

CHAPTER 110

MOTOR VEHICLES

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110.001 Definitions. In this chapter:

(1) "Department" means department of transportation.

(2) "Secretary" means secretary of transportation.

History: 1977 c. 29.

110.01 Definitions. Words and phrases defined in chs. 340 to 349 have the same meaning in this chapter unless a different meaning is expressly provided or the context clearly indicates a different meaning.

History: 1975 c. 120.

110.015 Facsimile signature. The secretary and division administrators of the department of transportation, through their authorized employes, may execute or affix their signature, by facsimile signature with a stamp, reproduction print or other similar process to all licenses, notices, orders, administrative letters, contracts, permits, offers to purchase, appraisals, certifications of records, service of legal papers or process on the administrators, and other legal instruments under the statutes which the secretary and division administrators are authorized or required to administer.

110.06 Rules and regulations; school bus certificate of compliance. (1) The secretary may make such reasonable and uniform orders, rules and regulations not inconsistent with law as are deemed necessary to the discharge of the powers, duties and functions vested in the department. The secretary may also prescribe forms for applications, notices and reports required by law to be made to the department or which may be deemed necessary to the efficient discharge of all such powers, duties and functions.

(2) The secretary shall adopt and enforce such rules as he or she deems necessary in the interests of safety to cover the design, construction, inspection and operation of school busses. Such rules may, but need not, be uniform for each type of bus designated in s. 340.01 (56) (a). A rule adopted under this subsection shall

not become effective until approved by majority votes of a senate and an assembly committee dealing with transportation.

(3) (a) Any person intending to purchase a motor vehicle to be used as a school bus shall prior to purchase give the seller notice in writing of the intended use.

(b) The seller shall then obtain a certificate of compliance with the conditions prescribed by the school bus regulations from the department, which certificate shall be carried upon the vehicle at all times. Paragraph (a) shall not preclude a licensed motor vehicle dealer from securing a certificate of approval at any time.

(c) The seller of any such vehicle who fails to obtain a certificate of compliance prior to sale shall be liable to the purchaser for all repairs and improvements required by the school bus regulations for a period of 9 months after sale and shall be fined \$50 for the 1st offense and \$100 for the 2nd and each subsequent offense.

(d) Paragraphs (a) to (c) shall not apply to any school bus which carries and displays a certificate of compliance issued by the department if the certificate is not more than one year old on the date of purchase.

(4) Violations of those orders, determinations and rules pertaining to chs. 115 to 118, 120, 121 and 341 to 349 shall be punished as provided by s. 341.04 (3) and those pertaining to ch. 194 as provided by s. 194.17.

(5) The orders and determinations, rules and regulations made by the secretary shall be subject to review in the manner provided in ch. 227.

History: 1975 c. 429; 1977 c. 29 ss. 1047, 1654 (7) (a), (c); 1977 c. 325.

110.065 Traffic academy. The secretary may establish and operate an academy for the training of state, county and local traffic patrol officers and other related personnel and make rules and regulations for the conduct thereof. The secretary shall establish and periodically revise a reasonable scale of tuition charges. The tuition for personnel other than employes of the department shall be paid by their respective

departments or governing bodies and shall be deposited in the transportation fund. The secretary shall consult appropriate state, county and local authorities concerning the establishment and operation of the academy and the determination of tuition charges. State agencies shall cooperate with the secretary in providing information and instructional services for the academy.

History: 1977 c. 29 s. 1654 (1), (7) (a), (c)

110.07 Traffic officers; powers and duties. (1) (a) The secretary shall employ not to exceed 375 traffic officers. Such traffic officers, in addition to the person designated to head them whose position shall be in the classified service, shall constitute the state traffic patrol, and shall:

1. Enforce and assist in the administration of chs. 22, 110, 194, 218 and 341 to 349, and ch. 350 where applicable to highways, or orders or rules issued pursuant thereto.

2. Have the powers of sheriff in enforcing the laws specified in subd. 1 and orders or rules issued pursuant thereto.

3. Have authority to enter any place where vehicles subject to chs. 110, 194, 218 and 341 to 350 are stored or parked at any time to examine such vehicles, or to stop such vehicles while en route at any time upon the public highways to examine the same and make arrests for all violations thereof.

(b) All municipal judges, judges, district attorneys and law enforcement officers shall assist in enforcing chs. 110, 194, 218 and 341 to 350, and orders or rules issued pursuant thereto and shall report to the department the disposition of every uniform traffic citation and complaint issued for cases involving such chapters.

(2) The traffic officers employed pursuant to this section shall constitute a state traffic patrol to assist local enforcement officers wherever possible in the regulation of traffic and the prevention of accidents upon the public highways.

(2m) In addition to the primary powers granted by subs. (1) and (2), any officer of the state traffic patrol, while in uniform and on duty, may arrest when he believes, on reasonable grounds, that a warrant for a person's arrest has been issued in this state, that a felony warrant has been issued in another state or that the person is committing or has committed a crime within 24 hours before the arrest. The state traffic patrol shall cause the person arrested to be delivered to the chief of police or the sheriff in the jurisdiction where the arrest is made along with the documents and reports pertaining to the arrest. A state traffic officer shall at all times be available as a witness for the state but shall not

conduct investigations for crimes under chs. 939 to 947. The primary duty of a state traffic officer shall be the enforcement of chs. 340 to 350 or of any other law relating to the use or operation of vehicles upon the highway. No state traffic officer shall be used in or take part in any dispute or controversy between employer or employe concerning wages, hours, labor or working conditions; nor shall any such officer be required to serve civil process.

(3) The secretary may employ inspectors who shall not wear the uniform of the state patrol, whose duties shall be to enforce and assist in administering chs. 110, 194, 218, 340 to 345 and 347 to 350. Such inspectors, in the performance of these duties, shall have the powers and authority of state traffic officers. For the purpose of death, disability and retirement coverage, such inspectors shall be subject to subch. I of ch. 41 and s. 66.191 as is the state traffic patrol. The secretary may clothe and equip inspectors as the interest of public safety and their duties require.

History: 1971 c. 40, 125; 1973 c. 90, 146; 1975 c. 297; 1977 c. 29 ss. 1048, 1654 (7) (a), (c), 1656 (43); 1977 c. 305 s. 64; 1977 c. 418.

110.075 Motor vehicle inspection. (1) No person shall drive or move, or cause or knowingly permit to be driven or moved, on any highway any vehicle or combination of vehicles which is not in conformity with the requirements of this section.

(2) When directed by any traffic officer or motor vehicle inspector, the operator of any motor vehicle shall stop and submit such motor vehicle to an inspection and such tests as are necessary to determine whether it meets the requirements of this section, or that its equipment is not in proper adjustment or repair, or in violation of the equipment provisions of ch. 347. Such inspection shall be made with respect to the brakes, lights, turn signals, steering, horns and warning devices, glass, mirrors, exhaust system, windshield wipers, tires, and other items of equipment designated by the secretary.

(3) Upon determining that a motor vehicle is in conformity with sub. (2), traffic officers or motor vehicle inspectors shall issue to the operator an official inspection sticker which shall be in such form as the secretary prescribes. The official inspection sticker issued following an inspection shall exempt the inspected vehicle from vehicle inspection for a period of one year.

(4) When any motor vehicle is found to be unsafe for operation, traffic officers or motor vehicle inspectors may order it removed from the highway and not operated, except for purposes of removal and repair, until it has been

repaired pursuant to a repair order as provided in sub. (5).

(5) When any motor vehicle is not in compliance with sub. (2) a repair order may be issued, in such form and containing such information as the secretary prescribes, to the owner or driver of the motor vehicle. The owner or driver shall thereupon obtain such repairs as are required.

(6) The secretary shall set standards and adopt rules to establish a plan of inspection to implement the inspection program provided by this section. Such standards and rules, and any subsequent changes thereto, shall not take effect until submitted to and approved by a senate and an assembly committee dealing with transportation matters. The committees may act jointly in granting approval.

(7) Any person producing, manufacturing or using an inspection sticker or causing the same to be done to subvert the provisions of this section shall be fined not less than \$100 nor more than \$500 or imprisoned not more than 6 months or both. Any persons otherwise violating this section or rules issued pursuant thereto, unless otherwise provided by statute, shall be fined not less than \$10 nor more than \$200 or imprisoned not more than 30 days or both.

History: 1973 c. 90; 1977 c. 29 ss. 1049, 1654 (7) (c); 1977 c. 273, 325.

110.08 State operator's license examiner system. (1) The department shall employ a sufficient number of operator's license examiners. The department may contract for specialists in driver's license examining to augment the department's training program for examiners.

(2) After July 1, 1957, all examinations for operator's licenses and permits shall be given by state examiners.

(3) The department shall employ state examiners, driver improvement personnel and clerical personnel at local examining centers, under the classified service.

(4) The department shall employ, train and assign sufficient driver improvement personnel to carry out an intensive driver improvement program including the reexamination and personal interview of problem drivers.

History: 1971 c. 164; 1977 c. 29 ss. 1050, 1654 (7) (a).

110.99 Council on traffic law enforcement. (1) Members of the council on traffic law enforcement shall be reimbursed for their actual and necessary expenses in the performance of their duties from the appropriation under s. 20.395 (6) (qd).

(2) The council shall make recommendations to the governor for better utilization of enforcement agencies, equipment and communications; shall designate the reports to be filed with it by such agencies and shall report to the governor any proposals for changes in the law which it believes will bring about a better overall enforcement effort.

(3) The council may inspect and examine the records of any enforcement agency and may call upon any enforcement officer or supervisor of any officer or group of enforcement officers for advice or information.

History: 1971 c. 42; 1973 c. 333 s. 201w; 1977 c. 29 s. 1656 (43).