



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-0034/P3
EVM:eev&jld:jm

DOA:.....Mette, BB0348 – Driver safety improvement package

FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; **relating to:** the budget.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

DRIVERS AND MOTOR VEHICLES

Under current law, most operator's licenses issued by DOT must be renewed every eight years. In general, an applicant for renewal of an operator's license must pass an eyesight test and have his or her photograph taken.

Under this bill, if an applicant for renewal of a license to operate only "Class D" vehicles, which includes automobiles and most other passenger vehicles, satisfies other eligibility requirements established by DOT, the applicant may apply for renewal, and DOT may renew the license, by electronic means. The renewal may occur without a photograph. The renewal by electronic means procedure may be used by an applicant once in each 16-year period.

Under current law, DOT issues identification cards, to be used for identification purposes only, to residents who do not possess valid operator's licenses. The cards expire eight years from the date of the person's next birthday. Under this bill, an identification card issued to a person who is 65 years of age or older at the time of issuance does not expire.

Under current law, various rules govern the expiration of operator's licenses. Most operator's licenses issued by DOT expire eight years after the date of issuance. Probationary licenses and original licenses other than instruction permits expire two years from the date of the person's next birthday. Licenses issued to certain persons

who move to the state and who have been licensed in another state expire three years from the date of the person's next birthday.

Under this bill, the specific provisions regarding the expiration date of original licenses other than instruction permits and licenses issued to persons who move to the state are repealed. In general, under this bill, licenses issued to persons who move to the state will expire eight years after the date of issuance.

Under current law, the fee for the initial issuance of a license authorizing only the operation of "Class D" vehicles is \$18 and the fee for the renewal of such a license is \$24. Under this bill, the fee for the issuance or renewal of such a license, except a probationary license, is \$24 and the fee for the issuance of a probationary license is \$18.

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. 343.14 (3) of the statutes is amended to read:

343.14 (3) Except as provided in sub. (3m) and s. 343.16 (3) (am), the department shall, as part of the application process, take a digital photograph including facial image capture of the applicant to comply with s. 343.17 (3) (a) 2. Except as provided in sub. (3m) and s. 343.16 (3) (am), no application may be processed without the photograph being taken. Except as provided in sub. (3m) and s. ss. 343.16 (3) (am) and 343.165 (4) (d), in the case of renewal licenses, the photograph shall be taken once every 8 years, and shall coincide with the appearance for examination which is required under s. 343.16 (3).

SECTION 2. 343.16 (3) (am) of the statutes is created to read:

343.16 (3) (am) 1. If an applicant for the renewal of a license authorizing operation of only "Class D" vehicles satisfies eligibility criteria established by the department under subd. 2., the applicant may apply for renewal of the license, and the department may renew the license, by any electronic means offered by the department. A license may be renewed under this paragraph without the applicant's

photograph being taken. An applicant may not apply for renewal under this paragraph more than once in a 16-year period.

2. The department shall establish criteria for eligibility for license renewal by electronic means under this paragraph.

SECTION 3. 343.165 (1) (intro.) of the statutes is amended to read:

343.165 (1) (intro.) Subject to ss. 343.14 (3m), 343.16 (3) (am), and 343.50 (4g), the department may not complete the processing of an application for initial issuance or renewal of an operator's license or identification card received by the department after the date stated in the notice provided by the secretary of transportation and published in the Wisconsin Administrative Register under s. 85.515 (2) (b), and no such license or identification card may be issued or renewed, unless the applicant presents or provides, and, subject to sub. (7), the department verifies under sub. (3), all of the following information:

SECTION 4. 343.20 (1) (a) of the statutes is amended to read:

343.20 (1) (a) Except as otherwise expressly provided in this chapter, probationary licenses issued under s. 343.085 and ~~original licenses other than instruction permits~~ shall expire 2 years from the date of the applicant's next birthday. Licenses issued after cancellation shall expire on the expiration date for the prior license at the time of cancellation. Subject to s. 343.125 (3), all other licenses and license endorsements shall expire 8 years after the date of issuance. The department may institute any system of initial license issuance which it deems advisable for the purpose of gaining a uniform rate of renewals. In order to put such a system into operation, the department may issue licenses which are valid for any period less than the ordinary effective period of such license. If the department issues a license that is valid for less than the ordinary effective period as authorized

by this paragraph, the fees due under s. 343.21 (1) (b) and (d) shall be prorated accordingly.

SECTION 5. 343.20 (1) (e) of the statutes is repealed.

SECTION 6. 343.20 (1m) of the statutes is amended to read:

343.20 **(1m)** Notwithstanding sub. (1) (a) ~~and (e)~~, and except as provided in s. 343.165 (4) (c) and as otherwise provided in this subsection, a license that is issued to a person who is not a United States citizen or permanent resident and who provides documentary proof of legal status as provided under s. 343.14 (2) (es) 2., 4., 5., 6., or 7. shall expire on the date that the person's legal presence in the United States is no longer authorized or on the expiration date determined under sub. (1), whichever date is earlier. If the documentary proof as provided under s. 343.14 (2) (es) does not state the date that the person's legal presence in the United States is no longer authorized, sub. (1) shall apply except that, if the license was issued or renewed based upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es) 4. to 7., the license shall, subject to s. 343.165 (4) (c), expire one year after the date of issuance or renewal.

SECTION 7. 343.21 (1) (a) of the statutes is amended to read:

343.21 **(1)** (a) For the initial issuance or renewal of a license authorizing only the operation of "Class D" motor vehicles, ~~\$18~~ other than a probationary license under s. 343.085, \$24.

SECTION 8. 343.21 (1) (ag) of the statutes is created to read:

343.21 **(1)** (ag) For the issuance of a probationary license under s. 343.085, \$18.

SECTION 9. 343.21 (1) (am) of the statutes is repealed.

SECTION 10. 343.21 (1m) of the statutes is amended to read:

343.21 **(1m)** In addition to the fee specified in sub. (1) ~~(am)~~ (a), (b), or (d), an applicant whose application for renewal of a license or authorization under sub. (1) ~~(am)~~ (a), (b), or (d) is filed after the date of expiration of the license or authorization shall pay to the department a late fee of \$5.

SECTION 11. 343.50 (5) (b) of the statutes is amended to read:

343.50 **(5)** (b) Except as provided in ~~par.~~ pars. (c) and (d) and s. 343.165 (4) (c), an original or reinstated card shall be valid for the succeeding period of 8 years from the applicant's next birthday after the date of issuance, and a renewed card shall be valid for the succeeding period of 8 years from the card's last expiration date.

SECTION 12. 343.50 (5) (d) of the statutes is created to read:

343.50 **(5)** (d) Except as provided in par. (c), an identification card that is issued to a person who is 65 years of age or older at the time of issuance does not expire. A card under this paragraph shall, in addition to any other required legend or design, be of the design specified under s. 343.17 (3) (a) 14. and include a marking similar or identical to the marking described in s. 343.03 (3r).

SECTION 9345. Initial applicability; Transportation.

(1) OPERATOR'S LICENSES AND IDENTIFICATION CARDS. The treatment of sections 343.14 (3), 343.16 (3) (am) 1., 343.165 (1) (intro.), 343.20 (1) (a) and (e) and (1m), 343.21 (1) (a), (ag), and (am) and (1m), and 343.50 (5) (b) and (d) of the statutes first applies to an application for an operator's license or identification card received by the department of transportation on the effective date of this subsection.

SECTION 9445. Effective dates; Transportation.

(1) OPERATOR'S LICENSES AND IDENTIFICATION CARDS. The treatment of sections 343.14 (3), 343.16 (3) (am) 1., 343.165 (1) (intro.), 343.20 (1) (a) and (e) and (1m), 343.21 (1) (a), (ag), and (am) and (1m), and 343.50 (5) (b) and (d) of the statutes and

SECTION 9345 (1) of this act take effect on the first day of the 7th month beginning after publication.

(END)