

To: ARG  
From: CJS  
Re:LRB-2470/P2

Aaron - Since you were out of the office and this was only a /P2 draft, I sent it through. However, I did have these questions for you:

Chris

Relating clause

Does the bill provide an exemption from rule-making procedures that is distinct from the exemption from emergency rule procedures?

15-18

Should the x-ref to sub. (5) be modified to say "sub. (5) or (9m)," as has been done at 16-18?

INS ANAL-A and INS ANAL-B

The language in these analysis inserts does not capture the sense of the corresponding language that has been added to the bill, because "owner," as used in the inserts, can mean any subsequent owner, not just the owner on the effective date of the bill.

INS 6-16

If "own" means "the leasing of," then both the lessee and the lessor will be owners of the thing leased, since they both lease it (one leases it from the other, and one leases it to the other). Is that OK? Also, should this definition be mentioned in the analysis?

INS 11-12 and INS 17-8

If the owner on the effective date of the paragraph sold the vehicle or implement and later bought it back from the person he or she had sold it to, would the vehicle or implement be again exempt from the requirements of the relevant par. (a)?

INS 21-14

In subsection (2), three lines in, is the phrase "for purposes of implementing this act" necessary?

Analysis, item 1, four lines in.

I changed the reference to say, "page 17, line 8."

temp stuff  
of ARG

## Gary, Aaron

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**From:** Boardman, Kristina  
**Sent:** Monday, June 28, 2004 2:27 PM  
**To:** Gary, Aaron  
**Subject:** RE: LRB 2470/P1

Aaron:

Thank you so much for all of your work on this. I am sure your love for this topic is just as unwavering as mine.....

I am going to try and review what I think the primary issues are with this draft - by section. Yes, this is the official "Kristina's dumbed-down version".

### Section 1 and 2 - fine

### Section 3

This section requires some retrofitting of ag vehicles operated during hours of darkness. I do not think my boss has any concerns with this issue - however I will discuss with him the option of a two-year phase-in.

### Section 4

This section requires some retrofitting of ag vehicles operated during daylight hours. I am going to check to see if this was intended. Also this section needs to add a sub 3 referencing "non-reflective red-orange fluorescent material".

### Section 5

This section includes some minor retrofits - but only during hours of darkness operation. I will confirm this intention - and inquire whether or not a 2-year phase-in is desired.

### Section 6

Again, minor retrofits during hours of darkness. I will confirm this intention - and inquire whether or not a 2-year phase-in is desired.

### Section 7

This section requires retrofitting of ag implements towed during daylight hours. I confirm whether or not retrofitting was intended.

### Sections 8 and 9 - fine

### Section 10

I do not think my boss would have concerns with expanding rotating beacon and strobe permissive authority to all ag equipment. I will confirm this.

Section 11 - fine

Please let me know if I have absorbed the main issues here. I will follow-up with the interested legislators, and get back to you.

Thanks again,  
Kristina

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

**From:** Gary, Aaron  
**Sent:** Friday, June 25, 2004 4:17 PM  
**To:** Boardman, Kristina  
**Subject:** RE: LRB 2470/P1

Hi Kristina,

I will address the comments in the review memo using the same item identification as in the memo:

1. 347.225 (1) (a) [p.1]: The draft needs to effectively merge not only the new provisions of the draft but also all existing law being retained. This suggested revision unduly narrows the scope of the definition. "Motor vehicle" includes "agricultural vehicle" and other vehicles as well. An agricultural instrument being pulled by an ordinary truck at night presents the same lighting dangers as one pulled by a farm tractor. This suggested change would exempt from the scope of these laws anything being towed by a vehicle other than a farm tractor or self-propelled implement. I would not recommend narrowing the scope in this fashion.
2. 347.225 (2) [p.1]: Yes, highway is a defined term that basically includes all public roads.
3. 347.225 (2) (a) [p.1]: With respect to this comment and many of those that follow, it is very unusual to place performance standards in a statute (although it has been done). Typically performance standards are established by DOT by rule or operating procedure. There are three advantages to doing it this way: First, the legislative process is long and uncertain. Once the bill is passed, the text is set in stone until changed. If the statute references an ASAE or SAE standard that, for example, is revised and renumbered, there is no ready way to adopt the change within the statutes. It is typically much easier and quicker to change an admin. rule than a statute. Second, DOT has the technical expertise and it makes more sense for DOT to get into this kind of technical detail than to do it in the statutes. Third, as a general drafting principle, putting technical detail in statutes impairs their readability and ease of use. For these reasons, rather than putting performance standards in the statutes, the bill simply provides (in s. 347.225 (11)) that DOT must establish performance standards that comply with ASAE and/or SAE. This approach was discussed at the initial meeting on the draft on April 2, 2003 and I was given the go-ahead to proceed in this fashion.
4. 347.225 (2) (b) [p.1]: I have attempted to maintain language consistent with that currently in the statutes and have tried not to jettison aspects of existing law that appear consistent with the drafting request. As the review memo recognizes, in many instances the existing requirement for lighting of ag vehicles is that the lighting meet the requirements for other vehicles, which requirements typically include lamps mounted at the same elevation. Since this is not inconsistent with the drafting instructions, I have retained this aspect of current law, including adopting the specific language of current law.
5. 347.225 (2) (e) 1. [p.2]: The statutes cover lighting and marking of most vehicles, of which these agricultural vehicles are just a part. DOT must administer the whole. While I agree that the language in the draft is a little odd, it works and it is identical to language used for the same purpose elsewhere in the statutes - see ss. 347.16 (1) (c) and 347.18 (1). I would prefer to keep this language as drafted.
6. 347.225 (3) [p.3]: Hours of darkness is a defined term for purposes of ch. 347. see s. 340.01 (23).
7. 347.225 (3) (a) [p.4.]: The current law requirement referenced in the comment (s. 347.22 (1)) is repealed by this bill - it is inconsistent to create specific requirements for ag vehicles and then to say that they are governed by the general requirements of non-ag vehicles. With regard to the issue of retrofitting, it was implicit in the drafting instructions that retrofitting would be necessary for some vehicles. If you decide that you do not want to require retrofitting, but instead to make the bill prospective so that it "phases in," I think there are some pretty straightforward ways of doing this (for example, applying it to ag vehicles manufactured at any time before 1 year following eff. date but sold after eff. date of bill).
8. 347.225 (3) (b), (c), and (d) [p.4]: see response under item 7.
9. 347.225 (4) (a) [p.5]: see response under items 5. and 7.
10. Missing section [p.5]: It looks like I did miss the non-reflective red-orange fluorescent material. A new subdivision 3. should be added after p. 10, line 23 of the draft, adding material identified at p. 8, line 23 of the draft.
11. 347.225 (5) (c) [p.7]: "Reflector" is generally the term used in other, related statutes.
12. 347.225 (5) (e) [p.8]: I believe this is OK. The referenced provision does include treatment of the yellow reflective

material (see draft, p. 14, lines 11-14) and, while the red reflectors are not required under drafting instruction provision 14 (6), they are, I believe, required under drafting instruction provision 14 (5).

13. 347.225 (9) [p.11]: A tractor is a motor vehicle.

14. 347.225 (10) [p.11]: I interpreted the drafting instructions, particularly provision 1 (4), to mean that, if not otherwise specified, provisions should apply only to equipment manufactured after the effective date. This can be easily changed, if necessary.

As a final note, I understand that AEM is pursuing model legislation in many states, and that AEM needs consistency in requirements among states. However, in drafting the legislation, it is simply impossible to apply a "cookie-cutter" approach, as the form of statutes varies greatly from state-to-state. Ideally, since there is a fair amount of existing law on lighting and marking ag vehicles, it would have been easier for us if AEM had identified what changes needed to be made to Wisconsin's existing law rather than tossing out existing law without examination and squeezing a pre-fabricated package in its place. To the extent the draft varies in style from the "model legislation" provided as drafting instructions, this is necessitated by variations in the form of statutes from state-to-state - as a follow up to the March 7, 2003 memo of Joel Riemer of AEM stating that "Legislation based on this model bill was signed into law in the state of Illinois (1999) and Ohio (2000)," I asked him to send me copies of that legislation - as with the attached draft, the form of the Illinois and Ohio legislation is tailored to the Illinois and Ohio statutes and, in style, looks quite dissimilar to the "model legislation" provided as the drafting instructions. (If you want to see copies of the Illinois and Ohio legislation, let me know and I will forward it.) Nonetheless, I think the LRB-2470/P1 draft tracks closely with the substance of the AEM "model legislation", tailored to the language and contours of existing Wisconsin law. As you indicate in your e-mail, the main issue seems to be retrofitting, a matter implicit in the drafting instructions (preventing any ag vehicle or ag implement from being operated on a highway unless equipped as specified), but it appears this issue may need to be revisited. (I note that the issue of retrofitting was present in 2001 Act 58, which prohibits operation of a school bus unless it is equipped with crossing gates for safety. see s. 347.445. The act, as passed, does require school buses to be retrofitted. I think ultimately it was determined that, since it was a safety issue, retrofitting was justified, but a delayed effective date of 2 years gave school bus owners/operators time to meet the requirement.)

Have a good weekend. Aaron

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

**From:** Boardman, Kristina  
**Sent:** Monday, June 21, 2004 4:09 PM  
**To:** Gary, Aaron  
**Cc:** Napralla, Erin  
**Subject:** LRB 2470/P1

Aaron:

Last September you forwarded a preliminary draft (LRB 2470/P1) to our office regarding lighting and marking of agricultural related vehicles, and altering this language to correspond with AEM (Assoc. of Equipment Manufacturers) model legislation. Members subsequently expressed some retrofit concerns, and frankly I moved the topic to the back burner since there was so much other stuff going on.

Since that time, I have asked AEM to review the preliminary draft, and offer suggestions on what we can do to help our draft correspond with the AEM standards. I have just received this response, and I wanted to forward a copy to you.

Rep. Ainsworth would like to pursue this topic next legislation session. To that end, I was hoping to get

some of the legwork out of way this summer when things are less busy. Do you think that sometime, when you have a chance, you could review the attached correspondence from AEM - and offer any comment?

The big concern seems to come from the "retrofit" issue. I don't think my boss has a real concern with retrofitting vehicles that will be traveling during the hours of darkness - but I will double check on that.

Maybe we could set up a time to talk on this issue, once you have had an opportunity to review the letter.

Thanks in advance for your help on this.

Kristina

<< File: Technical Review of LRB 2740 May 2004.doc >>

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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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.

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***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

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 one year after the bill's effective date may not be operated on a highway:

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:

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 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.

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

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

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

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

6           347.06 (3) The operator of a vehicle shall keep all lamps and, reflectors, and  
7 visibility material with which such vehicle is required to be equipped reasonably  
8 clean and in proper working condition at all times.

9           **SECTION 3.** 347.21 (1) of the statutes is renumbered 347.21 and amended to  
10 read:

11           **347.21** LAMPS AND FLAGS ON TRAINS OF AGRICULTURAL VEHICLES. No Except as  
12 provided in s. 347.225, no person shall may operate on a highway during hours of

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 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 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           (5) No person may tow an agricultural implement manufactured on or after one  
19 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. 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, except that 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.

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

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) An agricultural implement 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 (6) 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 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. (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. (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. (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. (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 (8) No person may operate upon a highway an agricultural vehicle  
12 manufactured on or after 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 (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           **(9m)** Notwithstanding sub. (5) (a) 2. and s. 347.06 (1), an agricultural  
2 implement manufactured on or after one year after the effective date of this  
3 subsection .... [revisor inserts date], that complies with all requirements under sub.  
4 (5) other than sub. (5) (a) 2. 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. (5) (a) 2. 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. (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. (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 (5) (a) 1.

20           **(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           **(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 (12), 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.

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

3           **347.225 (12)** ~~An implement of husbandry which~~ agricultural vehicle that is an  
4 all-terrain vehicle need only comply with the lamp requirements established under  
5 s. 23.33 (6).

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

7           **347.245 (1)** After January 1, 1970, no person may operate on a highway, day  
8 or night, any vehicle or equipment, any animal-drawn vehicle, or any other  
9 machinery, including all road machinery, that usually travels at speeds of less than  
10 25 miles per hour or any vehicle operated under a special restricted operator's license  
11 issued under s. 343.135, unless there is displayed on the most practicable visible rear  
12 area of the vehicle or combination of vehicles, a slow moving vehicle (SMV) emblem  
13 as described in and displayed as provided in sub. (2). Any towed vehicle or machine  
14 is exempt from this provision if the towing vehicle is visible from the rear and is in  
15 compliance with this section. All road machinery is excluded when it is engaged in  
16 actual construction or maintenance work either guarded by a flagman or clearly  
17 visible warning signs. Except as provided in ~~s. ss.~~ 347.21 (1) and 347.225, the  
18 requirement of the emblem shall be in addition to any lighting devices required or  
19 permitted by law. Mopeds and motor bicycles are excluded from the provisions of this  
20 section unless they are operated under a special restricted operator's license issued  
21 under s. 343.135. Electric personal assistive mobility devices are excluded from the  
22 provisions of this section. The SMV emblem need not be displayed on vehicles  
23 moving directly across the highway.

24           **(2)** Standards and specifications for the design and position of mounting of the  
25 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.~~ ss. 347.21 (1) and 347.225, no person shall display  
9 such emblem on any vehicle or equipment not specified in sub. (1).

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 (1m) of the statutes is created to read:

14 347.27 (1m) 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

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)~~ 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) 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) 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

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 (11) of the statutes and SECTION 17 (1) and  
6 (2) of this act take effect on the day after publication.

7 (END)