
Wisconsin Legislative Council

ACT MEMO



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2023 Wisconsin Act 202 [2023 Assembly Bill 569]

Location of Driver Schools

Wisconsin law provides for regulation of driver schools by the Department of Transportation (DOT). Under one aspect of that regulation, s. 343.61 (4) (b), Stats., currently states, in part, “except as provided by DOT rule, no driver school licensee may establish a driver school office within 1,500 feet of a DOT office where operator licenses are issued nor within 1,500 feet of any DOT headquarters where official driving tests are given.”

As contemplated by the statutes, DOT has promulgated administrative rules, codified in ch. Trans 105, to regulate driver schools. Among the provisions of this chapter, s. Trans 105.06 (5) prohibits a driver school licensee from soliciting business within 1,500 feet of any DOT office where official road tests are given, but states that the prohibition does not apply in certain circumstances, including when the municipality where the office is located has a population of less than 10,000 and the business district in which the DOT office is located is less than 1,500 feet long.

2023 Wisconsin Act 202 directly treats the DOT administrative code, amending the “small municipality” solicitation exemption to allow solicitation of business within 1,500 feet of a DOT office when the office is located in a municipality with a population of less than 15,000 (removing the language relating to the nature of the municipality’s business district as well).

Effective date: March 24, 2024

For a full history of the bill, visit the Legislature’s [bill history page](#).

SG:jal