

**2013 Assembly Bill 388 (LRB -1616)**

An Act to amend 343.30 (1), 343.31 (3) (a), 343.31 (3) (c), 343.31 (3) (f), 343.38 (1) (intro.), 343.38 (3), 345.47 (1) (intro.), 345.60 (1), 346.17 (4), 346.22 (1) (a), (b), (d) and (e), 346.22 (3), 346.65 (3m), 346.65 (3p), 346.65 (3r), 346.95 (1) and (2) and 349.06 (1) (a); and to create 38.04 (4) (e) 7., 115.28 (11) (g), 340.01 (74p), 343.31 (2t) (a) 4. and 5., 343.31 (2v), 343.71 (5) (g), 345.60 (5), 346.17 (6), 346.22 (5), 346.30 (5), 346.36 (3), 346.43 (4), 346.49 (5), 346.56 (5), 346.60 (6), 346.74 (7), 346.82 (3) and 346.95 (12) of the statutes; relating to: traffic violations resulting in harm to vulnerable highway users, driver education instruction, and providing a penalty. (FE)

**2013**

09-23. A. Introduced by Representatives **Bies, Zepnick, Ballweg, Berceau, Billings, Czaja, Doyle, Kahl, T. Larson, Ohnstad, A. Ott, Riemer, Ripp and Sinicki**; cosponsored by Senators **Olsen, Shilling, T. Cullen, Lehman, Risser and Schultz**. ..... 316

09-23. A. Read first time and referred to Committee on Transportation ..... 316

09-24. A. Fiscal estimate received

09-30. A. Fiscal estimate received

10-08. A. Fiscal estimate received

10-11. A. Fiscal estimate received

10-15. A. Fiscal estimate received

10-15. A. Fiscal estimate received

10-29. A. Public hearing held

**2014**

01-10. A. Assembly Amendment 1 offered by Representative **Bies (LRB a1290)** ..... 520

01-24. A. Assembly Amendment 2 offered by Representative **Bies (LRB a1519)** ..... 557

02-04. A. Executive action taken

02-07. A. Report Assembly Amendment 1 adoption recommended by Committee on Transportation, Ayes 12, Noes 1 ..... 592

02-07. A. Report Assembly Amendment 2 adoption recommended by Committee on Transportation, Ayes 12, Noes 1 ..... 592

02-07. A. Report passage as amended recommended by Committee on Transportation, Ayes 13, Noes 2 ..... 592

02-07. A. Referred to Committee on Rules ..... 592

03-18. A. Assembly Substitute Amendment 1 offered by Representative **Bies (LRB s0381)** ..... 746

03-18. A. Made a special order of business at 10:05 AM on 3-20-2014 pursuant to Assembly Resolution 28 ..... 766

03-20. A. Read a second time ..... 779

03-20. A. Assembly Substitute Amendment 1 **adopted** ..... 779

03-20. A. Ordered to a third reading ..... 779

03-20. A. Rules suspended ..... 779

03-20. A. Read a third time and **passed** ..... 779

03-20. A. Ordered immediately messaged ..... 779

03-21. S. Received from Assembly ..... 804

03-25. S. Read first time and referred to committee on Senate Organization ..... 812

03-25. S. Available for scheduling

03-31. S. Public hearing requirement waived by committee on Senate Organization, pursuant to Senate Rule 18 (1m), Ayes 5, Noes 0 ..... 821

03-31. S. Placed on calendar 4-1-2014 pursuant to Senate Rule 18(1) ..... 822

04-01. S. Read a second time

04-01. S. Ordered to a third reading

04-01. S. Rules suspended

04-01. S. Read a third time and **concurred in**

04-01. S. Ordered immediately messaged

04-02. A. Received from Senate concurred in

**2013**  
**ENROLLED BILL**

13en A B- 388

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**ADOPTED DOCUMENTS:**

Orig     Engr    A SubAmdt 1

13s 038111

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

4-2-14  
Date

JR Miller  
Enrolling Drafter



**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO ASSEMBLY BILL 388**

March 18, 2014 – Offered by Representative BIES.

- 1 **AN ACT to create** 38.04 (4) (e) 7., 115.28 (11) (g), 340.01 (74p) and 343.71 (5) (g)  
2 of the statutes; **relating to:** driver education instruction.

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***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 include certain content, such as acquainting students with the hazards posed by farm machinery and animals on highways and by railroad grade crossings and providing 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 includes certain content, such as acquainting students with the hazards posed by farm machinery and animals on highways and by railroad grade crossings and providing 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 course of instruction includes the content required for TCSB approval of a driver education course.

Under this substitute amendment, all approved driver education courses must acquaint each student with the hazards posed by motor vehicles to vulnerable

highway users and provide at least 30 minutes of instruction in safely dealing with these hazards. The substitute amendment defines "vulnerable highway user" as any of the following: 1) a pedestrian; 2) a bicyclist; 3) an operator of a moped or motor bicycle; 4) an operator of, or passenger on, an animal-drawn vehicle, farm tractor, farm truck tractor, farm trailer, or implement of husbandry; 5) a person riding upon in-line skates, a horse, or a play vehicle; 6) a law enforcement officer, traffic officer, fire fighter, or emergency medical technician, while performing his or her official duties; or 7) a person who is rendering medical or emergency assistance to another person.

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

1           **SECTION 1.** 38.04 (4) (e) 7. of the statutes is created to read:

2           38.04 (4) (e) 7. Acquaints each student with the hazards posed by motor  
3 vehicles to vulnerable highway users, as defined in s. 340.01 (74p), and provides at  
4 least 30 minutes of instruction in safely dealing with these hazards.

5           **SECTION 2.** 115.28 (11) (g) of the statutes is created to read:

6           115.28 (11) (g) Acquaint each student with the hazards posed by motor vehicles  
7 to vulnerable highway users, as defined in s. 340.01 (74p), and provide at least 30  
8 minutes of instruction in safely dealing with these hazards.

9           **SECTION 3.** 340.01 (74p) of the statutes is created to read:

10          340.01 (74p) "Vulnerable highway user" means any of the following:

11          (a) A pedestrian.

12          (b) A bicyclist.

13          (c) An operator of a moped or motor bicycle.

14          (d) An operator of, or passenger on, an animal-drawn vehicle, farm tractor,  
15 farm truck tractor, farm trailer, or implement of husbandry.

16          (e) A person riding upon in-line skates, a horse, or a play vehicle.

1 (f) A law enforcement officer, traffic officer, fire fighter, or emergency medical  
2 technician, while performing his or her official duties.

3 (g) A person who is rendering medical or emergency assistance to another  
4 person.

5 **SECTION 4.** 343.71 (5) (g) of the statutes is created to read:

6 343.71 (5) (g) Acquaints each student with the hazards posed by motor vehicles  
7 to vulnerable highway users and provides at least 30 minutes of instruction in safely  
8 dealing with these hazards.

9 **SECTION 5. Initial applicability.**

10 (1) The treatment of sections 38.04 (4) (e) 7., 115.28 (11) (g), and 343.71 (5) (g)  
11 of the statutes first applies to driver education courses that begin on the effective  
12 date of this subsection.

13 **SECTION 6. Effective date.**

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

16 (END)