



**Al Ott**

State Representative • 3rd Assembly District

**TESTIMONY ON ASSEMBLY BILL 256  
STATE REPRESENTATIVE AL OTT  
MAY 8, 1997**

**ASSEMBLY HIGHWAYS & TRANSPORTATION COMMITTEE HEARING**

**THANK YOU CHAIRMAN BRANDEMUEHL AND COMMITTEE MEMBERS.**

**Assembly Bill 256 specifies that the statewide program of tractor operation safety training and certification is only provided to persons who are at least 12 years of age.**

**The tractor operation safety training and certification program was put into effect as a result of 1993 Assembly Bill 821 authored by the Legislative Council Special Committee on Farm Safety. The committee did not set a minimum age for enrolling in the course which is generally taught by county extension agents, vocational agriculture instructors and volunteers who often include farmers, implement dealers and health professionals who donate their time and equipment for training.**

**In 1996, the ages of youth that enrolled in a course in Wisconsin ranged from 6 to 15 years old. This wide range of ages led to several problems.**

**First, with no minimum age limit, class sizes were very large, often with a wide range in the students' ages. The large class size coupled with the differing levels of knowledge and understanding made it difficult for instructors to teach such complex issues as tractor and machinery functions and operation.**

**Second, with no minimum age limit, classes became full rather quickly. Extension offices often allowed more youth to enroll in the course than they had planned on to avoid large waiting lists. Unfortunately, many counties still had large waiting lists which often included young teenagers who needed the certification so that they could have a summer job on a farm.**

**Third, as is noted in the attached newspaper article titled "Calumet takes time to teach tractor safety," many younger students are not likely to pass the course because in order to receive certification a youth must be able to reach the foot pedals while seated properly on a tractor.**

**I have to admit that I started driving a tractor at a much younger age than 12. However, that was at a time when there were not as many cars on the road and there was not as many major highways as there is now. Regardless, I was too young to be driving a tractor on the road. I won't allow my 9 and 11 year old daughters to do it today.**

**When the Legislative Council Special Committee on Farm Safety passed 1993 AB 821, they in effect said that any person under the age of 16 must complete a safety course and receive certification to drive a tractor on a road. My bill, AB 256, takes the safety issue a step further by setting a minimum age of 12 to enroll in the certification course in effect saying anyone under the age of 12 cannot drive a tractor on the road.**

**I recently read in a newspaper article that the National Safety Council reported that farm and ranch related injuries cause 27,000 injuries and another 300 deaths to children. Please join me in supporting AB 256 so that these injury and death statistics are less likely to include Wisconsin children.**

Chairman:  
Agriculture Committee



Member:  
Environment & Utilities  
Government Operations  
Natural Resources  
Rural Affairs

# Al Ott

State Representative • 3rd Assembly District

March 7, 1996

Representative David Brandemuehl, Chair  
Committee on Highways and Transportation  
317 North, State Capitol

Dear Chairman Brandemuehl:

It is my understanding that Assembly Bill 993 relating to penalties for the operation of agricultural machinery upon a highway by uncertified youthful operators, which I introduced, has been referred to your committee. I am writing to respectfully request that you hold a public hearing and executive session on AB 993 the next time your committee meets.

As you know, legislation was passed by the Legislative Council Special Committee on Farm Safety, on which you served, prohibiting any person to allow a child under 16 years of age to operate a farm tractor (or other self-propelled implement of husbandry) on a highway beginning on May 1, 1996 unless the child has successfully completed an approved tractor and machinery operation safety course. I was recently contacted by several of my constituents who were unable to enroll their children in any local tractor and machinery operation safety course because the courses are full and there are waiting lists.

In most counties these courses are offered by the county extension agency or by a vocational agriculture instructor in conjunction with the extension agency. Due to the reliance on volunteers (implement dealers, mechanics, health personnel) to instruct the course, most counties only offer the course once a year. Also, high school vocational agriculture instructors likely offer the class in the summer-after the school year and subsequently after the May 1, 1996 deadline for completing the course.

In working with my local county extension office and the state UW-Extension office, I found there are some concerns with the law from county extension offices throughout the state. Some counties have had children as young as six sign up for the course because there is no minimum age stated in the law. There is some concern about children this young operating machinery on the road. Also, the law is being interpreted as requiring 20 to 24 hours of training and some counties are finding it difficult to find volunteers who can commit to these hours.

I may be working on some of these concerns next session, however, I feel it is imperative that AB 993 is signed into law yet this session. The bill delays the deadline for successfully completing the course until July 1, 1997. While I realize that there are probably several cases where parents and/or children waited until the last minute to sign up for the class, I believe the delay is necessary. As I mentioned before, several counties have been overwhelmed with registrants and due to limited instructors and classroom space they have had to limit the number of students in the course. Just today I received a call from an agriculture specialist in the UW-Extension office who said that one county had to flunk a 10-year-old girl because she could not meet the requirements. He also said that they have been receiving one to two calls every day from parents asking where they can enroll their children in a course because they are all full.

I would be most grateful if a public hearing and executive session were scheduled for AB 993 the next time your committee meets. Because it is already very late in the legislative session AB 993 really needs to be put on the "fast track."

Thank you in advance for your consideration of my request. Please feel free to contact me if you would like to discuss this further.

Sincerely,



Alvin R. Ott  
State Representative  
3rd Assembly District

ARO:kjm



# Al Ott

State Representative • 3rd Assembly District

URGENT...URGENT...URGENT

To: Representatives Brandemuehl, Gronemus and Harsdorf and  
Senator Grobschmidt

From: Representative Al Ott

Date: February 27, 1996

Re: LRB 5445/2 (attached)

I am writing to you as previous members of the Legislative Council Special Committee on Farm Safety. As you may recall, legislation was passed as a result of your work on this committee. The legislation stated that beginning on May 1, 1996 no person may allow a child under 16 years of age to operate a farm tractor (or other self-propelled implement of husbandry) on a highway unless the child has successfully completed an approved tractor and machinery operation safety course.

I was recently contacted by several of my constituents who were unable to enroll their children in any local tractor and machinery operation safety course because the courses are full and there are waiting lists. In most counties these courses are offered by the county extension agency or by a vocational agriculture instructor in conjunction with the extension agency. Due to the reliance on volunteers (implement dealers, mechanics, health personnel) to instruct the course, most counties only offer the course once a year. Also, high school vocational agriculture instructors likely offer the class in the summer-after the school year and subsequently after the May 1, 1996 deadline for completing the course.

In working with my local county extension office and the state UW-Extension office, I found there are some concerns with the law from county extension offices throughout the state. First, there was no minimum age requirement set for children who could take the course. Some counties have had children as young as seven or eight sign up for the course, thus eliminating spots for 12, 13 and 14-year-olds. Also, there is some concern regarding the length of training required. According to an interpretation by the UW-Extension Agency's legal counsel, Wisconsin's law requires students to go through 20 to 24 hours of training. Federal law requires 10 hours of training for tractor safety only and an additional 10 to 14 hours for other machinery and general farm safety training. Apparently this was not specified in state law and it is being

interpreted as requiring 20 to 24 hours of training (10 hours for tractor safety, 10 hours for other machinery and 4 hours of general farm safety). Counties are finding this requirement to be overwhelming because they rely on many volunteers to teach this course and many people cannot commit to these hours.

I believe that the law passed by the committee is a very good idea. However, I have drafted a bill to delay the deadline for successfully completing the course until July 1, 1997. While I realize that there are probably several cases where parents and/or children waited until the last minute to sign up for the class, I believe the delay is necessary. As I mentioned before, several counties have been overwhelmed with registrants and due to limited instructors and classroom space they have had to limit the number of students in the course. Also, younger children are being enrolled in the class thus eliminating spots for teenagers. These younger children may be too young to be in the class because successful completion of the class requires such things as passage of a written exam and being able to fully depress the clutch and brakes and operate the hand controls without assistance while sitting properly in the operator's seat with the seat belt fastened.

I may be working on some other aspects of the law (such as a minimum age requirement) next session, however, I would like to get LRB 5445/2 (attached) passed yet this session. If you would like to cosponsor this bill, please contact my office by 5:00pm on Thursday, February 29th, 1996. Thank you.

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

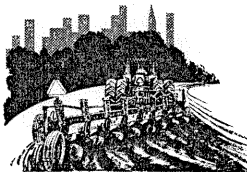
LRB-5445/2dn  
PEN:skg&kaf:ks

Wednesday, February 21, 1996

Because of the short time permitted me on this draft, I have not been able to determine whether this draft violates federal law. If federal (child labor) law requires this prohibition against highway operation of agricultural machinery by children, and requires a penalty to be imposed for violations before July 1, 1997, this draft might violate federal law by failing to provide a penalty.

Paul E. Nilsen  
Legislative Attorney  
261-6926

Chairman:  
Agriculture Committee



Member:  
Environment & Utilities  
Government Operations  
Natural Resources  
Rural Affairs

# Al Ott

State Representative • 3rd Assembly District

February 28, 1996

Mr. & Mrs. Dick Luebke  
W2272 Schmidt Road  
Brillion, WI 54110

Dear Mr. & Mrs. Luebke:

Thank you for contacting me regarding the Tractor Safety Education course in Calumet County. I appreciate you letting me know of your concerns.

I have been working with the State UW-Extension Office regarding the law which requires children under 16 years of age to successfully complete an approved tractor and machinery operation safety course in order to be able to operate a farm tractor or other self-propelled implement of husbandry on a highway. As you already know, the deadline for completion of this course is May 1, 1996.

It appears that many counties throughout the state are experiencing very high enrollments in this course and for a variety of reasons are being forced to put children on waiting lists. To help alleviate some of this pressure, I will be introducing a bill to delay the deadline for completion of the course until July 1, 1997. I have enclosed a copy of the bill for your information. If and when the bill passes, this will be a one-time delay. It is very late in the legislative session and it will be somewhat difficult to get the bill through the entire legislative process, however, I will make every effort to get it passed. I will contact you again to let you know the outcome.

Between now and the next legislative session, I may be working on fine-tuning the farm safety law to avoid any more problems. I am waiting to work on issues related to the law other than the deadline because the end of our legislative session is near and it will be easier to get a simple bill through (to delay the deadline) rather than a bill with many aspects.

I hope this information is helpful. As I said before, I will let you know the outcome of my bill. Until then, please feel free to contact me again regarding this or any other legislative matter.

Sincerely,

Alvin R. Ott  
State Representative  
3rd Assembly District

ARO:kjm

Enclosure

cc: Calumet County Extension Office; UW-Extension Office

Office: P.O. Box 8953 • Madison, WI 53708 • (608) 266-5831 • Toll-Free: 1 (800) 362-9472

Home: P.O. Box 112 • Forest Junction, WI 54123-0112 • (414) 989-1240



To: Kim Markham  
From: Mark Purschke  
OW-Madison

STATE OF WISCONSIN

Date of enactment: April 28, 1994  
Date of publication\*: May 12, 1994

1993 Assembly Bill 821

1993 Wisconsin Act 455

AN ACT to amend 121.41 (1), 346.95 (4) and 347.24 (title); and to create 20.285 (1) (fs), 36.25 (32), 38.04 (4) (e), 59.07 (120), 100.46, 115.28 (11), 343.61 (6), 346.925, 347.24 (1) (am) and 895.495 of the statutes, relating to creating an agricultural safety and health center in the university of Wisconsin system, farm safety programs, content of driver education courses, sales of farm equipment, liability arising out of fabricating safety devices for farm equipment, highway operation of agricultural machinery, requiring amber reflectors on overwidth implements of husbandry, making an appropriation and providing a penalty.

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

SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

	<u>1993-94</u>	<u>1994-95</u>
<b>20.285 University of Wisconsin system</b>		
(1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC SERVICE		
(fs) Farm safety program grants	GPR A	-0- 20,000

SECTION 2. 20.285 (1) (fs) of the statutes is created to read:

20.285 (1) (fs) *Farm safety program grants.* The amounts in the schedule for farm safety program grants under s. 36.25 (32) (b).

SECTION 3. 36.25 (32) of the statutes is created to read:

36.25 (32) AGRICULTURAL SAFETY AND HEALTH CENTER. (a) The board shall establish an agricultural safety and health center in the extension. The center shall do all of the following:

1. Develop curriculum and materials for a tractor and machine operation safety training course for minors that is equivalent to the requirements, other than age, specified under 29 CFR 570.70 to 570.72.

2. Perform instructor training and coordination necessary to provide a statewide program of tractor and machinery operation safety training to minors and certification of minors successfully completing such training.

3. Develop and disseminate educational and informational materials and present programs on farm safety and health topics.

(b) From the appropriation under s. 20.285 (1) (fs), the board shall award grants totaling not more than \$500 annually per county to sponsors of farm safety education, training or information programs. To be eligible for a grant, a sponsor shall:

1. Secure or provide equal matching funds from private or public sources.

2. Demonstrate the need for the program.

3. Demonstrate that the program for which a grant is sought was developed in consultation with extension personnel, public health personnel, vocational agriculture instructors or other persons with expertise or interest in farm safety topics.

SECTION 4. 38.04 (4) (e) of the statutes is created to read:

38.04 (4) (e) No driver education course may be approved by the board unless it acquaints each student with the hazards posed by machinery and ani-

\* Section 991.11, WISCONSIN STATUTES 1991-92: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

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mals on highways and provides instruction in safely dealing with such hazards.

**SECTION 5.** 59.07 (120) of the statutes is created to read:

59.07.(120) **FARM SAFETY.** Appropriate money for or sponsor, or both, farm safety education, training or information programs.

**SECTION 6.** 100.46 of the statutes is created to read:

**100.46 Sales of farm equipment.** (1) **DEFINITION.** In this section, "farm equipment" means a tractor or other machinery used in the business of farming.

(2) **SAFETY EQUIPMENT REQUIRED.** No person in the business of selling farm equipment may sell farm equipment unless, at the time of sale, the farm equipment is equipped with all of the following:

(a) A power takeoff master shield, if a tractor.

(b) A power takeoff driveline shield extending to the 2nd universal joint, if farm equipment powered by a tractor.

(c) Lights and reflectors meeting the applicable requirements under ch. 347, if farm equipment that can be operated on a highway.

(d) A slow moving vehicle emblem meeting standards and specifications established under s. 347.245, if farm equipment that can be operated on a highway.

(3) **DISCLOSURE.** If farm equipment subject to sub. (2) (b) is equipped with a power takeoff shield that is not equivalent to the shield installed at the time of manufacture, the person who sells the farm equipment shall so notify the buyer in writing.

(4) **EXCEPTIONS.** Subsection (2) does not apply to:

(a) Sales of farm equipment to another person in the business of selling farm equipment for the purpose of resale.

(b) Sales of farm equipment for the purpose of salvage.

(c) Sales by auction, unless the auctioneer holds title to the farm equipment being sold.

(5) **PENALTY.** Any person who violates this section may be required to forfeit not more than \$500 for each violation.

**SECTION 7.** 115.28 (11) of the statutes is created to read:

115.28 (11) **DRIVER EDUCATION COURSES.** Approve driver education courses offered by school districts, county handicapped children's education boards and vocational, technical and adult education districts for the purposes of ss. 121.41 (1) and 343.16 (1) (c) 1 and establish minimum standards for driver education courses offered in private schools for the purposes of s. 343.16 (1) (c) 3. All driver education courses approved or for which standards are established under this subsection shall acquaint each student with the hazards posed by farm machinery and animals on highways and shall provide instruction in safely dealing with such hazards.

## 1993 Assembly Bill 821

**SECTION 8.** 121.41 (1) of the statutes is amended to read:

121.41 (1) **STATE AID.** To promote a uniformly effective driver education program among high school and vocational, technical and adult education school pupils, each school district operating high school grades, each county handicapped children's education board which provides the substantial equivalent of a high school education and each vocational, technical and adult education district shall receive \$100 for each pupil of high school age who completes a course in driver education approved by the department under s. 115.28 (11), but in no case may the state aid exceed the actual cost of instruction. If the appropriation under s. 20.255 (2) (r) is inadequate in any year to provide \$100 per pupil, the state aid shall be prorated after the appropriation for administration is deducted. Such state aid shall be paid at the same time as the state aid under s. 121.08 is paid.

**SECTION 9.** 343.61 (6) of the statutes is created to read:

343.61 (6) No driver school may be licensed unless its approved course of instruction acquaints each student with the hazards posed by farm machinery and animals on highways and provides instruction in safely dealing with such hazards.

**SECTION 10.** 346.925 of the statutes is created to read:

**346.925 Operation of agricultural machinery by youthful operators.** (1) After April 30, 1996, no person may direct or permit a child under the age of 16 years to operate a farm tractor or self-propelled implement of husbandry on the highway unless the child has been certified as successfully completing a tractor and machinery operation safety training course that is equivalent to the requirements, other than age, specified under 29 CFR part 570.70 to 570.72.

(2) Subsection (1) does not apply to operation of a farm tractor or self-propelled implement of husbandry on the highway on a course that is perpendicular to the direction of the highway.

**SECTION 11.** 346.95 (4) of the statutes is amended to read:

346.95 (4) Any person violating s. 346.925 or 346.94 (8) or (8m) may be required to forfeit not to exceed \$20 for the first offense or not to exceed \$50 for each subsequent offense.

**SECTION 12.** 347.24 (title) of the statutes is amended to read:

**347.24 (title) Lamps and reflectors on nonmotor vehicles and equipment.**

**SECTION 13.** 347.24 (1) (am) of the statutes is created to read:

347.24 (1) (am) No person may operate on a highway during hours of darkness any implement of husbandry that extends 4 feet or more to the left of the centerline of its towing vehicle unless such implement is equipped with an amber reflector meeting the visi-

**1993 Assembly Bill 821**

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bility requirements of s. 347.19 and mounted on the left side, facing forward, so as to mark the extreme width of the implement to drivers of oncoming vehicles.

**SECTION 14.** 895.495 of the statutes is created to read:

**895.495 Safety devices on farm equipment, ordinary negligence.** (1) In this section:

(a) "Farm equipment" means a tractor or other machine used in the business of farming.

(b) "Safety device" means a guard, shield or other part that has the purpose of preventing injury to humans.

(2) If a person in the business of selling or repairing farm equipment fabricates a safety device and installs the safety device on used farm equipment, after determining either that the farm equipment was not originally equipped with such a safety device or that a replacement is not available from the original manu-

facturer or from a manufacturer of replacements, and notifies the owner or purchaser of the farm equipment that the person fabricated the safety device, the person is not liable for claims founded in tort for damages arising from the safety device unless the claimant proves, by a preponderance of the evidence, that a cause of the claimant's harm was the failure to use reasonable care with respect to the design, fabrication, inspection, condition or installation of, or warnings relating to, the safety device.

**SECTION 15. Appropriation changes; university of Wisconsin system.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the university of Wisconsin system under section 20.285 (1) (a) of the statutes, as affected by the acts of 1993, the dollar amount is increased by \$80,800 for fiscal year 1994-95 for the operation of the agricultural safety and health center created by this act.

FARM SAFETY,  
SPECIAL COMMITTEE ON

OFFICERS

Chairperson

RICHARD A. GROBSCHMIDT  
Representative  
1513 Mackinac Avenue  
South Milwaukee 53172-3045

Secretary

BARBARA K. LORMAN  
Senator  
1245 Janette Street  
Fort Atkinson 53538-1526

Vice-Chairperson

DAVID HELBACH  
Senator  
2344 Sims Avenue  
Stevens Point 54481-3128

REPRESENTATIVES

DAVID BRANDEMUEHL  
13081 Pine Road  
Fennimore 53809-9619

SHEILA HARSDORF  
Route 4, Box 219  
River Falls 54022-9804

BARBARA GRONEMUS  
1634 West Street  
Whitehall 54773-9505

PUBLIC MEMBERS

DONALD AUSTIN  
Farmer  
1503 Austin Road  
Platteville 53818-9321

JAMES KLUETZMAN  
Licensed Emergency Medical  
Technician  
832 Canal Road  
Waterloo 53594-1302

RONALD T. SCHULER  
Professor, Department of  
Ag-Engineering  
UW-Madison  
460 Henry Mall  
Madison 53706-1502

JOHN BAUKNECHT  
Attorney  
United Migrant Opportunity Services  
2317 International Lane  
Madison 53704-3129

ANN KRISIK  
Project Director for Farm Vehicles  
WI Association of Women Highway  
Safety Leaders  
1327 80th Street  
Amery 54001-2514

ANN TESSMAN  
Member, Wisconsin Farmers Union  
622 Saddle Ridge  
Portage 53901-9777

JEFFRY R. BREUER  
UW-Extension Agriculture Agent,  
Adams County  
402 North Main Street, P.O. Box 217  
Friendship 53934-0217

ROBERT A. LEEGE  
Director of Member Rel.  
WI Farm Bureau Federal  
421 Spruce Street  
Sauk City 53583-1244

MARY URBAN

TIMOTHY GERHARZ  
Customer Relations Manager  
Patz Company  
W5392 County Road 5  
Pound 54161-9716

JAMES SCRIVNER  
Vice President  
Rural Mutual Insurance  
P.O. Box 5555  
Madison 53705-5555

PAUL D. GUNDERSON, PH.D.  
Director  
National Farm Medicine Center  
1000 North Oak Avenue  
Marshfield 54449-5772

**STUDY ASSIGNMENT:** The Special Committee is directed to study the methods to reduce the incidence and seriousness of farm accidents, and to protect farmers and employees. The Committee is directed to report to the Legislative Council 62; and an April 6, 1992 letter from Sen. Barbara K. Lorman.]

Established and Chairperson appointed by a June 19, 1992 mail ballot; Vice-Chairperson, Secretary and members appointed by a June 19, 1992 mail ballot.

19 MEMBERS: 2 Senators; 4 Representatives; and 13 Public Members.

LEGISLATIVE COUNCIL STAFF: Mary Mathias, Staff Attorney and Lisa Struble, Support Staff.

*- walk on other items later*

*- help in short term*

*- many counties can only offer course once*

*- contact me by Thurs. 2pm*

*URGENT*

Call URB  
↓

Daily Record of Events

18

18th Day • 348 Left • Week 3

Thursday  
January 1996

Commitments • Journal Entry • Thoughts & Ideas • Agendas • Conversations

2-19-96  
Dick Vathauer → Asst. Dean State Program  
263-7321      Leader for Ag Extension - U

① Extending deadline to July 1, 1997 → would get them past critical part  
- many counties have difficulty finding volunteers, esp. vo-ag teachers, to help before end of school year - also corresponds w/ 4 URB 5445

Paul Nilson  
1-6926

② Younger age limit (they suggest 14 yrs. - child dev expects have said mental maturity has progressed at this age)  
- current - sit properly on seat handle all controls  
↓  
really causing some problems according to ctg. extension agents  
Fed. Dept of Labor Hazardous Occ. for Youth Order

③ High School vo-ag instructors are certified to teach 12 & older  
? clarified  
- potential justification for min. age

④ Length of training (24 hrs of inst. time)  
- 24 hour requirement causing problems finding instructors  
- suggest 14 hr. minimum  
    - 10 hr tractor safety  
    4 hr general farm safety  
- Winnebago Cty has only 1 or 2 equipment dealers in the county

Tom Parslow 3-7320

\* get back to us on Monday

57 counties heard from

- high #'s of youth where media has relayed mandated training
- involving a lot of volunteers  
equipment dealers, city health
- high #'s has obtained facilities
- practical part of course of working w/  
equipment - concern w/ high #
- concerns about quality of  
program

Dane - 100  
45

Clark - 300

\* establish lower age limit

- hearing fairly consistent  
across the state

12 + 11 yr old  
turning 12  
w/in calendar

\* most have been capping

\* some don't know because program will be  
in summer

- Kids under 16 operating power equipment on <sup>public</sup> road - exemption for crossing road
- leg. council comm. - silent on age because some on comm felt age to drive tractors is family business

① 3/2/96

\* session law

346.95 (4)

~~346.95 (4)~~

Calumet Cty. 5-6 from Folsom Mant. Cty's.

- 55 youth - real stretch from normal

18 instructors  
9 locations

- 20 on waiting list (quite a few older kids that will be hurt) - 18 called on 2/12/96 - info out sent since December

- many other calls

- won't get another class in before law goes into effect (10 hrs - now 24 hrs)

- 1 8 yr old, more 9, 10, 11 yr olds

heard

Folsom - 97 youth

Outagamie - 37 cut-off

Manitowoc - 30

Tom

-asst. to Vathauer

U of W - Extension  
- own deans, own chancellor

agent comments  
at end of spring

STATE REPRESENTATIVE ALVIN OTT

CONSTITUENT HELP FORM

DATE: 2-13-96 - Farm Safety course

NAME:

(last) (first) (middle)

ADDRESS:

CITY: ZIP:

PHONE: SOCIAL SECURITY:

FORM OF CONTACT: Letter          Phone          Person          Other         

SUBJECT OF CALL:

Asst. Prof. at UW  
Ext. Agricultural, Safety and Health Specialist

counties decide what they want their agents to do

\* Mark Purschwitz  
2-1180 (UW)

- strictly up to county - # of kids

- whether or not have class (as far as they know [around 65 cty's])

(Sheryl SKjolaas) Youth Agricultural Safety Specialist

- problem w/ law

\* no minimum age - big demand (12 yrs + can drive)

~~other groups offer classes~~

- ongoing program - 2 certificates

federal certificate (only for 14+15 yr olds)

state certificate - voc ag teacher or extension can sign either

Under auspices of cty ext. agent - sign certificate

- parents going to extension agent - important

county could have 2 courses - 1 by cty. ext. agent and 1 by voc-ag.

~~written in 1970~~

written in 1970 - 4-H (extension) or voc-ag - only 14+15 + only for kids working on someone else's farm

state law problem

"tractor and machinery operation safety training course"

fed - 2 levels:

1- tractor only (10 hr. course)

2- " " + machine (20-24 hrs.)

\* many states don't offer at all (law wasn't enforced -

> underlying notion is to train not only highway safety

xt part of UW system  
leg. doesn't micro-manage  
law

ACTION NECESSARY:

263-7321

Dick Vathhaver (Ginny)

- Program leader for Ag

- precedence

\* 40-50 kids together for 24 hrs of training is a lot

extension courses not taught strictly by ext. agent - have to recruit volunteers many volunteers don't have 24 hrs.

xt. Youth agriculture comm. dev.

enacted April 28, 1994  
April 30th, 1996

2's  
Leg. Council study  
why did bill specifically say "other than age" 36.25 (32) 1.





**WISCONSIN LEGISLATIVE COUNCIL**  
**REPORT NO. 8 TO THE 1993 LEGISLATURE**

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**LEGISLATION ON FARM SAFETY**

1993 ASSEMBLY BILL 821, Relating to Creating an Agricultural Safety and Health Center in the University of Wisconsin System, Farm Safety Programs, Content of Driver Education Courses, Sales of Farm Equipment, Liability Arising Out of Fabricating Safety Devices for Farm Equipment, Highway Operation of Agricultural Machinery, Requiring Amber Reflectors on Overwidth Implements of Husbandry, Making an Appropriation and Providing a Penalty

Legislative Council Staff  
October 26, 1993

One East Main Street, Suite 401  
Madison, Wisconsin

RL 93-8

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WISCONSIN LEGISLATIVE COUNCIL  
REPORT NO. 8 TO THE 1993 LEGISLATURE\*

LEGISLATION ON FARM SAFETY

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**PART I**

**KEY PROVISIONS OF LEGISLATION**

**1993 ASSEMBLY BILL 821, RELATING TO CREATING AN AGRICULTURAL SAFETY AND HEALTH CENTER IN THE UNIVERSITY OF WISCONSIN SYSTEM, FARM SAFETY PROGRAMS, CONTENT OF DRIVER EDUCATION COURSES, SALES OF FARM EQUIPMENT, LIABILITY ARISING OUT OF FABRICATING SAFETY DEVICES FOR FARM EQUIPMENT, HIGHWAY OPERATION OF AGRICULTURAL MACHINERY, REQUIRING AMBER REFLECTORS ON OVERWIDTH IMPLEMENTS OF HUSBANDRY, MAKING AN APPROPRIATION AND PROVIDING A PENALTY**

1993 Assembly Bill 821 proposes the following changes in state law:

**1. Agricultural Safety and Health Center**

The Bill establishes an agricultural safety and health center in the University of Wisconsin (UW)-Extension and appropriates \$40,400 of general purpose revenue (GPR) in fiscal year 1993-94 and \$80,800 GPR in fiscal year 1994-95 to the UW System to operate the center. The Bill also appropriates \$20,000 GPR to the UW System in the 1994-95 fiscal year to fund a grant program for local sponsors of farm safety education, training or information programs, to be administered by the agricultural safety and health center established by the Bill.

**2. Sales of Farm Machinery**

The Bill prohibits persons in the business of selling farm machinery from selling such machinery unless, at the time of sale, it is equipped with certain safety equipment.

**3. Highway Operation by Youthful Operators**

The Bill prohibits the operation of agricultural machinery on highways by persons under the age of 16, other than to cross the highway, unless the person has completed a tractor and machinery operation safety training course.

**4. Standard of Liability Applicable to Fabricated Safety Equipment on Farm Machinery**

The Bill creates a statutory exception to the common law rule of strict liability in product liability cases for damages arising from the fabrication and retrofitting of safety equipment on used farm machinery.

**5. Driver Education Courses**

The Bill requires the three agencies regulating driver education courses in Wisconsin--the Department of Public Instruction (DPI) (courses offered by public and private schools), the State Board of Vocational, Technical and Adult Education (VTAE) (courses offered by VTAE district schools) and the Department of Transportation (DOT) (courses offered by licensed driver schools)--to ensure that courses regulated by them acquaint students with the hazards posed by farm machinery and animals on highways and provide instruction in safely dealing with such hazards.

**6. Reflectors--Overwidth Equipment**

The Bill requires an implement of husbandry extending four feet or more to the left of the centerline of its towing vehicle to be equipped with an amber reflector mounted on the left extremity and facing forward so as to mark the width of the implement to oncoming drivers.

**PART II**

**COMMITTEE ACTIVITY**

**A. ASSIGNMENT**

The Legislative Council established the Special Committee on Farm Safety by a June 19, 1992 mail ballot. The Special Committee was directed to study the underlying causes of farm accidents and injuries and to identify methods to reduce the incidence and seriousness of farm accidents and to protect the health and safety of farm operators and their families and employees.

The membership of the Special Committee consisted of two Senators, four Representatives and 13 Public Members. A Legislative Council membership list is included in **Appendix 1**; the Special Committee membership is included in **Appendix 2**.

**B. SUMMARY OF MEETINGS**

The Special Committee held six meetings at the State Capitol in Madison on the following dates:

October 29, 1992	March 18, 1993
December 3, 1992	April 16, 1993
January 7, 1993	May 24, 1993

At its October 29, 1992 meeting, the Special Committee received an overview of the status of farm safety in Wisconsin, activities of state agencies in the area of farm safety and citizen activities aimed at improving farm safety. Specifically, Terry Moen, Section on Occupational Health, Division of Public Health, Department of Health and Social Services (DHSS), described the OSHA's on-site consultation program as it relates to farmers and the farm safety recommendations within *Health Care 2000: A Public Health Agenda for the Year 2000*. William Sheeley, a DHSS public health educator, described how the agency works with local public health agencies promoting farm safety and the types of farm safety programs offered by local public health agencies. Lawrence Hanrahan, a DHSS epidemiologist, overviewed the causes of deaths and injuries suffered by agricultural workers and discussed the existing deficiencies in gathering data on farm-related injuries. Terry Wilkinson, Agricultural Safety and Health Specialist, UW-Extension, reviewed the activities of the UW-Extension in promoting farm safety. As part of his review, Dr. Wilkinson also discussed the preliminary results of the multi-state Regional Rural Injury Study, which identified handling of dairy animals and tractor rollovers as two major sources of farm injuries in Wisconsin. Dr. Paul Gunderson, Director of the National Farm Medicine Center, Marshfield, discussed causes of farm-related injuries to children, the experience of several European countries in improving safety on their farms and methods by which farm-related injuries to children can be reduced. Last, Professor Ronald Schuler, President of the private Farm Health and Safety Council of Wisconsin, described the composition of the Council, its various activities in promoting farm safety and presented statistics on farm-related deaths and injuries and the methods by which such data is currently collected.

At the December 3, 1992 meeting, the Special Committee received testimony from Gary Manke, Gary Antoniewicz and Jack Kohel, all representing the Midwest Equipment Dealers Association, who described the safety-related activities of farm equipment dealers, rollover protection structures (ROPS) on tractors and farmers' attitudes toward them and safety in general and obstacles and disincentives to upgrading used farm machinery with safety equipment. L. Dale Baker, product safety engineer for J.I. Case Company, Hinsdale, Illinois, described the great potential of ROPS for reducing farm fatalities and the difficulty in persuading farmers to install and keep ROPS on their tractors. Mr. Baker also described the safety features which have been designed into newer tractors and farm machinery. Linda Adrian, Director of the Grant County Health Department, described the evolution and content of Grant County's farm safety day camp for children, which reached 600 persons in 1992. Robert Beck, Onalaska, Professor Ronald Schuler, UW-Madison, and Gregg Westiggard, Wisconsin Farmers Union, described and supported a research proposal which would evaluate the impact of farm safety hazard audits by linking them to reductions in health insurance premiums. They also discussed the high costs for health insurance paid by farmers. David MacKenzie, Blue Cross and Blue Shield United of Wisconsin, described the underwriting and rating of farmers for purposes of health insurance. He noted that the percentage of policy benefits expended for accidents involving farmers is nearly three times as high as the accident-related benefits paid to the general Wisconsin working population. Michael Moschkau and Captain Robert Young, Division of State Patrol, DOT, provided statistics on highway accident rates, by age group, involving tractors and other farm-related machinery. They also viewed the specific statutes relating to farm machinery traveling on the highway.

The January 7, 1993 meeting of the Committee was devoted to Committee discussion of each problem and recommendation which had been made to the Committee in its first two meetings. The major topic groupings discussed were better educating persons working and living on farms about farm hazards and the creation of safe working conditions; increasing the use of ROPS on farm tractors; improving safety equipment on farm machinery used in Wisconsin; removing old, less safe farm machinery from use; reducing fatalities and injuries suffered by children on Wisconsin farms; improving emergency medical services training regarding farm-related injuries; and reducing highway accidents involving tractors and other farm equipment.

At its March 18, 1993 meeting, the Committee reviewed the results of an extensive survey of farm machinery dealers, UW-Extension agricultural agents and local public health agencies regarding farm safety education programs at the local level. The Committee also reviewed results of a related survey of farm equipment dealer practices related to safety equipment on machinery which they serviced or sold. Other topics discussed by the Committee included requiring ROPS on tractors operated by youthful employees; improving lighting of farm implements operated on the highway; developing incentives for retrofitting ROPS on older tractors; prohibiting passengers on implements of husbandry when operating on the highway; creating a council on farm safety; improving the availability of child care for farm children, as a means of removing them from the hazards of the farm workplace; and improving training of emergency medical technicians in responding to farm-specific emergency situations. A number of drafting requests resulted from the Committee's discussion.

At its April 16, 1993 meeting, the Committee heard from Dean Ayse Somersan, Cooperative Extension Division, UW-Extension, who discussed UW-Extension's current activities in the area of farm safety and those resources which would be necessary to develop a statewide tractor and machinery operation safety training course. The Committee also received the results of a survey of the farm safety education activities of the top 20 providers of farm insurance in Wisconsin. The remainder of the meeting was devoted to Committee review and discussion of draft legislation relating to farm equipment dealer practices relating to safety; content of driver education courses; requiring additional reflectors on overwidth equipment; highway operation of farm equipment by youthful operators; and gathering of additional data on farm-related injuries.

The May 24, 1993 meeting was devoted to completing work on a number of the drafts previously discussed by the Committee, as well as an extensive discussion of authorizing an agricultural safety and health center in the UW-Extension, farm equipment dealer safety practices and requiring safety certification of youthful operators before operating farm equipment on highways. The Committee reached tentative agreement on the remaining issues before it, pending a mail ballot on the resulting drafts.

### **C. COMMITTEE AND LEGISLATIVE COUNCIL VOTES**

#### **1. Agricultural Safety and Health Center**

By a mail ballot dated June 11, 1993, the Special Committee recommended WLCS: 332/2, relating to creating an agricultural safety and health center in the UW System, farm safety programs and making an appropriation, to the Legislative Council for introduction in the 1993-94 Legislature by a vote of Ayes, 16 (Reps. Grobschmidt, Brandemuehl and Gronemus; Sens. Helbach and Lorman; and Public Members Austin, Breuer, Gerharz, Gunderson, Krisik, Leege, Scrivner, Schuler, Tessman, Urban and Zimmerman); Noes, 1 (Rep. Harsdorf); and Not Voting, 2 (Public Members Bauknecht and Kluetzman).

#### **2. Sales of Farm Equipment**

By a mail ballot dated June 11, 1993, the Special Committee recommended WLCS: 250/2, relating to sales of farm equipment, to the Legislative Council for introduction in the 1993-94 Legislature by a vote of Ayes, 17 (Reps. Grobschmidt, Brandemuehl, Gronemus and Harsdorf; Sens. Helbach and Lorman; and Public Members Austin, Breuer, Gerharz, Gunderson, Krisik, Leege, Scrivner, Schuler, Tessman, Urban and Zimmerman); Noes, 0; and Not Voting, 2 (Public Members Bauknecht and Kluetzman).

#### **3. Highway Operation by Youthful Operators**

At its May 24, 1993 meeting, the Special Committee recommended WLCS: 265/2, relating to operation of tractors and self-propelled implements of husbandry by youthful operators, to the

Legislative Council for introduction in the 1993-94 Legislature by a vote of Ayes, 12 (Reps. Grobschmidt and Harsdorf; Sens. Helbach and Lorman; and Public Members Austin, Gunderson, Kluetzman, Krisik, Leege, Scrivner, Schuler and Urban); Noes, 4 (Reps. Brandemuehl and Gronemus; and Public Members Tessman and Zimmerman); and Absent, 3 (Public Members Bauknecht, Breuer and Gerharz).

#### **4. Standard of Liability Applicable to Fabricated Guards on Farm Equipment**

At its April 16, 1993 meeting, the Special Committee unanimously recommended WLCS: 186/3, relating to ordinary negligence, to the Legislative Council for introduction in the 1993-94 Legislature.

#### **5. Driver Education Courses**

At its April 16, 1993 meeting, the Special Committee unanimously recommended WLCS: 266/1, relating to the content of driver education courses, to the Legislative Council for introduction in the 1993-94 Legislature.

#### **6. Reflectors--Overwidth Equipment**

At its April 16, 1993 meeting, the Special Committee unanimously recommended WLCS: 280/2, relating to requiring forward-facing amber reflectors on overwidth implements of husbandry, to the Legislative Council for introduction in the 1993-94 Legislature.

At the direction of Chairperson Grobschmidt, the drafts were combined into one draft, LRB-4196/2, for presentation to the Legislative Council.

At its October 6, 1993 meeting, the Legislative Council voted to introduced LRB-4196/2 by a vote of Ayes, 15 (Sens. Risser, Lorman, Burke, George, Jauch, Leraan and Rude; and Reps. Schneider, Carpenter, Deininger, Kunicki, Linton, Potter, Prosser and Travis); and Noes, 4 (Sens. Drzewiecki, Ellis and Farrow; and Rep. Brancel); and Absent, 2 (Reps. Gruszynski and Vergeront).

#### **D. STAFF MATERIALS**

**Appendix 3** lists all of the materials received by the Special Committee on Farm Safety. The following document, prepared by the Legislative Council Staff, may be of particular interest to persons interested in the work of the Committee.

- Staff Brief 92-17, *Farm Safety: An Overview* (October 23, 1992).



### **PART III**

#### **DESCRIPTION OF 1993 ASSEMBLY BILL 821**

This Part provides background information on and describes 1993 Assembly Bill 821.

##### **A. BACKGROUND**

In 1991, there were 40 and, in 1992, 50 farm-related fatalities in Wisconsin. There have been an average of 54 farm-related fatalities in Wisconsin during each year from 1972 to 1992. Generally, accidents involving tractors and farm machinery account for over half of the farm-related fatalities in Wisconsin each year, with the single greatest cause of death being the overturn of tractors which are not equipped with ROPS. Although there is no mechanism in place to identify the sources of injuries suffered by persons receiving health care in Wisconsin, anecdotal information from farmers, health care providers and others indicates that, in addition to fatalities, a high number of injuries occur each year on Wisconsin farms. Of special concern are deaths and injuries suffered by children; the report of the Lieutenant Governor's Trauma and Injury Prevention Task Force for Wisconsin Children, released in June 1990, stated that trauma to children on Wisconsin farms is occurring in epidemic proportions.

Several factors unique to agriculture combine to make farming one of the most dangerous occupations in the United States. People working on farms generally do not receive any formal training regarding the operation, maintenance and dangers of the myriad of machinery, equipment and chemicals which they must use on a regular basis. Despite the prevalence of dangerous machinery and equipment, chemicals and large animals, in general, Wisconsin's farms are not subject to the regulation and inspection requirements of the Occupational Safety and Health Act (OSHA) of 1970, because OSHA applies only to agricultural operations having more than 10 employees or those maintaining temporary labor camps. The majority of Wisconsin farms do not fall into either of these categories. Also, none of Wisconsin's laws governing the employment of minors apply to the employment of a minor engaged in farm work performed outside school hours in connection with the minor's own home and directly for his or her parent or guardian. Finally, because the farm workplace also serves as a home, nonworkers, including small children, are often exposed to the hazards identified above. [A detailed description of the application of OSHA and child labor laws to Wisconsin farms is set forth in Staff Brief 92-17.]

During the course of its study, the Special Committee received extensive public testimony regarding farm safety in Wisconsin. A prevailing theme in that testimony was concern over the fact that although various safety features, such as ROPS for tractors, have been designed for farm machinery, those features are often not used as intended or are removed from the equipment by the farmer, for various reasons. Persons addressing the Committee expressed the belief that if farmers were made more aware of the risks posed by the improper use or removal of safety devices, and by engaging in other common practices such as allowing children to "ride along" on tractors, their behavior would change and many farm accidents would be avoided. In addition, the Committee

agreed that educational programs for children and youth could be especially effective by instilling an early appreciation for and understanding of safe farming practices.

To better ascertain the extent of current educational efforts regarding farm safety, the Special Committee conducted a survey of local public health departments, UW-Extension agriculture agents, farm equipment dealers and major providers of farm liability insurance and reviewed the farm safety-related educational activities of various state agencies. Based on this information, the Committee concluded that the educational efforts currently underway appear to be effective, but are provided on a random, patchwork basis and that additional resources are needed to reach greater portions of the farming population. Thus, the Bill recommends the establishment of an agricultural safety and health center in the UW-Extension, to serve as an educational resource, and a grant program to fund local farm safety educational programs, to be administered by the center.

Current law does not require safety devices and features of farm equipment be intact at the time of sale. The Bill creates such a requirement. In addition, in response to concerns raised by farm equipment dealers, the Bill changes the current law's standard of strict liability as it applies to persons who fabricate and retrofit safety shields and devices on farm equipment. It has been claimed that the current standard deters dealers from attempting to provide such replacements when the original safety devices are no longer available. The Bill applies a rule of ordinary negligence to lawsuits for damages allegedly caused by negligence in the design, fabrication or installation of such replacement devices.

The Bill also addresses several safety concerns related to the operation of farm implements on the highway. The draft contains provisions which: limit the operation of farm implements on the highway by youthful operators unless they have received appropriate safety training in the operation of farm machinery; require reflectors on certain overwidth equipment; and require driver's education courses to contain instruction on safely dealing with the hazards posed by farm machinery and animals on highways.

**B. 1993 ASSEMBLY BILL 821, RELATING TO CREATING AN AGRICULTURAL SAFETY AND HEALTH CENTER IN THE UNIVERSITY OF WISCONSIN SYSTEM, FARM SAFETY PROGRAMS, CONTENT OF DRIVER EDUCATION COURSES, SALES OF FARM EQUIPMENT, LIABILITY ARISING OUT OF FABRICATING SAFETY DEVICES FOR FARM EQUIPMENT, HIGHWAY OPERATION OF AGRICULTURAL MACHINERY, REQUIRING AMBER REFLECTORS ON OVERWIDTH IMPLEMENTS OF HUSBANDRY, MAKING AN APPROPRIATION AND PROVIDING A PENALTY**

**1. Agricultural Safety and Health Center**

The Bill establishes an agricultural safety and health center in the UW-Extension and directs the center to:

- a. Perform instructor training and coordination necessary to provide a statewide program of tractor and machinery operation safety training to minors and certification of minors successfully completing such training;
- b. Develop curriculum and materials for the statewide tractor and machinery operation safety training program;
- c. Develop and disseminate educational and informational materials and present programs on farm safety and health topics; and
- d. Beginning in 1994-95, administer the farm safety grant program described under 2, below.

The Bill appropriates \$40,400 of GPR in fiscal year 1993-94 and \$80,800 GPR in fiscal year 1994-95 to the UW System to operate the agricultural safety and health center created by the draft.

## **2. Farm Safety Grant Program**

The draft creates a farm safety grant program to be administered by the agricultural safety and health center described above. Under the program, grants totaling not more than \$500 per county may be provided to local sponsors of farm safety education, training or information programs. To be eligible for a grant, a sponsor must:

- a. Secure or provide equal matching funds from private or public sources;
- b. Demonstrate the need for the program; and
- c. Demonstrate that the program for which a grant is sought was developed in consultation with UW-Extension personnel, public health personnel, vocational agriculture instructors or other persons with expertise or interest in farm safety topics.

The Bill appropriates \$20,000 GPR to the UW System in the 1994-95 fiscal year for farm safety program grants. The Bill also authorizes county boards to appropriate funds for, and to sponsor, farm safety programs.

## **3. Sales of Farm Equipment**

Current law does not require safety equipment to be in place on farm equipment at the time of sale.

The Bill prohibits persons in the business of selling farm equipment from selling any item of farm equipment, either new or used, unless at the time of sale that item is equipped as specified below:

- a. Any tractor must be equipped with a power takeoff master shield;
- b. Any item of equipment powered by a tractor must be equipped with a power takeoff driveline shield extending to the second universal joint; and
- c. Any equipment that can be operated on the highway must be equipped with lights and reflectors meeting the statutory requirements applicable to operating that machinery on the highway and a slow-moving vehicle emblem meeting statutory requirements.

In addition, if, at the time of sale, an item of farm equipment is equipped with a power takeoff shield that is not equivalent to the shield that was installed at the time of manufacture, that fact must be disclosed to the buyer in writing.

The requirements described above do not apply to sales by dealers to other dealers or to sales of farm equipment for purposes of salvage.

Under the Bill, any person in the business of selling farm equipment who sells equipment which does not meet the requirements set forth above is subject to a forfeiture not to exceed \$500 per violation. This provision will be enforced by the Department of Agriculture, Trade and Consumer Protection.

#### **4. Rule of Ordinary Negligence Applied to Fabricated Guards**

Under Wisconsin common law, the rule of strict liability applies in product liability cases. Under that rule, a product manufacturer or seller can be held liable for the payment of damages for an injury caused by a defective product without any evidentiary showing of specific acts of negligence on their part. It has been asserted that the rule of strict liability acts as a disincentive to persons in the business of selling or repairing farm equipment to fabricate and retrofit replacements for missing safety shields and guards on farm equipment which they sell or repair. Rather, they will sell machinery on an "as is" basis.

The Bill creates a statutory exception to the common law rule of strict liability and applies an ordinary negligence rule to claims for damages arising from the fabrication and retrofitting of any safety guards, shields or other devices for the purpose of preventing injury to humans, which are fabricated and installed by a person who is in the business of selling or repairing farm equipment. Under the rule of ordinary negligence, a person who fabricates and installs a safety shield, guard or other device will not be liable for damages unless the claimant proves, by a preponderance of the evidence, that the cause of their harm was the failure of the person fabricating and installing the guard, shield or device to use reasonable care with respect to the design, fabrication, inspection, condition or installation of, or warnings relating to, the guard, shield or other device.

The rule applies only if the person fabricating and installing the guard, shield or device first ascertains that the guard, shield or device, if original equipment, is no longer available from the

original or replacement manufacturer of the farm equipment and if that person gives notice of the fabricated shield, guard or other device to the owner or purchaser of the farm equipment.

### **5. Highway Operation by Youthful Operators**

Current law contains no restriction on the operator of a farm tractor or an implement of husbandry being operated on the highway.

The Bill provides that no person may direct or permit a child under the age of 16 years to operate a farm tractor or self-propelled implement of husbandry on the highway unless the child has been certified as successfully completing a tractor and machinery operation safety training course. The Bill does permit uncertified persons under the age of 16 to operate farm equipment solely for the purpose of crossing the highway. The Bill provides that any person who violates this prohibition, by directing or permitting an uncertified child under the age of 16 to operate agricultural machinery on the highway, may be required to forfeit an amount not to exceed \$20 for the first offense, and an amount not to exceed \$50 for each subsequent offense.

### **6. Driver Education Courses**

The Bill requires the three agencies which regulate driver education courses in Wisconsin to ensure that courses they regulate acquaint students with the hazards posed by farm machinery and animals on highways and provide instruction in safely dealing with such hazards. The agencies affected are the DPI, which regulates courses offered by public and private schools; the State Board of VTAE, which regulates courses offered by VTAE district schools; and the DOT, which regulates courses offered by licensed driver schools.

### **7. Reflectors on Overwidth Equipment**

The Bill creates a new requirement that any implement of husbandry which extends four feet or more to the left of the centerline of the vehicle towing the equipment must be equipped with an amber reflector mounted on the left extremity of the implement and facing forward, so as to mark the width of the implement to oncoming drivers.

MM:DJS:rjl:las:jt;kja;kjf

WISCONSIN LEGISLATIVE COUNCIL

**APPENDIX 1**

s. 13.81, Stats.

OFFICERS

Chairperson

FRED A. RISSER  
Senator  
206 South, State Capitol  
Madison 53702-0002

Vice-Chairperson

MARLIN D. SCHNEIDER  
Representative  
3820 Southbrook Lane  
Wisconsin Rapids 54494-7548

Secretary

BARBARA K. LORMAN  
Senator  
1245 Janette Street  
Fort Atkinson 53538-1526

SENATORS

BRIAN BURKE  
2029 North 51st Street  
Milwaukee 53208-1747

GARY R. GEORGE  
3874 North 42nd Street  
Milwaukee 53216-3033

GARY F. DRZEWIECKI  
419 Washington Street  
Pulaski 54162-0313

ROBERT JAUCH  
Route 1, Box 635  
Poplar 54864-9801

MICHAEL G. ELLIS  
1752 County Road GG  
Neenah 54956-9730

JOSEPH LEEAN  
N2390 South Tammy Trail  
Waupaca 54981-9729

MARGARET FARROW  
14905 Watertown Plank Road  
Elm Grove 53122-2332

BRIAN D. RUDE  
307 Babcock Street  
Coon Valley 54623-9801

REPRESENTATIVES

BEN BRANCEL (1)  
R.R. 1, Box 229  
Endeavor 53930-0229

BARBARA J. LINTON  
Route 1 Box 299  
Highbridge 54846-9713

TIMOTHY W. CARPENTER  
713 East Norwich Street  
Milwaukee 53207-4447

ROSEMARY POTTER (2)  
3006 South Delaware Avenue  
Milwaukee 53207-3062

DAVID DEININGER  
2116 11th Street  
Monroe 53566-1848

DAVID PROSSER  
2904 North Meade Street #3  
Appleton 54911-1561

STAN GRUSZYNSKI  
2272 Stanley Street  
Stevens Point 54481-1955

DAVID TRAVIS  
4229 Mandrake Road  
Madison 53704-1653

WALTER KUNICKI  
1550 South 4th Street  
Milwaukee 53204-2961

SUSAN B. VERGERONT  
390 Vista View Drive  
Cedarburg 53012-9122

- (1) Replaced Rep. Mary Panzer, who was elected to the state Senate on September 21, 1993.  
(2) Appointed to replace Rep. Peter Barca, who resigned from the Legislature on June 8, 1993.

FARM SAFETY,  
SPECIAL COMMITTEE ON

OFFICERS

Chairperson

RICHARD A. GROBSCHMIDT  
Representative  
1513 Mackinac Avenue  
South Milwaukee 53172-3045

Secretary

BARBARA K. LORMAN  
Senator  
1245 Janette Street  
Fort Atkinson 53538-1526

Vice-Chairperson

DAVID HELBACH  
Senator  
2344 Sims Avenue  
Stevens Point 54481-3128

REPRESENTATIVES

DAVID BRANDEMUEHL  
13081 Pine Road  
Fennimore 53809-9619

SHEILA HARSDORF  
Route 4, Box 219  
River Falls 54022-9804

BARBARA GRONEMUS  
1634 West Street  
Whitehall 54773-9505

PUBLIC MEMBERS

DONALD AUSTIN  
Farmer  
1503 Austin Road  
Platteville 53818-9321

JAMES KLUETZMAN  
Licensed Emergency Medical  
Technician  
832 Canal Road  
Waterloo 53594-1302

RONALD T. SCHULER  
Professor, Department of  
Ag-Engineering  
UW-Madison  
460 Henry Mall  
Madison 53706-1502

JOHN BAUKNECHT  
Attorney  
United Migrant Opportunity Services  
2317 International Lane  
Madison 53704-3129

ANN KRISIK  
Project Director for Farm Vehicles  
WI Association of Women Highway  
Safety Leaders  
1327 80th Street  
Amery 54001-2514

ANN TESSMAN  
Member, Wisconsin Farmers Union  
622 Saddle Ridge  
Portage 53901-9777

JEFFRY R. BREUER  
UW-Extension Agriculture Agent,  
Adams County  
402 North Main Street, P.O. Box 217  
Friendship 53934-0217

ROBERT A. LEEGE  
Director of Member Relations  
WI Farm Bureau Federation  
W9528 Highway B  
Waterloo 53594-9416

MARY URBAN  
Farmer  
11218 Mayflower Road  
Milladore 54454-9608

TIMOTHY GERHARZ  
Customer Relations Manager  
Patz Company  
301 T Avenue  
Pound 54161-9716

JAMES SCRIVNER  
Vice President  
Rural Mutual Insurance Company  
P.O. Box 5555  
Madison 53705-5555

PAUL ZIMMERMAN  
Legislative Representative  
National Farmers Organization  
825 Water Street  
Sauk City 53583-1596

PAUL D. GUNDERSON, PH.D.  
Director  
National Farm Medicine Center  
1000 North Oak Avenue  
Marshfield 54449-5772

STUDY ASSIGNMENT: The Special Committee is directed to study the underlying causes of farm accidents and injuries and to identify methods to reduce the incidence and seriousness of farm accidents, and to protect the health and safety of farm operators and their families and employees. The Committee is directed to report to the Legislative Council by March 1, 1993. [Based on 1991 Senate Joint Resolution 62; and an April 6, 1992 letter from Sen. Barbara K. Lorman.]

Established and Chairperson appointed by a June 19, 1992 mail ballot; Vice-Chairperson, Secretary and members appointed by an October 7, 1992 mail ballot.

19 MEMBERS: 2 Senators; 4 Representatives; and 13 Public Members.

LEGISLATIVE COUNCIL STAFF: Mary Matthias, Staff Attorney and Lisa Struble, Support Staff.

**APPENDIX 3**

**COMMITTEE MATERIALS**

**Staff Materials**

1. Staff Brief 92-17, *Farm Safety: An Overview* (October 23, 1992).
2. MEMO NO. 1, *Age-Based Restrictions on Operating All-Terrain Vehicles* (November 25, 1992).
3. MEMO NO. 2, *Problems Identified and Recommendations Made to the Special Committee on Farm Safety* (December 30, 1992).
4. MEMO NO. 3, *Local Farm Safety Education Programs; Safety-Related Business Practices of Farm Equipment Dealers in Wisconsin* (March 11, 1993).
5. MEMO NO. 4, *Responses--Various Committee Requests* (March 12, 1993).
6. MEMO NO. 5, *Farm Safety Education Activities of Farm Insurers* (April 9, 1993).
7. MEMO NO. 6, *Data--Occupants of Tractors Involved in Crashes* (April 15, 1993).

**Other Materials**

1. *A Guide for Safety Day Planning*, The North American Equipment Dealers Foundation (undated).
2. *Farm Children At Risk*, by Lori Schieldt, Wisconsin Agriculturist (July 3, 1990).
3. Testimony of Mike Moschkau, Wisconsin State Patrol, Department of Transportation (December 3, 1992).
4. Preliminary Project Proposal, *Improving Safety on Wisconsin Farms Through Audits and Economic Incentives*, Ronald T. Schuler, University of Wisconsin-Madison (December 1, 1991).
5. Packet of articles and other materials relating to farm safety activities of farm equipment dealers from Jack Kohel, Kohel Implement, Inc. (1991-92).
6. Letter to the Special Committee on Farm Safety from Committee Member Timothy Gerharz (January 6, 1993).



7. Letter to the Special Committee on Farm Safety with newspaper articles relating to farm injuries from Committee Member Timothy Gerharz (January 14, 1993).
8. *Farm Equipment Dealers Promote Farm Safety*, Wisconsin Agriculturist (March 1993).
9. Letter, with attachments, relating to farm safety activities of farm equipment dealers and *Safety Bulletin*, from Charles Scharine, Scharine's Farm Systems, Inc. (March 12, 1993).
10. *Farm Product Prices and Agricultural Safety: Connections and Consequences*, The Journal of Rural Health (Winter 1992).
11. *Public Health Focus: Effectiveness of Rollover Protective Structures for Preventing Injuries Associated with Agricultural Tractors*, Morbidity and Mortality Weekly Report (January 29, 1993).
12. Letter to the Special Committee on Farm Safety from Committee Member Ann Krisik, relating to farm safety for children (February 8, 1993).
13. Letter to Representative Richard A. Grobschmidt from Diane M. Anderson, relating to operation of farm machinery by youth (March 26, 1993).
14. *Tractor and Machinery Certification Training Program Guidelines*, University of Wisconsin-Madison/Extension (December 1992).
15. Letter from Gary L. Antoniewicz, relating to proposals of the Special Committee on Farm Safety affecting farm equipment dealers (April 15, 1993).
16. *We Kill Too Many Farm Kids*, Successful Farming (1991).
17. Examples of equipment inspection forms used by farm equipment dealers, submitted by Gary W. Manke, Midwest Equipment Dealers Association (undated).
18. *Tractor Operator's Experience Follow-Up Survey*, Survey Form sample and selected responses, University of Wisconsin-Madison (1993).
19. *Farm Shop Products Can Be Hazardous*, by Chester Peterson and Erik Peterson, Successful Farming (February 1993).
20. Letter to Colonel William Singletary from Representative Richard A. Grobschmidt, relating to enforcement of statutes relating to passengers on vehicles operating on highways (May 6, 1993).
21. Letter to David J. Stute from Pat Chritton, Health Policy Analyst, State Medical Society of Wisconsin, relating to requiring hospitals to provide certain information to the Office of Health Care Information (April 13, 1993).

22. Letter to David J. Stute from David R. Hewett, Vice President, Governmental Affairs, Wisconsin Hospital Association, relating to requiring hospitals to provide certain information to the Office of Health Care Information (May 14, 1993).

23. Letter to David J. Stute from Gary L. Antoniewicz, Tomlinson, Gillman & Ridders, S.C., relating to sales of self-propelled implements of husbandry (May 14, 1993).