

2009 ASSEMBLY BILL 59

February 17, 2009 – Introduced by Representatives BLACK, SHERMAN, MASON, BERCEAU, POPE-ROBERTS, POCAN, ZEPNICK, A. WILLIAMS and BALLWEG, cosponsored by Senators RISSER, MILLER, LEHMAN and HANSEN. Referred to Committee on Transportation.

1 AN ACT to repeal 346.80 (2) (c); to amend 346.95 (1); and to create 346.94 (20) 2 of the statutes; relating to: passing parked motor vehicles and opening motor 3 vehicle doors on highways and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, any person operating a bicycle or electric personal assistive mobility device (EPAMD) upon a roadway must exercise due care when passing a parked vehicle or a vehicle proceeding in the same direction, allowing a minimum of three feet between the bicycle or EPAMD and the vehicle and giving an audible signal when passing a bicycle or EPAMD proceeding in the same direction. This bill eliminates this requirement.

This bill also prohibits any person from opening any door of a motor vehicle located on a highway without first taking due precaution to ensure that his or her act will not interfere with the movement of traffic or endanger any other person or vehicle. A person who violates this prohibition may be required to forfeit not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for any subsequent conviction within a year.

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

SECTION 1. 346.80 (2) (c) of the statutes is repealed.

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1	SECTION 2. 346.94 (20) of the statutes is created to read:
2	346.94 (20) Opening motor vehicle door on highway. No person may open any
3	door of a motor vehicle located on a highway without first taking due precaution to
4	ensure that his or her act will not interfere with the movement of traffic or endanger
5	any other person or vehicle.
6	SECTION 3. 346.95 (1) of the statutes is amended to read:
7	346.95 (1) Any person violating s. 346.87, 346.88, 346.89 (2), 346.90 to 346.92
8	or 346.94 (1), (9), (10), (11), (12) or, (15), or (20) may be required to forfeit not less than
9	\$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100
10	for the 2nd or subsequent conviction within a year.
11	(END)

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