

1977 Assembly Bill 459

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## CHAPTER 43, Laws of 1977

AN ACT to repeal 344.17 (3), (4) and (5); to amend 83.016, 84.29 (2), 84.30 (1) and (2) (a), 340.01 (60), 341.14 (2), 343.09 (4), 343.40, 344.45 and 346.20 (1) (intro.); and to create 84.30 (2) (em) and 341.05 (21) of the statutes, relating to various changes in the highway and motor vehicle laws (suggested as remedial legislation by the department of transportation).

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

SECTION 1. 83.016 of the statutes is amended to read:

**83.016 (title) Traffic patrol officers, appointment, duties, bond.** (1) The county board, or one of its committees to which it may delegate such authority, may appoint traffic ~~patrolmen officers~~ officers for the enforcement of laws relating to the highways or their use, or the maintenance of order upon or near the highways. Traffic ~~patrolmen officers~~ officers may arrest without warrant any person who, in their presence, violates any law relating to highways or the maintenance of order upon or near highways. Any traffic ~~patrolman officer~~, sheriff, constable or other police officer may make such arrest without warrant on the request of any other traffic ~~patrolman officer~~, sheriff, constable or police officer in whose presence any such offense has been committed. The appointment of any traffic ~~patrolman officer~~ may be revoked at any time by the county board or one of its committees to which it may delegate such authority. No traffic ~~patrolman officer~~ shall receive or accept from or for any person he or she has arrested, any money or other thing of value, as or in lieu of bail or for the person's appearance before a court, or to cover or be applied to the payment of fines or costs, or as a condition of such person's release.

(2) Traffic ~~patrolmen officers~~, before exercising their powers, shall be provided with a badge by the county board or its designee which shall be worn when on duty. ~~Such badges shall be furnished to the county by the division of motor vehicles.~~

(3) Traffic ~~patrolmen~~ officers shall furnish bonds in a sum fixed by the county board to indemnify the county for any and all claims arising out of the performance of their duties. The cost of such bonds shall be paid by the county. In lieu of furnishing bonds, such ~~patrolmen~~ officers may be included in a schedule or blanket bond under s. 19.07 (1) (b).

SECTION 2. 84.29 (2) of the statutes is amended to read:

84.29 (2) ROUTES OF INTERSTATE SYSTEM, STATE TRUNK HIGHWAYS. Upon finding by the highway commission that the development of any proposed highway as a route of the national system of interstate highways, hereinafter designated the interstate system or interstate highways, or any portion thereof, including the laying out, construction, maintenance and operation of any part thereof as a freeway or expressway, is in the promotion of the public and social welfare of the state and for the benefit of public travel, the highway commission is empowered and it shall have full authority to lay out, construct, operate and maintain such highway as a part of the state trunk highway system. Except as otherwise provided by this section, all provisions of law relative to the acquisition of land for highway purposes and for surveys, plans, establishing, laying out, widening, enlarging, extending, constructing, reconstructing, improving, maintaining and financing of other state trunk highways shall apply to the interstate highways undertaken in this state.

SECTION 3. 84.30 (1) and (2) (a) of the statutes are amended to read:

84.30 (1) LEGISLATIVE FINDINGS AND PURPOSE. To promote the safety, convenience and enjoyment of public travel, to preserve the natural beauty of Wisconsin, to aid in the free flow of interstate commerce, to protect the public investment in highways, and to conform to the expressed intent of congress to control the erection and maintenance of outdoor advertising signs, displays and devices adjacent to the national system of interstate and defense highways, it is hereby declared to be necessary in the public interest to control the erection and maintenance of billboards and other outdoor advertising devices adjacent to said system of interstate and federal-aid primary highways and the Great River Road.

(2) (a) "Adjacent area" means an area which is adjacent to and within 660 feet of the nearest edge of the right-of-way of any interstate or primary highway or the Great River Road, which 660 feet distance shall be measured horizontally along a line normal or perpendicular to the center line of the highway.

SECTION 3m. 84.30 (2) (em) of the statutes is created to read:

84.30 (2) (em) "Great River Road" means any highway officially designated as part of the Great River Road system by the highway commission and approved by the appropriate authority of the federal government. Signs along the Great River Road shall be regulated as are signs along primary highways.

SECTION 4. 340.01 (60) of the statutes is amended to read:

340.01 (60) "State trunk highway" means any highway designated pursuant to s. 84.02 or 84.29 as part of the state trunk highway system, exclusive of connecting streets.

SECTION 5. 341.05 (21) of the statutes is created to read:

341.05 (21) Is owned by the United States.

SECTION 6. 341.14 (2) of the statutes is amended to read:

341.14 (2) Upon compliance with the laws relating to registration of ~~motor vehicles~~ automobiles and station wagons, including payment of the prescribed fee under s. 341.25 (1) (a) plus an additional fee of \$1 accompanied by an application showing satisfactory proof that the applicant is the holder of an unexpired amateur radio station license issued by the federal communications commission and that all necessary

transmitting and receiving equipment has been installed in the ~~vehicle~~ automobile or station wagon, the division shall issue registration plates on which, in lieu of the usual registration number, shall be inscribed in large legible form the call letters of such applicant as assigned by the federal communications commission.

SECTION 7. 343.09 (4) of the statutes is amended to read:

343.09 (4) Whenever a license is denied by the administrator, such denial may be reviewed by a reviewing board upon written request of the applicant filed with the division within 10 days after receipt of notice of such denial. Reviewing boards shall consist of the administrator or a representative and 2 physicians from a list of physicians designated by the department of health and social services. The physicians designated by the department of health and social services shall be licensed to practice medicine in this state and shall receive the per diem and expenses provided in s. 15.08 (7) which shall be charged to the appropriation for the department of health and social services. Actions of the division on recommendations of the reviewing boards are subject to judicial review under s. 343.40.

SECTION 8. 343.40 of the statutes is amended to read:

**343.40 Judicial review of suspension, revocation, cancellation or denial of license.** ~~Unless mandatory under this chapter, the~~ The denial or cancellation of a license or the revocation or suspension of an operating privilege is subject to judicial review in the manner provided in ch. 227 for the review of administrative decisions, except that if the petitioner resides in Wisconsin the place of review shall be the circuit court of the county in which he resides.

SECTION 9. 344.17 (3), (4) and (5) of the statutes are repealed.

SECTION 10. 344.45 of the statutes is amended to read:

**344.45 Surrender of license, and registration upon suspension.** (1) Whenever a person's operating privilege or registration is revoked or suspended ~~pursuant to~~ under this chapter, the administrator shall also order such person to surrender to the division his or her license and the registration plates ~~and certificates of registration~~ of the vehicles for which registration was revoked or suspended. If such person fails forthwith to return such license, and registration plates ~~or certificates of registration~~ to the division, the administrator shall direct a traffic officer to take possession thereof and return them to the division.

(2) Any person who intentionally fails or refuses to return a license, and registration plate ~~or certificate of registration~~ as required by this section may be required to forfeit not more than \$100.

SECTION 11. 346.20 (1) (intro.) of the statutes is amended to read:

346.20 (1) (intro.) Funeral processions and military convoys have the right of way at intersections when vehicles comprising such procession have their ~~bright~~ headlights lighted, subject to the following conditions and exceptions:

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