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.

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.

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:

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

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

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

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

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

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

343.62 (4) (b) Notwithstanding par. (a), the department may issue an original instructor’s license that is restricted to classroom instruction to an applicant who does not otherwise qualify for a license because the applicant does not meet the requirements specified in par. (a) 2., 3., or 5. The department may not issue an
instructor’s license that is restricted to classroom instruction under this paragraph unless the applicant satisfies standards established by the department by rule relating to the ability of the applicant to communicate clearly and concisely and to control the classroom environment and behavior and establishing any further certification required by the department. For purposes of this paragraph and par. (c), classroom instruction includes instruction provided by means of the Internet if the driver school provides instruction by means of the Internet.