

1983 Assembly Bill 976

Date of enactment: **May 10, 1984**
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1983 Wisconsin Act 534

AN ACT to renumber 343.43 (3); to renumber and amend 343.05 (3); to amend 85.30, 343.05 (1) and 343.16 (1) (c); and to create 343.05 (3) (a) 2, 343.05 (3) (b) and 343.43 (3) (b) of the statutes, relating to eye protection to be worn during hours of darkness by operators of motor-driven cycles, revising the penalties for operating a motor vehicle without a valid license, operating a motor-driven cycle without a cycle endorsement, operating a moped or motor bicycle without an operator's license or special restricted operator's license and violating a license restriction.

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

SECTION 1. 85.30 of the statutes is amended to read:

85.30 Motor-driven cycle, moped and motor bicycle safety program. The department shall develop and administer a motor-driven cycle, moped and motor bicycle safety program. The program shall include operational skills training, safety education and public awareness and such other elements as the department deems desirable. The safety education program for motor-driven cycles shall include instruction as to the proper eye protection to be worn during hours of darkness. The department may make grants under this program for establishment of courses which further the aims of this program. The department shall adopt rules to implement this section.

SECTION 1m. 343.05 (1) of the statutes is amended to read:

343.05 (1) (a) Except as provided in sub. (2), no person may operate a motor vehicle upon a highway in this state unless the person has a license issued to him or her by the department, which license is not revoked, suspended, canceled or expired. A valid chauffeur's license satisfies the requirements of this section only when the licensee is operating a vehicle in the performance of his or her duties as chauffeur. ~~No~~

(b) Except as provided in sub. (2), no person may operate a motor-driven cycle unless the person possesses a valid operator's license which has been specifically endorsed for motor-driven cycle operation. ~~No~~

(c) Except as provided in sub. (2), no person may operate a moped unless the person possesses a valid operator's license or a special restricted operator's license issued under s. 343.135. ~~No~~

(d) Except as provided in sub. (2), no person may operate a motor bicycle unless the person possesses a valid operator's license or a special restricted operator's license issued under s. 343.135.

SECTION 2. 343.05 (3) of the statutes is renumbered 343.05 (3) (a) 1 and amended to read:

343.05 (3) (a) 1. ~~Any~~ Except as provided in subd. 2, any person violating sub. (1) (a) may be ~~fin~~ required to forfeit not more than \$100 ~~or imprisoned not more than 6 months or both \$200 for the first offense and shall~~ may be fined not more than \$100 \$300 and imprisoned ~~not less than 5 days nor more than 6 months~~ 30 days for the 2nd offense and ~~shall~~ may be fined not more than \$100 \$500 and imprisoned ~~not less than 10 days nor more than 6 months for the 3rd conviction within 3 years.~~

SECTION 3. 343.05 (3) (a) 2 of the statutes is created to read:

343.05 (3) (a) 2. A person whose operator's license has expired within 3 months after the renewal date of the license may be required to forfeit not more than \$100 for the first offense.

SECTION 4. 343.05 (3) (b) of the statutes is created to read:

343.05 (3) (b) Any person violating sub. (1) (b), (c) or (d) may be required to forfeit not more than \$100.

SECTION 4m. 343.16 (1) (c) of the statutes is amended to read:

343.16 (1) (c) The department shall examine every applicant for a license to operate a motor-driven cycle. The examination shall test an applicant's knowledge of motor-driven cycle safety, including but not limited to proper eye protection to be worn during hours of darkness.

SECTION 5. 343.43 (3) of the statutes is renumbered 343.43 (3) (a).

SECTION 6. 343.43 (3) (b) of the statutes is created to read:

343.43 (3) (b) A person who violates sub. (1) (d) may be required to forfeit not more than \$100.
