



1995 ASSEMBLY BILL 497

July 27, 1995 - Introduced by Representatives BRANDEMUEHL, HARSDORF, FREESE, HAHN, KREUSER, DOBYNS, RYBA, MUSSER, ZUKOWSKI, SERATTI, BRANCEL, TRAVIS, HASENOHRL, GREEN, SCHNEIDER, SILBAUGH, SCHNEIDERS, LORGE, TURNER, WARD, BALDUS, GROBSCHMIDT, NOTESTEIN, ALBERS, F. LASEE, BAUMGART, DUFF, LADWIG, BOCK, AINSWORTH, GOETSCH, GARD, NASS, GUNDERSON, OTT, WIRCH, GROTHMAN, BOYLE, CULLEN, R. YOUNG, LINTON, DUEHOLM, OWENS, OLSEN, KREIBICH, HANDRICK, LA FAVE, VANDER LOOP, COLEMAN, CARPENTER, KRUG, R. POTTER, LAZICH and MORRIS-TATUM, cosponsored by Senators BUETTNER, RUDE, FITZGERALD, FARROW, ZIEN, JAUCH, DRZEWIECKI, RISSER, ROSENZWEIG, BRESKE, CLAUSING, SCHULTZ, BURKE, COWLES, MOEN, WINEKE, PANZER, MOORE, C. POTTER, CHVALA and GEORGE, by request of Vietnam Veterans of America, Disabled American Veterans and Wisconsin Paralyzed Veterans of America. Referred to Committee on Highways and Transportation.

1 **AN ACT to repeal** 349.145 (2); **to renumber and amend** 349.145 (1); **to amend**
2 346.94 (4); and **to create** 46.29 (1) (em) of the statutes; **relating to:** placing
3 educational materials about the parking privileges of physically disabled
4 persons on vehicles.

Analysis by the Legislative Reference Bureau

Current law prohibits any person from throwing or placing a missile, circular or pamphlet in or on any vehicle. Any person violating this prohibition may be required to forfeit not less than \$20 nor more than \$400. The prohibition does not apply to educational material about the parking privileges of physically disabled persons that is placed on vehicles that may not be entitled to disabled parking privileges if the placing of the educational material on such vehicles is authorized by a disabled parking enforcement assistance council or by ordinance or resolution of any city, village or county that is without a disabled parking enforcement assistance council. Presently, disabled parking enforcement assistance councils may be established by cities, villages and counties to assist in the enforcement of parking regulations affecting parking spaces reserved for vehicles used by physically disabled persons.

This bill removes the requirement that the placing of the educational material must be authorized by a disabled parking enforcement assistance council or by an ordinance or resolution. The bill permits any person to place educational material

about disabled parking privileges on a vehicle if the person has a good faith belief that the vehicle is not entitled to disabled parking privileges.

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

1 **SECTION 1.** 46.29 (1) (em) of the statutes is created to read:

2 46.29 (1) (em) Approve educational material relating to the parking privileges
3 of physically disabled persons for placement on vehicles as provided in s. 346.94 (4).
4 The council may delegate to a member of the council or an officer or employe of a state
5 agency the authority granted under this paragraph.

6 **SECTION 2.** 346.94 (4) of the statutes is amended to read:

7 346.94 (4) (title) ~~THROWING MISSILE IN VEHICLE~~ MISSILES, CIRCULARS OR
8 PAMPHLETS. ~~Except as provided in s. 349.145, no~~ No person shall throw any missile,
9 circular or pamphlet at the occupants of any vehicle or throw or place any missile,
10 circular or pamphlet in or on any vehicle, whether or not the vehicle is occupied. This
11 subsection does not apply to any person who places on a vehicle educational material
12 relating to the parking privileges of physically disabled persons if the person has a
13 good faith belief that the vehicle is violating state or local law on parking for motor
14 vehicles used by the physically disabled and the educational material has been
15 approved by the council on physical disabilities as provided under s. 46.29 (1) (em).

16 **SECTION 3.** 349.145 (1) of the statutes is renumbered 349.145 and amended to
17 read:

18 **349.145 Authority to establish disabled parking enforcement**
19 **assistance councils.** Any city, village or county may by ordinance or resolution
20 establish a disabled parking enforcement assistance council. The majority of such
21 a council shall be appointed by the local authorities from among those residents of

1 the city, village or county to whom or on whose behalf the department has issued a
2 special registration plate under s. 341.14 (1) to (1r) or a special identification card
3 under s. 343.51. Members of such a council may report violations of s. 341.625 (1),
4 343.52, 346.503 or 346.505 (2) or ordinances in conformity therewith to a traffic
5 officer of the city, village or county as provided in s. 341.625 (2), 343.52 (3), 346.503
6 (5) or 346.505 (3). If a 1st or 2nd class city has enacted an ordinance under s. 346.50
7 (3m), the council shall perform any duties required by s. 346.50 (3m). ~~The council~~
8 ~~may authorize any person to place on a vehicle educational material relating solely~~
9 ~~to the parking privileges of the physically disabled if the person has a good faith belief~~
10 ~~that the vehicle is violating state or local law on parking for motor vehicles used by~~
11 ~~the physically disabled.~~

12 **SECTION 4.** 349.145 (2) of the statutes is repealed.

13 **SECTION 5. Initial applicability.**

14 (1) This act first applies to placement on vehicles of educational material
15 relating to the parking privileges of physically disabled persons on the effective date
16 of this subsection.

17 **SECTION 6. Effective date.**

18 (1) This act takes effect on the first day of the 4th month beginning after
19 publication.

20 (END)