

1973 Assembly Bill 850

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## CHAPTER 199, Laws of 1973

AN ACT to renumber 343.07 (3); to repeal and recreate 343.07 (1) and (2); and to create 343.07 (3), (4) (b) and (5) of the statutes, relating to instruction permits for operation of motor vehicles.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 343.07 (1) and (2) of the statutes are repealed and recreated to read:

343.07 (1) ISSUANCE, RESTRICTIONS. Upon application therefor by a person at least 15 years and 6 months of age who, except for his age or lack of training in the operation of a motor vehicle, is qualified to obtain a license, the division may issue an instruction permit. The permit entitles the permittee, to operate a motor vehicle, except a motor-driven cycle, upon the highways, subject to the following restrictions:

(a) If the permittee is at least 16 years of age, he shall not operate a motor vehicle unless he is accompanied by a qualified instructor, or a licensed person with at least 2 years of licensed driving experience, who presently holds a valid license, occupying the seat beside the permittee. No other passengers are allowed in the vehicle except as provided in par. (c).

(b) A permittee under the age of 16 is restricted to operation of a motor vehicle only while accompanied by a qualified instructor, or his parent or guardian who meets the other qualifications of par. (a). Upon reaching the age of 16, the permittee gains the privilege of any other permittee.

(c) If the licensed accompanying operator is a qualified instructor and the vehicle used for instruction by the school is equipped with dual controls, up to 3 other persons may occupy seats in the motor vehicle other than the front seat.

(d) The permittee shall not operate a motor vehicle during the hours of darkness unless accompanied by:

1. A licensed person 25 years of age or more, with at least 2 years' licensed driving experience, occupying the seat beside him; or
2. A qualified instructor.

(e) The permittee may operate a motor vehicle when accompanied by an authorized license examiner for the purpose of examining his ability to operate a motor vehicle.

(2) TRAINING CERTIFICATE REQUIRED. Except for persons who qualify for a license under s. 343.08, the division shall not issue an instruction permit to anyone under 18 years of age, unless it has a certificate from the applicant's qualified instructor to the effect that the applicant is enrolled in an approved driver education and training course for the purpose of the practice driving phase.

SECTION 2. 343.07 (3) of the statutes is renumbered 343.07 (4) (a).

SECTION 3. 343.07 (3) of the statutes is created to read:

343.07 (3) DURATION; CANCELLATION. An instruction permit shall be valid for 6 months except that it may be canceled upon receipt of information, by the administrator, of noncompletion or unsatisfactory completion of a driver education and training course by a permittee under the age of 18.

SECTION 4. 343.07 (4) (b) of the statutes is created to read:

343.07 (4) (b) Such permit shall be valid for 6 months and entitles the permittee to operate a motor-driven cycle subject to the following restrictions:

1. No passenger shall accompany the permittee except that a person with at least 2 years of licensed driving experience and whose license is indorsed for motor-driven cycle operation may ride as a passenger-instructor.
2. The permittee shall not operate a motor-driven cycle during hours of darkness unless accompanied by a licensed person 25 years of age or more and meeting the requirements of subd. 1.

SECTION 5. 343.07 (5) of the statutes is created to read:

343.07 (5) DEFINITION. In this section, "qualified instructor" means a person employed by a public or private school, holding an operator's license and meeting the teaching certification standards of the department of public instruction or the board of vocational, technical and adult education to teach driver education, or an instructor of a school licensed under s. 343.61, or a teacher or student teacher in a driver education course for teachers conducted by an institution of higher education.

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