

**2013 DRAFTING REQUEST**

**Senate Substitute Amendment (SSA-SB480)**

Received: 2/4/2014 Received By: agary  
 Wanted: As time permits Same as LRB:  
 For: Fred Risser (608) 266-1627 By/Representing: Cassie Jurenci  
 May Contact: Drafter: agary  
 Subject: Transportation - driver licenses Addl. Drafters:  
 Extra Copies: EVM

Submit via email: YES  
 Requester's email: Sen.Risser@legis.wisconsin.gov  
 Carbon copy (CC) to: aaron.gary@legis.wisconsin.gov

**Pre Topic:**

No specific pre topic given

**Topic:**

Renewal of operator's license by elderly drivers

**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>
/?	agary 2/4/2014	scalvin 2/4/2014		_____			
/P1	agary 2/10/2014		jfrantze 2/4/2014	_____	mbarman 2/4/2014		
/1		scalvin 2/10/2014	jfrantze 2/10/2014	_____	mbarman 2/10/2014	mbarman 2/10/2014	

FE Sent For:

<END>

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/?	agary 2/4/2014	scalvin 2/4/2014		_____			
/P1			jfrantze 2/4/2014	_____	mbarman 2/4/2014		

FE Sent For: 1 sac 02/10/2014 1 sac 02/10/2014 *AG* 2/10

<END>

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1/?	agary	/PI sac 02/04/2014	/PI sac 02/04/2014	RB 2/4			

FE Sent For:

<END>

## Gary, Aaron

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**From:** Jurenci, Cassie  
**Sent:** Tuesday, February 04, 2014 8:27 AM  
**To:** Gary, Aaron  
**Subject:** RE: SB 480 Question

Hi Aaron,

Could we get a substitute amendment to SB 480 that removes the provision which states if a driver opts to skip the DMV to renew, they must submit a medical form showing their physical capabilities? The intent would be that they would only have to submit a form from a medical professional regarding their eyesight capabilities—

If possible, can we get this rushed?

*Cassie Jurenci*

Office of Senator Fred Risser  
Wisconsin State Senate  
130 South, State Capitol  
E-mail: [cassie.jurenci@legis.wi.gov](mailto:cassie.jurenci@legis.wi.gov)  
Office: 608.266.1627

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**From:** Gary, Aaron  
**Sent:** Monday, February 03, 2014 3:13 PM  
**To:** Jurenci, Cassie  
**Subject:** RE: SB 480 Question

Hi Cassie,

It would be the former, not the latter. As written, under SB-480, if an elderly driver does not renew in person, he or she must submit to DOT a medical form from a health care professional showing *both* that he/she is physically capable of safely operating a motor vehicle *and* that his/her eyesight meets the DOT vision standard.

Aaron

Aaron R. Gary  
Attorney, Legislative Reference Bureau  
608.261.6926 (voice)  
608.264.6948 (fax)  
[aaron.gary@legis.state.wi.us](mailto:aaron.gary@legis.state.wi.us)

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**From:** Jurenci, Cassie  
**Sent:** Monday, February 03, 2014 2:06 PM  
**To:** Gary, Aaron  
**Subject:** SB 480 Question

Hi Aaron,

I hope you're doing well. Quick question for you—Regarding SB 480, the question keeps popping up of whether or not a senior driver who opts for a healthcare professional's exam instead of going to the DMV for an eye test would be required to provide documentation regarding their overall physical well-being in relation to their driving abilities, or just the healthcare professional's analysis of their eyesight. We've interpreted Section 2(3)(c)(3) (lines 15-18 of page 3) to mean the latter, but can you clarify this for us?

Thanks,

*Cassie Jurenci*

Office of Senator Fred Risser

Wisconsin State Senate

130 South, State Capitol

E-mail: [cassie.jurenci@legis.wi.gov](mailto:cassie.jurenci@legis.wi.gov)

Office: 608.266.1627



State of Wisconsin  
2013 - 2014 LEGISLATURE

in  
2/4  
wanted  
2/5



LRB-10442 502696

ARG:sac:jf

RMNR

Senate Substitute Amendment,

To **2013 SENATE BILL 480**

January 9, 2014 - Introduced by Senators RISSER, LEHMAN, HARRIS and MILLER, cosponsored by Representatives BERCEAU, WRIGHT, BERNIER, SARGENT and SPIROS. Referred to Committee on Transportation, Public Safety, and Veterans and Military Affairs.

1 **AN ACT to renumber and amend** 343.16 (3) (a); **to amend** 343.165 (4) (d) and  
2 343.20 (1) (a); and **to create** 343.16 (3) (c) of the statutes; **relating to:** the  
3 renewal of operator's licenses by persons 75 years of age or older.

**Analysis by the Legislative Reference Bureau**

Under current law, most operator's licenses issued by the Department of Transportation (DOT) must be renewed every eight years. In general, an applicant for renewal of an operator's license must pass an eyesight test and have his or her photograph taken, but the applicant may provide a report of satisfactory eyesight from an eye care professional in lieu of DOT's eyesight examination.

substitute amendment

Under this bill, a person who is 75 years of age or older (elderly driver) must renew his or her operator's license every four years rather than every eight years. The bill also allows an elderly driver to renew his or her operator's license by mail or by electronic means established by DOT if the elderly driver provides DOT with all of the following: 1) a medical form, completed by a health care professional, representing that the elderly driver has been examined and is physically capable of safely operating a motor vehicle; and 2) a report of satisfactory eyesight from an eye care professional, ~~which report may be incorporated into the medical form~~. No photograph is taken at the time of renewal if an elderly driver renews his or her operator's license by mail or electronic means. An elderly driver may renew his or her operator's license by mail or electronic means only at every other renewal period. The bill requires DOT to ~~prescribe the medical form and~~ establish an electronic means for operator's license renewal.

**SENATE BILL 480**

~~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:*

1           **SECTION 1.** 343.16 (3) (a) of the statutes is renumbered 343.16 (3) (a) 1. and  
2 amended to read:

3           343.16 (3) (a) 1. Except as provided in subd. 2., par. (c), and s. 343.165 (4) (d),  
4 the department shall examine every applicant for the renewal of an operator's  
5 license once every 8 years or, if the applicant will be 75 years of age or older when the  
6 renewal period commences, once every 4 years. The department may institute a  
7 method of selecting the date of renewal so that such examination shall be required  
8 for each applicant for renewal of a license to gain a uniform rate of examinations.  
9 The examination shall consist of a test of eyesight. The department shall make  
10 provisions for giving such eyesight examinations at examining stations in each  
11 county to all applicants for an operator's license. The person to be examined shall  
12 appear at the examining station nearest the person's place of residence or at such  
13 time and place as the department designates in answer to an applicant's request.

14           2. In lieu of an eyesight examination under subd. 1., the applicant may present  
15 or mail to the department a report of examination of the applicant's eyesight by an  
16 ophthalmologist, optometrist or physician licensed to practice medicine. The report  
17 shall be based on an examination made not more than 3 months prior to the date it  
18 is submitted. The report shall be on a form furnished and in the form required by  
19 the department. The department shall decide whether, in each case, the eyesight  
20 reported is sufficient to meet the current eyesight standards.

21           **SECTION 2.** 343.16 (3) (c) of the statutes is created to read:



**SENATE BILL 480**

1           343.16 (3) (c) 1. Subject to subd. 2., an applicant for renewal of an operator's  
2 license who will be 75 years of age or older when the renewal period commences may  
3 renew the operator's license by mail or by electronic means established by the  
4 department if the applicant provides the department with all of the following:

5           a. A medical form prescribed by the department, completed by a health care  
6 professional as defined in s. 968.38 (1) (a), representing that the applicant has been  
7 examined by the health care professional within 3 months prior to the date the  
8 medical form is submitted to the department and that the applicant is physically  
9 capable of safely operating a motor vehicle.

10           b. A report of examination of the applicant's eyesight that satisfies the  
11 requirements under par. (a) 2. This report may be included within the medical form  
12 under subd. 1. a.

13           2. An applicant may not, under subd. 1., make consecutive renewals of an  
14 operator's license by mail or electronic means.

15           3. The department shall prescribe the medical form specified in subd. 1. a. and  
16 make it publicly available. The medical form shall include a section allowing a  
17 qualified health care professional completing the form to also make a report of  
18 eyesight examination in lieu of a separate report under par. (a) 2.

19           3 A. The department shall establish an electronic means for renewal of an  
20 operator's license as provided in subd. 1.

21           **SECTION 3.** 343.165 (4) (d) of the statutes is amended to read:

22           343.165 (4) (d) With any license or identification card renewal following a  
23 license or identification card expiration established under s. 343.20 (1m) or 343.50  
24 (5) (c) at other than an 8-year interval, the department may determine whether the  
25 applicant's photograph is to be taken, or if the renewal is for a license the applicant

**SENATE BILL 480****SECTION 3**

1 is to be examined, or both, at the time of such renewal, so long as the applicant's  
2 photograph is taken, and if the renewal is for a license the applicant is examined,  
3 with a license or card renewal at least once every 8 years and the applicant's license  
4 or identification card at all times includes a photograph unless an exception under  
5 s. 343.14 (3m) or 343.50 (4g) applies. With any license renewal by an applicant who  
6 will be 75 years of age or older when the renewal period commences, the department  
7 may determine whether the applicant's photograph is to be taken at the time of  
8 renewal so long as the applicant's photograph is taken with a license renewal at least  
9 once every 8 years and the applicant's license at all times includes a photograph  
10 unless the exception under s. 343.14 (3m) applies. However, an applicant who  
11 renews an operator's license by mail or electronic means as provided in s. 343.16 (3)  
12 (c) shall not have his or her photograph taken at the time of this renewal.

13 **SECTION 4.** 343.20 (1) (a) of the statutes is amended to read:

14 343.20 (1) (a) Except as otherwise expressly provided in this chapter,  
15 probationary licenses issued under s. 343.085, licenses issued after cancellation  
16 under s. 343.26 (1), and original licenses other than instruction permits shall expire  
17 2 years from the date of the applicant's next birthday. Subject to s. 343.125 (3), all  
18 other licenses and license endorsements shall expire 8 years after the date of  
19 issuance or, if an applicant for renewal of a license will be 75 years of age or older on  
20 the current license expiration date, 4 years after the current expiration date. The  
21 department may institute any system of initial license issuance which it deems  
22 advisable for the purpose of gaining a uniform rate of renewals. In order to put such  
23 a system into operation, the department may issue licenses which are valid for any  
24 period less than the ordinary effective period of such license. If the department  
25 issues a license that is valid for less than the ordinary effective period as authorized

**SENATE BILL 480**

1 by this paragraph, the fees due under s. 343.21 (1) (b) and (d) shall be prorated  
2 accordingly.

3 **SECTION 5. Initial applicability.**

4 (1) This act first applies to renewal applications received by the department of  
5 transportation on the effective date of this subsection.

6 **SECTION 6. Effective date.**

7 (1) This act takes effect on the first day of the 4th month beginning after  
8 publication.

9 (END)

## Gary, Aaron

---

**From:** Jurenci, Cassie  
**Sent:** Monday, February 10, 2014 10:22 AM  
**To:** Gary, Aaron  
**Subject:** RE: SB 480 Question

Hi Aaron,

The substitute amendment you created for SB 480 looks good—can we move it to a regular draft and approve it?

Thanks,

*Cassie Jurenci*

Office of Senator Fred Risser  
Wisconsin State Senate  
130 South, State Capitol  
E-mail: [cassie.jurenci@legis.wi.gov](mailto:cassie.jurenci@legis.wi.gov)  
Office: 608.266.1627

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**From:** Gary, Aaron  
**Sent:** Tuesday, February 04, 2014 9:03 AM  
**To:** Jurenci, Cassie  
**Subject:** RE: SB 480 Question

Hi Cassie,

I have entered this sub as LRBs0264. Is tomorrow OK or did you want this today? Aaron

Aaron R. Gary  
Attorney, Legislative Reference Bureau  
608.261.6926 (voice)  
608.264.6948 (fax)  
[aaron.gary@legis.state.wi.us](mailto:aaron.gary@legis.state.wi.us)

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**From:** Jurenci, Cassie  
**Sent:** Tuesday, February 04, 2014 8:27 AM  
**To:** Gary, Aaron  
**Subject:** RE: SB 480 Question

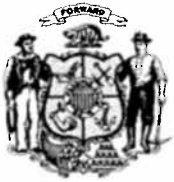
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TODAY



LRBs0264/1

ARG.sac: [signature]

in 2/10

RAN

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**  
**SENATE SUBSTITUTE AMENDMENT,**  
**TO SENATE BILL 480**

RB

No changes

gen cat

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other renewal period. The substitute amendment requires DOT to establish an electronic means for operator's license renewal.

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21 **SECTION 6. Effective date.**

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24 (END)