



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBs0189/en
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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 270**

1 **AN ACT to amend** 343.06 (1) (c), 343.16 (1) (a) and 343.16 (2) (cm) of the statutes;
2 **relating to:** motorcycle operator's licenses and rider courses.

Analysis by the Legislative Reference Bureau

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

3 **SECTION 1.** 343.06 (1) (c) of the statutes is amended to read:
4 343.06 (1) (c) To any person under age 18 unless the person is enrolled in a
5 school program or high school equivalency program and is not a habitual truant as
6 defined in s. 118.16 (1) (a), has graduated from high school or been granted a
7 declaration of high school graduation equivalency, or is enrolled in a home-based
8 private educational program, as defined in s. 115.001 (3g), and has satisfactorily
9 completed a course in driver education in public schools approved by the department

1 of public instruction, or in technical colleges approved by the technical college system
2 board, or in nonpublic and private schools or tribal schools, as defined in s. 115.001
3 (15m), that meet the minimum standards set by the department of public
4 instruction, or has satisfactorily completed a substantially equivalent course in
5 driver training approved by the department and given by a school licensed by the
6 department under s. 343.61, or has satisfactorily completed a substantially
7 equivalent course in driver education or training approved by another state and has
8 attained the age of 16, except as provided in s. 343.07 (1g). The department shall not
9 issue a license to any person under the age of 18 authorizing the operation of “Class
10 M” vehicles unless the person has successfully completed a basic rider course
11 approved by the department Wisconsin department of transportation motorcycle
12 safety program. The department may, by rule, exempt certain persons from the basic
13 rider course requirement of this paragraph. Applicants for a license under s. 343.08
14 or 343.135 are exempt from the driver education, basic rider or driver training course
15 requirement. The secretary shall prescribe rules for licensing of schools and
16 instructors to qualify under this paragraph. The driver education course shall be
17 made available to every eligible student in the state. Except as provided under s.
18 343.16 (1) (bm) and (c) and (2) (cm) to (e), no operator’s license may be issued unless
19 a driver’s examination has been administered by the department.

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

21 343.16 (1) (a) *General*. Except when examination by a 3rd-party tester is
22 permitted under pars. (b) to (c), the department shall examine every applicant for an
23 operator’s license, including applicants for license renewal as provided in sub. (3),
24 and every applicant for authorization to operate a vehicle class or type for which the
25 applicant does not hold currently valid authorization, other than an instruction

1 permit. Except as provided in sub. (2) (cm) and (e), the examinations of applicants
2 for licenses authorizing operation of “Class A”, “Class B”, “Class C”, “Class D” or
3 “Class M” vehicles shall include both a knowledge test and an actual demonstration
4 in the form of a driving skills test of the applicant’s ability to exercise ordinary and
5 reasonable control in the operation of a representative vehicle. The department shall
6 not administer a driving skills test to a person applying for authorization to operate
7 “Class M” vehicles who has failed 2 previous such skills tests unless the person has
8 successfully completed a rider course approved by the department. The department
9 may, by rule, exempt certain persons from the rider course requirement of this
10 paragraph. The department may not require a person who is applying for
11 authorization to operate “Class M” vehicles and who has successfully completed a
12 basic rider course approved by the department Wisconsin department of
13 transportation motorcycle safety program to hold an instruction permit under s.
14 343.07 (4) prior to the department’s issuance of a license authorizing the operation
15 of “Class M” vehicles. The department may not require a person applying for
16 authorization to operate “Class M” vehicles who holds an instruction permit under
17 s. 343.07 (4) to hold it for a minimum period of time before administering a driving
18 skills test. The driving skills of applicants for endorsements authorizing the
19 operation of commercial motor vehicles equipped with air brakes, the transportation
20 of passengers in commercial motor vehicles or the operation of school buses, as
21 provided in s. 343.04 (2) (b), (d) or (e), shall also be tested by an actual demonstration
22 of driving skills. The department may endorse an applicant’s commercial driver
23 license for transporting hazardous materials requiring placarding or any quantity
24 of a material listed as a select agent or toxin under 42 CFR 73, subject to s. 343.125,
25 or for the operation of tank vehicles or vehicles towing double or triple trailers, as

1 described in s. 343.04 (2) (a), (c) or (f), based on successful completion of a knowledge
2 test. In administering the knowledge test, the department shall attempt to
3 accommodate any special needs of the applicant. Except as may be required by the
4 department for an “H” or “S” endorsement, the knowledge test is not intended to be
5 a test for literacy or English language proficiency. This paragraph does not prohibit
6 the department from requiring an applicant to correctly read and understand
7 highway signs.

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

9 343.16 (2) (cm) *Motorcycle waiver.* The department shall waive the driving
10 skills test of a person applying for authorization to operate “Class M” vehicles if the
11 applicant has successfully completed a basic rider course approved by the
12 department Wisconsin department of transportation motorcycle safety program.

13 (END)