

**2009 DRAFTING REQUEST**

**Bill**

Received: **09/05/2008**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Karl Van Roy (608) 266-0616**

By/Representing: **Bethany**

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

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - driver licenses**

Extra Copies: **EVM, PG, TKK**

Submit via email: **YES**

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

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

**Pre Topic:**

No specific pre topic given

**Topic:**

Driver education instruction

**Instructions:**

Wants language added to 115.28 (11) (a), driver ed, requiring a minimum of 30 minutes of classroom instruction on railroad safety

**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>
/?				_____			S&L
/P1	agary 09/18/2008	nmatzke 09/22/2008	phenry 09/22/2008	_____	lparisi 09/22/2008		S&L
/1	agary 02/12/2009	nmatzke 02/12/2009	jfrantze 02/12/2009	_____	lparisi 02/12/2009	lparisi 02/16/2009	

FE Sent For: "/1" @ intro, 3/19/09 <END>

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/?							S&L
/P1	agary 09/18/2008	nmatzke 09/22/2008 1 nwn 2/12	phenry 09/22/2008		lparisi 09/22/2008		

FE Sent For:

*Handwritten signature and date:* 2/12 <END>

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/?	agary	<sup>nyn</sup> 9/19 pi g jjld	g ph	g ph/jr			S&L

FE Sent For:

<END>

in  
9/18

nwn+ jld

D-note

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA ✓  
x-ref ✓

✓

Gen

1 AN ACT ...; relating to: ✓ driver education instruction.

**Analysis by the Legislative Reference Bureau**

Under current law, the Department of Public Instruction (DPI) ✓ must approve driver education courses offered by school ✓ districts, county children with disabilities education boards, and technical ✓ college districts. ✓ DPI must also establish minimum standards for driver education ✓ courses offered by private driver schools. ✓ DPI may not approve a driver education course or establish driver education course standards unless the course or standards, among other things, acquaints ✓ students with the hazards posed by farm machinery and animals on highways and by railroad ✓ grade crossings and provides instruction in safely dealing with these hazards. ✓

Under current law, the Technical College System Board (TCSB) ✓ must approve courses of study for each program offered in technical college district schools, including driver ✓ education courses. ✓ TCSB may not approve a driver education course unless the course, among ✓ other things, acquaints students with the hazards posed by farm machinery and animals on highways ✓ and provides instruction in safely dealing with these hazards. The Department of Transportation (DOT) ✓ licenses private driver ✓ schools and DOT may not license a driver school unless its ✓ approved course of instruction includes the content required for TCSB ✓ approval of a driver education course. ✓

Under this bill, all approved driver education courses must acquaint each student with the hazards posed by railroad ✓ highway grade crossings and provide at least 30 minutes ✓ of instruction in safely dealing with these hazards. ✓

For further information see the *state and local* 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:***

1           **SECTION 1.** 38.04<sup>✓^</sup> (4) (e) 5. of the statutes is created to read:

2           38.04 (4) (e) 5. Acquaints each student with the hazards posed by<sup>✓</sup> railroad  
3 highway grade crossings and provides at least 30<sup>✓</sup> minutes of instruction in safely  
4 dealing with these hazards.

5           **SECTION 2.** 115.28<sup>✓</sup> (11) (a) of the statutes is amended to read:

6           115.28 (11) (a) Acquaint each student with the hazards posed by farm  
7 machinery and animals on highways and ~~by railroad grade crossings~~<sup>✓</sup> and provide  
8 instruction in safely dealing with such hazards.

**History:** 1971 c. 40, 125; 1973 c. 89, 90; 1975 c. 39, 115, 199, 220, 224, 395, 422; 1977 c. 26, 29, 203, 418, 429; 1979 c. 28, 331; 1979 c. 346 ss. 10, 15; 1979 c. 355; 1981 c. 20, 241; 1983 a. 27, 412; 1985 a. 12; 1985 a. 29 ss. 1686m, 1689, 3202 (43); 1987 a. 27, 159; 1989 a. 31, 56, 297, 336, 359; 1991 a. 39, 93, 108, 164, 227, 250, 269, 315; 1993 a. 16, 27, 213, 223, 335, 339, 437, 455, 492; 1995 a. 27 ss. 3847g to 3858, 9126 (19), 9145 (1); 1995 a. 225; 1997 a. 27, 113, 114, 164, 240, 245, 252; 1999 a. 9, 19, 32, 124, 185, 186; 2001 a. 16; 2003 a. 33, 42; 2005 a. 25 ss. 1108, 1855, 1856m, 1856w; 2005 a. 218, 220, 466; 2007 a. 20 ss. 2683 to 2684m, 9121 (6) (a); 2007 a. 68, 222.

9           **SECTION 3.** 115.28<sup>✓</sup> (11) (e) of the statutes is created to read:

10           115.28 (11) (e) Acquaint each student with the hazards posed by railroad  
11 highway<sup>✓</sup> grade crossings and provide at least 30<sup>✓</sup> minutes of instruction in safely  
12 dealing with these hazards.

13           **SECTION 4.** 343.71<sup>✓^</sup> (5) (e) of the statutes is created to read:

14           343.71 (5) (e) Acquaints each student with the hazards posed by railroad  
15 highway grade crossings<sup>✓</sup> and provides at least 30<sup>✓</sup> minutes of instruction in safely  
16 dealing with these hazards.

17           **SECTION 5. Initial applicability.**

18           (1) This act first applies to driver education courses that are begun<sup>e begin</sup> on the  
19 effective date of this subsection.<sup>✓</sup>

20           **SECTION 6. Effective date.**





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

LRB-0148/P1dn

ARG:1:...

nwn+ jld

Date

Please review the attached draft carefully to ensure that it is consistent with your intent. ✓

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "1" draft.

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: [aaron.gary@legis.wisconsin.gov](mailto:aaron.gary@legis.wisconsin.gov)

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

LRB-0148/P1dn  
ARG:nwn&jld:ph

September 22, 2008

Please review the attached draft carefully to ensure that it is consistent with your intent.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

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Phone: (608) 261-6926  
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State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-0148/11

ARG:nwn&jld:ph

2/11  
Per Stephanie, wants /1

soon  
in 2/12

AMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

No changes

- 1 <sup>Regen.</sup> **AN ACT to amend** 115.28 (11) (a); and **to create** 38.04 (4) (e) 5., 115.28 (11) (e)
- 2 and 343.71 (5) (e) of the statutes; **relating to:** driver education instruction.

**Analysis by the Legislative Reference Bureau**

Under current law, the Department of Public Instruction (DPI) must approve driver education courses offered by school districts, county children with disabilities education boards, and technical college districts. DPI must also establish minimum standards for driver education courses offered by private driver schools. DPI may not approve a driver education course or establish driver education course standards unless the course or standards, among other things, acquaint students with the hazards posed by farm machinery and animals on highways and by railroad grade crossings and provides instruction in safely dealing with these hazards.

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Under this bill, all approved driver education courses must acquaint each student with the hazards posed by railroad highway grade crossings and provide at least 30 minutes of instruction in safely dealing with these hazards.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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18           (1) This act first applies to driver education courses that begin on the effective  
19 date of this subsection.

20           **SECTION 6. Effective date.**



**Barman, Mike**

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**From:** Hein, Tanya  
**Sent:** Monday, February 16, 2009 1:28 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 09-0148/1 Topic: Driver education instruction

Please Jacket LRB 09-0148/1 for the ASSEMBLY.