

1979 Assembly Bill 1143

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CHAPTER 345, Laws of 1979

AN ACT to amend 340.01 (30), (32) and (33) and 343.05 (1); and to create 341.065, 341.13 (4), 343.07 (6), 343.075, 343.135, 343.16 (1) (e) and 347.02 (6) of the statutes, relating to the operation of motor bicycles, the issuance of a special restricted operator's license and authorizing the registration of specially designed vehicles.

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

SECTION 1. 340.01 (30), (32) and (33) of the statutes are amended to read:

340.01 (30) "Motor bicycle" means a bicycle to which a motor with a horsepower capacity of one horsepower or less has been added to ~~form a motor-driven cycle as permit~~ the vehicle to travel at a speed of 25 miles per hour or less. A motor bicycle is distinguished from a ~~power-driven~~ power-driven cycle, ~~motor-cycle~~ motorcycle or moped in which the motor is an integral part of the original vehicle.

(32) "Motorcycle" means a ~~motor driven~~ motor-driven cycle which does not come within the definition of ~~power-driven~~ power-driven cycle or ~~motor bicycle~~.

(33) "Motor-driven cycle" means a motor vehicle designed to travel on not more than 3 wheels in contact with the ground and having a seat for the use of the rider, including motorcycles, ~~power-driven and power-driven~~ cycles and ~~motor bicycles~~ but excluding tractors, motor bicycles and mopeds.

SECTION 1m. 341.065 of the statutes is created to read:

341.065 Registration of special vehicles. The department shall register a specially designed vehicle which is authorized for operation by a person holding a special restricted operator's license under s. 343.135 if the special vehicle meets the equipment standards established under s. 347.02 (6).

SECTION 2. 341.13 (4) of the statutes is created to read:

341.13 (4) A specially designed vehicle which is authorized for operation under s. 343.135 (2) (a) 2 shall bear a tag, decal or other identification issued by the department to indicate that the vehicle may be subject to special equipment standards under s. 347.02 (6) and that the vehicle may be operated only by a person authorized to do so under s. 343.135 (2) (b).

SECTION 2m. 343.05 (1) of the statutes is amended to read:

343.05 (1) Except as provided in sub. (2), no person may operate a motor vehicle upon a highway in this state unless the person has a license issued to him or her by the department, which license is not revoked, suspended, canceled or expired. A valid chauffeur's license satisfies the requirements of this section only when the licensee is operating a vehicle in the performance of his or her duties as chauffeur. No person may operate a motor-driven cycle unless the person possesses a valid operator's license which has been specifically endorsed for motor-driven cycle operation. No person may operate a moped unless the person possesses a valid operator's license. No person may operate a motor bicycle unless the person possesses a valid operator's license or a special restricted operator's license issued under s. 343.135.

SECTION 3. 343.07 (6) of the statutes is created to read:

343.07 (6) **SPECIAL INSTRUCTIONAL PERMITS.** This section does not apply to instructional permits issued under s. 343.075.

SECTION 4. 343.075 of the statutes is created to read:

343.075 Instructional permits for applicants for special restricted operators' licenses. The department may require an applicant for a special restricted operator's license under s. 343.135 to first obtain an instructional permit if the department deems it advisable. The department shall determine the requirements for issuance of an instructional permit under this section and the restrictions, if any, on such permits.

SECTION 5. 343.135 of the statutes is created to read:

343.135 Special restricted operator's license. (1) **ISSUANCE.** (a) Except as provided in par. (b), upon application therefor, the department shall issue a special restricted operator's license to any person who meets the following requirements:

1. Is at least 16 years of age.
2. Does not possess a valid operator's license issued under this chapter.
3. Pays the required fee.
4. Has passed an examination which includes a test of the applicant's eyesight, ability to read and understand highway signs regulating, warning and directing traffic, knowledge of the traffic laws and an actual demonstration of ability to exercise ordinary and reasonable control in the operation of the vehicle for which the special restricted license is

to be issued. An applicant shall furnish the motor vehicle he or she will be operating for use in testing his or her ability to operate the vehicle.

(b) The department may not issue a special restricted license to a person whose operating privilege is suspended or revoked.

(2) SCOPE. (a) A special restricted operator's license may be issued only for the specific vehicle or type of vehicle described on the license. A special restricted operator's license may be issued only for the following types of vehicles:

1. Motor bicycles, mopeds or power-driven cycles; or

2. Specially designed vehicles having a maximum speed of 35 miles per hour which the department authorizes to be operated on the highway.

(b) If a special restricted operator's license is issued for operation of a vehicle described in par. (a) 2, the vehicle may be operated only by the following persons:

1. The holder of the restricted license.

2. A person licensed under this chapter who operates the vehicle for the limited purposes of repairing or testing the vehicle.

(3) DESIGN OF LICENSE. The special restricted license shall be of the same size and general design of the operator's license, except that it shall bear the words "SPECIAL RESTRICTED LICENSE". The information on the license shall be the same as specified under s. 343.17 (1) and the holder may affix a decal thereto as provided in s. 343.17

(3). All restrictions imposed under sub. (6) shall be listed on the license or on an attachment thereto.

(4) PHYSICAL REQUIREMENTS. The department may set such physical standards as it deems necessary for eligibility for licensing under this section. The standards shall include a vision standard.

(5) EXAMINATION. The department may require an applicant to submit to a medical examination to determine whether the applicant meets the standards set under sub. (4). The applicant shall pay the cost of any such examination.

(6) RESTRICTIONS. The department may impose such restrictions as it deems necessary on any license issued under this section. Such restrictions may include, but are not limited to, the type of vehicle, special equipment, time of day of operation, and specific geographic areas and streets or routes of travel.

SECTION 6. 343.16 (1) (e) of the statutes is created to read:

343.16 (1) (e) For purposes of examining applicants for a special restricted operator's license under s. 343.135, the department may waive the requirements of par. (b) in any case in which it deems a waiver desirable.

SECTION 7. 347.02 (6) of the statutes is created to read:

347.02 (6) Notwithstanding the requirements of this chapter, the department may establish special equipment standards for vehicles operated under s. 343.135 which differ from the equipment standards established under this chapter. Equipment standards established under this subsection may not be less stringent than any federal standards established for the vehicle.

SECTION 8. **Effective date.** This act shall take effect on August 1, 1980.
