



WISCONSIN STATE SENATE  
**DALE W. SCHULTZ**

Thank you, Chairman Petrowski and members of the Senate Transportation, Public Safety, and Veterans and Military Affairs Committee for holding this hearing on Senate Bill 639.

At its essence, this bill is about fairness and equality. It's about ending discrimination against our fellow Wisconsinites who courageously battle against a disease that has no known cure. In talking with constituents who face life with diabetes, they tell me the key is to manage the disease both physically and mentally. Today, you have an opportunity to provide real relief in bolstering the spirits of those with diabetes as well as assist them in earning and keeping jobs.

Each of us is uniquely positioned to promote local interests, advance fiscal and legislative policy at the state level, and to encourage entrepreneurs and businesses to look at Wisconsin to create new jobs. Collective, collaborative efforts of many, work best. The change in policy which we advocate today, if enacted, is a step toward putting folks to work in Wisconsin and could put a number of otherwise displaced individuals back to work behind the wheel as a commercial driver.

According to the Wisconsin Department of Transportation's (DOT) estimate, 12 individuals could return to work that otherwise would be revoked by DOT under current administrative code. More importantly, hundreds of drivers failing to follow the advice of their doctors and medical professionals to utilize insulin could improve their health and reduce their employers' long-term medical costs.

To make this happen, this bill alters current law exceptions to qualifications of commercial driver-operators. To avoid jeopardizing federal transportation dollars, this bill changes the qualifications applicable to intrastate commercial drivers only, (those who drive in Wisconsin). The current exception allows persons who have diabetes to apply in Wisconsin for a Commercial Driver's License (CDL), and DOT may issue a CDL to individuals whose diabetes is controlled by insulin as evidenced by two licensed physicians who attest that loss of control of a motor vehicle is not likely; however, a moving violation or accident within a three year period will result in a determination of ineligibility.

While drivers who have diabetes may attain a CDL, those with diabetes can lose their CDL absent investigation or court proceeding should they come to be involved in an accident in a privately owned vehicle even if the accident was not caused by or is wholly unrelated to a failure to control their diabetes.

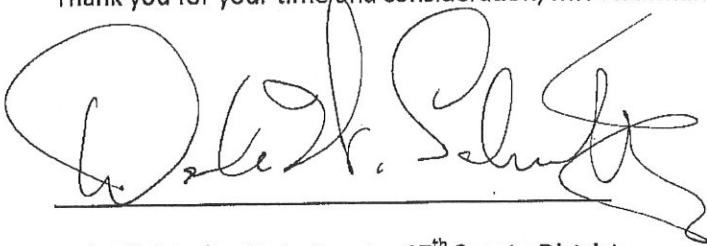
There are a variety of affordable insulin measuring devices that provide blood glucose reading, which can be worn or are carried on-person by many diabetics. These devices make it possible to know one's blood glucose at anytime, anywhere. Since the objective is to ensure that

persons whose diabetes is under control can continue being employed as a commercial driver, the bill precludes the DOT from imposing a more restrictive eligibility standard relating to moving violations and at-fault accidents for applicants and drivers by person who have diabetes controlled by insulin. According to DOT, this proposed change in the statute will ultimately compel a change to administrative code.

I asked the Fiscal Bureau whether the change proposed, if enacted, could potentially result in a reduction of federal monies Wisconsin now receives, and the answer was "no."

The goal of this legislation is to keep people working in Wisconsin and to end discrimination against those with diabetes. We especially focus on those who, through cooperative effort with their healthcare provider(s), keep their diabetes under control resulting in improved health, greater productivity and less absence from work and long-term reductions in medical costs both for the individual and their employers.

Thank you for your time and consideration, Mr. Chairman.

A handwritten signature in black ink, appearing to read "Dale W. Schultz". The signature is written in a cursive, flowing style with a horizontal line underneath the name.

Dale W. Schultz, State Senator 17<sup>th</sup> Senate District

## WI DOT Commercial Driver License (CDL) - Overview

Commercial driver licenses (CDL) are required to operate vehicles that:

- Weigh over 26,000 pounds, determined by the highest of the following weights:
  - manufacturer's gross vehicle weight rating (GVWR)
  - manufacturer's gross combination weight rating (GCWR) when the towed unit has a GVWR, registered weight or actual gross weight over 10,000 pounds
  - actual weight
  - registered weight
- Carry hazardous materials that require placarding under federal law.
- Are designed or used to carry 16 or more persons including the driver (buses and some school buses).

There are federal and state regulations governing the operation of commercial motor vehicles.

### Wisconsin CDL law requires:

- A classified licensing system.
- Issuing of only one license to each driver.
- Testing of commercial drivers, who must pass a knowledge test and driving skills test in the type of vehicle they drive.
  - School bus drivers are required to pass a knowledge test and abbreviated driving skills test at each renewal in addition to providing proof of physical fitness in the form of a completed MV3030B or valid Federal Medical Certificate.
  - Hazardous materials (Hazmat) drivers who are renewing, transferring or applying for the "H" endorsement for the first time require a background check, including fingerprinting. Drivers are also required to complete the hazardous materials endorsement application and pass the "H" knowledge test.
- Enforcement of the law through the Commercial Driver License Information System (CDLIS), a computer network of all states.
- Enforcement of CDL disqualifications for alcohol and serious traffic violations such as a BAC of .04 in a commercial motor vehicle, and speeding in excess (15 mph or more) in a commercial motor vehicle.

### Disqualification

A disqualification is the withdrawal of a person's privilege to operate a commercial motor vehicle.

### Operation of farm machinery

A driver license is not required to move non-registered farm machinery on a highway between fields or between a farm and a field. However, a Farm Service CDL is available for a person who is employed by a farm service industry for 180 days or less per calendar year.

## **License classes**

Wisconsin has a classified licensing system. The classes are:

### **Class A**

For operation of a commercial motor vehicle. Any combination of vehicles with a Gross Vehicle Weight Rating (GVWR), actual weight, or registered weight over 26,000 pounds provided the GVWR, actual weight, or registered weight of the towed vehicle(s) is more than 10,000 pounds.

### **Class B**

For operation of a commercial motor vehicle. Any single vehicle with a GVWR, actual weight, or registered weight over 26,000 pounds, or such vehicle towing a vehicle with a GVWR, actual weight, or registered weight of 10,000 pounds or less.

### **Class C**

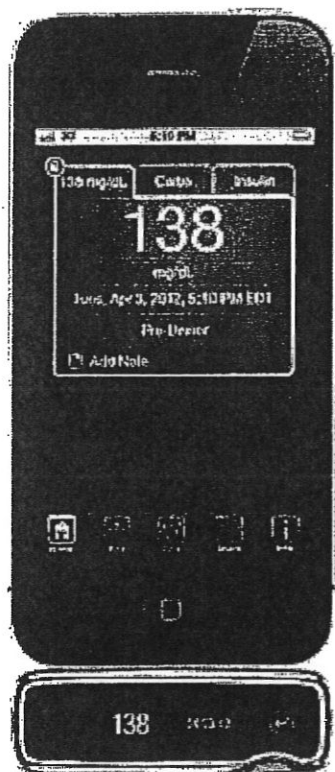
For operation of a commercial motor vehicle. Any single vehicle with a GVWR, actual weight, or registered weight of 26,000 pounds or less, (or such vehicle towing a vehicle less than 10,000 pounds) transporting hazardous materials requiring placarding or designed to carry 16 or more persons including the driver.

### **Class D**

For operation of automobiles; light trucks and mopeds.

### **Class M**

For operation of motorcycles.



## **IBGSTAR Blood Glucose Monitoring System iBG Star**

Price: \$74.99 at Walgreens

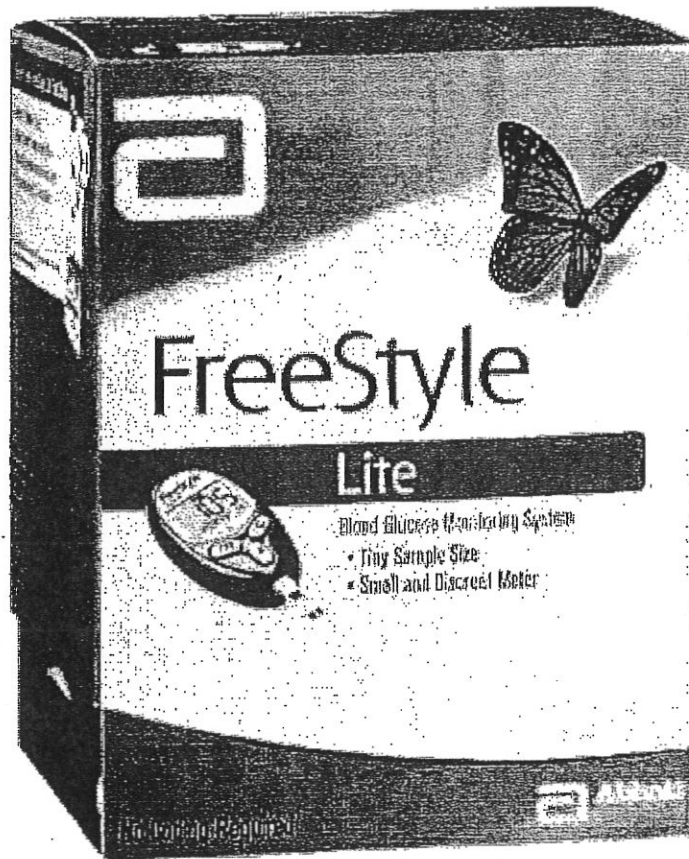
Manage blood glucose

Designed to connect directly with an Apple iPhone™ or iPod touch™

Currently iBGStar is not compatible with the iPhone 5

Easy to Use

<http://www.walgreens.com/store/c/ibgstar-blood-glucose-monitoring-system/ID=prod6108725-product>



## **FreeStyle Lite, Blood Glucose Monitoring System**

Price: \$20.49 at Walgreens

Small and discreet meter

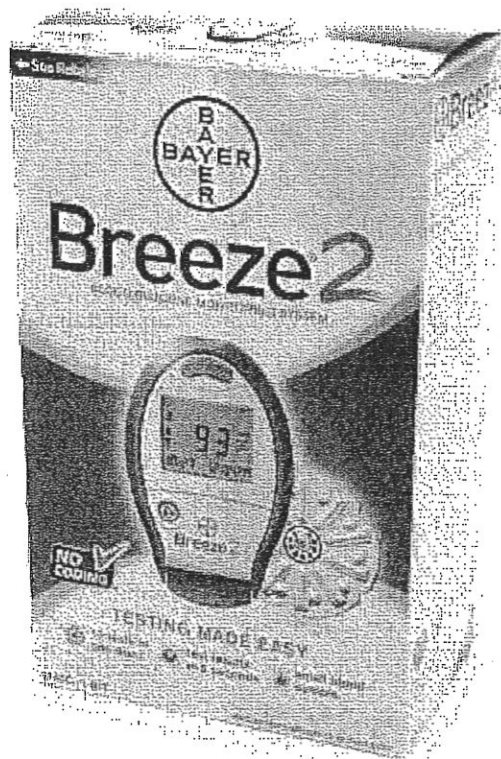
Easy-to-use strips.

No coding required

Includes patented ZipWick tabs on test strips: Easier, faster blood application

Up to 60 second reapplication time, only need tiny sample size.

<http://www.walgreens.com/store/c/freestyle-lite%2c-blood-glucose-monitoring-system/ID=prod3423400-product>



## **Bayer Breeze Blood Glucose Monitoring System**

Price: \$22.99 at Walgreens

Unique 10-test disc means no fumbling with individual blood glucose test strips.

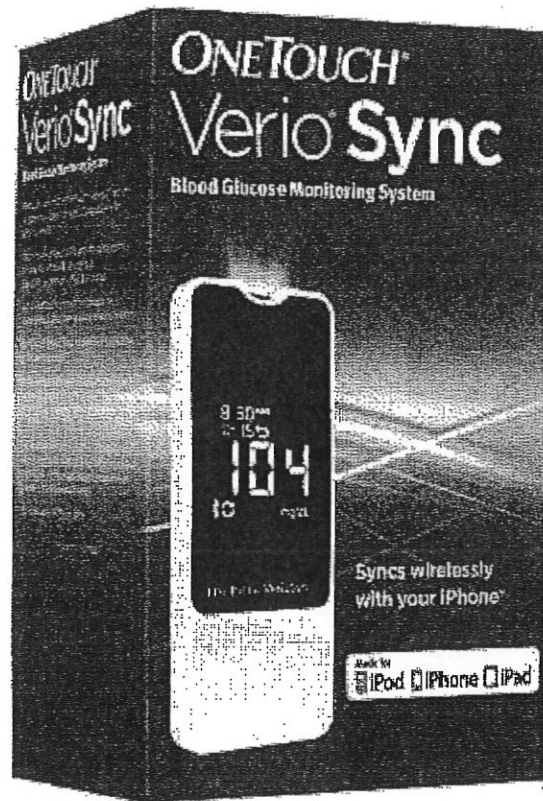
Loading a blood glucose test strip is as easy as "pull & push".

No Coding™ technology eliminates user miscoding errors that could lead to inaccurate results.

So user-friendly, the meter and disc were awarded the Arthritis Foundation Ease-of-Use Commendation.

Minimizes effects of many common interferences, such as galactose and maltose.

<http://www.walgreens.com/store/c/bayer-breeze-blood-glucose-monitoring-system/ID=prod3040213-product>



## OneTouch VerioSync

Price: \$23.99 at Walgreens

Stores up to 500 results

Bluetooth® enabled device

Automatically sends to your iPhone

Easy to read screen

Test strip port light for testing in the dark

Made For iPod, iPhone & iPad

<http://www.walgreens.com/store/c/onetouch-veriosync/ID=prod6236924-product>





# DAVE MURPHY

State Representative • 56th Assembly District

## Senate Committee on Transportation, Public Safety and Veterans and Military Affairs

March 6, 2014

### Senate Bill 639

Thank you, Mr. Chairman and members of the Committee. I am the Assembly lead for Senate Bill 639.

I became involved in this bill because I think it makes good sense for the small portion of people to whom it would apply. Right now, someone who has insulin controlled diabetes and who applies for a restricted (in state only) Commercial Drivers License must offer statements from two doctors and must not have any moving violations of any kind in the past three years.

Our bill says an applicant must still offer statements of doctors, but the moving violations can only make someone ineligible if they were caused by diabetes.

SB 639 will enable responsible, healthy diabetics to continue their work as long as they meet these criteria.

Thank you.