



2013 SENATE BILL 270

August 21, 2013 – Introduced by Senators PETROWSKI, GROTHMAN, L. TAYLOR and LEHMAN, cosponsored by Representatives STONE, RIPP, BALLWEG, BROOKS, KNODL, MURSAU, SPIROS, TITTL and WEATHERSTON. Referred to Committee on Transportation, Public Safety, and Veterans and Military Affairs.

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

Analysis by the Legislative Reference Bureau

Under current law, with limited exceptions, applicants for a motor vehicle operator's license are required to successfully complete a knowledge test and an on-the-road driving skills test. Also under current law, the Department of Transportation (DOT) must waive the driving skills test for a person applying for authorization to operate motorcycles if the person has successfully completed a basic rider course approved by DOT. This bill requires DOT to waive the motorcycle driving skills test for an applicant who has successfully completed a basic or more advanced rider course approved by DOT.

Also under current law, DOT may not require a person applying for authorization to operate motorcycles who has successfully completed a basic rider course approved by DOT to hold an instruction permit prior to the issuance of a license authorizing the operation of motorcycles. Under this bill, DOT may not require a person who is applying for authorization to operate motorcycles and who, if the person is under age 18, has successfully completed a basic rider course approved by DOT or, if the person is age 18 or older, has successfully completed a basic or more advanced rider course approved by DOT to hold an instruction permit prior to the issuance of a license authorizing the operation of motorcycles.

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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 (1) (a) of the statutes is amended to read:

2 343.16 (1) (a) *General.* Except when examination by a 3rd-party tester is
3 permitted under pars. (b) to (c), the department shall examine every applicant for an
4 operator’s license, including applicants for license renewal as provided in sub. (3),
5 and every applicant for authorization to operate a vehicle class or type for which the
6 applicant does not hold currently valid authorization, other than an instruction
7 permit. Except as provided in sub. (2) (cm) and (e), the examinations of applicants
8 for licenses authorizing operation of “Class A”, “Class B”, “Class C”, “Class D” or
9 “Class M” vehicles shall include both a knowledge test and an actual demonstration
10 in the form of a driving skills test of the applicant’s ability to exercise ordinary and
11 reasonable control in the operation of a representative vehicle. The department shall
12 not administer a driving skills test to a person applying for authorization to operate
13 “Class M” vehicles who has failed 2 previous such skills tests unless the person has
14 successfully completed a rider course approved by the department. The department
15 may, by rule, exempt certain persons from the rider course requirement of this
16 paragraph. The department may not require a person who is applying for
17 authorization to operate “Class M” vehicles and who, if the person is under age 18,
18 has successfully completed a basic rider course approved by the department or, if the
19 person is age 18 or older, has successfully completed a basic or more advanced rider
20 course approved by the department, to hold an instruction permit under s. 343.07 (4)
21 prior to the department’s issuance of a license authorizing the operation of “Class M”

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1 vehicles. The department may not require a person applying for authorization to
2 operate “Class M” vehicles who holds an instruction permit under s. 343.07 (4) to
3 hold it for a minimum period of time before administering a driving skills test. The
4 driving skills of applicants for endorsements authorizing the operation of
5 commercial motor vehicles equipped with air brakes, the transportation of
6 passengers in commercial motor vehicles or the operation of school buses, as provided
7 in s. 343.04 (2) (b), (d) or (e), shall also be tested by an actual demonstration of driving
8 skills. The department may endorse an applicant’s commercial driver license for
9 transporting hazardous materials requiring placarding or any quantity of a material
10 listed as a select agent or toxin under 42 CFR 73, subject to s. 343.125, or for the
11 operation of tank vehicles or vehicles towing double or triple trailers, as described
12 in s. 343.04 (2) (a), (c) or (f), based on successful completion of a knowledge test. In
13 administering the knowledge test, the department shall attempt to accommodate
14 any special needs of the applicant. Except as may be required by the department for
15 an “H” or “S” endorsement, the knowledge test is not intended to be a test for literacy
16 or English language proficiency. This paragraph does not prohibit the department
17 from requiring an applicant to correctly read and understand highway signs.

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

19 343.16 (2) (cm) *Motorcycle waiver.* The department shall waive the driving
20 skills test of a person applying for authorization to operate “Class M” vehicles if the
21 applicant has successfully completed a basic or more advanced rider course approved
22 by the department.

23 (END)