the creation of sections 343.085 (1)(b) and 343.32 (2)(c) 2. of the statutes
6 first apply to licenses and permits applied for on the effective date of this paragraph.

7 (b) The treatment of sections 343.06 (1) (cm), 343.07 (1) (a), (b), (bm) and (c) and
8 (3) and 343.21 (1) (i) and (ir) of the statutes first applies to licenses and permits
9 applied for on the effective date of this paragraph.

10 (4h) OPERATORS' LICENSES ISSUED TO CHILDREN UNDER 18 YEARS OF AGE. The
11 treatment of section 343.17 (3) (a) 13. of the statutes first applies to licenses issued
12 on January 1, 2000, or on the day after the effective date of this subsection, whichever
13 is later.”.

14 **6.** Page 1615, line 14: after that line insert:

15 “(3g) GRADUATED DRIVER LICENSING.

16 (a) The treatment of sections 121.41 (2), 343.06 (1) (cm), 343.07 (1) (a), (b), (bm)
17 and (c), and (3), 343.17 (3) (a) 13., 343.19 (1) and 343.21 (1) (i) and (ir) of the statutes
18 takes effect on the first day of the 4th month beginning after publication.

19 (b) SECTION 9150 (5g) of this act takes effect on the day after publication.

20 (c) The treatment of sections 343.085 (2m), (3) and (5) and 343.32 (2) (bc) of the
21 statutes, the renumbering and amendment of sections 343.085 (1) and 343.32 (2) (c)
22 of the statutes, the creation of sections 343.085 (1) (b) and 343.32 (2) (c) 2. of the

1 statutes and SECTION 9350 (4g) of this act take effect on the first day of the 10th month
2 beginning after publication, or on September 1, 2000, whichever is later.”

3 (END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1759/1
PEN:cmh:mrc

ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1127, line 17: after that line insert:

3 "SECTION 2142b. 121.41 (2) of the statutes is amended to read:

4 121.41 (2) FEES. A school board or the technical college system board may
5 establish and collect reasonable fees for any driver education program or part of a
6 program which is neither required for nor credited toward graduation. The school
7 board or the technical college system board may waive any fee established under this
8 subsection for any indigent pupil."

9 **2.** Page 1343, line 6: after that line insert:

10 "SECTION 2734qd. 343.06 (1) (cm) of the statutes is created to read:

11 343.06 (1) (cm) To operate "Class D" vehicles to any person under 18 years of
12 age, unless the person has accumulated at least 30 hours of behind-the-wheel

1 driving experience, at least 10 hours of which were during hours of darkness. Each
2 hour of behind-the-wheel driving experience while accompanied by a qualified
3 instructor, as defined in s. 343.07 (5), shall be considered to be 2 hours of
4 behind-the-wheel driving experience, except that no more than 5 hours of
5 behind-the-wheel driving experience while accompanied by a qualified instructor
6 may be counted in this manner. This paragraph does not apply to applicants for a
7 restricted license under s. 343.08 or a special restricted operator's license under s.
8 343.135. The department may promulgate rules that waive the requirement of
9 accumulating at least 30 hours of behind-the-wheel experience for qualified
10 applicants who are licensed by another jurisdiction to operate "Class D" vehicles.

11 **SECTION 2734qf.** 343.07 (1) (a) and (b) of the statutes are consolidated,
12 renumbered 343.07 (1) (a) (intro.) and amended to read:

13 343.07 (1) (a) (intro.) ~~If the permittee is at least 16 years of age, the permittee~~
14 ~~shall not~~ Except as provided in this subsection, no permittee may operate a motor
15 vehicle unless accompanied by a qualified instructor, or a licensed person with who
16 has at least 2 years of licensed driving experience, who presently holds a valid
17 regular license, occupying as defined in s. 343.03 (3) (a), who occupies the seat beside
18 the permittee. No other passengers are allowed in the vehicle except as provided in
19 par. (c) or (cm). (b) and who is one of the following:

20 1. A permittee under the age of 16 is restricted to operation of a motor vehicle
21 only while accompanied by a qualified instructor, the who is 19 years of age or older.
22 If the motor vehicle is equipped with dual controls, up to 3 other persons, in addition
23 to the qualified instructor, may occupy seats in the motor vehicle other than the front
24 seat.

1 ~~2. The permittee's parent or guardian who meets the other qualifications of~~
2 ~~par. (a) or a licensed or spouse who is 19 years of age or older. In addition to the~~
3 ~~parent, guardian or spouse, the permittee's immediate family members may occupy~~
4 ~~seats in the motor vehicle other than the front seat.~~

5 ~~3. A person who is 21 years of age or older who meets the other qualifications~~
6 ~~of par. (a) and who has. If the permittee is under 18 years of age, this subdivision~~
7 ~~applies only if the licensed person has been designated in writing to accompany the~~
8 ~~permittee by the permittee's parent or guardian prior to operation of the vehicle by~~
9 ~~the permittee. Upon reaching the age of 16, the permittee gains the privilege of any~~
10 ~~other permittee.~~

11 **SECTION 2734qh.** 343.07 (1) (bm) of the statutes is created to read:

12 343.07 (1) (bm) Except as provided in par. (a), no permittee may operate a motor
13 vehicle upon a highway in this state whenever any person is in the motor vehicle.

14 **SECTION 2734qp.** 343.07 (1) (c) of the statutes is repealed.

15 **SECTION 2734qt.** 343.07 (3) of the statutes is amended to read:

16 343.07 (3) DURATION; CANCELLATION. An instruction permit ~~shall be to operate~~
17 ~~vehicles other than commercial motor vehicles or school buses is valid for 6 12~~
18 ~~months except that it may be canceled upon receipt of information, by the secretary,~~
19 ~~of noncompletion or unsatisfactory completion of a driver education and training~~
20 ~~course by a permittee under the age of 18. An instruction permit to operate~~
21 ~~commercial motor vehicles or school buses is valid for 6 months.~~

22 **SECTION 2734rd.** 343.085 (1) of the statutes is renumbered 343.085 (1) (a) and
23 amended to read:

24 343.085 (1) (a) Except as provided in par. (b) and sub. (2), the department shall
25 issue a probationary license to all applicants for an original license. The

1 probationary license shall remain in effect ~~during the entire period of the first~~
2 ~~issuance of the original license~~ as provided in s. 343.20 (1) (a).

3 **SECTION 2734rh.** 343.085 (1) (b) of the statutes is created to read:

4 343.085 (1) (b) The department may not issue a probationary license to operate
5 “Class D” vehicles under this section to an applicant who is under 18 years of age
6 unless the applicant has held an instruction permit issued under s. 343.07 for not less
7 than 6 months and, during the 6-month period immediately preceding application,
8 has not committed a moving violation, specified by the department by rule, resulting
9 in a conviction. The department may promulgate rules to waive the requirement of
10 holding an instruction permit for not less than 6 months for qualified applicants who
11 are licensed by another jurisdiction to operate “Class D” vehicles.

12 **SECTION 2734rp.** 343.085 (2m) of the statutes is created to read:

13 343.085 (2m) (a) Except as provided in this subsection, during the 9-month
14 period after issuance of a probationary license under this section, no licensee under
15 18 years of age may operate a “Class D” vehicle upon a highway in this state:

16 1. If, in addition to the licensee, the vehicle is occupied by any person other than
17 the following:

18 a. Any number of members of the licensee’s immediate family.

19 b. A person who meets the requirements under s. 343.07 (1) (a).

20 c. Not more than one other person not described in subd. 1. a. and b.

21 2. Between the hours of 12 midnight and 5 a.m., unless the licensee’s parent
22 or guardian, or a person who meets the requirements under s. 343.07 (1) (a), occupies
23 the seat beside the licensee, or unless the licensee is traveling between his or her
24 place of residence, school or place of employment.

1 (am) 1. Paragraph (a) does not apply to any licensee to whom all of the following
2 apply:

3 a. The licensee is operating the motor vehicle in the service of an organized
4 program that, without compensation, transports teenagers to their homes.

5 b. The licensee possesses documentation that identifies the program and the
6 licensee and that authorizes the licensee to operate a motor vehicle in service of the
7 program on the date and time of the operation. The documentation is valid only if
8 signed by a person who is at least 25 years of age and associated with the program.

9 c. The licensee is accompanied by another licensee, other than a teenager who
10 is being transported, who is in the motor vehicle in the service of the program
11 described in subd. 1. a. and who possesses the documentation described in subd. 1.
12 b.

13 d. The licensee is accompanied by not more than 3 passengers in the vehicle.
14 The licensee described in subd. 1. c. shall not be counted under this subd. 1. d.

15 2. Paragraph (a) does not apply to any licensee operating the motor vehicle to
16 or from a program described in subd. 1. a., if the licensee possesses documentation
17 described in subd. 1. b. A licensee described in this subdivision may be accompanied
18 by any number of persons also traveling to or from a program described in subd. 1.
19 a.

20 (ar) Paragraph (a) does not apply to any licensee operating a motor vehicle for
21 emergency purposes.

22 (b) 1. The department shall extend the restrictions under par. (a) for an
23 additional 6-month period or until the licensee's 18th birthday, whichever occurs
24 earlier, if any of the following occurs while the licensee is subject to the restrictions
25 under par. (a):

1 a. The licensee commits a moving violation specified by the department by rule,
2 resulting in a conviction of the licensee.

3 b. The licensee violates par. (a).

4 c. A court or the department suspends or revokes the licensee's operating
5 privilege for any reason other than a mental or physical disability.

6 2. If the department extends a restriction period under subd. 1., the
7 department shall immediately provide notice of the extension by 1st class mail to the
8 person's last-known residence address.

9 (c) A period of restriction under this subsection does not run while a person's
10 operating privilege is suspended or revoked.

11 (d) The restrictions under this subsection apply until the period of restriction
12 expires or until the licensee reaches 18 years of age, whichever occurs first.

13 (e) Nothing in this subsection may be construed to create a separate cause of
14 action against the parent or guardian of a probationary licensee under this
15 subsection or against the owner of any vehicle operated by a probationary licensee
16 under this section.

17 **SECTION 2734rs.** 343.085 (3) of the statutes is amended to read:

18 343.085 (3) The secretary may suspend a person's operating privilege under
19 this section when such person has been assigned sufficient demerit points after
20 conviction for traffic violations to require suspension under the rule adopted under
21 sub. (5) and either holds a license issued under this section or by age comes under
22 this section. The secretary may revoke such a person's operating privilege under this
23 section if such person has a previous suspension under this section. This subsection
24 applies only to a person holding a probationary license issued before the effective
25 date of this subsection [revisor inserts date]. This subsection does not apply on

1 or after the first day of the 37th month beginning after the effective date of this
2 subsection [revisor inserts date].

3 **SECTION 2734rv.** 343.085 (5) of the statutes is amended to read:

4 343.085 (5) For the purpose of determining when to suspend or to continue a
5 person on probationary status, the secretary may determine and adopt by rule a
6 method of weighing traffic convictions by their seriousness and may change such
7 weighted scale from time to time as experience or the accident frequency in the state
8 makes necessary or desirable. Such scale may be weighted differently for this
9 licensee than the scale used to determine revocations under s. 343.32. This
10 subsection applies only to a person holding a probationary license issued before the
11 effective date of this subsection [revisor inserts date]. This subsection does not
12 apply on or after the first day of the 37th month beginning after the effective date
13 of this subsection [revisor inserts date].

14 **SECTION 2744g.** 343.17 (3) (a) 13. of the statutes is created to read:

15 343.17 (3) (a) 13. If the person is under 18 years of age at the time of issuance
16 of the license, a distinctive appearance specified by the department that clearly
17 identifies to the public that the person was under 18 years of age at the time of
18 issuance of the license.

19 **SECTION 2744m.** 343.19 (1) of the statutes is amended to read:

20 343.19 (1) If a license issued under this chapter or an identification card issued
21 under s. 343.50 is lost or destroyed or the name or address named in the license or
22 identification card is changed or the condition specified in s. 343.17 (3) (a) 12. or 13.
23 no longer applies, the person to whom the license or identification card was issued
24 may obtain a duplicate thereof or substitute therefor upon furnishing proof
25 satisfactory to the department of name and date of birth and that the license or

1 identification card has been lost or destroyed or that application for a duplicate
2 license or identification card is being made for a change of address or name or
3 because the condition specified in s. 343.17 (3) (a) 12. or 13. no longer applies. If the
4 original license or identification card is found it shall immediately be transmitted to
5 the department. Duplicates of nonphoto licenses shall be issued as nonphoto
6 licenses.

7 **SECTION 2746g.** 343.21 (1) (i) of the statutes is amended to read:

8 343:21 (1) (i) Except as provided in par. (im) or (ir), for an instruction permit,
9 \$20.

10 **SECTION 2746m.** 343.21 (1) (ir) of the statutes is created to read:

11 343.21 (1) (ir) For an instruction permit authorizing the operation of "Class D"
12 vehicles, \$25."

13 **3.** Page 1344, line 2: after that line insert:

14 "SECTION 2749gg. 343.32 (2) (bc) of the statutes is created to read:

15 343.32 (2) (bc) 1. Except as provided in subd. 2., the scale adopted by the
16 secretary shall assess, for each conviction, twice the number of demerit points that
17 are assessed for the same offense committed by the holder of a regular license, if the
18 convicted person has been previously convicted of an offense for which demerit points
19 are assessed and the person is one of the following:

- 20 a. A person who holds a probationary license.
21 b. An unlicensed person who would hold a probationary license if licensed.
22 c. A person who holds an instruction permit under s. 343.07.

23 2. The secretary may not increase under subd. 1. the number of demerit points
24 that are assessed for a violation of ch. 347.

1 **SECTION 2749gm.** 343.32 (2) (c) of the statutes is renumbered 343.32 (2) (c) 1.
2 and amended to read:

3 343.32 (2) (c) 1. ~~In~~ Except as provided in subd. 2., in order for the secretary to
4 suspend or revoke an operating privilege under this subsection, the operator must
5 have accumulated 12 demerit points in any 12-month period.

6 **SECTION 2749gr.** 343.32 (2) (c) 2. of the statutes is created to read:

7 343.32 (2) (c) 2. The secretary shall suspend, for a period of 6 months, the
8 operating privilege of any person who holds a probationary license issued on or after
9 the effective date of this subdivision [revisor inserts date], and who has
10 accumulated 12 demerit points in any 12-month period.”.

11 **4.** Page 1551, line 11: after that line insert:

12 “(5g) OFFENSES REQUIRING AN EXTENSION OF A PROBATIONARY LICENSEE’S
13 RESTRICTION PERIOD. Not later than the first day of the 4th month beginning after the
14 effective date of this subsection, the secretary of transportation shall submit in
15 proposed form rules required under section 343.085 (2m) (b) 1. a. of the statutes, as
16 created by this act, to the legislative council staff under section 227.15 (1) of the
17 statutes. The rules may not propose to extend a period of restriction under section
18 343.085 (2m) (b) of the statutes, as created by this act, for a violation of section 343.05
19 (1) or (3), 343.12 (1), 346.595 (1) or (6), 347.20, 347.28, 347.29 (1), 347.38 (1), (2) or
20 (4), 347.40, 347.42, 347.46, 347.47, 347.485 (2), 347.486 (2), 347.487 or 347.488 of the
21 statutes, nor for operating a motor vehicle with an operating privilege that is
22 suspended or revoked or with an operator’s license that is expired.”.

23 **5.** Page 1601, line 20: after that line insert:

24 “(4g) INSTRUCTIONAL PERMITS AND PROBATIONARY LICENSES.

1 (a) The treatment of sections 343.085 (2m) and 343.32 (2) (bc) of the statutes,
2 the renumbering and amendment of section 343.085 (1) and 343.32 (2) (c) of the
3 statutes and the creation of sections 343.085 (1) (b) and 343.32 (2) (c) 2. of the statutes
4 first apply to licenses and permits applied for on the effective date of this paragraph.

5 (b) The treatment of sections 343.06 (1) (cm), 343.07 (1) (a), (b), (bm) and (c) and
6 (3) and 343.21 (1) (i) and (ir) of the statutes first applies to licenses and permits
7 applied for on the effective date of this paragraph.

8 (4h) OPERATORS' LICENSES ISSUED TO CHILDREN UNDER 18 YEARS OF AGE. The
9 treatment of section 343.17 (3) (a) 13. of the statutes first applies to licenses issued
10 on January 1, 2000, or on the day after the effective date of this subsection, whichever
11 is later.”.

12 **6.** Page 1615, line 14: after that line insert:

13 “(3g) GRADUATED DRIVER LICENSING.

14 (a) The treatment of sections 121.41 (2), 343.06 (1) (cm), 343.07 (1) (a), (b), (bm)
15 and (c), and (3), 343.17 (3) (a) 13., 343.19 (1) and 343.21 (1) (i) and (ir) of the statutes
16 takes effect on the first day of the 4th month beginning after publication.

17 (b) SECTION 9150 (5g) of this act takes effect on the day after publication.

18 (c) The treatment of sections 343.085 (2m), (3) and (5) and 343.32 (2) (bc) of the
19 statutes, the renumbering and amendment of sections 343.085 (1) and 343.32 (2) (c)
20 of the statutes, the creation of sections 343.085 (1) (b) and 343.32 (2) (c) 2. of the
21 statutes and SECTION 9350 (4g) of this act take effect on the first day of the 10th month
22 beginning after publication, or on September 1, 2000, whichever is later.”.

23 (END)