LRBs0115/1 EVM:bjk:ph

ASSEMBLY SUBSTITUTE AMENDMENT 1, TO 2009 ASSEMBLY BILL 348

October 2, 2009 - Offered by Representative Parisi.

AN ACT to create 346.01 (1m) and 349.03 (5) of the statutes; relating to:

agreements to enforce traffic regulations on private roads located in

manufactured and mobile home communities.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, rules of the road apply exclusively upon highways. Current law defines "highway" to mean all public ways and thoroughfares and bridges on the same. "Highway" includes roads or driveways in publicly owned parks and in state forests that are open to the public for vehicular travel and roads or driveways that are on the grounds of public schools and institutions under the jurisdiction of the county. A private road or driveway is not included within the definition of a highway.

Under this substitute amendment, the owner of a private road or driveway within a manufactured and mobile home community may enter into an agreement with a city, village, town, or county to treat the private road or driveway as a highway for the purposes of traffic regulation enforcement. The agreement may limit the traffic regulations to be enforced on the private road or driveway under the agreement.

1

2

3

4

5

6

7

8

9

10

11

12

13

For further information see the *state and local* 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. 346.01 (1m) of the statutes is created to read:

346.01 (1m) In this chapter, in addition to the meaning given in s. 340.01 (22), "highway" includes a private road or driveway that is subject to an agreement for traffic regulation enforcement under s. 349.03 (5).

Section 2. 349.03 (5) of the statutes is created to read:

349.03 **(5)** (a) Notwithstanding sub. (1), a political subdivision, as defined in s. 349.025 (1) (b), may enter into a written agreement with the owner of a private road or driveway within a manufactured and mobile home community, as defined in s. 66.0435 (1) (cg), that is located within the boundaries of the political subdivision to enforce traffic regulations under ch. 346, or local ordinances in conformity with these regulations, on the private road or driveway.

(b) The agreement under par. (a) may limit the traffic regulations or ordinances to be enforced on the private road or driveway under the agreement.

14 (END)