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RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 98-168

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

2. Form, Style and Placement in Administrative Code

- a. The analysis to the rule should explain that the rule deletes all references to the place of birth of an applicant for a driver license.
- b. In s. Trans 102.03 (2) (intro.), “any of the following” should be inserted before the colon.
- c. In s. Trans 102.03 (3), “however,” should be deleted.
- d. The treatment clause for SECTION 13 should be rewritten to read:

SECTION 13. Trans 102.15 (2) (a) and (c) (intro.) and 7. and (3) (intro.), (a) (intro.), 8. and 16. and (b) 1. and 3. are amended to read:

4. Adequacy of References to Related Statutes, Rules and Forms

It appears that the statutory provision cited as authority for promulgation of the rule is incorrect. The provision cited pertains only to eligibility for commercial driver license waivers. It appears that the citation of statutory authority should include ss. 343.02 and 343.17 (6), Stats. In addition, the citation of the statutes interpreted also appears to be incorrect, since the rule does not address either eligibility for a commercial driver license waiver or the waiver of any tests for a person applying for an “F” endorsement.

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In s. Trans 102.02 (7m), should a word more precise than “picture” be used? “Picture” would include an artist’s rendering of a person as well as an actual photograph.

b. Section Trans 102.16 (3m) (a) and (b) should be consolidated to read:

Trans 102.16 (3m) An 8-year operator’s license and its endorsements shall expire 8 years from the licensed person’s next birthday if the application is made prior to the expiration date or 7 years from the licensed person’s next birthday if the application is made after the expiration date.