



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1583/P1
EVM:cdc

DOA:.....Aslesen, BB0526 - Driving skills test waiver

FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

TRANSPORTATION

DRIVERS AND MOTOR VEHICLES

Driving skills test waiver

Under current law, with limited exceptions, an applicant for an operator's license authorizing operation of "Class D" vehicles, which are automobiles and most passenger vehicles, must successfully complete a knowledge test and a driving skills (road) test. This bill allows DOT to waive the road test for a person if all of the following are satisfied:

1. The person is under 18 years of age.
2. The person is applying for authorization to operate only "Class D" vehicles.
3. The person has satisfactorily completed a course in driver education.
4. The person has held an instruction permit for not less than six months.
5. The person has not committed a moving violation during the six-month period immediately preceding application.

6. An adult sponsor of the person consents to a waiver of the driving skills test.

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. 343.06 (1) (c) of the statutes is amended to read:

343.06 (1) (c) To any person under age 18 unless the person is enrolled in a school program or high school equivalency program and is not a habitual truant as defined in s. 118.16 (1) (a), has graduated from high school or been granted a declaration of high school graduation equivalency, or is enrolled in a home-based private educational program, as defined in s. 115.001 (3g), and has satisfactorily completed a course in driver education in public schools approved by the department of public instruction, or in technical colleges approved by the technical college system board, or in nonpublic and private schools or tribal schools, as defined in s. 115.001 (15m), that meet the minimum standards set by the department of public instruction, or has satisfactorily completed a substantially equivalent course in driver training approved by the department and given by a school licensed by the department under s. 343.61, or has satisfactorily completed a substantially equivalent course in driver education or training approved by another state and has attained the age of 16, except as provided in s. 343.07 (1g). The department shall not issue a license to any person under the age of 18 authorizing the operation of "Class M" vehicles unless the person has successfully completed a basic rider course approved by the Wisconsin department of transportation motorcycle safety program. The department may, by rule, exempt certain persons from the basic rider course requirement of this paragraph. Applicants for a license under s. 343.08 or 343.135 are exempt from the driver education, basic rider or driver training course requirement. The secretary shall prescribe rules for licensing of schools and instructors to qualify under this paragraph. The driver education course shall be made available to every eligible student in the state. Except as provided under s.

343.16 (1) (bm) ~~and, (c), and (cm)~~ and (2) (cm) to (e), no operator's license may be issued unless a driver's examination has been administered by the department.

SECTION 2. 343.16 (1) (a) of the statutes is amended to read:

343.16 (1) (a) *General.* Except as provided in par. (cm) and when examination by a 3rd-party tester is permitted under pars. (b) to (c), the department shall examine every applicant for an operator's license, including applicants for license renewal as provided in sub. (3), and every applicant for authorization to operate a vehicle class or type for which the applicant does not hold currently valid authorization, other than an instruction permit. Except as provided in par. (cm) and sub. (2) (cm) and (e), the examinations of applicants for licenses authorizing operation of "Class A", "Class B", "Class C", "Class D" or "Class M" vehicles shall include both a knowledge test and an actual demonstration in the form of a driving skills test of the applicant's ability to exercise ordinary and reasonable control in the operation of a representative vehicle. The department shall not administer a driving skills test to a person applying for authorization to operate "Class M" vehicles who has failed 2 previous such skills tests unless the person has successfully completed a rider course approved by the department. The department may, by rule, exempt certain persons from the rider course requirement of this paragraph. The department may not require a person who is applying for authorization to operate "Class M" vehicles and who has successfully completed a rider course approved by the Wisconsin department of transportation motorcycle safety program to hold an instruction permit under s. 343.07 (4) prior to the department's issuance of a license authorizing the operation of "Class M" vehicles. The department may not require a person applying for authorization to operate "Class M" vehicles who holds an instruction permit under s. 343.07 (4) to hold it for a minimum period of time before

administering a driving skills test. The driving skills of applicants for endorsements authorizing the operation of commercial motor vehicles equipped with air brakes, the transportation of passengers in commercial motor vehicles or the operation of school buses, as provided in s. 343.04 (2) (b), (bm), (d) or (e), shall also be tested by an actual demonstration of driving skills. The department may endorse an applicant's commercial driver license for transporting hazardous materials requiring placarding or any quantity of a material listed as a select agent or toxin under [42 CFR 73](#), subject to s. 343.125, or for the operation of tank vehicles or vehicles towing double or triple trailers, as described in s. 343.04 (2) (a), (c) or (f), based on successful completion of a knowledge test. In administering the knowledge test, the department shall attempt to accommodate any special needs of the applicant. Except as may be required by the department for an "H" or "S" endorsement, the knowledge test is not intended to be a test for literacy or English language proficiency. This paragraph does not prohibit the department from requiring an applicant to correctly read and understand highway signs.

SECTION 3. 343.16 (1) (cm) of the statutes is created to read:

343.16 (1) (cm) *Driving skills test waiver.* The department may waive the driving skills test of an individual applying for an operator's license if all of the following apply:

1. The applicant is under 18 years of age.
2. The application is for authorization to operate only "Class D" vehicles.
3. The applicant has satisfactorily completed a course in driver education in a public school approved by the department of public instruction, or in a technical college approved by the technical college system board, or in a nonpublic and private school or tribal school, as defined in s. 115.001 (15m), that meets the minimum

standards set by the department of public instruction, or has satisfactorily completed a substantially equivalent course in driver training approved by the department and given by a school licensed by the department under s. 343.61, or has satisfactorily completed a substantially equivalent course in driver education or training approved by another state.

4. The applicant has held an instruction permit issued under s. 343.07 for not less than 6 months.

5. The applicant has not committed a moving violation, specified by the department by rule, resulting in a conviction during the 6-month period immediately preceding application.

***NOTE: Must the person also have been holding an instruction permit during this six-month period preceding application?

6. An adult sponsor who has signed for the applicant under s. 343.15 (1) consents to a waiver of the driving skills test.

(END)