



## 2013 SENATE BILL 240

July 31, 2013 – Introduced by Senators PETROWSKI, HANSEN, OLSEN, SCHULTZ and L. TAYLOR, cosponsored by Representatives RIPP, BERNARD SCHABER, KOOYENGA, OHNSTAD, A. OTT, SPIROS, WEATHERSTON and WRIGHT. Referred to Committee on Transportation, Public Safety, and Veterans and Military Affairs.

1     **AN ACT to amend** 343.16 (2) (f) 3. of the statutes; **relating to:** knowledge tests  
2             for commercial driver license applicants who hold a military commercial driver  
3             license.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the Department of Transportation (DOT) generally must examine every applicant for an operator's license, including a commercial driver license (CDL), and the examination must include both a knowledge test and a driving skills test. DOT must promulgate rules setting testing standards consistent with federal law, including standards for CDL applicants. DOT's standards must require a knowledge test and driving skills test for persons making their first application for an operator's license. DOT may require persons changing their residence to this state from another jurisdiction to take all or parts of the examination required of persons making their first application for an operator's license.

Also under current law, if an applicant to DOT for a CDL holds a military CDL and submits the military CDL and certain other documentation to DOT, DOT must treat the application the same as an application submitted by a person holding a CDL from another jurisdiction.

Federal regulations generally require that a military CDL holder who applies for a state-issued CDL must pass a knowledge test before the CDL is issued.

This bill specifies that, if a military CDL holder applies to DOT for a CDL, DOT must require the applicant to take and pass applicable knowledge tests, unless the applicant is exempt from, or eligible for a waiver of, these knowledge tests under applicable federal regulations.

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

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

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

2           343.16 (2) (f) 3. Notwithstanding pars. (a) to (c) and sub. (1) (a), with respect  
3 to equivalent classes of vehicles under s. 343.04 (1), the department shall treat an  
4 application for a commercial driver license submitted with a military commercial  
5 driver license and other related documentation the same as an application for that  
6 license submitted by a person holding a commercial driver license from another  
7 jurisdiction, ~~with respect to equivalent classes of vehicles under s. 343.04 (1) except~~  
8 that the department shall require the applicant to take and pass the applicable  
9 knowledge tests, unless the applicant is exempt from, or eligible for a waiver of, these  
10 knowledge tests under 49 CFR 383.

11           **SECTION 2. Initial applicability.**

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

14   (END)