

No. 444, A.]

[Published May 25, 1949.

**CHAPTER 165.**

AN ACT to amend 85.08 (12) (c) and 85.91 (1) and (3); and to create 85.44 (10) of the statutes, relating to protection of blind pedestrians and examinations for operators' licenses, and imposing a penalty.

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

SECTION 1. 85.08 (12) (c) of the statutes is amended to read:

85.08 (12) (c) Such examination shall include a test of the applicant's eyesight; his ability to read and understand highway signs regulating, warning and directing traffic; his knowledge of the traffic laws (*including section 85.44 (10)*); and an actual demonstration of his ability to exercise ordinary and reasonable control in the operation of a motor vehicle. The person to be examined shall furnish a motor vehicle in safe operating condition, and shall appear at such time and place in the city or village of or nearest his residence as the department or its agent may designate.

SECTION 2. 85.44 (10) of the statutes is created to read:

85.44 (10) BLIND PEDESTRIANS. (a) No person, not wholly or partially blind, shall carry or use on any street, highway or public place any cane or walking stick which is white in color, or white trimmed with red.

(b) Every operator of a vehicle, before approaching within 10 feet of a pedestrian carrying such a cane or walking stick held in an extended or raised position, shall immediately come to a complete stop and take such precaution as may be necessary to avoid accident or injury to such pedestrian.

(c) Nothing in this subsection shall be construed to deprive any totally or partially blind person, not carrying such cane or walking stick of the rights of other pedestrians crossing highways, nor shall the failure of such totally or partially blind pedestrian to carry such cane or walking stick be evidence of any negligence.

SECTION 3. 85.91 (1) and (3) of the statutes are amended to read:

85.91 (1) Any person violating any provision of sections 85.11, 85.12 (2), (3), (4) and (6), 85.15 (4), 85.16 (1), (2) and (8), 85.17 (1), (2), (4) and (5), 85.18 (1), (4) to (6) and (8) to (11), 85.19 (2), (3) and (4), 85.21 to 85.23, 85.25 to 85.28, 85.31, 85.33, 85.34 (1) and (2), 85.35, 85.39 (1) and (2), 85.44 (1) to (9), 85.50, 85.61, 85.63 to 85.66, 85.67 (2) to (6) and 85.69 shall be punished by a fine not to exceed \$10 for the first offense and for the second or each subsequent conviction within one year thereafter, by a fine not to exceed \$25.

(3) Any person violating any provision of sections 85.13, 85.135, 85.14 (1), 85.40 (1) (c), (d), (e), (f) and (2) (a) and (b) and (3), ~~85.44 (10)~~, 85.81 and 85.83 shall be punished, in addition to any other penalty provided by law, by a fine not to exceed \$100 or by imprisonment in the county or municipal jail for not more than 6 months, or by both such fine and imprisonment. For the second or each subsequent conviction within one year thereafter such person shall be punished by a fine not to exceed \$200 or by such imprisonment not to exceed one year, or by both such fine and imprisonment.

Approved May 23, 1949.

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