

2005 DRAFTING REQUEST

Bill

Received: 01/04/2005

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **John Ainsworth (608) 266-3097**

By/Representing: **Kristina Boardman (aide)**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**

Extra Copies: **PJH**

Submit via email: **YES**

Requester's email: **Rep.Ainsworth@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Lighting and visibility marking requirements for agricultural vehicles and agricultural implements

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 01/13/2005	csicilia 02/09/2005		_____			State
/P1			pgreensl 02/10/2005	_____	sbasford 02/10/2005		State
/P2	agary 03/02/2005	csicilia 03/14/2005	rschluet 03/16/2005	_____	lnorthro 03/16/2005		State
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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	03/24/2005	03/24/2005	03/24/2005	_____	03/24/2005	03/24/2005	

FE Sent For:

At intro.

<END>

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3/24
PB

PA's: Please jacket
"1". Thank
MS

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/P1			pgreensl 02/10/2005	_____	sbasford 02/10/2005		

FE Sent For:

P2 cjs
3/14
05

pgreensl
02/10/2005
sbasford
02/10/2005
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/?	agary						
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p8
7/9
2/9/06
<END>

FE Sent For:

RESEARCH APPENDIX - Draft Transfer/Copy Request Form

- Atty's please complete this form and give to Mike Barman

(Request Made By: ALG) (Date: 1, 13, 05)



Please transfer the drafting file for

2003 LRB 2470 to the drafting file

for 2005 LRB 1463

The final version of the 2003 draft and the final Request Sheet will be copied on yellow paper, and returned to the original 2003 drafting file. A new cover sheet will be created/included listing the new location of the drafting file's "guts".

For research purposes, because the 2003 draft was incorporated into a 2005 draft, the complete drafting file will be transferred, as a separate appendix, to the new 2005 drafting file. This request form will be inserted into the "guts" of the 2005 draft. If introduced, the appendix will be scanned/added to the electronic drafting file folder.

---OR---

Please copy the drafting file for

2005 LRB Done (include the version) and place it in the

drafting file for 2005 LRB MB

For research purposes, because the original 2005 draft was incorporated into another 2005 draft, the original drafting file will be copied on yellow paper (darkened/auto centered/reduced to 90%) and added, as a separate appendix, to the new 2005 drafting file. This request form will be inserted into the "guts" of the new 2005 draft. If introduced the appendix will be scanned/added to the electronic drafting file folder.

The original drafting file will then be returned, intact, to its folder and filed. For future reference, a copy of the transfer/copy request form will also be added to the "guts" of the original draft.

My

2470

1/5/04

Amsworth, Manhe, Antoniewicz, Kristina, (off side)

- ~~• don't want to jeopardize farmers upgrading new equipment~~

- deals : no retrofitting at all
- new : OK
- day : OK - eliminate draft - no retrofitting
- night : draft OK - only farmer has to retrofit

Gary, Aaron

From: Boardman, Kristina
Sent: Monday, January 03, 2005 4:01 PM
To: Gary, Aaron
Subject: FW: Equipment Lighting



A0326917.PDF



A0326916.PDF

-----Original Message-----

From: Tiffany Pelanek [mailto:tpelanek@boardmanlawfirm.com]
Sent: Monday, January 03, 2005 2:59 PM
To: Boardman, Kristina
Cc: midwestegu@aol.com
Subject: Equipment Lighting

Ms. Boardman:

Attached are a memo and proposed changes to the LRB draft on equipment lighting that Gary Antoniewicz prepared for the Midwest Equipment Dealers. Please let me know if you have any problems opening the attachments.

Tiffany Pelanek
Boardman Law Firm
(608) 283-7591 Direct Dial

MEMORANDUM

TO: Midwest Equipment Dealers Association

FROM: Gary L. Antoniewicz

DATE: January 3, 2005

RE: Equipment Lighting Bill/ LRB 2470/P2

I. Introduction

LRB 2470/P2 rewrites all current lighting standards for farm tractors and implements of husbandry operated on highways both in and out of hours of darkness. Issues addressed include: 1) headlights; 2) tail lights; 3) warning lamps; 4) reflectors; 5) reflective strips and markings; and 6) slow moving vehicle signs.

Under current law, farm tractors and self-propelled equipment operated on highways during darkness must have headlights and tail lights required of other vehicles. Non-motorized equipment on the highway during darkness must have white and red lights visible to the front and rear and must have certain reflectors.

The LRB draft sets new standards applicable to both new and used equipment which is classified by date of manufacture. There are standards set for agricultural vehicles and implements manufactured on or after one year after the bill's effective date ("new"), and standards for agricultural vehicles and implements manufactured before one year after the bill's effective date ("used").

II. New Equipment

In reviewing the LRB draft, I have not raised any issues with the standards for new agricultural vehicles and implements manufactured on or after one year after the bill's effective date. This is based on the assumption that the new standards are issues faced by equipment manufacturers, not dealers.

Dealers are affected by the new lighting standards for new equipment only to the extent that sec. 100.47. Stats., requires that persons in the business of selling farm equipment make sure any equipment sold has required lights and reflectors. Thus dealers must inspect equipment sold to make sure that original required factory lights and reflectors are operable and must make repairs when necessary.

III. Used Equipment

The major issue for equipment dealers is used equipment manufactured before one year after the bill's effective date. The LRB draft adds standards beyond what was originally included at the time of equipment manufacturer. The LRB draft, however, exempts agricultural vehicles and implements "owned by a person on the effective date" from the new standards. This means, however, that while farmers are not required to retrofit used equipment while they own it, dealers have to retrofit equipment in stock, taken in trade, and sold after the effective date. This creates a number of issues for dealers:

A. **Equipment in stock.** All equipment in stock at dealerships would be substantially devalued upon the bill's effective date, especially older equipment. Adding new wiring, lights, and brackets for mounting lights and reflectors could in many cases cost hundreds or even thousands of dollars. Dealers would have to add lights and reflectors to equipment not originally designed for such lighting. Each piece of equipment is different and there are no manufacturer retrofit packages. Under sec. 100.47, Stats., dealers must make sure lighting and reflectors originally installed are in place and operable, but this bill would go well beyond original manufacturer specifications.

B. **Equipment taken in trade.** While farmers would not be required to retrofit equipment they own as of the effective date, they will suffer a loss when they attempt to trade the equipment for newer models. If dealers are required to retrofit used equipment, the retrofit costs will be passed to their customers in the form of substantially lower trade values and, in some cases refusal of trades. This could have a substantial effect on farm costs and ability of farmers to obtain more efficient and safer equipment. Further, there would be a likely negative effect on overall equipment sales.

C. **Used Equipment sold.** In reviewing the proposed legislation, I met with Ken Statz of Carl F. Statz & Sons, Inc. of Waunakee, to review inventory on hand. Statz had a wide array of equipment both in types and ages in stock for sale. The cost to retrofit much of this equipment would be enormous.

For example, there are plows and planters exceeding the widths set forth in the proposed sec. 347.225 (7)(a) (Section 6 of draft) that would require the addition of auxiliary warning lamps for use even during the day. The equipment had no brackets or even wiring harnesses to add such lamps. There are no manufacturer specifications for adding brackets or harnesses. Each dealer would have to somehow design and weld brackets, add wiring, and hope that the brackets and wiring for which the machine was not designed, would not interfere with performance. The engineering and labor for such retrofits is simply beyond the capability of most dealers. Moreover, there is little incentive for manufacturers to redesign new parts for twenty year old equipment.

Some equipment would also be difficult to even find places to add reflective tape as specified, visible from both the front and rear. The bottom line is that while dealers are more than willing to maintain operability of manufacturer installed equipment, they cannot be responsible for redesigning older used equipment.

IV. MEDA Proposal. My recommendation is that MEDA support the proposed standards for new equipment, that the standards for used equipment be changed back to present standards, and that a section be added to the draft to hold dealers harmless on the event they attempt to retrofit equipment to more rigorous lighting standards.

Attached is a more detailed outline of the changes I would propose to the current draft.

Gary L. Antoniewicz

EQUIPMENT LIGHTING PROPOSAL
LRB 2470/P2

The proposed changes to the LRB draft are as follows:

Section 1: No change

Section 2: No change

Section 3: No change

Section 4: No change

Section 5: No change

Section 6: Numerous changes to the proposed sec. 347.225:

- (1) no change in definitions.
- (2) no change to requirements for new agricultural vehicles.
- (3) delete additional requirements for used agricultural vehicles, p. 10, line 10 through p. 11, line 17. Requirements of current s. 347.24 would be retained and are essentially found on p. 10, lines 3-9.
- (4) delete additional requirements for used agricultural equipment operated in other than hours of darkness, p. 10, line 18 through p. 11, line 17. There are no current non-darkness requirements to retain.
- (5) Renumber to (4) and otherwise no change.
- (6) Renumber to (5). Delete the new requirements for used agricultural implements. p. 15, line 13 to p. 16, line 12 and cross reference to requirements of s. 347.24 (current law).
- (7) Delete entirely. No requirements under current law.
- (8) Renumber to (6), otherwise no change.
- (9) Renumber to (7), otherwise no change.
- (9m) Renumber to (7m), otherwise no change.
- (10) Renumber to (8), otherwise no change.
- (11) Renumber to (9), otherwise no change.

Section 7: This section amends the title to the current sec. 347.24 and because of the cross-reference recommended above, I would recommend the following title:

347.24 Lamps and Reflectors on certain nonmotor vehicles,
agricultural implements, and equipment.

Section 8: This section amends the current 347.24 to remove current requirements for implements of husbandry. I would make changes as follows:

- p. 19, line 11- add or agricultural implement after “vehicle.”
p.19, line 12- add or agricultural implement after “vehicle.”
p. 19, line 17-add or agricultural implement after “vehicle.”

Section 9: Rather than repeal the current s.347.24(1)(am), I would amend it substituting “agricultural implement” for “implement of husbandry.” This would maintain current requirements for an amber reflector for wider equipment.

Section 10: At p. 19 , line 21, I would add or agricultural implement after “vehicle.”

Section 11: No change

Section 12: No change

Section 13: No change

Section 14: No change

Section 15: No change

Section 16: No change

Section 17: No change

Section 18: No change

Section 19: Add new section amending sec. 895.495(1)(b) of the statutes:

- (b) “Safety device” means a guard, shield, lighting system, electrical system, visibility marking system or other part that has the purpose of preventing injury to humans.

Whipstaff ✓
SA cur ✓
SA old ✓
X-refs ✓
new cls ✓
RNs ✓

Soon

1463/P1
LRB-2470/P2

ARG:cjs:rs
stays

in 1/13

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

→ PWF all sections w/ amended text ←

D-Note

Gen
cat

inserts

1 AN ACT *to repeal* 347.21 (1m) and (2), 347.22 and 347.24 (1) (am); *to renumber*
2 *and amend* 347.21 (1) and 347.24 (1) (c); *to amend* 100.47 (2) (c), 347.06 (3),
3 347.24 (title), 347.24 (1) (a), 347.24 (1) (b), 347.245 (1), (2), (4) and (5), 347.27
4 (2), 347.27 (3) and 348.08 (2); and *to create* 347.225 and 347.27 (1m) of the
5 statutes; **relating to:** lighting and visibility marking requirements for
6 agricultural vehicles and agricultural implements operated or towed upon a
7 highway, extending the time limit for emergency rule procedures, providing an
8 exemption from emergency rule procedures, providing an exemption from
9 rule-making procedures, and requiring the exercise of rule-making authority.

Analysis by the Legislative Reference Bureau

Under current law, farm tractors and implements of husbandry are exempt from vehicle registration by the Department of Transportation (DOT). A "farm tractor" is defined as a motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry. An "implement of husbandry" is defined, with limited variation, as a vehicle or piece of equipment or machinery designed for agricultural purposes, used exclusively in the conduct of agricultural operations, and used principally off the highway.

Under current law, vehicle equipment requirements generally do not apply to vehicles that are not operated upon or occupying a highway, and lighting requirements applicable to most vehicles operated upon a highway do not apply to farm tractors, self-propelled farm implements, or implements of husbandry except to the extent the requirement is specifically imposed on these vehicles. However, whenever a vehicle is required to be equipped with headlamps, tail lamps, or clearance lamps, no person may operate the vehicle upon a highway during hours of darkness unless the required lamps are lighted. In addition, if any vehicle is required to be equipped with lamps or reflectors, the operator of the vehicle must keep all such lamps and reflectors reasonably clean and in proper working condition at all times. If a vehicle is operated on a highway without lighting equipment required by law, both the operator and the owner, if the owner knowingly causes or permits the vehicle to be so operated, may be guilty of a violation.

Current law imposes various lighting requirements on different types of agricultural-related vehicles, including the following:

1. No person may operate or park a farm tractor or a self-propelled farm implement upon a highway during hours of darkness unless the farm tractor or farm implement is equipped with the same type of headlamps and tail lamps required of other vehicles, these lamps are lighted, and no lamp of a color other than red is showing to the rear.

2. No person may operate on a highway during hours of darkness any implement of husbandry manufactured after January 1, 1984, that is not an all-terrain vehicle unless the implement of husbandry is equipped with the equivalent of at least two lighted headlamps and two lighted tail lamps or, as an alternative to the tail lamps, two red reflectors on the rear of the implement of husbandry. Also, no person may operate on a highway during hours of darkness any implement of husbandry that extends four feet or more to the left of the center line of its towing vehicle unless the implement is equipped with an amber reflector on the left side, facing forward, to mark the extreme width of the implement of husbandry.

3. Under an exception to the general prohibition that a person may not operate on a highway, without a permit, a vehicle towing more than one other vehicle, a person may operate a farm tractor drawing two trailers used primarily as implements of husbandry in connection with seasonal agricultural activities or one such trailer and any other implement of husbandry (farm tractor agricultural train) if the operation of the combination of vehicles is exclusively for a farming operation and certain other requirements are satisfied. Another exception allows a person to operate a motor truck or truck tractor to draw two trailers transporting empty pressurized or nonpressurized tanks used for hauling or storing liquid agricultural fertilizer or two implements of husbandry, including two empty trailers used primarily as implements of husbandry in connection with seasonal agricultural activities (truck tractor agricultural train), if certain requirements are satisfied. No person may operate on a highway during hours of darkness any farm tractor agricultural train or truck tractor agricultural train unless each side of every vehicle in the train is equipped with at least one red lamp or at least one red reflector or, for truck tractor agricultural trains only, at least one slow moving (SMV) vehicle

emblem. In addition, no person may operate on a highway, at times other than during hours of darkness, any farm tractor agricultural train without a red flag on each rear corner of the rearmost vehicle in the train.

4. No person may operate on a highway, at any time, any vehicle or equipment that usually travels at speeds of less than 25 miles per hour without an SMV emblem on the most practicable visible rear area of the vehicle or combination of vehicles unless an SMV emblem on a towing vehicle is visible from the rear. This SMV emblem requirement is in addition to any other required lighting devices, and no person may display an SMV emblem on a vehicle except for the purpose for which the emblem is required. In lieu of the SMV emblem, a vehicle or combination of vehicles may be equipped with a yellow or amber flashing light on the left rear of the vehicle. DOT is required to establish by rule standards and specifications for the design and positioning of SMV emblems on vehicles and the standards and specifications must conform, so far as practicable, with those approved by the American Society of Agricultural Engineers.

5. No person may park or leave a vehicle (including a farm tractor, self-propelled farm implement, or implement of husbandry) standing, whether attended or unattended, upon a roadway or the shoulder immediately adjacent thereto during hours of darkness unless the vehicle is lawfully parked within a city or village or is parked or standing where there is sufficient artificial light to render it visible from a distance of 500 feet and, in either case, is equipped with at least one red reflector on the rear to the side of the vehicle closest to passing traffic or unless the vehicle is equipped with lighted lamps to the side of the vehicle closest to passing traffic visible from a distance of 500 feet showing a white or amber light visible to the front and a red light visible to the rear and, if equipped with two parking lamps and two tail lamps, these lamps are lighted. In addition, any lighted headlamp must be dimmed.

Current law also establishes certain visibility and mounting standards for all of these lighting and visibility marking devices.

Also under current law, no person in the business of selling "farm equipment," defined as a tractor or other machinery used in the business of farming, may sell farm equipment that can be operated on a highway unless the farm equipment is equipped with all required lights and reflectors and with a slow moving vehicle emblem.

This bill generally replaces current law relating to lighting and visibility marking requirements for farm tractors, self-propelled implements of husbandry, and self-propelled farm implements (agricultural vehicles) and implements of husbandry and farm implements that are not self-propelled but intended to be used with a motor vehicle (agricultural implements) with new, similar requirements for these vehicles and implements. The bill creates the following requirements:

1. An agricultural vehicle manufactured on or after one year after the bill's effective date may not be operated on a highway unless the vehicle is equipped with at least two headlamps, two tail lamps, at least two warning lamps, at least two direction signal lamps and two additional auxiliary direction signal lamps, two red rear reflectors and, if the vehicle is more than 12 feet wide, specified strips of visibility material (tape), an SMV emblem (for most vehicles), and, if the vehicle is

STAYS: leave as typed (dealer)

move to p. 5

approximately

equipped or designed to tow an agricultural implement requiring lighting devices, an electrical connection sufficient to activate any lighting devices on the agricultural implement.

2. An agricultural vehicle manufactured before ^{approximately} one year after the bill's effective date may not be operated on a highway.

(no R) a. During hours of darkness unless the vehicle is equipped with at least two headlamps, at least one tail lamp, at least two warning lamps, two red rear reflectors, and, if the vehicle is more than 12 feet wide, specified strips of visibility material.

b. At times other than during hours of darkness unless the vehicle is equipped with two red rear reflectors, and, if the vehicle is more than 12 feet wide, specified strips of visibility material and either at least two warning lamps or at least two fluorescent flags marking the sides of the vehicle. However, these requirements do not apply to an agricultural vehicle owned on the effective date of the bill that is operated by the vehicle's owner or the owner's employee or agent.

3. An agricultural implement manufactured on or after one year after the bill's effective date may not be towed on a highway unless the implement, if the implement falls within certain size and configuration criteria or obscures the visibility of certain lamps on the towing vehicle, is equipped with some or all of the following: tail lamps, warning lamps, directional signal lamps and additional auxiliary direction signal lamps, strips of visibility material, red reflectors, an SMV emblem, and an electrical device to connect with the towing vehicle sufficient to activate any lighting devices required on the agricultural implement.

4. An agricultural implement manufactured before one year after the bill's effective date that falls within certain size and configuration criteria or obscures the visibility of certain lamps on the towing vehicle may not be towed on a highway.

(no R) a. During hours of darkness unless the implement is equipped with some or all of the following: the lighting devices specified in item 3., certain strips of visibility material, or certain fixed or moveable auxiliary lamps.

b. At times other than during hours of darkness unless the implement is equipped with some or all of the following: the lighting devices specified in item 3., certain strips of visibility material, certain fixed or moveable auxiliary lamps, or two fluorescent flags marking the sides of the implement. However, these requirements do not apply to an agricultural implement owned on the effective date of the bill that is towed by the implement's owner or the owner's employee or agent.

5. An agricultural vehicle or agricultural implement may not be parked or left standing on a roadway or shoulder during hours of darkness unless the vehicle or implement is equipped as required under items 1. to 4., as applicable, and is lighted sufficiently to satisfy the requirements for other parked or standing vehicles under current law.

The bill establishes certain visibility and mounting standards for all of these required lighting and visibility marking devices, and also requires DOT to establish by rule design, type, or performance standards for these lighting and visibility marking devices, consistent with standards established by the American Society of Agricultural Engineers or the Society of Automotive Engineers or both. All lighting and visibility marking devices required under the bill must comply with these

standards established by DOT. The bill requires DOT, within approximately three months, to submit proposed rules to administer the provisions of the bill to the Legislative Council Staff and to promulgate emergency rules to administer the provisions of the bill until the proposed rules submitted to the Legislative Council Staff become final.

The bill also creates an exception to these lighting requirements allowing an agricultural vehicle or agricultural implement that is subject to a lighting system failure to be operated, towed, or transported to the nearest place of repair if the vehicle or implement is accompanied by at least two escort vehicles displaying hazard warning lamps. The lighting requirements under the bill also do not apply to an all-terrain vehicle being used as an implement of husbandry, for which current law provides separate lighting requirements.

The bill also allows agricultural vehicles and agricultural implements to be equipped with an amber strobe light. The bill prohibits a person from operating an agricultural vehicle manufactured on or after ^{approximately} one year after the bill's effective date with lighted spotlamps unless the spotlamps are pointed toward the road surface and no glaring light is projected into the eyes of other motorists.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 100.47 (2) (c) of the statutes is amended to read:

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

SECTION 2. 347.06 (3) of the statutes is amended to read:

347.06 (3) The operator of a vehicle shall keep all lamps and, reflectors, and visibility material with which such vehicle is required to be equipped reasonably clean and in proper working condition at all times.

SECTION 3. 347.21 (1) ^{and (2)} of the statutes is renumbered 347.21 and amended to read:

347.21 ~~LAMPS AND FLAGS ON TRAINS OF AGRICULTURAL VEHICLES~~ ^{(1) ← B} No Except as provided in s. 347.225, no person shall may operate on a highway during hours of

move from p. 3

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Fix COM-PONENT

9

10

11

12

1 darkness any train of vehicles authorized by s. 348.08 (1) (d) unless there is mounted
 2 on each side of every vehicle in such train, ~~including farm tractors and implements~~
 3 ~~of husbandry~~, at least one lamp emitting a red light visible from a distance of 500 feet
 4 to the side of the vehicle on which mounted or, in lieu thereof, at least one red reflector
 5 or, notwithstanding s. 347.245, one slow moving vehicle emblem visible from all
 6 distances within 500 feet to 50 feet of the side of the vehicle when directly in front
 7 of lawful upper beams of headlamps. If the train of vehicles authorized by s. 348.08
 8 (1) (d) consists exclusively of agricultural vehicles, as defined in s. 347.225 (1) (b), or
 9 agricultural implements, as defined in s. 347.225 (1) (a), it shall comply with the
 10 requirements of s. 347.225.

11 **SECTION 4.** 347.21 (1m) and (2) of the statutes ~~are~~ repealed.

12 **SECTION 5.** 347.22 of the statutes is repealed.

13 **SECTION 6.** 347.225 of the statutes is created to read:

14 **347.225 Lamps and reflectors on agricultural vehicles and**
 15 **agricultural implements. (1) In this section:**

16 (a) "Agricultural implement" means a farm implement or an implement of
 17 husbandry, other than a trailer-mounted bulk liquid fertilizer container, that is not
 18 self-propelled and that, to accomplish its purpose, must be towed by or mounted on
 19 a motor vehicle.

20 (b) "Agricultural vehicle" means a farm tractor, self-propelled implement of
 21 husbandry, or self-propelled farm implement.

22 (bm) "Own" includes, with respect to any agricultural vehicle or agricultural
 23 implement, the leasing of the vehicle or implement.

24 (c) "Tow" includes, with respect to an agricultural implement, operating a
 25 vehicle to which the implement is attached, whether on the front or rear.

1 (d) "Towing vehicle" includes a vehicle to which an agricultural implement is
2 attached.

3 (2) No person may operate an agricultural vehicle manufactured on or after ~~one~~
4 *the first day of the 13th month beginning* ~~year~~ after the effective date of this subsection [revisor inserts date], upon a
5 highway unless the vehicle is equipped with all of the following:

6 (a) At least 2 headlamps that project a white light visible to the front from a
7 distance of 500 feet, of sufficient intensity to render objects ahead visible, and
8 mounted on the same level and as widely spaced laterally as practicable. The
9 headlamps shall be so arranged and aimed that the headlamp beams are centered
10 laterally and the headlamps, if multiple-beam, shall comply with the requirements
11 specified in s. 347.10 (2).

12 (b) Two tail lamps mounted on the rear that emit a red light plainly visible to
13 the rear from a distance of 500 feet. These lamps shall be mounted symmetrically
14 from the center on each side of the rear of the vehicle, but not greater than 5 feet to
15 the left or right of the vehicle center, shall be located on the same level and as widely
16 spaced laterally as practicable, and shall be located at a height of not more than 10
17 feet nor less than 3.3 feet.

18 (c) At least 2 warning lamps that, when actuated, display simultaneous
19 flashing amber lights visible to the front and to the rear having a flashrate of 60 to
20 85 per minute. These lamps shall be mounted so that 2 of the lamps are located on
21 the same level and as widely spaced laterally as practicable and so that all of the
22 lamps are as symmetrical as practicable and are located at a height of not more than
23 12 feet and not less than 3.3 feet. If the vehicle is more than 12 feet wide, these lamps
24 shall be mounted so that at least one warning lamp on each side of the vehicle is not
25 more than 16 inches from each extremity of the width of the vehicle.

1 (d) 1. At least 2 direction signal lamps showing to the front and to the rear, so
2 as to indicate intention to turn right or left, which lamps shall be the same amber
3 lamps as the warning signal lamps under par. (c). When actuated, these lamps shall
4 indicate the intended direction of turning by flashing the light showing to the front
5 and rear on the side toward which the turn is made at a flashrate of at least 20 more
6 than the rate under par. (c) but not more than 110, and shall emit a steady amber
7 light on the side opposite the side toward which the turn is made.

8 2. At least 2 auxiliary direction signal lamps, in addition to those required
9 under subd. 1., showing to the rear that are mounted symmetrically from the center
10 line on each side of the rear of the vehicle, located on the same level and as widely
11 spaced laterally as practicable but not greater than 5 feet to the left or right of the
12 vehicle center line, and located at a height of not more than 12 feet nor less than 3.3
13 feet. When actuated, these direction signal auxiliary lamps shall indicate the
14 intended direction of turning by displaying, simultaneously with the flashing
15 direction signal lamps under subd. 1., a flashing red or amber light visible to the rear
16 on the side toward which the turn is made. The auxiliary direction signal lamp on
17 the side opposite the side toward which the turn is made may light but may not flash.

18 (e) 1. Two red reflectors mounted on the rear of the vehicle in such a manner
19 as to indicate as nearly as possible the extreme width of the vehicle. These reflectors
20 may be incorporated with the tail lamps or as part of the visibility material described
21 in subd. 2.

22 2. In addition to the reflectors required under subd. 1., if the vehicle is more
23 than 12 feet wide, the vehicle shall be equipped with all of the following visibility
24 material, which, for material visible to the rear, may incorporate any portion of the
25 emblem identified in par. (f):

1 a. At least 2 strips of red reflective material, mounted so as to be visible to the
2 rear, extending in a line as horizontally as practicable across the rear of the vehicle
3 to not more than 16 inches from each extremity of the width of the vehicle, with the
4 strips spaced as evenly as possible and not more than 6 feet between adjacent strips.

5 b. At least 2 strips of non-reflective red-orange fluorescent material, mounted
6 so as to be visible to the rear, extending in a line as horizontally as practicable across
7 the rear of the vehicle to not more than 25 inches from each extremity of the width
8 of the vehicle, with the strips spaced as evenly as possible and not more than 6 feet
9 between adjacent strips.

10 c. At least 2 strips of yellow reflective material, mounted so as to be visible to
11 the front, extending to not more than 16 inches from each extremity of the width of
12 the vehicle.

13 (f) If the vehicle is not towing an agricultural implement or is towing an
14 agricultural implement that would not impair the visibility of a slow moving vehicle
15 emblem mounted on the vehicle or is being towed by another vehicle, it shall be
16 equipped with a slow moving vehicle emblem that complies with the requirements
17 specified in s. 347.245.

18 (g) If the vehicle is equipped or designed to tow an agricultural implement
19 requiring lighting devices under this section, the vehicle shall be equipped with at
20 least one electrical device, mounted behind the rear axle and as near as practicable
21 to the center line of the vehicle, sufficient to allow the utilization of any power source
22 on the vehicle for activating any required lighting devices on the towed implement.

23 (3) No person may operate an agricultural vehicle manufactured before one
24 year *the first day of the 13th month beginning* after the effective date of this subsection [revisor inserts date], upon a

1 highway during hours of darkness unless the vehicle is equipped with all of the
2 following:

3 (a) At least 2 headlamps that project a white light visible to the front from a
4 distance of 500 feet, of sufficient intensity to render objects ahead visible, and
5 mounted on the same level and as widely spaced laterally as practicable.

6 (b) At least one tail lamp mounted on the rear that emits a red light plainly
7 visible to the rear from a distance of 500 feet. The lamp shall be mounted on the left
8 side of the rear of the vehicle, not greater than 5 feet to the left of the vehicle center,
9 and shall be located at a height of not more than 10 feet nor less than 3.3 feet.

10 (c) At least 2 warning lamps that, when actuated, emit an amber light visible
11 to the front and to the rear. These lamps shall be mounted so that 2 of the lamps are
12 located on the same level and as widely spaced laterally as practicable and so that
13 all of the lamps are as symmetrical as practicable and are located at a height of not
14 more than 12 feet and not less than 3.3 feet. If the vehicle is more than 12 feet wide,
15 these lamps shall be mounted so that at least one warning lamp on each side of the
16 vehicle is not more than 16 inches from each extremity of the width of the vehicle.

17 (d) All reflectors and visibility material specified in sub. (2) (e).

18 (4) (a) No person may operate an agricultural vehicle manufactured before one
19 year after the effective date of this subsection ... [revisor inserts date], upon a
20 highway at times other than during hours of darkness unless the vehicle is equipped
21 with all of the following:

22 1. All reflectors specified in sub. (2) (e) 1. and, if the vehicle is more than 12 feet
23 wide, all of the following visibility material, which, for material visible to the rear,
24 may incorporate any portion of an emblem specified in sub. (2) (f):

1 a. At least 2 strips of red reflective material, mounted so as to be visible to the
2 rear and to indicate as nearly as practicable each extremity of the width of the
3 vehicle.

4 b. At least 2 strips of yellow reflective material, mounted so as to be visible to
5 the front and to indicate as nearly as practicable each extremity of the width of the
6 vehicle.

7 c. At least 2 strips of non-reflective red-orange fluorescent material, mounted
8 so as to be visible to the rear and to indicate as nearly as practicable each extremity
9 of the width of the vehicle.

10 2. If the vehicle is more than 12 feet wide, warning lamps as specified in sub.
11 (3) (c) or at least 2 fluorescent flags not less than 320 inches square displayed to
12 indicate each extremity of the width of the vehicle and so hung that the entire area
13 is visible to the operator of a vehicle approaching from the front or rear.

14 (b) Notwithstanding par. (a), an agricultural vehicle that is owned by a person
15 on the effective date of this paragraph [revisor inserts date], is not required to be
16 equipped as specified in par. (a) to be operated by the person or the person's employee
17 or agent upon a highway at times other than during hours of darkness.

18 ^B(4) ~~(5)~~ No person may tow an agricultural implement manufactured on or after ~~one~~
19 *the first day of the 13th month beginning* year after the effective date of this subsection [revisor inserts date], upon a
20 highway unless the implement is equipped with all of the following:

21 (a) If the agricultural implement extends beyond the left or right extremity of
22 the width of the towing vehicle and is either more than 12 feet wide or extends more
23 than 6 feet to the left or right of the center line of the towing vehicle, or if the
24 implement extends more than 25 feet behind the hitch of the towing vehicle, or if the
25 implement obscures the visibility of, for purposes of subd. 1., any tail lamp, for

1 purposes of subd. 2., any warning or clearance lamp, for purposes of subd. 3., any
 2 directional signal lamp, or for purposes of subd. 4., any auxiliary or clearance lamp,
 3 on the towing vehicle when viewed from the driver's seat of a vehicle following, all
 4 of the following lamps:

5 1. Two tail lamps showing to the rear and mounted as close to the rear as
 6 practicable that emit a red light plainly visible to the rear from a distance of 500 feet,
 7 except that, if the rear of the agricultural implement is less than 4 feet wide, the

8 implement may be equipped with only one tail lamp. ² Except when an agricultural
 9 ~~implement may under this subdivision be equipped with only one tail lamp,~~ the tail
 10 lamps shall be mounted symmetrically from the center line on each side of the rear
 11 of the implement, but not less than 2 feet and not greater than 5 feet to the left or

12 right of the implement center line, and shall be located at a height of not more than
 13 10 feet nor less than 3.3 feet, ^{each tail lamp} except that ^{and} on an agricultural implement that does not

14 obscure the tail lamps of the towing vehicle, the tail lamps on the agricultural
 15 implement may be mounted more than 5 feet to the left or right of the implement
 16 center. ⁵

17 2. At least 2 warning lamps that, when actuated, display simultaneous flashing
 18 amber lights having a flashrate of 60 to 85 per minute, that flash simultaneously
 19 with the warning lamps on the towing vehicle, and that are visible to the front and
 20 to the rear except that, if any warning lamp is required under this subdivision only
 21 because the agricultural implement obscures one or more of the warning lamps or
 22 clearance lamps of the towing vehicle, any warning lamp on the agricultural
 23 implement need only be visible from the direction in which the towing vehicle's
 24 warning lamp or clearance lamp is obscured and only one warning lamp is required
 25 on the implement if only one warning lamp or clearance lamp on the towing vehicle

1 is obscured. Except when an agricultural implement may under this subdivision be
2 equipped with only one warning lamp, these warning lamps shall be mounted so that
3 2 of the lamps are located on the same level and as widely spaced laterally as
4 practicable and so that all of the lamps are as symmetrical as practicable. If the
5 implement is more than 12 feet wide, these lamps shall be mounted so that at least
6 one warning lamp on each side of the implement is not more than 16 inches from each
7 extremity of the width of the implement, or, if only one lamp is required under this
8 subdivision, the lamp shall be mounted not more than 16 inches from the extremity
9 of the width of the implement. Any warning lamp required under this subdivision
10 shall be located at a height of not more than 12 feet and not less than 3.3 feet.

11 3. At least 2 direction signal lamps showing to the front and to the rear, so as
12 to indicate intention to turn right or left, which lamps, unless only one warning lamp
13 is required under subd. 2., shall be the same amber lamps as the warning signal
14 lamps under subd. 2. When actuated, these lamps shall indicate the intended
15 direction of turning by flashing the light showing to the front and rear on the side
16 toward which the turn is made at a flashrate of at least 20 more than the rate under
17 subd. 2. but not more than 110, and shall emit a steady amber light on the side
18 opposite the side toward which the turn is made.

19 4. At least 2 auxiliary direction signal lamps, in addition to those required
20 under subd. 3., showing to the rear that are mounted symmetrically from the center
21 line on each side of the rear of the implement, located on the same level and as widely
22 spaced laterally as practicable but not less than 2 feet and not greater than 5 feet to
23 the left or right of the implement center line, and located at a height of not more than
24 12 feet nor less than 3.3 feet. When actuated, these auxiliary lamps shall indicate
25 the intended direction of turning by displaying, simultaneously with the flashing

1 direction signal lamps under subd. 3., a flashing red or amber light visible to the rear
 2 on the side toward which the turn is made. The auxiliary lamp on the side opposite
 3 the side toward which the turn is made may light but may not flash.

4 (b) If the agricultural implement extends more than 4 feet to the left of the
 5 center line of the towing vehicle, it shall be equipped with at least one strip of yellow
 6 reflective material that is visible to the front and mounted so as to indicate, as nearly
 7 as practicable, the left extremity of the width of the agricultural implement.

8 (c) If the agricultural implement extends more than 4 feet to the left or right
 9 of the center line of the towing vehicle or more than 4 feet behind the hitch of the
 10 towing vehicle, it shall be equipped with at least 2 red reflectors that are visible to
 11 the rear and mounted so as to indicate, as nearly as practicable, the left and right
 12 extremities of the width of the agricultural implement.

13 (d) If the agricultural implement is more than 12 feet wide or extends more
 14 than 6 feet to the left or right of the center line of the towing vehicle, it shall be
 15 equipped with the material described in sub. (2) (e) 2. a. to c. and mounted on the
 16 implement in the manner described in sub. (2) (e) 2. a. to c. except that, if the
 17 implement is towed to the front of the towing vehicle, the material described in sub.
 18 (2) (e) 2. a. and b. is not required on the implement for a distance of 4 feet on either
 19 side of the towing vehicle center line.

20 (e) If any agricultural implement or any combination of agricultural
 21 implements and towed agricultural vehicles extends more than 16.4 feet behind the
 22 hitch of the towing vehicle, ~~the rearmost agricultural vehicle or agricultural~~
 23 ~~implement shall be equipped with at least one slow moving vehicle emblem that~~
 24 complies with the requirements specified in s. 347.245 and at least 2 red reflectors
 25 that are visible to the rear and mounted as far to the rear as practicable, and all such

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1 implements or vehicles shall be equipped with strips of yellow reflective material,
2 mounted so as to be visible on both sides and at intervals not greater than 16.4 feet
3 as measured from the hitch.

4 (f) ^{If the} ~~An~~ agricultural implement ^{requires} ~~requiring~~ lighting devices under this subsection
5 shall be equipped with at least one electrical device located so that it can be readily
6 connected to the electrical device on the towing vehicle described under sub. (2) (g)
7 and sufficient to allow the utilization of any power source on the towing vehicle for
8 activating any required lighting devices on the agricultural implement.

9 (h) Except when an agricultural implement does not impair the visibility of a
10 slow moving vehicle emblem mounted on the towing vehicle in compliance with sub.

11 (2) (f), the implement shall be equipped with a slow moving vehicle emblem that
12 complies with the requirements specified in s. 347.245.

13 ^B (5) ~~(6)~~ No person may tow an agricultural implement manufactured before ~~one~~
14 ^{the first day of the 13th month beginning} ~~year~~ after the effective date of this subsection [revisor inserts date], upon a
15 highway during hours of darkness unless the implement is equipped as specified in
16 sub. ~~(5)~~, or is equipped with visibility material as specified in sub. ⁽⁴⁾ ~~(5)~~ (b) to (d) and
17 (h), or is equipped with all of the following:

18 (a) If the agricultural implement extends beyond the left or right extremity of
19 the width of the towing vehicle and is either more than 12 feet wide or extends more
20 than 6 feet to the left or right of the center line of the towing vehicle, or if the
21 agricultural implement extends more than 25 feet behind the hitch of the towing
22 vehicle, or if the agricultural implement obscures the visibility of any warning lamp
23 on the towing vehicle when viewed from the driver's seat of a vehicle following, the
24 agricultural implement shall be equipped with at least 2 auxiliary lamps, which may
25 be fixed or moveable, mounted on the extremities of the width of the implement, that

1 otherwise meet the requirements for warning lamps specified in sub. ^{(4) ✓} ~~(5)~~ (a) 2. except
2 the requirement that the lamps flash simultaneously with the warning lamps on the
3 towing vehicle, except that, if the agricultural implement is not symmetrical, the
4 implement may be equipped with one auxiliary lamp that meets the requirements
5 specified in sub. ^{(4) ✓} ~~(5)~~ (a) 2. for circumstances when one lamp is permitted.

6 (b) If the agricultural implement obscures the visibility of any tail lamp on the
7 towing vehicle when viewed from the driver's seat of a vehicle following, ^{the}
8 agricultural implement shall be equipped with at least one auxiliary lamp, which
9 may be fixed or moveable, that is mounted on the implement not greater than 5 feet
10 to the left of the vehicle center line and located at a height of not more than 10 feet
11 nor less than 3.3 feet and that otherwise meets the requirements for tail lamps under
12 sub. ⁽⁴⁾ ~~(5)~~ (a) 1.

13 ~~(7) (a) No person may tow an agricultural implement manufactured before one~~
14 ~~year after the effective date of this subsection [revisor inserts date], upon a~~
15 ~~highway at times other than during hours of darkness unless the implement is~~
16 ~~equipped as specified in sub. (5) or (9m), or is equipped with visibility material as~~
17 ~~specified in sub. (5) (b), (c), and (h), or, if the agricultural implement extends beyond~~
18 ~~the left or right extremity of the width of the towing vehicle and is either more than~~
19 ~~12 feet wide or extends more than 6 feet to the left or right of the center line of the~~
20 ~~towing vehicle, or if the agricultural implement extends more than 25 feet behind the~~
21 ~~hitch of the towing vehicle, is equipped with one of the following:~~

22 ~~1. At least 2 auxiliary lamps, which may be fixed or moveable, mounted on the~~
23 ~~extremities of the width of the implement, that otherwise meet the requirements for~~
24 ~~warning lamps specified in sub. (5) (a) 2. except the requirement that the lamps flash~~
25 ~~simultaneously with the warning lamps on the towing vehicle, except that, if the~~

1 agricultural implement is not symmetrical, the implement may be equipped with one
2 auxiliary lamp that meets the requirements specified in sub. (5) (a) 2. for
3 circumstances when one lamp is permitted.

4 2. At least 2 fluorescent flags not less than 320 inches square displayed to
5 indicate each extremity of the width of the implement and so hung that the entire
6 area is visible to the operator of a vehicle approaching from the front or rear.

7 (b) Notwithstanding par. (a), an agricultural implement that is owned by a
8 person on the effective date of this paragraph [revisor inserts date], is not required
9 to be equipped as specified in par. (a) to be towed by the person or the person's
10 employee or agent upon a highway at times other than during hours of darkness.

11 ~~(6)~~ ^(B) (8) No person may operate upon a highway an agricultural vehicle
12 manufactured on or after ^{the first day of the 13th month beginning} ~~one year~~ after the effective date of this subsection
13 [revisor inserts date], with any lighted spotlight or auxiliary lamp projecting a beam
14 of intensity greater than a headlamp unless each spotlight or auxiliary lamp is set
15 or adjusted so that the rays of light are projected directly upon the road surface at
16 a distance not exceeding 150 feet directly in front or to the side of the vehicle and to
17 the right of the center of the traveled roadway and so that no glaring light is projected
18 into the eyes of an approaching driver.

19 ^(B) (7) ~~(9)~~ Notwithstanding ss. 347.04 and 347.06 and any other provision of this
20 section, an agricultural vehicle or agricultural implement that is subject to a lighting
21 system failure may be operated, towed, or transported upon a highway to the nearest
22 place of repair if the vehicle or implement is accompanied by at least one motor
23 vehicle other than a motorcycle within 295 feet to the front and to the rear that each
24 display warning lamps described in s. 347.26 (7).

① ⁽⁸⁾ ~~(9m)~~ Notwithstanding sub. ⁽⁴⁾ ~~(5)~~ (a) 2. ^{and (ag)} and s. 347.06 (1), an agricultural
 ② implement manufactured on or after ^{the first day of the 13th month beginning} ~~one~~ year after the effective date of this
 ③ subsection [revisor inserts date], that complies with all requirements under sub.
 ④ ⁽⁴⁾ ~~(2)~~ other than sub. ⁽⁴⁾ ~~(5)~~ (a) 2. ^{or (ag)} may be towed upon a highway during hours of darkness
 ⑤ by a vehicle that is not equipped to activate lamps required on the implement under
 ⑥ sub. ⁽⁴⁾ ~~(5)~~ (a) 2. ^{or (ag)} if the implement is equipped with all of the following and all of the
 ⑦ following are lighted:

⑧ (a) At least 2 auxiliary lamps, which may be fixed or moveable, mounted on the
 ⑨ extremities of the width of the implement, that otherwise meet the requirements for
 ⑩ warning lamps specified in sub. ⁽⁴⁾ ~~(5)~~ (a) 2. except the requirement that the lamp flash
 ⑪ simultaneously with the warning lamps on the towing vehicle, except that, if the
 ⑫ agricultural implement is not symmetrical, the implement may be equipped with one
 ⑬ auxiliary lamp that meets the requirements specified in sub. ⁽⁴⁾ ~~(5)~~ (a) 2. for
 ⑭ circumstances when one lamp is permitted.

⑮ (b) If the agricultural implement obscures the visibility of any tail lamp on the
 ⑯ towing vehicle when viewed from the driver's seat of a vehicle following, the
 ⑰ agricultural implement shall be equipped with at least one auxiliary lamp, which
 ⑱ may be fixed or moveable, that meets the requirements for tail lamps specified in sub.
 ⑲ ⁽⁴⁾ ~~(5)~~ (a) 1.

⑳ ⁽⁸⁾ ⁽⁹⁾ ~~(10)~~ In addition to any other lamp required under this section, an agricultural
 ㉑ vehicle or agricultural implement may be equipped with a flashing, oscillating, or
 ㉒ rotating amber light or a 360-degree flashing amber strobe light.

㉓ ⁽⁸⁾ ⁽¹⁰⁾ ~~(11)~~ The department shall establish by rule design, type, or performance
 ㉔ standards for any lamp, reflector, or other lighting device or visibility material
 ㉕ required under this section, and these standards shall comply with applicable

1 standards established by the American Society of Agricultural Engineers or the
2 Society of Automotive Engineers or both. Any lamp, reflector, or other lighting device
3 or visibility material required under this section shall meet the design, type, or
4 performance standards established by the department.

5 **SECTION 7.** 347.24 (title) of the statutes is amended to read:

6 **347.24 (title) Lamps and reflectors on certain nonmotor vehicles and**
7 **equipment.**

8 **SECTION 8.** 347.24 (1) (a) of the statutes is amended to read:

9 347.24 (1) (a) Except as provided under ~~pars. par.~~ (b) and (e) s. 347.225 ⁽¹¹⁾ ~~(112)~~, no
10 person may operate on a highway during hours of darkness any implement of
11 husbandry or any other vehicle not specifically required by law to be equipped with
12 lamps or other lighting devices unless such ~~implement or~~ vehicle is equipped with
13 at least 2 lighted lamps or lanterns exhibiting a white light visible from a distance
14 of 500 feet ahead and 2 lighted lamps or lanterns exhibiting a red light visible from
15 a distance of 500 feet to the rear or, as an alternative to the red lamps or lanterns,
16 2 red reflectors mounted as specified in s. 347.18 and meeting the visibility
17 requirements of s. 347.19 may be displayed on the rear of such vehicle ~~or implement~~
18 ~~of husbandry.~~

19 **SECTION 9.** 347.24 (1) (am) of the statutes is repealed.

20 **SECTION 10.** 347.24 (1) (b) of the statutes is amended to read:

21 347.24 (1) (b) Any ~~implement of husbandry or any other~~ vehicle not specifically
22 required by law to be equipped with lamps or other lighting device and which was
23 manufactured on or before January 1, 1984, shall comply with the lamp
24 requirements of s. 347.24 (1), 1981 stats.

SECTION 11

1 SECTION 11. 347.24 (1) (c) of the statutes is renumbered 347.225 ⁽¹¹⁾ ~~(12)~~ and
 2 amended to read: ^B ~~(11)~~ *strike*

3 347.225 ~~(12)~~ ⁽¹¹⁾ *Notwithstanding any other provision of this section, an*
 4 agricultural vehicle that is an
 5 all-terrain vehicle need only comply with the lamp requirements established under
 6 s. 23.33 (6).

7 SECTION 12. 347.245 (1), ~~(2)~~, (4) and (5) of the statutes are amended to read:

8 347.245 (1) After January 1, 1970, no person may operate on a highway, day
 9 or night, any vehicle or equipment, any animal-drawn vehicle, or any other
 10 machinery, including all road machinery, that usually travels at speeds of less than
 11 25 miles per hour or any vehicle operated under a special restricted operator's license
 12 issued under s. 343.135, unless there is displayed on the most practicable visible rear
 13 area of the vehicle or combination of vehicles, a slow moving vehicle (SMV) emblem
 14 as described in and displayed as provided in sub. (2). Any towed vehicle or machine
 15 is exempt from this provision if the towing vehicle is visible from the rear and is in
 16 compliance with this section. All road machinery is excluded when it is engaged in
 17 actual construction or maintenance work either guarded by a flagman or clearly
 18 visible warning signs. Except as provided in s. ~~ss.~~ ^{and delete} 347.21 ~~(1)~~ ^{PLAIN} and 347.225, the
 19 requirement of the emblem shall be in addition to any lighting devices required or
 20 permitted by law. Mopeds and motor bicycles are excluded from the provisions of this
 21 section unless they are operated under a special restricted operator's license issued
 22 under s. 343.135. Electric personal assistive mobility devices are excluded from the
 23 provisions of this section. The SMV emblem need not be displayed on vehicles
 24 moving directly across the highway.

25 (2) Standards and specifications for the design and position of mounting of the
 SMV emblem shall be established by rule by the secretary. Except as provided in s.

1 347.21 (1), the standards and specifications for SMV emblems shall correlate with
2 and, so far as possible, conform with those approved by the American society of
3 agricultural engineers. The secretary shall submit such standards and
4 specifications, and any subsequent changes therein, to the assembly and senate
5 committees having jurisdiction over transportation matters as determined by the
6 speaker of the assembly and the president of the senate acting jointly for their
7 approval.

8 (4) Except as provided in s. ~~ss.~~ ^{PLAIN} 347.21 (1) and 347.225, no person shall display
9 such emblem on any vehicle or equipment not specified in sub. (1). *delete strike*

10 (5) This Except as provided in s. 347.225, this section does not apply to any
11 vehicle or combination of vehicles to the left rear of which is attached a yellow or
12 amber flashing light at least 4 inches in diameter.

13 **SECTION 13.** 347.27 (1^m) of the statutes is created to read:

14 347.27 (1^m) No person may park or leave an agricultural vehicle, as defined
15 in s. 347.225 (1) (b), or an agricultural implement, as defined in s. 347.225 (1) (a),
16 standing, whether attended or unattended, upon a roadway or the shoulder
17 immediately adjacent thereto during hours of darkness unless the vehicle or
18 implement is equipped as required under s. 347.225 and satisfies the requirements
19 for other vehicles specified in sub. (1). ✓

20 **SECTION 14.** 347.27 (2) of the statutes is amended to read:

21 347.27 (2) Any lighted headlamps on a vehicle or agricultural vehicle, as
22 defined in s. 347.225 (1) (b), parked on a highway shall be depressed or dimmed.

23 **SECTION 15.** 347.27 (3) of the statutes is amended to read:

24 347.27 (3) In this section, "vehicle" includes ~~farm tractors and self-propelled~~
25 ~~farm implements, implements of husbandry,~~ animal-drawn vehicles and road

, as applicable,

1 machinery, but not agricultural vehicles, as defined in s. 347.225 (1) (b), or
2 agricultural implements, as defined in s. 347.225 (1) (a).

3 **SECTION 16.** 348.08 (2) of the statutes is amended to read:

4 348.08 (2) Whenever any train of agricultural vehicles is being operated under
5 sub. (1) (b), the train shall be equipped as provided in s. ~~347.21 (1m) and (2)~~ ^{or} 347.225.

6 Whenever any train of agricultural vehicles is being operated under sub. (1) (d), the
7 train shall be equipped, as applicable, as provided in s. 347.21 ~~(1) and (2)~~ ^{or} 347.225.

8 The trailer hitches of a train of agricultural vehicles shall be of a positive nature so
9 as to prevent accidental release.

10 **SECTION 17. Nonstatutory provisions.**

11 (1) The department of transportation shall submit in proposed form the rules
12 required under section 347.225 ~~(11)~~ ^{(10) ✓} of the statutes, as created by this act, to the
13 legislative council staff under section 227.15 (1) of the statutes no later than the first
14 day of the 4th month beginning after the effective date of this subsection.

15 (2) Using the emergency rules procedure under section 227.24 of the statutes,
16 the department of transportation shall promulgate the rules required under section
17 347.225 ~~(11)~~ ^{(10) ✓} of the statutes, as created by this act, for purposes of implementing this

18 act, for the period before the effective date of the rules submitted under subsection
19 (1). The department shall promulgate these emergency rules no later than the first
20 day of the 4th month beginning after the effective date of this subsection.

21 Notwithstanding section 227.24 (1) (c) and (2) of the statutes, these emergency rules
22 may remain in effect until July 1, 2008, or the date on which permanent rules take
23 effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the
24 statutes, the department is not required to provide evidence that promulgating a rule
25 under this subsection as an emergency rule is necessary for the preservation of the

unless the secretary of administration requires the department to prepare an economic impact report under section 227.137 of the statutes for the proposed rules

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1 public peace, health, safety, or welfare and is not required to provide a finding of
2 emergency for a rule promulgated under this subsection.

3 **SECTION 18. Effective dates.** This act takes effect on the first day of the 4th
4 month beginning after publication, except as follows:

5 (1) The treatment of section 347.225 ~~(1)~~^{(10) ✓} of the statutes and SECTION 17 (1) and
6 (2) of this act take effect on the day after publication.

7 (END)

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a.r.

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§ - Note

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1463/P1ins
ARG:.....

INSERT ANAL:

Under this bill, a dealer may not sell farm equipment that can be operated on a highway and that is manufactured on or after ^{approximately} one year after the bill's effective date unless it is equipped with lights, reflectors, and visibility material as required under the bill, but a dealer may sell such farm equipment manufactured before one year after the bill's effective date if it meets applicable requirements under current law. Accordingly, the bill does not require dealers to retrofit existing farm equipment.

Under current law, if a dealer or a person in the business of repairing farm equipment (servicer) fabricates a guard, shield, or other part that has the purpose of preventing injury to humans (safety device) and installs the safety device on used farm equipment, and certain conditions are met, tort liability of the dealer or servicer for damages arising from the safety device is generally limited to actions in negligence rather than strict liability. This bill extends this same liability limitation currently applicable for fabrication and installation of guarus, shields, and other parts to lighting systems, electrical systems, and visibility marking systems as well.

INSERT 5-1:

SECTION 1. 100.47 (2) (c) of the statutes is renumbered 100.47 (2) (c) 1. and amended to read:

100.47 (2) (c) 1. ~~Lights and~~ Subject to subd. 2., lights, reflectors, and visibility material meeting the applicable requirements under ch. 347, if farm equipment that can be operated on a highway.

History: 1993 a. 455; 1993 a. 491 s. 142; Stats. 1993 s. 100.47.

SECTION 2. 100.47 (2) (c) 2. of the statutes is created to read:

100.47 (2) (c) 2. For farm equipment manufactured before ~~one year~~ ^{the first day of the 13th month beginning} after the effective date of this subdivision ... [revisor inserts date], lights and reflectors meeting the applicable requirements under ch. 347, 2003 stats., if farm equipment that can be operated on a highway.

INSERT 6-10:

(2) No person shall may operate on a highway, at times other than hours of darkness, any train of agricultural vehicles authorized by s. 348.08 (1) (b) unless there is displayed a red flag at least 12 inches square on each rear corner of the rearmost vehicle in the train. If all vehicles in the train of agricultural vehicles authorized by s. 348.08 (1) (b) were manufactured on or after one year after the effective date of this subsection ... [revisor inserts date], the train of agricultural vehicles shall comply with the requirements of s. 347.225.

the first day
of the 13th
month
beginning

History: 1979 c. 143, 355; 1981 c. 276; 1981 c. 391 s. 210; 1987 a. 164.

INSERT 22-9:

SECTION 3. 895.495 (1) (b) of the statutes is amended to read:

895.495 (1) (b) "Safety device" means a guard, shield, lighting system,
electrical system, visibility marking system, or other part that has the purpose of preventing injury to humans.

History: 1993 a. 455.

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1463/P1ins2
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INSERT 14-3:

(ad) If the agricultural implement obscures the visibility of any tail lamp on the towing vehicle when viewed from the driver's seat of a vehicle following, the lamps described under par. (a) 1.

(ag) If the agricultural implement obscures the visibility of any warning or clearance lamp on the towing vehicle when viewed from the driver's seat of a vehicle following, the lamps described under par. (a) 2.

(am) If the agricultural implement obscures the visibility of any directional signal lamp on the towing vehicle when viewed from the driver's seat of a vehicle following, the lamps described under par. (a) 3.

(ar) If the agricultural implement obscures the visibility of any auxiliary or clearance lamp on the towing vehicle when viewed from the driver's seat of a vehicle following, the lamps described under par. (a) 4.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1463/P1dn
ARG:.....

ATTN: Kristina Boardman

The attached bill, redrafted from 2003 LRB-2470/P2, makes significant changes. As discussed at our meeting, the attached draft does the following:

1. Maintains the provisions of 2003 LRB-2470/P2 with respect to "new" agricultural vehicles and implements (those manufactured after one year after the bill's effective date).
2. Maintains the provisions of 2003 LRB-2470/P2 with respect to "old" agricultural vehicles and implements operated during hours of darkness, subject to item 4. below.
3. Eliminates all provisions of 2003 LRB-2470/P2 with respect to "old" agricultural vehicles and implements operated during daylight hours, thereby retaining current law.
4. Provides that dealers are not required to retrofit "old" agricultural vehicles and implements, but are required to comply with current law.
5. Provides a limited liability exemption for dealers related to (voluntary) lighting, marking, and electrical system retrofits of agricultural vehicles and implements.

Please let me know if you want any changes made to the attached draft. If the attached draft meets with your approval, let me know and I will convert it to an introducible "1" draft.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

The attached draft also incorporates various technical or stylistic changes suggested by the LRB editor, including changing the "trigger" date of various provisions from "one year after the effective date" to "the first day of the 13th month beginning after the effective date."

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1463/P1dn
ARG:cjs:pg

February 9, 2005

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