

STATE OF WISCONSIN)
DEPARTMENT OF TRANSPORTATION)

SS.

*Filed December 9, 1975
2:00 pm B. L. Paulson*

MVD 5

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Harold W. Meyer, Deputy Administrator of the Division of Motor Vehicles of the Wisconsin Department of Transportation, and legal custodian of the official records of said Division, (in the absence of the Administrator) do hereby certify that the annexed, attached revisions to Chapter MVD 5 of the published Wisconsin Administrative Code, entitled "Standards for Motor Vehicle Equipment" marked "Exhibit A," has been duly approved and adopted by me as Deputy Administrator of said Division this 9th day of December 1975.

I further certify that these newly-adopted rules attached to my Order as "Exhibit A," which are being filed with the offices of the Revisor of Statutes and Secretary of State, respectively, have been compared by me with the original on file in this Division, and that each respective copy, including "Exhibit A" is a true and correct copy of the original on file with this Division.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Transportation at the Hill Farms State Office Building in the city of Madison, Wisconsin, this 9th day of December, 1975.

Harold W Meyer

Deputy Administrator
(in the absence of the Administrator)
Division of Motor Vehicles
Wisconsin Department of Transportation

(SEAL)

BEFORE THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF WISCONSIN

DIVISION OF MOTOR VEHICLES

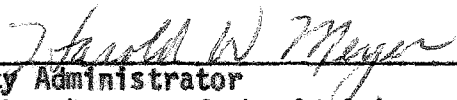
IN THE MATTER OF AMENDING, CREATING, REPEALING *
AND RE-CREATING CERTAIN PORTIONS OF CHAPTER *
MVD 5 OF THE WISCONSIN ADMINISTRATIVE CODE, * ORDER ADOPTING RULES
RELATING TO MOTOR VEHICLE INSPECTION *

Pursuant to authority vested in the Administrator of the Division of Motor Vehicles of the Wisconsin Department of Transportation under Section 110.06, Wis. Stats.; and, more specifically as made and provided in 110.075, Wis. Stats., and in accordance with Chapter 227 of the Wisconsin Statutes; and after due notice and public hearing held the 26th day of February 1975, at 10:00 a.m., at the Quality Inn, 4916 East Broadway, Madison, Wisconsin; and, after giving due consideration to the objections and suggestions of those persons attending such public hearing relative to various portions of the rule;

IT IS HEREBY ORDERED, That Chapter MVD 5 of the Wisconsin Administrative Code, entitled "Standards for Motor Vehicle Equipment" is hereby amended, created, repealed and re-created as made and provided in "Exhibit A" attached hereto, adopted hereby, and made a part of this Order by reference.

This rule shall become effective February 1, 1976.

Dated at Madison, Wisconsin, this 9th day of December, 1975.



Deputy Administrator
(In the absence of the Administrator)
Division of Motor Vehicles
Wisconsin Department of Transportation

(SEAL)

The following portions of MVD-5 are revised:

- MVD 5.12 - Steering and Suspension
- MVD 5.14 - Tires, Wheels and Rims
- MVD 5.22 - Brakes
- MVD 5.24 - Exhaust and Fuel Systems
- MVD 5.54 - Windshield Wipers
- MVD 5.61 - Restraining Devices and Seats
- MVD 5.63 - Bumper, Fender and Projecting Parts
- MVD 5.66 - Homemade or Reconstructed Motor Vehicles

No changes were made, as requested by petitioner,
in the following portions:

- MVD 5.29 - Front Direction Lamps
- MVD 5.32 - Rear Direction Lamps
- MVD 5.37 - Side Marker Lamps and Reflectors
- MVD 5.38 - Flashing Warning Lamps

Subchapter I

STEERING--SUSPENSION

MVD 5.12 Steering and suspension. (1) The steering and suspension of every motor vehicle shall be maintained in proper working condition and in conformity with this section. The steering linkage shall not be worn or jammed nor shall the steering system have excessive lash. The belts assisting the power steering unit shall be in proper working condition. Every motor vehicle originally equipped with a steering wheel shall have a steering wheel of the same size in proper working condition. The steering wheel shall be secured to the steering shaft by a locking device in the same manner as originally installed. Every motor driven cycle shall be equipped with handlebars meeting the requirements of Section 347.486 of the Wis. Stats. Any motor driven cycle with a modified front suspension system so modified before January 1, ~~1975~~ 1976 shall have a rake of no more than ~~43°~~ 55° nor a trail of less than 2 inches. Any motor driven cycle commencing with the ~~1975~~ 1976 models shall not be modified in any way to cause the front suspension system to have a rake of more than ~~40°~~ 50° nor a trail of less than 2 inches. The springs, shackles, and cross stabilization linkage including torsion bars shall be in proper adjustment and not be loose, disconnected or broken. No alterations or modifications may be made to the suspension system, axles or chassis that would cause any portion of the vehicle except motor driven cycles to ride higher or lower by more than 2 inches from that specified by the manufacturer when measured from the level surface upon which the vehicle stands. Such alterations purpose shall be to strengthen the suspension system. Use of extended shackles shall be an unsafe modification. Every vehicle except motor driven cycles originally equipped with shock

absorbers shall have shock absorbers in all places as originally equipped. A motor driven cycle shall be equipped with a shock absorbing front suspension system. The main tubes or sliding tubes on a telescoping front suspension system shall be of one piece construction. Screw on extensions (slugs) shall not be used. All shock absorbers shall be in proper working order and free of leaks. It shall be unlawful for any vehicle to be operated on a highway if:

(a) The steering is loose or is binding at any point of the turning cycle. The lash is in excess of 1/8 of one complete turn of the steering wheel. The steering linkage has broken, disconnected, or noticeably loose parts.

(b) The shocks absorbing units are ineffective, leaking, or improperly modified.

(c) The vehicle is noticeably out of alignment.

(d) The springs or shackles are broken or extended shackles are used.

(e) Any modification has been made to any part of the suspension system, axle, or chassis except on motor driven cycles which would cause any portion of the vehicle to ride higher or lower by more than 2 inches from that specified by the manufacturer when measured from the level surface upon which the vehicle stands.

(f) The belts assisting the power steering unit are loose, frayed or cracked or any portion of the power steering mechanism is disconnected.

(g) The vehicle does not have a proper steering wheel or the steering wheel is not securely fastened as required by this subchapter.

(h) The vehicle is a motor driven cycle and does not have proper handlebars.

(i) The vehicle is a motor driven cycle and the front suspension system has been modified with an illegal rake or trail.

Subchapter II

TIRES, WHEELS AND RIMS

MVD 5.14 Tire, wheel and rim. (1) The tires, wheels and rims on every motor vehicle, trailer, semi-trailer, and mobile home shall be maintained in proper condition and in conformity with this section. Every tire shall have no less than 2/32 inch tread depth. The depth shall be measured at 2 points no less than 15 inches apart in any major tread groove at or near the center of the tire. All tires on vehicles with an empty weight of less than 6000 pounds shall be of such size so as not to protrude, by more than 2 inches, beyond the manufacturer's original body or fender line at the highest point of the tire. All tires shall be adequately covered to comply with section 5.63 Wis. Adm. Code. Any combination of suspension change or tire or wheel size change shall raise or lower the vehicle except motor driven cycles no more than 2 inches from that specified by the manufacturer when measured from the level surface upon which the vehicle stands. It shall be unlawful for any vehicle to be operated on a highway if:

(a) The tire has been repaired by use of a blow-out patch or boot.

(b) There are tread cuts or snags in excess of one inch in any direction as measured on the tire which are deep enough to expose or damage the body cords or there is a bump, bulge, knot, sidewall separation or failure or partial failure of the tire structure.

(c) The tire has been stamped or marked "For off highway use," "For farm use only," "Not for street use," "For racing only," or which is stamped or marked in any other manner so as to indicate that such tire is not to be operated on a highway.

(d) The tire is worn to the point where part of the ply or cord construction is exposed or there is less than 2/32 inch tread depth measured at 2 points no less than 15 inches apart in any major tread groove at or near the center of the tire.

(e) The tire has been regrooved or recut and is being used on a passenger car or motor driven cycle, except tires that are specifically designed for commercial vehicles and manufactured in such a manner that regrooving or recutting is an acceptable and safe practice. See section 347.45(4) Wis. Stats. regarding tire equipment.

(f) The studded tires are on the vehicle during the period when use is prohibited.

(g) The wheels or rims are damaged so that continued use may be hazardous.

(h) The vehicle has loose or missing wheel nuts, lugs or bolts.

(i) The vehicles empty weight is less than 6000 pounds and is equipped with tire(s) of such size that it protrudes by more than 2 inches beyond the manufacturer's original body or fender line at the highest point of the tire or any combination of suspension change or tire or wheel size change that shall raise or lower the vehicle except motor driven cycles more than 2 inches from that specified by the manufacturer when measured from the level surface upon which the vehicle stands.

Subchapter III

BRAKES

MVD 5.22 Brakes. (1) The brake system on every motor vehicle shall be maintained in proper working condition and in conformity with this section. except that a motor driven cycle need only have one brake meeting the requirements of Chapter 347.35(2) Wis. Stats. The vehicle shall have no noticeable side pull when the brakes are applied. Brake pedals shall have no less than 20% of total travel left when fully depressed. The brake systems shall be connected and free of leaks. It shall be unlawful to operate any vehicle upon a highway if:

- (a) The vehicle stops with obvious side pull.
- (b) There is insufficient pedal reserve or the pedal fades under pressure.
- (c) The cables are frayed or hoses are abraded.
- (d) There is excessive grease, oil, or fluid on the wheel that may have contaminated the braking surface.
- (e) Any portion of the total braking mechanism is disconnected or any portion of the system leaks. except that a motor driven cycle need only comply with the requirements of Chapter 347.35(2) Wis. Stats.
- (f) The parking brake mechanism has no reserve, or fails to hold vehicle under load test, or the mechanism does not release under normal conditions.

Subchapter IV

EXHAUST AND FUEL SYSTEMS

MVD 5.24 Exhaust and fuel systems. (1) The exhaust and fuel systems on every motor vehicle shall be maintained in proper working order and in conformity with this section. All vehicle emission control devices originally installed by the manufacturer or comparable tested replacement devices shall remain installed and in proper working order. Piping used in exhaust systems shall be of the rigid type. Flexible tubing shall not be acceptable for use in the exhaust system except in its use in motor driven cycles, road tractors, truck tractors, or trucks over 10,000 pounds GVW, where the connection is outside the cab line. Every exhaust system, so located as to be hazardous to a person outside the vehicle or to a person entering or leaving a vehicle shall have a protective shield to prevent such persons from being burned or injured. Every motor driven cycle must have a protective shield only if the exhaust system is above and to the rear of the foot pegs, and if such vehicle was originally equipped with a protective shield over the exhaust system or parts thereof. It shall be unlawful for any vehicle to be operated on the highway if:

(a) The muffler or any part of the exhaust system has been repaired by an inadequate patch, is not adequate for discharging fumes, or non-rigid type tubing is used except in the case of motor driven cycles, road tractors, truck tractors or trucks over 10,000 pounds GVW where the connection is outside the cab line.

(b) The tail pipe does not extend to the outside body line of the vehicle or manufacturers standard except that motor trucks or road tractors or truck tractors shall have the exhaust outlet extend to the rear of the vehicle cab.

(c) There is excessive noise, indicating an illegal, worn out, or modified muffler.

(d) The exhaust system is modified to pass through the passenger compartment.

(e) The fuel system inspection discloses leakage.

(f) The fuel cap is missing or the fuel tank is not rigidly attached to the vehicle or there is any fuel tank in the passenger compartment other than that installed by the manufacturer or there is a homemade fuel tank in the engine compartment or trunk of the vehicle.

(g) The vehicle emission control system or any part thereof when installed as original equipment or comparable tested replacement devices has been removed or disconnected.

(h) Any part of the exhaust system is exposed where it is hazardous to a person outside the vehicle and does not have a protective shield or if a motor driven cycle and the exhaust system has no protective shield on that portion of the system above and to the rear of the foot pegs and the motor driven cycle was originally equipped with a protective shield over the exhaust system or parts thereof.

Subchapter VII.

WINDSHIELD WIPERS, MIRRORS, AND
SPEED INDICATOR

MVD 5.54 Windshield wipers. (1) The windshield wiper system of every motor vehicle shall be maintained in good working condition and in conformity with this section. All vehicles originally equipped with 2 wiper arms and 2 wiper blades (one set on the driver's side and one set on the passenger side) must have both in place. Every automobile manufactured after January 1, 1950 or assembled after January 1, 1975 shall have at least 2 windshield wipers; or a windshield wiper that meets the wiping requirements of FMVSS 104.

Every windshield wiper shall be as large as practicable to adequately clear the windshield. The windshield wiper switch, wiring or connections shall be in proper working condition. Every vehicle originally equipped with a windshield washer system shall have it installed and maintained in operating condition with adequate fluid available when the mechanism is activated. It shall be unlawful for any vehicle to be operated on a highway if:

(a) Any windshield wiper arm or blade is missing or fails to function by the use of either an electric motor, or hydraulic or vacuum device.

(b) Any windshield wiper blade is not in good condition.

(c) Any windshield wiper does not adequately clear the windshield.

(d) Any windshield wiper switch, wiring or connections are in poor condition.

(e) The windshield washer system is removed or is not in functioning condition.

Subchapter VIII

BODY-AND-SHEET-METAL

MISCELLANEOUS

MVD 5.61 Restraining devices and seats. (1) The restraining devices and seats of every motor vehicle shall be maintained in proper working condition and in conformity with this section. All safety belts shall be of the approved type in accordance with the Society of Automotive Engineers Standards for Motor Vehicle Seat Belt Assemblies (SAE-J4c). Every passenger car manufactured after January 1, 1969 or assembled after January 1, 1975 shall be equipped with head restraints. This standard is obtainable from the Society of Automotive Engineers, 485 Lexington Avenue, New York, N.Y. 10017. This reference is also available in the office of the division of motor vehicles, the revisor of statutes, and the secretary of state.

(2) The seat and seat mechanisms of every motor vehicle shall be in proper working condition. All restraining devices originally installed on a vehicle shall remain installed or may be replaced with similar type devices which meet the SAE specification (SAE-J4c). ~~All-seat-belt-warning-systems-originally-installed-on-a-vehicle shall-be-in-proper-working-condition.~~ It shall be unlawful for any vehicle to be operated on a highway if:

(a) The vehicle is not equipped with required restraining or warning devices.

(b) The restraining devices or installation is non-standard or does not meet the SAE specification, SAE-J4c.

(c) The restraining device material is frayed, split, torn, or brittle.

(d) The anchors for any restraining devices are loose.

(e) The restraining device latch mechanism is loose or inoperative.

(f) The seat is loose or the seat mechanism does not function properly.

Subchapter VIII.

MVD 5.63 Bumper, fender and projecting parts. (1) The bumpers and fenders on every motor vehicle shall be maintained in good condition and in conformity with this section. Every passenger vehicle and ~~motor-driven-cycle~~ shall be equipped with adequate fenders covering the front and rear tires to prevent splashing of water and throwing gravel, stones or other objects. Every motor driven cycle shall have adequate fender covering the rear wheel(s). All fenders shall be free of severely rusted or damaged material which may cause injury or cause the fenders to be ineffective. All fenders shall be of sufficient width to completely cover the tire at its highest point. All fenders on passenger vehicles shall be of sufficient length to cover the tire from 15 degrees to the front to 60 degrees to the rear when measured at the center of the axle from a vertical plane. ~~After-January-17-1975~~ Every motor driven cycle shall have adequate fenders as provided by the manufacturer or in the absence of original equipment, a fender of a size not less than that provided by the manufacturer covering primarily the same area of tire surface except that no fender is required to cover the front wheel. Every passenger vehicle except motor driven cycles, shall be equipped with an adequate bumper on the front and rear of the vehicle. Every passenger vehicle shall be equipped with the same type of bumper as originally equipped or a bumper equivalent in size, strength, and surface area. Bumpers shall be of sufficient strength to permit the fully loaded vehicle to be in such condition that may be hazardous to pedestrians or cyclists. No part of the vehicle or any vehicle accessory shall project away from the vehicle in a hazardous manner. It shall be unlawful for a

vehicle to be operated if:

(a) Any required bumper or fender has been removed or the vehicle is not equipped with bumpers or fenders.

(b) Any bumper or fender is not securely mounted or is not adequate.

(c) Any bumper, fender or other part of the vehicle is damaged or distorted so that it projects away from the vehicle creating a hazard.

(d) Any fender on a passenger vehicle does not cover the tire lengthwise from 15 degrees to the front and 60 degrees to the rear when measured on a vertical plane at the center of the axle or if it does not completely cover the tire at the highest point of the tire to reasonably restrict objects or matter from being thrown about or if a motor driven cycle does not have a rear fender as provided by the manufacturer or a similar fender covering primarily the same area as that covered by the original equipment.

(e) The bumper is of a smaller size than originally equipped.

Subchapter IX

HOMEMADE, OR RECONSTRUCTED MOTOR VEHICLES

MVD 5.66 Homemade, or reconstructed motor vehicles. (1) Any homemade or reconstructed vehicle registered as a homemade or reconstructed vehicle before January 1, ~~1974~~ 1975 shall be exempt from the provisions of this section. To be exempt the vehicle must in fact be a homemade or reconstructed vehicle and be currently titled and registered for highway operation in Wisconsin. After January 1, ~~1974~~ 1975 every homemade or reconstructed motor vehicle shall comply with the standards set forth in this section and all other applicable vehicle equipment standards specified in this administrative rule and chapter 347 of the Wis. Stats. After January 1, ~~1974~~ 1975 RECONSTRUCTED vehicles based upon body styles whose original manufacture was covered by Federal Motor Vehicle Equipment Standards shall continue to meet those standards from the year of original manufacture. After January 1, ~~1974~~ 1975 RECONSTRUCTED vehicles based upon body styles whose original manufacture was not covered by Federal Motor Vehicle Standards shall not be required to update a reconstructed vehicle to current Federal standards. Exempt would be the requirement to meet federal emission standards where the use of a pre-1968 engine in the reconstruction would make compliance with such standards impractical. Every homemade or reconstructed vehicle using a 1968 model year engine or later will be required to maintain all such emission control devices that were originally a part of the engine or be replaced by equipment providing equivalent emission control. Every homemade or reconstructed vehicle, upon completion of its assembly, shall be registered as being the current year manufactured vehicle.

Every homemade or reconstructed vehicle, upon completion of its assembly, shall be inspected, prior to being registered, for compliance with this administrative rule and chapter 347 of the Wis. Stats. by an agent of the Division of Motor Vehicles. Every such vehicle shall be equipped with a steering wheel at least 13" in diameter except a motor driven cycle which shall be equipped with handlebars meeting statutory requirements. Every homemade or reconstructed vehicle shall have braking ability on every wheel except that motor driven cycles need only meet the statutory requirements of chapter 347.35(2) Wis. Stats. Every such vehicle except motor driven cycles shall be equipped with bumpers on the front and rear of the body. Each bumper shall extend to a width of 36 inches and the face of the bumper shall be at least 4 inches in height. Vehicles reconstructed to appear as an antique vehicle of original manufacture but constructed with current techniques may have bumpers that depict the type of bumper used on the original vehicle when manufactured. Each bumper must be of metal construction no less than 1/8 inch in thickness. Each bumper shall be securely attached to the vehicle with the capabilities of absorbing a reasonable degree of impact. Every bumper shall provide a point of contact between 14 and 22 inches from the level surface upon which the vehicle is standing. A push or tow type vehicle may be equipped with a bumper constructed of material other than metal. Every tire in contact with the road surface, except the front wheel on motor driven cycles, shall be sufficiently covered with fenders or flaps so as to prevent loose objects or matter from being thrown about. All fenders or flaps shall be securely fastened to the vehicle. Every fender shall meet the tire covering requirements set forth in

Section 5.63 Wis. Adm. Code except vehicles reconstructed to appear as an antique vehicle of original manufacture but constructed with current techniques may have fenders that depict the type of fender used on the original vehicle when manufactured. Every motor vehicle shall be equipped with an enclosure providing adequate coverage for engine pulleys, belts, chains and all external moving parts. The enclosure shall be made of rigid material. The rigid material used may be mesh if the openings do not exceed 1/4 inch. Vehicles originally manufactured as a recreational vehicle for off highway operation will not be eligible for registration. The burden of proof shall be on the manufacturer to prove that the vehicle under consideration does meet the federal requirements for highway operation in cases where such use is questionable. Such vehicles include, but are not limited to, snowmobiles, mini-bikes, go-carts and all terrain vehicles. It shall be unlawful for any vehicle to be operated on a highway if:

- (a) The vehicle is not equipped with a bumper on the front and a bumper on the rear.
- (b) Any bumper is inadequate or not securely mounted.
- (c) The vehicle is not equipped with fenders.
- (d) Any fender is not adequate or is not securely fastened to the vehicle.
- (e) The vehicle is not equipped with a moving parts enclosure or the enclosure does not provide adequate coverage.
- (f) The vehicle has not been properly inspected.
- (g) The vehicle is not equipped with the required steering wheel.
- (h) The vehicle does not have required braking.

Subchapter VII

WINDSHIELD WIPERS, MIRRORS, AND
SPEED INDICATOR

MVD 5.54 Windshield Wipers. (1) The windshield wiper system of every motor vehicle shall be maintained in good working condition and in conformity with this section. All vehicles originally equipped with 2 wiper arms and 2 wiper blades (one set on the driver's side and one set on the passenger side) must have both in place. Every automobile manufactured after January 1, 1950 or assembled after January 1, 1975 shall have at least 2 windshield wipers; or a windshield wiper that meets the wiping requirements of FMVSS 104. This standard is obtainable from the National Highway Traffic Safety Administration, Nassif Bldg., 400 - 7th St., S.W., Washington, D.C. 20590. This reference is also available in the office of the division of motor vehicles, the revisor of statutes, and the secretary of state. Every windshield wiper shall be as large as practicable to adequately clear the windshield. The windshield wiper switch, wiring or connections shall be in proper working condition. Every vehicle originally equipped with a windshield washer system shall have it installed and maintained in operating condition with adequate fluid available when the mechanism is activated. It shall be unlawful for any vehicle to be operated on a highway if:

(a) Any windshield wiper arm or blade is missing or fails to function by the use of either an electric motor, or hydraulic or vacuum device.

(b) Any windshield wiper blade is not in good condition.

(c) Any windshield wiper does not adequately clear the windshield.

(d) Any windshield wiper switch, wiring or connections are in poor condition.

(e) The windshield washer system is removed or is not in functioning condition.