

State of Wisconsin



1997 Senate Bill 139

Date of enactment: **April 27, 1998**
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1997 WISCONSIN ACT 190

AN ACT to amend 347.48 (2m) (gm) and 349.06 (2); and to create 349.06 (1) (c) of the statutes; relating to: enacting traffic regulation ordinances that conform with rules of the department of transportation.

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

SECTION 1. 347.48 (2m) (gm) of the statutes is amended to read:

347.48 (2m) (gm) Notwithstanding s. 349.02, a law enforcement officer may not stop or inspect a vehicle solely to determine compliance with this subsection or sub. (1) or (2) or a local ordinance in conformity with this subsection or sub. (1) or (2) or rules of the department. This paragraph does not limit the authority of a law enforcement officer to issue a citation for a violation of this subsection or sub. (1) or (2) or a local ordinance in conformity with this subsection or sub. (1) or (2) or rules of the department observed in the course of a stop or inspection made for other purposes, except that a law enforcement officer may not take a person into physical custody solely for a violation of this subsection or sub. (1) or (2) or a local ordinance in conformity with this subsection or sub. (1) or (2) or rules of the department.

SECTION 2. 349.06 (1) (c) of the statutes is created to read:

349.06 (1) (c) Any local authority may enact and enforce any traffic regulation that is in strict conformity with any rule of the department promulgated under ch. 110, 347 or 348, except rules pertaining to federal motor carrier safety standards, for which the penalty for a violation thereof is a forfeiture.

SECTION 3. 349.06 (2) of the statutes is amended to read:

349.06 (2) Traffic regulations adopted by local authorities which incorporate by reference existing or future amendments to chs. 340 to 348 or rules of the department shall be deemed to be in strict conformity and not contrary to or inconsistent with such chapters or rules. This subsection does not require local traffic regulations to incorporate state traffic laws or rules by reference in order to meet the requirements of s. 349.03 or sub. (1).

* Section 991.11, WISCONSIN STATUTES 1995-96: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].