

MVD 19

STATE OF WISCONSIN }
DEPARTMENT OF TRANSPORTATION } SS

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, James O. Peterson, Administrator of the Division of Motor Vehicles of the Wisconsin Department of Transportation, and legal custodian of the official records of said Division, do hereby certify that the annexed, attached changes to Chapter MVD 19, entitled "Licensing of Driver Schools and Instructors," marked "Exhibit A," have been duly approved and adopted by me as Administrator of said Division this 30th day of March, 1977.

I further certify that these newly-adopted rules attached to my Order as "Exhibit A" which are being filed with the offices of the Revisor of Statutes and Secretary of State, respectively, have been compared by me with the original on file in this Division, and that each respective copy, including "Exhibit A", is a true and correct copy of the original Order and attached Exhibit on file with this Division.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Transportation at the Hill Farms State Office Building in the city of Madison, Wisconsin, this 30th day of March 1977.

RECEIVED
MAR 31 1977
11:30 am
REVISOR OF STATUTES
BUREAU
G. J. Johnson



James O. Peterson

Administrator
Division of Motor Vehicles
Wisconsin Department of Transportation

DIVISION OF MOTOR VEHICLES

IN THE MATTER OF AMENDING CHAPTER MVD 19
OF THE WISCONSIN ADMINISTRATIVE CODE,
RELATING TO LICENSING OF DRIVER SCHOOLS
AND INSTRUCTORS

ORDER ADOPTING RULES

Pursuant to authority vested in the Administrator of the Division of Motor Vehicles of the Wisconsin Department of Transportation under Section 343.06 (3), Wis. Stats., and in accordance with Chapter 227, Wis. Stats., and after due notice and public hearing held on the 5th day of January, 1977; and after due consideration to the objections and suggestions of those persons attending such public hearing,

IT IS HEREBY ORDERED, That Chapter MVD 19 of the Wisconsin Administrative Code, entitled "Licensing of Driver Schools and Instructors," is hereby amended as made and provided in "Exhibit A" attached hereto, adopted hereby, and made a part of this Order by reference.

Dated at Madison, Wisconsin, this 30th day of March, 1977.

James O. Peterson

Administrator
Division of Motor Vehicles
Wisconsin Department of Transportation

(SEAL)

Chapter MVD 19

LICENSING OF DRIVER SCHOOLS AND INSTRUCTORS

SECTION 1. MVD 19.06 (2) is amended to read:

MVD 19.06 (2) To be approved by the administrator, a driver school's specific place of business required by section 343.72 (5), Wis. Stats., shall:

- (a) Be owned or leased by the Driver School and ~~regularly-occupied-and~~ used exclusively by that Driver School.
- (b) Be in an area zoned to permit this type of business, ~~and-the-applicant~~ must-furnish-the The Division with may require the applicant to furnish written proof thereof from the municipality where the Driver School is located.
- (c) ~~Consist-of-an-office-facility-which-must-contain~~ Contain sufficient space, described in the application, designated as the office facility, with equipment, records, and personnel to properly maintain and secure the records required by s. 343.71, Wis. Stats., and this chapter. ~~carry-on-the-business-of-the-Driver-School.~~
- (d) ~~Consist-of-a-classroom-facility,-if-providing-classroom-instruction,~~ which-must-have-adequate-lighting,-heating,-ventilation,-and-must comply-with-the-building,-heating,-and-ventilation-code-established by-the-department-of-industry,-labor,-and-human-relations-relating-to public-health,-safety,-and-sanitation. Not consist of a tent, temporary stand, house trailer, hotel room, room in a rooming house or temporary address.
- (e) ~~Not-be-shared-with-the-place-of-business-of-any-other-driver-school~~ or-other-business-enterprise. Not consist solely of a telephone answering service. A telephone used in the driver school business for incoming calls shall be located in the office facility.

(f) ~~Except as provided in section MVD-19.06-(3), not~~ Not consist of or include a ~~house-trailer, single or multiple family residence, tent, temporary stand, temporary address, telephone answering service, hotel, rooming or apartment house~~ unless it is separated from residential use by a door or partition and it can be reached from the outside without entering the residential rooms of the building. Driver Schools licensed prior to January 1, 1969 are exempt from this requirement until either the location or ownership is changed.

SECTION 2. MVD 19.06 (3) is repealed and recreated to read:

MVD 19.06 (3) Any facility to be used as a classroom shall be designated in writing by the licensee, and no instruction shall begin without written authorization by the Division. Authorization by the Division does not supercede local ordinances or the building, heating and ventilation code established by the Department of Industry, Labor and Human Relations relating to public health, safety and sanitation. The Division shall consider the following criteria in determining the suitability of the classroom learning environment:

- (a) Size of room at least 20 square feet per occupant.
- (b) Cleanliness.
- (c) Absence of conflicting noise, disturbances or distractions.
- (d) Audio-visual aids.
- (e) Adequacy of lighting, heating and ventilation.