

2015 Assembly Bill 74 (LRB -1695)

An Act to amend 343.61 (2) (a) 3., 343.61 (2) (am), 343.61 (4) (b) and 343.62 (4) (b) of the statutes; relating to: online instruction provided by driver schools licensed by the Department of Transportation. (FE)

2015

03-05.	A.	Introduced by Representatives Ripp, Ballweg, E. Brooks, Hutton, Kremer, Murphy, A. Ott, Murtha and Subeck ; cosponsored by Senators Olsen, Cowles, Darling, C. Larson and Risser .	78
03-05.	A.	Read first time and referred to Committee on State Affairs and Government Operations	78
03-24.	A.	Fiscal estimate received	
03-31.	A.	Assembly Amendment 1 offered by Representative Ripp (LRB a0289)	104
04-02.	A.	Public hearing held	
04-08.	A.	Executive action taken	
04-08.	A.	Report Assembly Amendment 1 adoption recommended by Committee on State Affairs and Government Operations, Ayes 13, Noes 0	110
04-08.	A.	Report passage as amended recommended by Committee on State Affairs and Government Operations, Ayes 13, Noes 0	110
04-08.	A.	Referred to committee on Rules	110
04-09.	A.	Placed on calendar 4-14-2015 by Committee on Rules	
04-14.	A.	Read a second time	119
04-14.	A.	Assembly Amendment 1 adopted	119
04-14.	A.	Ordered to a third reading	119
04-14.	A.	Rules suspended	120
04-14.	A.	Read a third time and passed	120
04-14.	A.	Ordered immediately messaged	120
04-15.	S.	Received from Assembly	183
04-23.	S.	Read first time and referred to committee on Transportation and Veterans Affairs	205
09-30.	S.	Senate Amendment 1 offered by Senator Olsen (LRB a0827)	435
10-13.	S.	Executive action taken	
10-14.	S.	Report adoption of Senate Amendment 1 recommended by Committee on Transportation and Veterans Affairs, Ayes 5, Noes 0	455
10-14.	S.	Report concurrence as amended recommended by Committee on Transportation and Veterans Affairs, Ayes 5, Noes 0	455
10-14.	S.	Available for scheduling	
10-19.	S.	Public hearing requirement waived by committee on Senate Organization, pursuant to Senate Rule 18 (1m), Ayes 5, Noes 0	463
10-19.	S.	Placed on calendar 10-20-2015 pursuant to Senate Rule 18(1)	464
10-20.	S.	Read a second time	474
10-20.	S.	Senate Amendment 1 adopted	474
10-20.	S.	Ordered to a third reading	475
10-20.	S.	Rules suspended	475
10-20.	S.	Read a third time and concurred in as amended	475
10-20.	S.	Ordered immediately messaged	475
10-21.	A.	Received from Senate amended and concurred in as amended (Senate amendment 1 adopted)	336
11-03.	A.	Senate Amendment 1 concurred in	392
11-03.	A.	Action ordered immediately messaged	392

2015
ENROLLED BILL

15en A B-74

ADOPTED DOCUMENTS:

Orig **Engr** **SubAmdt** **15** -1695/1

Amendments to above (if none, write "NONE"): SA 1, AA 1

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

Topic RELATING CLAUSE

11/5/15 Carl
Date **Enrolling Drafter**



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-1695/1
ARG:jld:rs

2015 ASSEMBLY BILL 74

March 5, 2015 - Introduced by Representatives RIPP, BALLWEG, E. BROOKS, HUTTON, KREMER, MURPHY, A. OTT, MURTHA and SUBECK, cosponsored by Senators OLSEN, COWLES, DARLING, C. LARSON and RISSER. Referred to Committee on State Affairs and Government Operations.

1 **AN ACT to amend** 343.61 (2) (a) 3., 343.61 (2) (am), 343.61 (4) (b) and 343.62 (4)
2 (b) of the statutes; **relating to:** online instruction provided by driver schools
3 licensed by the Department of Transportation.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Transportation (DOT) licenses schools that give instruction, for compensation, in the operation of motor vehicles (driver schools). In an application for a driver school license, the applicant must identify all driver school office and driver school classroom locations. DOT may promulgate rules relating to driver schools and these rules currently include provisions relating to driver school classrooms. By statute, a driver school classroom is a facility that is approved by DOT and used to conduct driver training.

Under this bill, a driver school may provide driver training instruction by means of the Internet instead of, or in addition to, providing instruction at a driver school classroom.

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:

4 **SECTION 1.** 343.61 (2) (a) 3. of the statutes is amended to read:

ASSEMBLY BILL 74

SECTION 1

1 343.61 (2) (a) 3. Identification of all driver school office locations and
 2 identification of all driver school classroom locations and, if instruction is to be
 3 provided by means of the Internet, a statement to this effect.

4 **SECTION 2.** 343.61 (2) (am) of the statutes is amended to read:

5 343.61 (2) (am) A driver school may provide to the department a written
 6 certification that the driver school has complied with all applicable driver school
 7 office and driver school classroom requirements imposed under this subchapter or
 8 under any rule promulgated by the department under this subchapter. For purposes
 9 of this paragraph, classroom instruction includes instruction provided by means of
 10 the Internet if the driver school provides instruction by means of the Internet.

11 **SECTION 3.** 343.61 (4) (b) of the statutes is amended to read:

12 343.61 (4) (b) The location of each driver school office shall be identified in the
 13 license. Except as provided by the department by rule, no licensee may establish any
 14 driver school office within 1,500 feet of a department office where operator's licenses
 15 are issued, nor within 1,500 feet of any headquarters where official driving skills
 16 tests are given. Any change in address of any driver school office or driver school
 17 classroom must be reported to and approved by the department. A driver school may
 18 maintain driver school classrooms at locations other than the driver school office.
 19 A driver school may provide driver training instruction by means of the Internet

SA 1

20 instead of, or in addition to providing instruction at a driver school classroom

INS SA 1
3,

21 **SECTION 4.** 343.62 (4) (b) of the statutes is amended to read:

22 343.62 (4) (b) Notwithstanding par. (a), the department may issue an original
 23 instructor's license that is restricted to classroom instruction to an applicant who
 24 does not otherwise qualify for a license because the applicant does not meet the
 25 requirements specified in par. (a) 2., 3., or 5. The department may not issue an

ASSEMBLY BILL 74

1 instructor's license that is restricted to classroom instruction under this paragraph
2 unless the applicant satisfies standards established by the department by rule
3 relating to the ability of the applicant to communicate clearly and concisely and to
4 control the classroom environment and behavior and establishing any further
5 certification required by the department. For purposes of this paragraph and par.
6 (c), classroom instruction includes instruction provided by means of the Internet if
7 the driver school provides instruction by means of the Internet.

8

(END)

INS
AA 1
1.



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBa0289/1
ARG:kjf:kf

ASSEMBLY AMENDMENT 1,
TO ASSEMBLY BILL 74

March 31, 2015 – Offered by Representative RIPP.

1 At the locations indicated, amend the bill as follows:

2 1. Page 3, line 7: after that line insert:

3 "SECTION 4m. Effective date.

4 (1) This act takes effect on the first day of the 7th month beginning after
5 publication."

6 (END)

INS
AAI
1.



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBa0827/1
ARG:kjf

**SENATE AMENDMENT 1,
TO ASSEMBLY BILL 74**

September 30, 2015 - Offered by Senator OLSEN.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 20: delete "instead of, or".

3 **2.** Page 2, line 20: delete "to," and substitute "to".

4 **3.** Page 2, line 20: after "classroom" insert "or, if the driver school also offers
5 behind-the-wheel instruction in this state, instead of providing instruction at a
6 driver school classroom".

7 (END)

INS
SR1
3.