

2003 DRAFTING REQUEST

Bill

Received: **05/06/2003**

Received By: **mglass**

Wanted: **As time permits**

Identical to LRB:

For: **Cathy Stepp (608) 266-1832**

By/Representing: **Scott Manley**

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

Drafter: **mglass**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - boats snomos ATVs**

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Content of snowmobile safety certification program

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>
/?							State
/1	mglass 10/20/2003	wjackson 11/19/2003	pgreensl 11/20/2003		lemery 11/20/2003		State
/2	mglass 12/01/2003	wjackson 12/02/2003	rschluet 12/02/2003		Inorthro 12/02/2003	Inorthro 01/27/2004	

FE Sent For:

<END>

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*Senate
per
Scott*

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1/2 Wlj 12/2

12

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/?	mglass	1/11/19	ll bo ps	ll bo sub			

FE Sent For:

<END>

for

Cathy Stepp - 61832

by Scott Manley

350.055

require classroom instruction

6 hours course - classroom

2 hours hands-on - optional

} drafting



State of Wisconsin
2003 - 2004 LEGISLATURE

RMR
LRB-2664/1
MGG:/:....
W LJ

Nov 11/24 in 10/20/03

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

GEN

1 AN ACT ...; relating to: the content of the program of instruction on snowmobile
2 laws and safety.

two six

Analysis by the Legislative Reference Bureau

Under current law, the Department of Natural Resources (DNR) administers a program instructing persons in the safe use of snowmobiles. The program is conducted by instructors certified by DNR. This bill requires that the content of the program include ~~6~~ hours of classroom instruction and allows the program to contain up to ~~2~~ hours of instruction on a snowmobile.

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:

3 SECTION 1. 350.055 of the statutes is amended to read:
4 **350.055 Safety certification program established.** The department shall
5 establish a program of instruction on snowmobile laws, including the intoxicated
6 snowmobiling law, regulations, safety and related subjects. The program shall be
7 conducted by instructors certified by the department. The department may procure

1 liability insurance coverage for certified instructors for work within the scope of their
2 duties under this section. The program shall include 6 hours of classroom instruction
3 and the instructor may include up to 2 hours ^{of} instruction on a snowmobile as to how
4 it is actually operated. Each person satisfactorily completing this program shall
5 receive a snowmobile safety certificate from the department. The department shall
6 establish by rule an instruction fee for this program. An instructor conducting a
7 program of instruction under this section shall collect the instruction fee from each
8 person who receives instruction. The department may determine the portion of this
9 fee, which may not exceed 50%, that the instructor may retain to defray expenses
10 incurred by the instructor in conducting the program. The instructor shall remit the
11 remainder of the fee or, if nothing is retained, the entire fee to the department. A
12 person who is required to hold a valid snowmobile safety certificate may operate a
13 snowmobile in this state if the person holds a valid snowmobile safety certificate
14 issued by another state or province of the Dominion of Canada and if the course
15 content of the program in such other state or province substantially meets that
16 established by the department under this section.

17 History: 1971 c. 277; 1973 c. 298; 1987 a. 27, 399; 1991 a. 39; 1999 a. 9.

(END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2664/fin

MGG:.....

wlj

Please review this bill carefully. Two questions arose in drafting this bill:

1. The amount of "hands-on" instruction is not at the option of the person taking the course or DNR but is up to the discretion of the instructor. OK?
2. The classroom component eliminates correspondence-type instruction. OK?

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2664/1dn
MGG:wlj:pg

November 20, 2003

Please review this bill carefully. Two questions arose in drafting this bill:

1. The amount of "hands-on" instruction is not at the option of the person taking the course or DNR but is up to the discretion of the instructor. OK?
2. The classroom component eliminates correspondence-type instruction. OK?

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215



D-Note

SOON

2003 BILL

No ff

For each person receiving instruction who is under 16 years old, this

additional

REGEN

1 AN ACT to amend 350.055 of the statutes; relating to: the content of the
2 program of instruction on snowmobile laws and safety.

instructor

Analysis by the Legislative Reference Bureau

Under current law, the Department of Natural Resources (DNR) administers a program instructing persons in the safe use of snowmobiles. The program is conducted by instructors certified by DNR. This bill requires that the content of the program include six hours of classroom instruction and allows the program to provide up to two hours of instruction on a snowmobile.

provided

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6 snowmobiling law, regulations, safety and related subjects. The program shall be
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provide to the person

BILL

N. 11

each person

For persons who do under the age of 16 years

additional

1 liability insurance coverage for certified instructors for work within the scope of their
 2 duties under this section. ~~The program shall include 6 hours of classroom~~
 3 ~~instruction, and the instructor may include up to 2 hours of instruction on a~~
 4 ~~snowmobile as to how it is actually operated.~~ Each person satisfactorily completing
 5 this program shall receive a snowmobile safety certificate from the department. The
 6 department shall establish by rule an instruction fee for this program. An instructor
 7 conducting a program of instruction under this section shall collect the instruction
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 11 instructor shall remit the remainder of the fee or, if nothing is retained, the entire
 12 fee to the department. A person who is required to hold a valid snowmobile safety
 13 certificate may operate a snowmobile in this state if the person holds a valid
 14 snowmobile safety certificate issued by another state or province of the Dominion of
 15 Canada and if the course content of the program in such other state or province
 16 substantially meets that established by the department under this section.

(END)

✓ D-Note

4 Although, as a practical matter, DNR may not offer the safety program to minors younger than 12; nothing in the statutes says one must be at least 12 to take the course or, therefore, ~~only included~~ did not include a minimum age requirement.

MB

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2664/2dn
MGG:wlj:rs

December 2, 2003

Although, as a practical matter, DNR may not offer the safety program to minors younger than 12, nothing in the statutes says one must be at least 12 to take the course. I, therefore, did not include a minimum age requirement.

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

Emery, Lynn

From: Emery, Lynn
Sent: Friday, December 05, 2003 9:43 AM
To: Manley, Scott
Subject: LRB-2664/2 & 2dn (attached as requested)



03-2664/2



03-2664/2dn

Lynn Emery
Program Assistant
Legislative Reference Bureau
608-266-3561
lynn.emery@legis.state.wi.us