



## 2007 ASSEMBLY BILL 826

February 21, 2008 - Introduced by Representatives MOULTON, WOOD, PETROWSKI, KAUFERT, ZEPNICK, SMITH, MUSSER, MURSAU, HAHN, LOTHIAN, MOLEPSKE, LEMAHIEU, BERCEAU, BALLWEG and ALBERS, cosponsored by Senators KREITLOW, OLSEN, SCHULTZ, KEDZIE, COWLES, JAUCH, CARPENTER, LASSA and TAYLOR. Referred to Committee on Transportation.

1     **AN ACT to amend** 343.16 (2) (b); and **to create** 38.04 (4) (e) 4., 115.28 (11) (d) and  
2             343.71 (5) (d) of the statutes; **relating to:** driver education instruction and  
3             driver's license examinations.

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### *Analysis by the Legislative Reference Bureau*

Current law provides that a driver education course offered by a technical college district or by a school district may not be approved by the state Technical College System Board or by the Department of Public Instruction unless the course:

1. Acquaints students with the hazards posed by machinery and animals on highways and provides instruction in safely dealing with such hazards;
2. Provides at least 30 minutes of instruction relating to organ and tissue donation; and
3. Provides information on motorcycle, pedestrian, and bicycle awareness.

This bill adds a fourth item required for course approval: the course must include instruction relating to passing stopped emergency vehicles, tow trucks, and highway machinery equipment.

Current law provides that a driver school may not be licensed by the Department of Transportation (DOT) unless the school's curriculum:

1. Acquaints students with the hazards posed by machinery and animals on highways and provides instruction in safely dealing with such hazards;
2. Provides at least 30 minutes of instruction relating to organ and tissue donation; and
3. Provides information on motorcycle, pedestrian, and bicycle awareness.

**ASSEMBLY BILL 826**

This bill adds a fourth required item for driver school curriculums: instruction relating to passing stopped emergency vehicles, tow trucks, and highway machinery equipment.

Under current law, DOT must include questions regarding highway signs, traffic laws, fuel-efficient operation of motor vehicles, anatomical gifts, and the effects of consuming alcohol while operating a motor vehicle in the knowledge examination for applicants for motor vehicle operator's licenses. This bill requires DOT to include the rules of passing stopped emergency vehicles, tow trucks, and highway machinery equipment in the knowledge examinations required of certain operator's license applicants.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 38.04 (4) (e) 4. of the statutes is created to read:

2           38.04 (4) (e) 4. Includes instruction relating to passing stopped emergency  
3 vehicles, tow trucks, and highway machinery equipment.

4           **SECTION 2.** 115.28 (11) (d) of the statutes is created to read:

5           115.28 (11) (d) Include instruction relating to passing stopped emergency  
6 vehicles, tow trucks, and highway machinery equipment.

7           **SECTION 3.** 343.16 (2) (b) of the statutes is amended to read:

8           343.16 (2) (b) *Specific requirements.* The standards developed by the  
9 department under par. (c) shall provide that the examination for persons making  
10 their first application for an operator's license shall include a test of the applicant's  
11 eyesight, ability to read and understand highway signs regulating, warning and  
12 directing traffic, knowledge of the traffic laws, including ~~s.~~ ss. 346.072 and 346.26,  
13 understanding of fuel-efficient driving habits and the relative costs and availability  
14 of other modes of transportation, knowledge of the need for anatomical gifts and the  
15 ability to make an anatomical gift through the use of a donor card issued under s.

**ASSEMBLY BILL 826**

1 343.175 (2), and an actual demonstration of ability to exercise ordinary and  
2 reasonable control in the operation of a motor vehicle. The test of knowledge of the  
3 traffic laws shall include questions on the provisions of ss. 343.30 (1q), 343.303 to  
4 343.31 and 346.63 to 346.655, relating to the operation of a motor vehicle and the  
5 consumption of alcohol beverages. The test of knowledge may also include questions  
6 on the social, medical and economic effects of alcohol and other drug abuse. The  
7 examination of applicants for authorization to operate 'Class M' vehicles shall test  
8 an applicant's knowledge of Type 1 motorcycle safety, including proper eye protection  
9 to be worn during hours of darkness. The department may require persons changing  
10 their residence to this state from another jurisdiction and persons applying for a  
11 reinstated license after termination of a revocation period to take all or parts of the  
12 examination required of persons making their first application for an operator's  
13 license. Any applicant who is required to give an actual demonstration of ability to  
14 exercise ordinary and reasonable control in the operation of a motor vehicle shall  
15 furnish a representative vehicle in safe operating condition for use in testing ability.

16 **SECTION 4.** 343.71 (5) (d) of the statutes is created to read:

17 343.71 (5) (d) Includes instruction relating to passing stopped emergency  
18 vehicles, tow trucks, and highway machinery equipment.

19 **SECTION 5. Effective date.**

20 (1) This act takes effect on the first day of the 6th month beginning after  
21 publication.

22 (END)