



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1284/1
ZDW:emw&wlj

2021 BILL

1 **AN ACT to amend** 343.07 (1g) (intro.), 343.07 (3) and 343.085 (1) (b) of the
2 statutes; **relating to:** motor vehicle instruction permit and probationary
3 license eligibility and duration.

Analysis by the Legislative Reference Bureau

This bill lowers the age of eligibility for and increases the duration of a motor vehicle instruction permit and establishes a minimum age for a motor vehicle probationary license.

Under current law, DOT may issue an instruction permit to a person who is at least 15 years and 6 months of age, has passed a knowledge test, and, except for age or lack of training, is qualified to obtain an operator's license. If the person is under 18 years of age, the person must also be enrolled in a driver education course. Subject to certain restrictions, the permit authorizes the operation of motor vehicles, excluding commercial motor vehicles, school buses, motorcycles, motor bicycles, and mopeds. An instruction permit is valid for 12 months.

Under the bill, a person is eligible for an instruction permit at the age of 15, and the permit is valid for 18 months.

Under current law, with limited exceptions, a probationary license is issued to applicants who qualify for an original license and remains in effect for two years from the date of the licensee's next birthday. During the first nine months following issuance of a probationary license, a licensee under the age of 18 is generally subject to restrictions on the operation of "Class D" vehicles, which are automobiles, light trucks, and mopeds. A person must hold an instruction permit for at least six months

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before being eligible for a probationary license. The bill retains this requirement and provides that DOT may not issue a probationary license to a person who is under the age of 16.

For further information see the state and local 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:

1 **SECTION 1.** 343.07 (1g) (intro.) of the statutes is amended to read:

2 343.07 **(1g)** REGULAR PERMIT; ISSUANCE, RESTRICTIONS. (intro.) Upon application
3 therefor by a person at least 15 years and ~~6 months~~ of age who, except for age or lack
4 of training in the operation of a motor vehicle, is qualified to obtain an operator's
5 license and has passed such knowledge test as the department may require, the
6 department may issue a regular instruction permit. If the application is made by a
7 male who is at least 18 years of age but less than 26 years of age, the application shall
8 include the information required under s. 343.14 (2) (em). The permit entitles the
9 permittee to operate a motor vehicle, except a commercial motor vehicle, school bus,
10 or motorcycle, a motor bicycle, or a moped, upon the highways, subject to the
11 following restrictions:

12 **SECTION 2.** 343.07 (3) of the statutes is amended to read:

13 343.07 **(3)** DURATION; CANCELLATION. An instruction permit to operate vehicles
14 other than commercial motor vehicles or school buses is valid for ~~12~~ 18 months except
15 that it may be canceled upon receipt of information, by the secretary, of
16 noncompletion or unsatisfactory completion of a driver education and training
17 course by a permittee under the age of 18. An instruction permit to operate
18 commercial motor vehicles or school buses is valid for 180 days.

19 **SECTION 3.** 343.085 (1) (b) of the statutes is amended to read:

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1 343.085 (1) (b) The department may not issue a probationary license to operate
2 "Class D" vehicles under this section to an applicant who is under 18 years of age
3 unless the applicant has attained the age of 16, has held an instruction permit issued
4 under s. 343.07 for not less than 6 months, and, during the 6-month period
5 immediately preceding application, has not committed a moving violation, specified
6 by the department by rule, resulting in a conviction. The department may
7 promulgate rules to waive the requirement of holding an instruction permit for not
8 less than 6 months for qualified applicants who are licensed by another jurisdiction
9 to operate "Class D" vehicles.

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(END)