



PATRICK TESTIN

STATE SENATOR

DATE: February 6, 2024

RE: **Testimony on Assembly Bill 569**

TO: The Senate Committee on Transportation and Local Government

FROM: Senator Patrick Testin

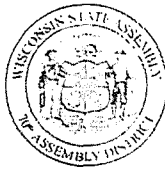
Thank you Chairman Tomczyk and members of the Transportation and Local Government Committee for accepting my testimony on behalf of Assembly Bill (AB 569).

As Representative VanderMeer will state, this bill is attempting to help a constituent in Tomah, who contacted Rep. VanderMeer and told her how his attempt to open a driver's school location in Tomah was being prohibited by an arbitrary rule of the Department of Transportation.

Representative VanderMeer contacted Secretary Thompson about the rule, but never received an explanation from the Department as to why this somewhat vague rule was in place and could not be changed.

As we can see from the record of the Assembly Committee on Jobs, Economy and Small Business, where this bill received a public hearing on November 28, 2023, the Department did not appear to testify in opposition to this bill or even for information only. Nor did they register against it. It would appear from their actions that this is not a matter of importance to them.

Therefore, I hope you would join me in supporting a business who is being thwarted by a curious, outdated rule, and vote for AB 569.



NANCY VANDERMEER

STATE REPRESENTATIVE • 70TH ASSEMBLY DISTRICT

TO: Honorable Members of the Senate Committee on Transportation and Local Government

FROM: State Representative Nancy VanderMeer

DATE: February 6, 2024

SUBJECT: Testimony in Support of Assembly Bill 569

Thank you Chairman Tomczyk for holding a hearing on AB 569 today and thank you committee members for being here. The bill before you today is a bill, frankly, I wish I did not have to put forward. The issue addressed in the proposal is a problem that a constituent that owns a driver's school in Tomah, WI, brought to my attention over a year ago. Early last year, I brought this issue to the attention of the Department of Transportation (DOT) and their Secretary's Office. Although Secretary Thompson seemed receptive to at least looking at the issue early last year, until the morning of the public hearing on this proposal in the Assembly Committee Jobs, Economy and Small Business Development, I had unsuccessfully attempted to get an explanation from the department regarding the utility of current statutes, put into place decades ago, that govern the locations of driver's schools. Prior to introducing this bill, the DOT Secretary's Office was unable or unwilling to address related inquiries or provide an explanation for why they support current law and administrative code.

Current law provides that a driver school may not be established within 1,500 feet of a Department of Transportation office where operator's licenses are issued or official driving skills tests are given. As originally drafted, this bill would have eliminated that prohibition. Also at issue for me as reflected in the original bill is what seems to be an arbitrary prohibition in current DOT administrative rules that prevent a driver school from soliciting business within 1,500 feet of a DOT Office where operator's driving skills tests are given. Included in those rules is a caveat that the prohibition does not apply if the ~~municipality where the Department of Transportation 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. As amended at the request of the Department of Transportation Secretary's Office the morning of the public hearing in the Assembly, the bill modifies, but does not eliminate, the population exception from 10,000 to 15,000, and eliminates the business district requirement.

The DOT Secretary's Office offered some comments on the bill as it was originally drafted that they may have shared with committee members here. In those comments, they did mention that, "Section 2 of this bill modifying Trans 105.06(5)(b), accurately addresses the concern that had been raised by the constituent we had met with." The constituent referenced is the individual that brought this concern to my attention.



NANCY VANDERMEER

STATE REPRESENTATIVE • 70TH ASSEMBLY DISTRICT

It's my goal to address my constituent's concern with this bill as amended at this time *and* continue to attempt to obtain more information from the department in the future on the other aforementioned issues. During the public hearing in the Assembly Committee Jobs, Economy and Small Business Development, I was pleased to hear a number of engaging comments and concerns related to the issues at hand from both sides of the aisle, of me and the constituent from the 70th Assembly District - whose issue this bill is trying to resolve - that had the opportunity to attend that hearing in person. As reflected in the committee and floor votes in the Assembly, there seems to be a broad desire to support this effort and learn more about the utility of relevant statutes and administrative code.

Again, thank you for the opportunity for a public hearing on this proposal and I respectfully ask for your support to move it forward in the legislative process.