

2007 DRAFTING REQUEST

Bill

Received: **01/24/2007**

Received By: **bbalinsk**

Wanted: **As time permits**

Identical to LRB:

For: **Robert Turner (608) 266-0731**

By/Representing: **Lorna George**

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

Drafter: **bbalinsk**

May Contact:

Addl. Drafters:

Subject: **Transportation - driver licenses**

Extra Copies: **ARG**

Submit via email: **YES**

Requester's email: **Rep.Turner@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Waive CDL testing for persons with military operator's license

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>
/P1	bbalinsk 02/13/2007	wjackson 02/19/2007	nmatzke 02/19/2007	_____	cduerst 02/19/2007		
/P2	bbalinsk 03/19/2007	wjackson 03/20/2007	pgreensl 03/20/2007	_____	lparisi 03/20/2007		
/1		jdyer 03/22/2007	rschluet 03/22/2007	_____	sbasford 03/22/2007	sbasford 03/22/2007	

FE Sent For:

NO

<END>

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/P1	bbalinsk 02/13/2007	wjackson 02/19/2007	nmatzke 02/19/2007	_____	cduerst 02/19/2007		
/P2	bbalinsk 03/19/2007	wjackson 03/20/2007	pgreensl 03/20/2007	_____	iparisi 03/20/2007		

Please jacket

13/22jld
[Signature]
[Signature]

FE Sent For:

<END>

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/P1	bbalinsk 02/13/2007	wjackson 02/19/2007	nmatzke 02/19/2007	<i>[Handwritten signature]</i>	cduerst 02/19/2007		

FE Sent For:

[Handwritten notes: p2 WLj 3/20, 3, 120, ps/1511]
<END>

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/P1	bbalinsk	/pl WLj 2/19	nwn 2/19	nwn/RS 2/19			

FE Sent For:

<END>

George, Lorna

From: Balinsky, Brett
Sent: Wednesday, January 24, 2007 9:36 AM
To: George, Lorna
Subject: RE: CDL testing draft, LRB 07-1656

THANKS!
Lorna

I'll look them over. Thanks.

From: George, Lorna
Sent: Wednesday, January 24, 2007 9:30 AM
To: Balinsky, Brett
Subject: RE: CDL testing draft, LRB 07-1656

1/24

Brett,

Thank you. It may be helpful for you to see copies of the correspondence we were given on the subject. I have 3 documents: a letter from Secretary Busalacchi, a letter from the VFW past State Commander, and a letter from James President of the Teamsters. I will have these sent to you unless you specify otherwise.

Lorna George

Office of State Representative Robert L. Turner

212 North, State Capitol

P.O. Box 8953

Madison, WI 53708

608-266-0731 - office

1-888-529-0061 - toll-free

608-282-3661 - fax

lorna.george@legis.wi.gov

From: Balinsky, Brett
Sent: Wednesday, January 24, 2007 9:21 AM
To: George, Lorna
Subject: CDL testing draft, LRB 07-1656

Hi Lorna,

I will be doing this draft and it will be LRB 07-1656. If you should have any questions or comments, please do not hesitate to contact me.

Brett A. Balinsky
Legislative Attorney
Wisconsin Legislative Reference Bureau
(608) 267-7380
brett.balinsky@legis.wisconsin.gov

From: George, Lorna
Sent: Tuesday, January 23, 2007 3:28 PM
To: LRB.Legal
Subject: Message for Brett Balinsky

1/23/07

Mr. Balinsky,

Representative Turner would like to have legislation drafted that would make a change in the WI statutes to allow the DOT to waive CDL testing for individuals presenting a military license, regardless of what state that license was issued in. Current law allows this waiver *only if* the military license was issued in Wisconsin.

Representative Turner has been told that this revision has the support of the Governor, Secretary Busalacchi (DOT) and Secretary Scocos (DVA). If you are the correct person at LRB to work with us on this draft, please reply and indicate if you can assist our office, or direct me to the appropriate LRB staff.

Thank you.

Lorna George

Office of State Representative Robert L. Turner

212 North, State Capitol

P.O. Box 8953

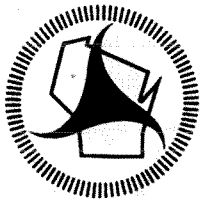
Madison, WI 53708

608-266-0731 - office

1-888-529-0061 - toll-free

608-282-3661 - fax

lorna.george@legis.wi.gov



Wisconsin Department of Transportation

www.dot.wisconsin.gov

Jim Doyle
Governor

Frank J. Busalacchi
Secretary

Office of the Secretary
4802 Sheboygan Ave., Rm. 120B
P.O. Box 7910
Madison, WI 53707-7910

Telephone: 608-266-1113
FAX: 608-266-9912
E-Mail: sec.exec@dot.state.wi.us

September 1, 2006

Michael L. "Gunner" Furgal
Past State Commander
Veterans of Foreign Wars
1411 14th Avenue
Monroe, WI 53566

Dear Mr. Furgal:

Governor Doyle has asked me to respond to your recent letter regarding testing standards for individuals with military licenses applying for a Wisconsin Commercial Driver License (CDL).

The department has a fundamental goal of providing for the public safety of all citizens on Wisconsin highways. As noted in the letter from Mr. Hoffa, many states take different approaches to that mission.

Wisconsin law allows the department to waive CDL related knowledge tests (except for hazardous materials and school buses) and road tests for individuals surrendering a CDL license from another state. In addition, our current law allows the department to waive CDL related knowledge and road tests for individuals presenting a military license, but only if the military license was issued within the territorial boundaries of Wisconsin. The military waiver process was the result of a cooperative effort between the department and military officials who confirmed that Wisconsin military commercial motor vehicle testing standards were equal to or greater than those required under the federal Motor Carrier Safety Administration (FMCSA) and Wisconsin law.

The section in the federal regulations Mr. Hoffa refers to in his letter (part 383.77) was used by Wisconsin during the initial implementation of the commercial motor vehicle safety act of 1986. This allowance to "grandfather" commercial motor vehicle operators from the required road test was based on their driving record and previous experience operating a commercial motor vehicle.

Our ability to grandfather experienced and safe commercial motor operators expired on April 1, 1992. Waivers for military commercial motor vehicle operation would require a legislative change.

If you have any further questions or concerns please do not hesitate to call Terry Ewing in the Bureau of Field Services at 608-266-0428.

Sincerely,

Frank J. Busalacchi
Secretary

cc: Governor Jim Doyle

COPY

DEPARTMENT OF WISCONSIN

VETERANS OF FOREIGN WARS OF THE UNITED STATES



1411 14th Avenue
Monroe, WI 53566
(608) 325-2670
August 3, 2006

Governor Jim Doyle
115 East, State Capitol
Madison, WI 53704

Dear Governor Doyle:

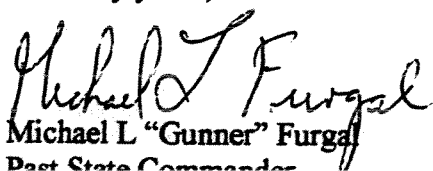
I know that you are a supporter of the Helmets to Hardhats Program and I have a way that the program can be enhanced to help even more veterans in the state of Wisconsin find jobs. Federal regulations (49 CFR 383.77) allow every state the ability to grant a Commercial Drivers License (CDL) to veterans based on their military driving experience and Military Occupational Specialty (MOS).

Doing so would help eliminate unemployment among recently discharged veterans and will further help to reduce the amount of unemployment that the state would be required to pay these returning service members until they can find gainful employment.

I have attached a letter from Mr. James P. Hoffa, President of the International Brotherhood of Teamsters and a trustee of the Helmets to Hardhats Program. The letter provides examples of standards that a state could require for issuing CDL's to veterans returning home from military service.

By acceptance of this program, Wisconsin would demonstrate its appreciation for the sacrifices that our military men and women have made on behalf of our country. The program would also help them to make an easier transition to civilian life and become respected tax payers.

Sincerely yours,


Michael L. "Gunner" Furgal
Past State Commander
Veterans of Foreign Wars

COPY

INTERNATIONAL BROTHERHOOD OF TEAMSTERS

JAMES P. HOFFA
General President

25 Louisiana Avenue, NW
Washington, DC 20001



C. THOMAS KEEGEL
General Secretary-Treasurer

202.624.6800
www.teamster.org

May 19, 2006

FORWARD TO BOB
WALLACE FOR ACTION
BY THE WASHINGTON
OFFICE!

Mr. Jim Mueller, Commander-in-Chief
Veterans of Foreign Wars
406 West 34th Street
Kansas City, Missouri 64111

Dear Mr. Mueller:

As a Trustee of the *Helmets To Hardhats* program, I want to inform you that I have written to the governors of 45 states asking that they grant commercial drivers licenses (CDLs) to veterans who have experience driving heavy vehicles.

This simple change in procedure would recognize the talent and skill our military men and women achieve while serving our country and would help them transition more smoothly and quickly to civilian life. Federal regulations (49 CFR 383.77, Substitute for driving skills) already grant every state the ability to grant CDLs based on military experience, but so far only five states – Florida, Minnesota, Nevada, Ohio and Rhode Island – have rules in place to make it happen.

For the sake of our veterans and their families, I ask for your support in this effort, one that would not only help repay our debt to those who bravely served our country during war time, but would also ensure that applicants possess the skills necessary to safely operate commercial vehicles on our national highways. Such standards should include:

May 19, 2006

Page Two

- Issuing the class of license equivalent to the vehicle class driven in military service;
- If the applicant has experience/training driving a vehicle that requires an endorsement(s) (Doubles/Triples, Bus, and Tank) they should not be required to test for the applicable endorsement(s). However, they should be required to take the test for the Hazardous Materials endorsement;
- A passing score of the written CDL General Knowledge Test;
- Meet all physical qualifications (49 CFR 391.41); and
- Have safe driving records (49 CFR 383.51).

For prior military:

- A Form-DD214 showing the proper Military Occupational Specialty (MOS) or appropriate certificate of training or a form of verification.

For active military, National Guard or Reserve:

- Letters from military units defining the class of vehicles the applicants are qualified to drive.

Thank you for your support.

Sincerely,



James P. Hoffa
General President

JPH:dr



Balinsky, Brett

From: Ewing, Terry - DOT
Sent: Thursday, February 08, 2007 1:03 PM
To: Frazier, Carson - DOT; Balinsky, Brett
Subject: RE: Waiver of CDL testing for military license holders

Good afternoon Brett,

Sorry this is late, I have been out of the office the last few days.

Under Statue 340.01 definitions, 41m, talks about "Other or another jurisdiction" and that is where you will find language regarding waiving tests if a CDL license was issued at a federal military installation located with the territorial boundaries of Wisconsin.

We would treat a CDL license issued at a federal military installation within Wisconsin, the same as someone surrendering a CDL license from Michigan for example. No tests required unless the person has a physical impairment that needs further evaluation or they have an "H" endorsement to transport hazmat or an "S" endorsement for operating a school bus. The "H" endorsement requires a knowledge only (along with a background check under the U.S.A. Patriot Act) and the "S" endorsement requires knowledge, highway signs and an abbreviated skills test.

Please let me know if you need anything else.

Terry

> -----Original Message-----

> From: Frazier, Carson
> Sent: Tuesday, February 06, 2007 1:46 PM
> To: Balinsky, Brett; Ewing, Terry
> Cc: Frazier, Carson
> Subject: RE: Waiver of CDL testing for military license holders

> Hi Brett. Did Terry get back to you? I think he might be out of the
> office the last couple of days, but I'm not sure. I do not know the
> answer to your question, but I do know that 340.01(41`m) defines
> "other jurisdiction" to include any federal military installations
> located in the territorial boundaries of Wisconsin. I'm sure Terry
> will answer as soon as he can. thanks.

> Carson P. Frazier
> Program Officer, Legislative Liaison
> Division of Motor Vehicles
> Phone: 608-266-7857

> -----Original Message-----

> From: Balinsky, Brett [mailto:Brett.Balinsky@legis.wisconsin.gov]
> Sent: Monday, February 05, 2007 3:50 PM
> To: Ewing, Terry - DOT
> Cc: Egan, Erin - DOT; Frazier, Carson - DOT
> Subject: Waiver of CDL testing for military license holders

> Hi Terry,

> I've have received an inquiry regarding CDL testing waivers for
> military license holders and was provided with a copy of a September
> 1, 2006 letter on the subject from Secretary Busalacchi to Michael
> Furgal in which you were named as the contact person. The letter

> states that current Wisconsin law allows DOT "to waive CDL related
> knowledge and road tests for individuals presenting a military license
> but only if the military license was issued within the territorial
> boundaries of Wisconsin." I have reviewed chapter 343 of the statutes as well as Wis.
Admin. Code chs.

> Trans. 102 and 104 and have not found any mention of such a waiver.
> Military personnel driving vehicles owned by the federal government
> are exempt from the licensing requirements of ch. 343 under s. 343.05
> (4) (a) 1., but I have found nothing on the issue of CDL testing for
> military license holders. Could you please provide me with the
> citation for this waiver?

>
> Thank you.

>
> Brett A. Balinsky
> Legislative Attorney
> Wisconsin Legislative Reference Bureau
> (608) 267-7380
> brett.balinsky@legis.wisconsin.gov
>



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1656/P1

BAB:...

WJ

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

IN 2/13/07
By 2/19

D-NOTE

Gen Cat

1 AN ACT ...; relating to: commercial driver license testing for military license
2 holders.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Transportation (DOT) may require an operator's license applicant holding an operator's license from another jurisdiction who is changing his or her residence to Wisconsin to take all or part of the knowledge and driving skills tests required of a person making a first application for an operator's license. Under current law, a license from "another jurisdiction" includes federal military license holders whose military licenses were issued at a federal military installation located in Wisconsin. This bill requires DOT to waive the knowledge and driving skills tests for all commercial driver license applicants who hold a federal military commercial driver license, regardless of where it was issued, with endorsements authorizing operation of commercial motor vehicles.

Who holds and

STET

STET

STET

STET

Where federal military license holders are issued military licenses

3

4

5

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

SECTION 1. 343.16 (2) (f) of the statutes is created to read:

343.16 (2) (f) *Military license holder waiver.* 1. In this paragraph, "federal military commercial driver license" means, notwithstanding ss. 340.01 (7m) and

1 (41m), a ^{✓ commercial} ~~commercial~~ driver license issued by the U.S. armed forces or forces
 2 incorporated as part of the U.S. armed forces authorizing the licensee to operate
 3 commercial motor vehicles.

4 2. Notwithstanding pars. (a) to (c) and sub. (1) (a), if an applicant for a
 5 commercial driver license holds a valid federal military commercial driver license,
 6 the department shall waive the knowledge and driving skills tests for any class of
 7 vehicle the applicant is authorized to operate under the federal military commercial
 8 driver license and for any endorsement issued to the applicant's federal military
 9 commercial driver license.

10 **SECTION 2. Initial applicability.**

11 (1) This act first applies to applications for commercial driver licenses
 12 submitted to the department on the effective date of this ^{subsection} ~~act~~

13 (END)

D - NOTE ✓

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1656/P1dn

BAB:/:....
wj

ATTN: Lorna George

The attached draft has been prepared in preliminary form. Please review the draft carefully to ensure that it is consistent with your intent. Your request specified that this bill should waive commercial driver license (CDL) testing for holders of a military driver's license. This draft allows such a waiver only for vehicles and endorsements the applicant is authorized to operate by his or her federal military license. Is this acceptable?

There are several different tests that are required to obtain motor vehicle operator's licenses in Wisconsin, including a knowledge test, an eyesight test, and a driving skills test. This draft waives the requirement that the military license holder take the CDL knowledge and driving skills tests, but continues the requirement that the applicant take an eyesight test. Is that acceptable?

While some of the persons ^{whom} ~~that~~ this draft address ^{es} will be continuing a military affiliation through the reserves program, others will have been discharged from the armed forces by the time ~~that~~ they seek to obtain a Wisconsin CDL and may no longer have a current military license. Do you want to impose any sort of time limit from the date the military license expires or is cancelled - for instance, within one year of the license's expiration - to allow the veteran to obtain a Wisconsin CDL under this bill? Do you want to limit the applicability of this bill only to military license holders who have not been dishonorably discharged from the armed forces? _{=em}

In addition to the above issues, there are several other issues ^{about which} ~~where~~ it may be helpful to consult with DOT, including compliance issues with federal law and whether there should be an exception to the waiver for knowledge testing required for a hazardous materials endorsement.

Brett A. Balinsky
Legislative Attorney
Phone: (608) 267-7380
E-mail: brett.balinsky@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1656/P1dn
BAB:wlj:nwn

February 19, 2007

ATTN: Lorna George

The attached draft has been prepared in preliminary form. Please review the draft carefully to ensure that it is consistent with your intent. Your request specified that this bill should waive commercial driver license (CDL) testing for holders of a military driver's license. This draft allows such a waiver only for vehicles and endorsements the applicant is authorized to operate by his or her federal military license. Is this acceptable?

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While some of the persons whom this draft addresses will be continuing a military affiliation through the reserves program, others will have been discharged from the armed forces by the time they seek to obtain a Wisconsin CDL and may no longer have a current military license. Do you want to impose any sort of time limit from the date the military license expires or is canceled — for instance, within one year of the license's expiration — to allow the veteran to obtain a Wisconsin CDL under this bill? Do you want to limit the applicability of this bill only to military license holders who have not been dishonorably discharged from the armed forces?

In addition to the above issues, there are several other issues about which it may be helpful to consult with DOT, including compliance issues with federal law and whether there should be an exception to the waiver for knowledge testing required for a hazardous materials endorsement.

Brett A. Balinsky
Legislative Attorney
Phone: (608) 267-7380
E-mail: brett.balinsky@legis.wisconsin.gov

Balinsky, Brett

From: George, Lorna
Sent: Tuesday, March 06, 2007 8:59 AM
To: Balinsky, Brett
Cc: Duerst, Christina
Subject: FW: LRB 1656 draft: DOT suggestions

3/6/07

Brett,

Representative Turner and the DOT have reviewed the draft of LRB 1656 regarding waivers of military CDLs. Below are the two e-mails with DOT suggestions. Representative Turner agrees with these DOT suggestions and would like to see them incorporated into the bill.

Let me know if I can provide you with anything else to finalize the bill draft. Would you also let me know what your estimated time frame is to complete this so I can keep Representative Turner informed?

Thank you,

Lorna George
Office of State Representative Robert L. Turner
212 North, State Capitol
P.O. Box 8953
Madison, WI 53708
608-266-0731 - office
1-888-529-0061 - toll-free
608-282-3661 - fax
lorna.george@legis.wi.gov

-----Original Message-----

From: Frazier, Carson - DOT
Sent: Thursday, March 01, 2007 9:00 AM
To: George, Lorna
Cc: Klein, Christopher - DOT; Klein, Rose - DOT; Judd, Lynne - DOT; Guenther, Gary - DOT; Ewing, Terry - DOT; Egan, Erin - DOT; Kraemer, Debbie - DOT; Frazier, Carson - DOT; Hoff, Sandra - DOT
Subject: RE: LRB draft: CDL Test Waiver for Military License holders

Hi, Lorna: just one more point that Terry Ewing noted, just for your information.

Our staff is trained to take a look at everyone who comes for a driver license product (including customers coming in from another jurisdiction), just to evaluate whether the person seems to have a disability or functional impairment that may be subject to a special examination under Chapter Trans. 104.07(1)(f), if we need to evaluate a physical disability or functional impairment and their current license does not have restrictions associated with the impairment or disability.

We just wanted you to know, because there is always a possibility -- unusual, but still there -- that a person who comes in with a military CDL (like anyone who comes from another jurisdiction) could be subject to special examination under Trans 104.07(1)(f).

Thanks.

Carson P. Frazier
Program Officer, Legislative Liaison
Division of Motor Vehicles
Phone: 608-266-7857

-----Original Message-----

From: Frazier, Carson

Sent: Thursday, March 01, 2007 7:02 AM

To: George, Lorna

Cc: Klein, Christopher - DOT; Klein, Rose; Judd, Lynne; Guenther, Gary; Ewing, Terry; Egan, Erin; Frazier, Carson; Kraemer, Debbie

Subject: LRB draft: CDL Test Waiver for Military License holders

Hi, Lorna: We've reviewed the attached LRB draft and have the following suggestions, please.

1. The intent of DOT and the Representative is to treat all military CDL licenses the same way we treat CDL licenses from another jurisdiction. For all jurisdictions, Wisconsin does not waive the knowledge test for a Hazardous Materials ("H") endorsement and a School Bus ("S") endorsement, and we also do not waive the skills test for a School Bus ("S") endorsement.

The LRB draft needs to be amended to establish these two exclusions, so that military CDL will be treated exactly like other jurisdiction CDL. For information, please see Trans.104.03(1)(b) which states that a knowledge test is not waived for Hazardous Materials or School Bus endorsement; and to Trans 104.06(4) and the note following that section, which states that a skills test is not waived for a School Bus endorsement.

2. A Military CDL does not use the same definitions of vehicle classes that all jurisdictions use on their CDL licenses. It is impossible for DOT to determine, based on looking at a military CDL, what vehicle classes the Wisconsin CDL should authorize. The LRB draft needs to be amended to require the applicant to present to DOT, a letter from the applicant's commanding officer, which shows the equivalent vehicle class ("A", "B", or "C", enumerated and described in statute S.343.04(1)(a), (b), and (c)) for the vehicles that the military CDL authorizes.

3. The drafter note asks

*Will we still require the applicant to take a vision test?

Yes, we will still require the vision test.

*Do we need a time limit for expired military licenses?

The military CDL should be expired no more than 4 years.

This is the same treatment as CDLs from any other jurisdiction. We would like NOT to use the word "cancelled," only the word "expired," to address the issue of dishonorably discharge below.

*Should eligibility be limited to military license holders who have not been dishonorably discharged?

We believe the problem would be sufficiently taken care of if we use only the word "expired," with no reference to "cancelled." It's our understanding that if a person is dishonorably discharged, the person may be required to surrender his or her military CDL; and we do not have a way to check on whether a military CDL presented to us has been cancelled.

We believe if the person presents the documentation from a commanding officer that shows the equivalency of the vehicle classes (which we ask for in #2 above), this would probably deter an applicant who had been dishonorably discharged from requesting test waiver.

Thank you very much for the opportunity to review the bill draft. Please call if you have any questions.

Carson P. Frazier
Program Officer, Legislative Liaison
Division of Motor Vehicles
Phone: 608-266-7857

-----Original Message-----

From: George, Lorna [mailto:Lorna.George@legis.wisconsin.gov]

Sent: Wednesday, February 21, 2007 8:55 AM

To: Frazier, Carson - DOT

Subject: RE: Consult on Bill draft re: CDL Waiver for Military License holders

2/21/07

Thank you, Carson.

The bill draft documents are attached, but you may also want to look over the supporting documents. I have the letter from Secretary Busalacchi, a letter from the VFW to Governor Doyle, and a letter from Teamsters President Hoffa to the Teamsters. They all contain background and information, including references to federal regulation (CFR 383.77). Would these be helpful? I can send hard copies if you tell me where to send them, or see what quality I can get by scanning these to send electronically.

Lorna George
Office of State Representative Robert L. Turner
212 North, State Capitol
P.O. Box 8953
Madison, WI 53708
608-266-0731 - office
1-888-529-0061 - toll-free
608-282-3661 - fax
lorna.george@legis.wi.gov

-----Original Message-----

From: Frazier, Carson - DOT
Sent: Wednesday, February 21, 2007 6:49 AM
To: George, Lorna
Cc: Klein, Christopher - DOT; Klein, Rose - DOT; Frazier, Carson - DOT; Ewing, Terry - DOT
Subject: RE: Consult on Bill draft re: CDL Waiver for Military License holders

Hi Lorna. If you'd like to send me the draft language, I'll distribute it to the folks here who can review it, Terry plus some others, and we'll get back to you as quickly as we can. Thanks for asking.

Carson P. Frazier
Program Officer, Legislative Liaison
Division of Motor Vehicles
Phone: 608-266-7857

> -----Original Message-----

> From: George, Lorna [mailto:Lorna.George@legis.wisconsin.gov]
> Sent: Tuesday, February 20, 2007 9:36 AM
> To: Frazier, Carson - DOT
> Subject: Consult on Bill draft re: CDL Waiver for Military License
> holders

>
> 2/20/07

>
> Ms. Frazier,

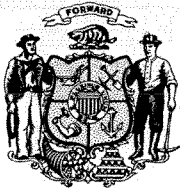
>
> In January, Representative Turner was asked by Michael Furgal, the
> past State Commander of the VFW, to introduce legislation to change
> Wisconsin statutes to allow the DOT to waive CDL testing for
> individuals presenting a military license, regardless of what state
> the
license was issued from.

> Current law allows this waiver only if the license was issued in
> Wisconsin.

>
> We have just received the preliminary draft and the Legislative
> Attorney suggested we consult with the DOT on several issues.
> Nancy McAdams, of our office, thought you might be able to tell me who
> I should contact at the DOT.

>
> This revision has already received support (in concept) from the
> Governor's office and Secretary Busalacchi. In a September 1, 2006
> letter, Secretary Busalacchi suggested Mr. Furgal call Terry Ewing in
> the Bureau of Field Services.
> Is this the appropriate person to review the draft for federal law

> compliance issues ?
>
> I appreciate your assistance.
>
>
> Lorna George
> Office of State Representative Robert L. Turner
> 212 North, State Capitol
> P.O. Box 8953
> Madison, WI 53708
> 608-266-0731 - office
> 1-888-529-0061 - toll-free
> 608-282-3661 - fax
> lorna.george@legis.wi.gov
>



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1656/R1

BAB:wjl:nwn

stats

P2

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

IN 3/19/07
Need by 3/20/07

Regen

1 AN ACT to create 343.16 (2) (f) of the statutes; relating to: commercial driver
2 license testing for military license holders.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Transportation (DOT) may require an operator's license applicant who holds an operator's license from another jurisdiction and who is changing his or her residence to Wisconsin to take all or part of the knowledge and driving skills tests required of a person making a first application for an operator's license. Under current law, a license from another jurisdiction includes military licenses issued at a federal military installation located in Wisconsin. This bill requires DOT to waive the knowledge and driving skills tests for commercial driver license applicants who hold a federal military commercial driver license, regardless of where it was issued, with endorsements authorizing operation of commercial motor vehicles.

Insert Analysis

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

3 SECTION 1. 343.16 (2) (f) of the statutes is created to read:
4 Application by federal
343.16 (2) (f) Military license holder waives 1. In this paragraph, "federal
5 military commercial driver license" means, notwithstanding s. 340.01 (7m) and

1 (41m), a commercial driver license issued by the U.S. armed forces or forces
2 incorporated as part of the U.S. armed forces authorizing the licensee to operate
3 commercial motor vehicles.

Insert 2-3 →

4 *3.2.* Notwithstanding pars. (a) to (c) and sub. (1) (a), if an applicant for a
5 commercial driver license holds a valid federal military commercial driver license,
6 the department *shall treat the application the same as with applications by persons holding a commercial driver license from another jurisdiction* shall waive the knowledge and driving skills tests for any class of
7 vehicle the applicant is authorized to operate under the federal military commercial
8 driver license and *or* any endorsement issued to the applicant's federal military
9 commercial driver license *as established by the statute required by subd. 20*.

10 **SECTION 2. Initial applicability.**

11 (1) This act first applies to applications for commercial driver licenses
12 submitted to the department *of transportation* on the effective date of this subsection.
13

(END)

stet comma
as to

2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1656/P2ins
BAB:wlj:nwn

INSERT - ANALYSIS

This bill requires ~~that~~ an applicant for a commercial driver license who holds a federal military commercial driver license to submit a statement from his or her commanding officer identifying the ~~equivalent~~ ^{STE} classes of vehicles and endorsements ~~under Wisconsin law that~~ the applicant's military commercial driver license authorizes him or her to operate. DOT must then treat the military commercial driver license holder's application the same as an application by a ~~holder~~ of a commercial driver license from another jurisdiction.

INSERT 2-3

that are equivalent under Wisconsin law

holder

2. An applicant for a commercial driver license who holds a federal military commercial driver license shall submit to the department with his or her commercial driver license application a written statement from his or her current or former commanding officer in the armed forces that explains what equivalent vehicle classes under s. 343.04 (1) the applicant's federal military commercial driver license authorizes the applicant to operate and provides the commanding officer's full name, rank, unit, and address.

Balinsky, Brett

From: George, Lorna
Sent: Wednesday, March 21, 2007 1:42 PM
To: Balinsky, Brett
Subject: LRB 1656 Ready to be Jacketed

3/21/07

Brett,

Rep. Turner has reviewed the final draft of LRB 1656/P2, and it is fine and can be jacketed.

Thank you for your work on this bill.

Lorna George

Office of State Representative Robert L. Turner

212 North, State Capitol

P.O. Box 8953

Madison, WI 53708

608-266-0731 - office

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lorna.george@legis.wi.gov



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1656/P2

BAB:wlj:pg

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

IN 3/21/07

Need by 3/23/07

Regen

- 1 AN ACT *to create* 343.16 (2) (f) of the statutes; **relating to:** commercial driver
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Analysis by the Legislative Reference Bureau

Under current law, the Department of Transportation (DOT) may require an operator's license applicant who holds an operator's license from another jurisdiction and who is changing his or her residence to Wisconsin to take all or part of the knowledge and driving skills tests required of a person making a first application for an operator's license. Under current law, a license from another jurisdiction includes military licenses issued at a federal military installation located in Wisconsin.

This bill requires an applicant for a commercial driver license who holds a federal military commercial driver license to submit a statement from his or her commanding officer identifying the classes of vehicles and endorsements the applicant's military commercial driver license authorizes him or her to operate that are equivalent under Wisconsin law. DOT must then treat the military commercial driver license holder's application the same as an application of a commercial driver license holder from another jurisdiction.

This bill requires DOT to waive the knowledge and driving skills tests for commercial driver license applicants who hold a federal military commercial driver license, regardless of where it was issued, with endorsements authorizing operation of commercial motor vehicles.

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

