



**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.

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.

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)