

1983 Senate Bill 604

Date of enactment: April 20, 1984

Date of publication: April 26, 1984

1983 Wisconsin Act 243

AN ACT to repeal 340.01 (33), 340.01 (45), 341.51 (6), 343.08 (1) (d), 343.08 (3), 346.82 (3), 347.36 (2) and 347.485 (1) (c); to renumber and amend 346.81; to amend 20.370 (4) (bv), 20.395 (5) (gq), 23.09 (25) (a), 59.965 (2) (j), 70.111 (1), 70.112 (5), 85.30, 144.42 (5) (h), 194.01 (1), 218.01 (1) (a) 2, (2) (bc) and (3) (bf) 3, 341.25 (1) (b), 341.51 (4) (intro.) and (5), 343.05 (1), 343.06 (3), 343.07 (1) (intro.) and (4), 343.08 (1) (a), 343.08 (2), 343.135 (1) (a) 4 and (2) (a) 1, 343.16 (1) (c), 343.21 (1) (h), 346.02 (4), 346.16 (2), 346.485 (2) (c), 346.54 (1) (cm), 346.595 (intro.) and (1) to (3), 346.595 (4) and (5), 346.78, 346.79 (5), 346.82 (title) and (1), 346.94 (10), 347.09 (1) (a) to (c), 347.10 (title), (1) and (3), 347.11 (intro.), (3) and (4), 347.115, 347.145, 347.15 (1), 347.35 (1), (1a) and (2), 347.36 (1), 347.39 (1), 347.42, 347.485 (1) (a) and (b) and (2) to (4), 347.486, 347.487, 347.50 (1), 349.105, 349.18 (1) and (2), 349.23 (3), 632.32 (6) (b) 2.b and 779.41 (2); to repeal and recreate 340.01 (4), (29m), (30) and (32); and to create 340.01 (43m), 341.05 (23), 343.16 (1) (f), 346.595 (3m), 347.02 (1) (g) and 347.50 (5) of the statutes, relating to automobile, motorcycle, moped and motor bicycle definitions and equipment standards, providing penalties and granting rule-making authority.

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

SECTION 1. 20.370 (4) (bv) of the statutes is amended to read:

20.370 (4) (bv) *Recreation aids — motorcycle recreation aids.* Biennially, the amounts in the schedule to provide aid to municipalities for the acquisition, development, operation and maintenance of off-the-road motorcycle ~~and motor-driven cycle~~ trails and facilities under s. 23.09 (25).

SECTION 2. 20.395 (5) (gq) of the statutes, as affected by 1983 Wisconsin Act 27, is amended to read:

20.395 (5) (gq) (title) *Motorcycle, moped and motor bicycle safety program, state funds.* The amounts in the schedule for administering the ~~motor-driven cycle~~ motorcycle, moped and motor bicycle safety program under s. 85.30.

SECTION 3. 23.09 (25) (a) of the statutes is amended to read:

23.09 (25) (a) The department shall administer an off-the-road motorcycle ~~and motor-driven cycle~~ recreational aid program from moneys appropriated under s. 20.370 (4) (bv) and (ir). The department shall distribute these funds to towns, villages, cities and counties for the acquisition, development, operation and maintenance of off-the-road motorcycle ~~and motor-driven cycle~~ trails and facilities.

SECTION 4. 59.965 (2) (j) of the statutes is amended to read:

59.965 (2) (j) *Traffic types and speed limits.* After an expressway project has been certified as completed, the public body having jurisdiction over the maintenance thereof shall have the power to regulate the type of vehicular use of such portion of the expressway except as limited by federal and state laws and regulations, and the power to fix speed limits thereon not in excess of the maximum speed limits for state trunk highways,

and to provide and enforce reasonable penalties for infraction of such vehicular use regulation or speed limits. Notwithstanding s. 346.16 (2), the use of the expressways by pedestrians, mopeds, motor bicycles, motor scooters, bicycles, funeral processions, animals on foot and the hauling of oversized equipment without special permit shall be prohibited when an ordinance in conformity herewith is adopted by the county board, but any forfeiture provided therein shall not exceed the maximum forfeiture under s. 346.17 (2). The county board may not prohibit the towing of disabled vehicles on expressways, except that the board may prohibit the towing of disabled vehicles during the peak hours of 7 a.m. to 9 a.m. and 4 p.m. to 6:30 p.m. as established under county ordinance and except that the board may establish procedures for and may contract for the towing of vehicles which have become disabled on the expressway.

SECTION 5. 70.111 (1) of the statutes is amended to read:

70.111 (1) JEWELRY, HOUSEHOLD FURNISHINGS AND APPAREL. Personal ornaments and jewelry, family portraits, private libraries, musical instruments, radio equipment, household furniture, equipment and furnishings, apparel, motor bicycles, bicycles, and firearms if such items are kept for personal use by the owner.

SECTION 6. 70.112 (5) of the statutes is amended to read:

70.112 (5) MOTOR VEHICLES, BICYCLES, SNOWMOBILES. Every automobile, motor bicycle, motor bus, motorcycle, ~~motor-driven cycle~~, motor truck, ~~power-driven cycle~~ moped, road tractor, school bus, snowmobile, station wagon, truck tractor, or other similar motor vehicle, or trailer or semitrailer used in connection therewith.

SECTION 7. 85.30 of the statutes is amended to read:

85.30 (title) Motorcycle, moped and motor bicycle safety program. The department shall develop and administer a ~~motor-driven cycle~~ motorcycle, 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 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 8. 144.42 (5) (h) of the statutes is amended to read:

144.42 (5) (h) A ~~motor-driven cycle~~ motorcycle as defined in s. 340.01 (33) (32).

SECTION 9. 194.01 (1) of the statutes is amended to read:

194.01 (1) "Motor vehicle" means any automobile, truck, trailer, semitrailer, tractor, motor bus or any self-propelled or motor driven vehicle, except a ~~motor-driven cycle~~ motorcycle, moped, motor bicycle or a vehicle operated on rails, or trackless trolley car.

SECTION 10. 218.01 (1) (a) 2, (2) (bc) and (3) (bf) 3 of the statutes are amended to read:

218.01 (1) (a) 2. ~~Who is~~ Is engaged wholly or in part in the business of selling motor vehicles, including ~~motor-driven cycles~~ motorcycles, whether or not such motor vehicles are owned by such person, firm or corporation.

(2) (bc) Except as provided in this subsection every dealer and distributor of new motor vehicles, other than ~~power-driven cycles~~ mopeds or motor bicycles, shall, at the time of application for a license, file with the department a certified copy of the applicant's written agreement and a certificate of appointment as dealer or distributor, respectively. The certificate of appointment shall be signed by an authorized agent of the manufacturer of domestic vehicles on direct manufacturer-dealer agreements; or, where the manufacturer is wholesaling through an appointed distributorship, by an authorized agent of the distributor on indirect distributor-dealer agreements. The certificate shall be signed by an authorized agent of the importer on direct importer-dealer agreements of foreign-made vehicles; or, by an authorized agent of the distributor on indirect distribu-

tor-dealer agreements. The distributor's certificate of appointment shall be signed by an authorized agent of the manufacturer; or, by an agent of the manufacturer or importer of foreign manufactured vehicles.

(3) (bf) 3. This paragraph does not apply to persons who deal only in ~~power-driven cycles~~ mopeds or motor bicycles.

SECTION 11. 340.01 (4), (29m), (30) and (32) of the statutes are repealed and recreated to read:

340.01 (4) "Automobile" means any of the following:

(a) Type 1 is a motor vehicle designed and used primarily for carrying persons but which does not come within the definition of a motor bus, motorcycle, moped or motor bicycle.

(b) Type 2 is a motor vehicle capable of speeds in excess of 30 miles per hour on a dry, level, hard surface with no wind, designed and built to have at least 3 wheels in contact with the ground, a power source as an integral part of the vehicle, and a passenger and operator area with sides permanently enclosed with rigid construction and a top which may be convertible.

(29m) "Moped" means any of the following motor vehicles capable of speeds of not more than 30 miles per hour with a 150-pound rider on a dry, level, hard surface with no wind, excluding a tractor, a power source as an integral part of the vehicle and a seat for the operator:

(a) A bicycle-type vehicle with fully operative pedals for propulsion by human power and an engine certified by the manufacturer at not more than 50 cubic centimeters or an equivalent power unit.

(b) A motorcycle with an automatic transmission and an engine certified by the manufacturer at not more than 50 cubic centimeters or an equivalent power unit.

(30) "Motor bicycle" means a bicycle to which a power unit not an integral part of the vehicle has been added to permit the vehicle to travel at a speed of not more than 30 miles per hour with a 150-pound rider on a dry, level, hard surface with no wind and having a seat for the operator.

(32) "Motorcycle" means a motor vehicle which is capable of speeds in excess of 30 miles per hour with a 150-pound rider on a dry, level, hard surface with no wind, excluding a tractor, with a power source as an integral part of the vehicle, and which meets either of the following conditions:

(a) Is designed and built with 2 wheels in tandem and a seat for the operator, and may be modified to have no more than 3 wheels by attaching a sidecar to one side of the wheels in tandem without changing the location of the power source.

(b) Is designed and built to have no more than 3 wheels, seating for the operator and no more than 3 passengers, and does not have the operator area enclosed.

SECTION 12. 340.01 (33) of the statutes is repealed.

SECTION 13. 340.01 (43m) of the statutes is created to read:

340.01 (43m) "Play vehicle" means a coaster, skate board, roller skates, sled, toboggan, unicycle or toy vehicle upon which a person may ride.

SECTION 14. 340.01 (45) of the statutes is repealed.

SECTION 15. 341.05 (23) of the statutes is created to read:

341.05 (23) Is a motor bicycle, except as provided in s. 349.18.

SECTION 16. 341.25 (1) (b) of the statutes is amended to read:

341.25 (1) (b) For each ~~motor vehicle~~ motorcycle or moped with a shipping gross vehicle weight of 1,000 pounds or less, except specially designed vehicles under s. 341.067, which is designed primarily for the transportation of persons rather than property, a fee of \$7.

SECTION 17. 341.51 (4) (intro.) and (5) of the statutes are amended to read:

341.51 (4) (intro.) ~~Except as provided in sub. (6), every~~ Every dealer, distributor and manufacturer shall file with the department and every transporter may file with the department a duly acknowledged application for registration which shall contain:

(5) ~~Except as provided in sub. (6), any~~ Any dealer, distributor or manufacturer engaged in business in this state who fails to apply for registration or fails to apply for separate registrations for each Wisconsin municipality in which such dealer, distributor or manufacturer has an established place of business may be required to forfeit not more than \$200.

SECTION 18. 341.51 (6) of the statutes is repealed.

SECTION 19. 343.05 (1) of the statutes is amended to read:

343.05 (1) 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 person may operate a ~~motor-driven cycle~~ motorcycle unless the person possesses a valid operator's license which has been specifically endorsed for ~~motor-driven cycle~~ motorcycle operation or an operator's license restricted to operation of a motorcycle. No person may operate a moped or motor bicycle unless the person possesses a valid operator's license or a special restricted operator's license issued under s. 343.135. ~~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 or a restricted license issued under s. 343.08.~~

SECTION 20. 343.06 (3) of the statutes is amended to read:

343.06 (3) To any person under age 18 unless the person has satisfactorily completed a course in driver education in public schools approved by the department of public instruction, or in vocational, technical and adult education schools approved by the board of vocational, technical and adult education, and in nonpublic and private schools which meet the minimum standards set by the department of public instruction, or has satisfactorily completed a substantially equivalent course in driver training given by a school licensed by the department under s. 343.61 and has attained the age of 16, except as provided in ~~ss. s. 343.07 and 343.08~~, Applicants for a license under s. 343.08 or 343.135 are exempt from the driver education or driver training course requirement. Such substantially equivalent course must be approved by the department. The secretary shall prescribe rules for licensing of schools and instructors to qualify under this section. The driver education course shall be made available to every eligible student in the state. No operator's license may be issued unless a driver's examination has been administered by the department.

SECTION 21. 343.07 (1) (intro.) and (4) of the statutes are amended to read:

343.07 (1) ISSUANCE, RESTRICTIONS. (intro.) Upon application therefor by a person at least 15 years and 6 months of age who, except for age or lack of training in the operation of a motor vehicle, is qualified to obtain a license, the department may issue an instruction permit. The permit entitles the permittee, to operate a motor vehicle, except a ~~motor-driven cycle~~ motorcycle, upon the highways, subject to the following restrictions:

(4) (title) INSTRUCTION PERMITS; MOTORCYCLE. (a) Any Upon application by a person who wishes to qualify for the operation of a motor-driven cycle must first hold a valid operator's license by qualifying with an automobile, such license being indorsed as a

~~temporary instruction permit with reference to a motor driven cycle or motorcycle, the department may issue a special temporary instruction permit for motor driven cycle motorcycle operation may be issued.~~

(b) Such permit shall be valid for 6 months and entitles the permittee to operate a ~~motor driven cycle~~ motorcycle subject to the following restrictions:

1. No passenger shall accompany the permittee except that a person with at least 2 years of licensed driving experience and whose license is ~~indorsed~~ endorsed for ~~motor driven cycle~~ motorcycle operation may ride as a passenger-instructor.

2. The permittee shall not operate a ~~motor driven cycle~~ motorcycle during hours of darkness unless accompanied by a licensed person 25 years of age or more and meeting the requirements of subd. 1.

SECTION 22. 343.08 (1) (a) of the statutes is amended to read:

343.08 (1) (a) The department must be satisfied that it is necessary for the applicant to operate either an automobile, farm truck ~~or power driven cycle, motorcycle powered with an engine of not more than 125 cubic centimeters displacement, moped or motor bicycle~~ owned and registered by the applicant's parent or guardian.

SECTION 23. 343.08 (1) (d) of the statutes is repealed.

SECTION 24. 343.08 (2) of the statutes is amended to read:

343.08 (2) A restricted license issued pursuant to this section is valid only until the licensee secures a regular operator's license or reaches 18 years of age and entitles the licensee to operate either an automobile ~~or, farm truck owned and registered by the licensee's parent or guardian or a motor driven cycle, motorcycle powered with an engine of not more than 125 cubic centimeters displacement, moped or motor bicycle~~ owned and registered by the licensee's parent or guardian or both, depending on the restrictions placed by the department on the particular license. A license issued pursuant to this section does not authorize the licensee to operate any such vehicle during hours of darkness or to operate a vehicle in a city having a population of 500,000 or more or to operate a commercial motor truck, motor bus or taxicab.

SECTION 25. 343.08 (3) of the statutes is repealed.

SECTION 26. 343.135 (1) (a) 4 and (2) (a) 1 of the statutes are amended to read:

343.135 (1) (a) 4. Has passed an examination which includes a test of the applicant's eyesight, ability to read and understand highway signs regulating, warning and directing traffic, knowledge of the traffic laws and an actual demonstration of ability to exercise ordinary and reasonable control in the operation of the vehicle for which the special restricted license is to be issued. An applicant shall furnish the motor vehicle he or she will be operating for use in testing his or her ability to operate the vehicle. The department may waive the demonstration of ability to exercise ordinary and reasonable control in the operation of a moped or motor bicycle as provided in s. 343.16 (1) (f).

(2) (a) 1. Motor bicycles, or mopeds ~~or power driven cycles~~; or

SECTION 27. 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~~ motorcycle.

SECTION 28. 343.16 (1) (f) of the statutes is created to read:

343.16 (1) (f) The department may promulgate rules authorizing a license examiner to waive the operating skill examination of a person applying for a license to operate a motor bicycle or moped if the applicant has the physical ability to operate the vehicle safely. The rules shall ensure that the applicant demonstrates knowledge of the traffic laws necessary for the safe operation of the vehicle.

SECTION 29. 343.21 (1) (h) of the statutes is amended to read:

343.21 (1) (h) For the validation of a current operator's license for operation of a ~~motor-driven cycle~~ motorcycle, \$4.

SECTION 30. 346.02 (4) of the statutes is amended to read:

346.02 (4) (title) **APPLICABILITY TO PERSONS RIDING BICYCLES AND MOTOR BICYCLES.** Subject to the special provisions applicable to bicycles, every person riding a bicycle upon a roadway is granted all the rights and is subject to all the duties which this chapter grants or applies to the operator of a vehicle, except those provisions which by their express terms apply only to motor vehicles or which by their very nature would have no application to bicycles. For purposes of this chapter, provisions which apply to bicycles also apply to motor bicycles, except as otherwise expressly provided.

SECTION 31. 346.16 (2) of the statutes is amended to read:

346.16 (2) No pedestrian or person riding a bicycle or other nonmotorized vehicle or person operating a ~~power-driven cycle~~ moped or motor bicycle shall go upon any expressway or freeway when official signs have been erected prohibiting such person from using the expressway or freeway.

SECTION 32. 346.485 (2) (c) of the statutes is amended to read:

346.485 (2) (c) Identification of the vehicle as an automobile, station wagon, motor truck, motor bus, ~~motor-driven cycle~~ motorcycle or other type of vehicle.

SECTION 33. 346.54 (1) (cm) of the statutes, as created by 1983 Wisconsin Act 27, is amended to read:

346.54 (1) (cm) 1. In a parallel parking area, a ~~motor-driven cycle~~ motorcycle may park at an angle. If parallel parking spaces are not indicated by markers, no ~~motor-driven cycle~~ motorcycle may be parked within 2 feet of another vehicle. Where a parallel parking space is indicated by a marker or where angle parking is authorized, up to 3 ~~motor-driven cycles~~ motorcycles may park in the space.

2. Up to 3 ~~motor-driven cycles~~ motorcycles may be parked in a parking space where a parking meter has been installed unless the space is restricted by official traffic sign or marker to a single ~~motor-driven cycle~~ motorcycle. The operator of each ~~motor-driven cycle~~ motorcycle parked in a single space regulated by a parking meter shall receive a citation for any violation of a time restriction.

SECTION 34. 346.595 (intro.) and (1) to (3) of the statutes are amended to read:

346.595 (title) Motorcycles and mopeds. (intro.) Whenever a ~~motor-driven cycle~~ motorcycle or a moped is operated the following rules apply:

(1) All motor vehicles including ~~motor-driven cycles~~ motorcycles and mopeds are entitled to the full use of a traffic lane and no vehicle may be driven or operated in such a manner so as to deprive any other vehicle of the full use of a traffic lane. With the consent of both drivers, ~~motor-driven cycles~~ motorcycles may be operated not more than 2 abreast in a single lane, but mopeds may be so operated only where the speed limit is 25 miles per hour or less.

(2) No person shall ride any ~~motor-driven cycle~~ motorcycle or moped while in a side-saddle position.

(3) No passenger may ride a ~~motor-driven cycle~~ motorcycle who, when properly seated, cannot rest the feet on assigned foot rests or pegs. No passenger may ride on a moped.

SECTION 35. 346.595 (3m) of the statutes is created to read:

346.595 (3m) No more than 2 persons may ride on a motorcycle having 2 wheels in tandem during operation unless a sidecar has been attached to the motorcycle as provided in s. 340.01 (32) (a) and the additional passengers are provided with adequate seating within the sidecar.

SECTION 36. 346.595 (4) and (5) of the statutes are amended to read:

346.595 (4) No passenger shall ride in front of the operator on a ~~motor-driven cycle~~ motorcycle.

(5) The headlamps on ~~motor-driven cycles~~ motorcycles shall be lighted whenever the ~~cycle~~ motorcycle is in operation. ~~Motor-driven cycles~~ Motorcycles may be operated to the nearest repair facility for headlamp repair in the event of mechanical or electrical headlamp failure except during hours of darkness. Mopeds shall observe the requirements for lighted headlamps and tail lamps under s. 347.06.

SECTION 37. 346.78 of the statutes is amended to read:

346.78 Play vehicles not to be used on roadway. No person riding upon any ~~coaster, roller skates, sled, toboggan or toy~~ play vehicle shall may attach the same or himself or herself to any vehicle upon a roadway or go upon any roadway except while crossing a roadway at a crosswalk.

SECTION 38. 346.79 (5) of the statutes is amended to read:

346.79 (5) No person may ride a moped or motor bicycle with the power unit in operation upon a bicycle way.

SECTION 39. 346.81 of the statutes is renumbered 347.489 and amended to read:

347.489 (title) Lamps and other equipment on bicycles and motor bicycles. (1) No person may operate a bicycle or motor bicycle upon a highway, bicycle lane or bicycle way during hours of darkness ~~unless such the bicycle or motor bicycle is equipped with~~ or the operator is wearing a lamp emitting a white light visible from a distance of at least 500 feet to the front of ~~such the bicycle.~~ Such or motor bicycle. A bicycle or motor bicycle shall also be equipped with a red reflector that has a diameter of at least 2 inches of surface area on the rear so mounted and maintained as to be visible from all distances from 50 to 500 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to but not in lieu of the red reflector.

(2) No person may operate a bicycle or motor bicycle upon a highway, bicycle lane or bicycle way unless it is equipped with a brake in good working condition, adequate to control the movement of and to stop the bicycle or motor bicycle whenever necessary.

(3) No bicycle or motor bicycle may be equipped with nor may any person riding upon a bicycle or motor bicycle use any siren or compression whistle.

SECTION 40. 346.82 (title) and (1) of the statutes are amended to read:

346.82 (title) Penalty for violating sections 346.77 to 346.804. (1) Any person violating ss. 346.77, 346.79 (1) to (3), or 346.80 to 346.804 ~~or 346.81 (2)~~ may be required to forfeit not more than \$20.

SECTION 41. 346.82 (3) of the statutes is repealed.

SECTION 42. 346.94 (10) of the statutes is amended to read:

346.94 (10) **CLINGING TO MOVING VEHICLE.** No person riding upon a ~~motor-driven cycle~~ shall motor bicycle, moped or motorcycle may attach the same or himself or herself to any other moving vehicle upon a highway except when the motor bicycle, moped or motorcycle is incapacitated and being towed. A tow device attached to a towed motor bicycle, moped or motorcycle shall be attached so that an operator of the towed vehicle may release the tow device at any time.

SECTION 43. 347.02 (1) (g) of the statutes is created to read:

347.02 (1) (g) Motor bicycles.

SECTION 44. 347.09 (1) (a) to (c) of the statutes are amended to read:

347.09 (1) (a) Every motor vehicle, other than a ~~motor-driven cycle~~ motorcycle or Type 2 automobile, shall be equipped with at least 2 headlamps, which headlamps shall comply with the requirements and limitations set forth in sub. (2) and s. 347.10 and shall be mounted symmetrically with respect to the vertical plane extending through the longitudinal axis of the vehicle with at least one on each side of the center of the front of the motor vehicle.

(b) Every moped, motorcycle or Type 2 automobile shall be equipped with at least one and not more than 2 headlamps, which headlamps shall comply with the requirements and limitations set forth in sub. (2) and s. 347.10.

(c) Every ~~power-driven cycle and motor bicycle or vehicle registered under s. 341.067 and operated by a person licensed under s. 343.075 or 343.135~~ shall be equipped with at least one and not more than 2 headlamps, which headlamps shall comply with the requirements and limitations set forth in sub. (2) and s. 347.11.

SECTION 45. 347.10 (title), (1) and (3) of the statutes are amended to read:

347.10 (title) Headlamp specifications for motor vehicles other than mopeds and motor bicycles. (1) Except as provided in sub. (4), the headlamps or the auxiliary driving lamp or the auxiliary passing lamp or combination thereof on motor vehicles other than ~~power-driven cycles~~ mopeds and motor bicycles shall be so arranged that the driver may select at will between distributions of light projected to different elevations. Such lamps may, in addition, be so arranged that such selection can be made automatically.

(3) No person shall sell after July 1, 1958, any new motor vehicle equipped with multiple beam headlamps and no person shall operate any motor vehicle sold new after July 1, 1958, and equipped with multiple beam headlamps unless such vehicle also is equipped with a beam indicator which is lighted whenever the uppermost distribution of light from the headlamps is in use and which is not otherwise lighted. Such indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped. This subsection does not apply to ~~motor-driven cycles~~ motorcycles.

SECTION 46. 347.11 (intro.), (3) and (4) of the statutes are amended to read:

347.11 (title) Headlamp specifications for mopeds and motor bicycles. (intro.) The headlamps on ~~power-driven cycles~~ mopeds or motor bicycles may be of the single-beam or multiple-beam type but in either event shall comply with the following requirements and limitations:

(3) If the ~~power-driven cycle~~ moped or motor bicycle is equipped with a multiple-beam headlamp, the upper beam shall meet the minimum requirements set forth in sub. (2) and the lowermost beam shall meet the requirements applicable to a lowermost distribution of light as set forth in s. 347.10 (2) (b).

(4) If the ~~power-driven cycle~~ moped or motor bicycle is equipped with a single-beam lamp, such lamp shall be so aimed that when the vehicle is loaded none of the high-intensity portion of light, at a distance of 25 feet ahead, projects higher than the level of the center of the lamp from which it comes.

SECTION 47. 347.115 of the statutes is amended to read:

347.115 (title) Modulating headlamps for motorcycles, motor bicycles or mopeds. A ~~motor-driven cycle~~ motorcycle, motor bicycle or moped may be equipped with and use a means of modulating the upper beam of the headlamp between a high and a lower brightness at a rate of 200 to 280 changes per minute. A headlamp may not be modulated during hours of darkness.

SECTION 48. 347.145 of the statutes is amended to read:

347.145 (title) Deceleration warning lights for motorcycles, motor bicycles or mopeds. A ~~motor-driven cycle~~ motorcycle, motor bicycle or moped may be equipped with and use a system in which an amber light which pulses in a controlled fashion at a rate which varies exponentially with deceleration is center mounted on the rear of the vehicle.

SECTION 49. 347.15 (1) of the statutes is amended to read:

347.15 (1) No person shall sell any new motor vehicle, other than a ~~motor-driven cycle moped or motorcycle~~, unless such motor vehicle is equipped with direction signal lamps meeting the requirements of this section. No person shall operate on a highway any motor vehicle sold new after January 1, 1955, or any mobile home, or trailer or semi-trailer sold new after January 1, 1968, other than a vehicle which is operated pursuant to s. 341.47 (1) (b) or a ~~motor-driven cycle moped or motorcycle~~, unless such vehicle is equipped with direction signal lamps meeting the requirements of this section. Any other vehicle may be equipped with such lamps. Subsection (3m) notwithstanding direction signals are not required on trailers when the rear direction signals on the towing vehicle are fully visible from all distances to the rear to 300 feet during normal sunlight when viewed from the driver's seat of the vehicle following.

SECTION 50. 347.35 (1), (1a) and (2) of the statutes are amended to read:

347.35 (1) MOTOR VEHICLES. No person shall operate any motor vehicle, other than a ~~motor-driven cycle moped or motorcycle~~, upon a highway unless such motor vehicle is equipped with brakes adequate to control the movement of and to stop and hold such vehicle and capable of meeting the performance specifications under s. 347.36. There shall be 2 separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least 2 wheels.

(1a) PARKING BRAKES. Every such vehicle and combination of vehicles, except ~~motor-driven cycles mopeds and motorcycles~~, shall be equipped with parking brakes adequate to hold the vehicle on any grade on which it is operated, under all conditions of loading on a surface free from snow, ice or loose material. The parking brakes shall be capable of being applied by the driver's muscular effort or by spring action or by equivalent means. Their operation may be assisted by the service brakes or other source of power provided that failure of the service brake actuation system or other power assisting mechanism will not prevent the parking brakes from being applied. The parking brakes shall be so designed that when once applied they shall remain applied with the required effectiveness despite exhaustion of any source of energy or leakage of any kind. The same brake drums, brake shoes and lining assemblies, brake shoe anchors and mechanical brake shoe actuation mechanism normally associated with the wheel brake assemblies may be used for both the service brakes and the parking brakes. If the means of applying the parking brakes and the service brakes are connected in any way, they shall be so constructed that failure of any one part shall not leave the vehicle without operative brakes.

(2) (title) MOPEDS AND MOTORCYCLES. No person may operate a ~~motor-driven cycle moped or motorcycle~~ upon a highway unless the ~~motor-driven cycle moped or motorcycle~~ is equipped with at least one brake capable of meeting the performance specifications set forth in s. 347.36. The brake may be designed to be operated either by hand or by foot. ~~The brake on a power driven cycle shall be a brake of sound design with the disc or brake drum directly connected or integral with the rear wheel and with internal expanding brake shoes or engaging discs. The design shall permit simple and easy adjustment to compensate for wear. If the brake control is hand operated, there shall be no other controls linked to it.~~

SECTION 51. 347.36 (1) of the statutes is amended to read:

347.36 (1) Brakes on motor vehicles ~~other than power driven cycles~~ and brakes on combinations of vehicles shall be capable of bringing the vehicle or combination of vehicles to a stop, under normal conditions, within 50 feet when traveling at a speed of 20 miles per hour.

SECTION 52. 347.36 (2) of the statutes is repealed.

SECTION 53. 347.39 (1) of the statutes is amended to read:

347.39 (1) No person shall operate on a highway any motor vehicle subject to registration unless such motor vehicle is equipped with an adequate muffler in constant operation and properly maintained to prevent any excessive or unusual noise or annoying smoke. This subsection also applies to motor bicycles.

SECTION 54. 347.42 of the statutes is amended to read:

347.42 Windshield wipers. No person may operate on a highway any motor vehicle equipped with a windshield, except a ~~motor-driven-eye~~ moped or motorcycle, unless the motor vehicle also is equipped with a device for cleaning rain, snow or other moisture from the windshield. The device shall be so constructed as to be controlled or operated by the operator of the vehicle and shall at all times be maintained in good working order.

SECTION 55. 347.485 (1) (a) and (b) and (2) to (4) of the statutes are amended to read:

347.485 (1) (a) No person who holds an instructional permit under s. 343.07 (4) or who is under 18 years of age may operate or ride upon a ~~motor-driven-eye~~ motorcycle on any highway unless the person is wearing protective headgear of a type and in the manner approved by the department.

(b) No person shall sell or offer for sale any protective headgear for use by a driver or passenger on a ~~motor-driven-eye~~ motorcycle, not meeting the standards and specifications approved by the department.

(2) No person shall operate a ~~motor-driven-eye~~ motorcycle on any highway unless such person is wearing eye protection as follows: (a) protective face shield attached to the headgear, or (b) glasses or (c) goggles. If the vehicle is equipped with a windshield which rises a minimum of 15 inches above the handlebar, the use of other eye protective devices is not mandatory. This subsection shall not apply to persons operating a ~~motor-driven-eye~~ motorcycle in a parade sanctioned by the local municipality.

(3) No person may rent, lease or loan a ~~motor-driven-eye~~ motorcycle to another unless he or she has ascertained that such party has the required eye protection and, if the party holds an instructional permit under s. 343.07 (4) or is under 18 years of age, that the party has the required protective headgear for operating the ~~eye~~ motorcycle.

(4) Every person in the ~~motor-driven-eye~~ motorcycle rental business shall have clean, usable protective headgear for rent in sufficient quantity to care for the needs of all customers.

SECTION 56. 347.485 (1) (c) of the statutes is repealed.

SECTION 57. 347.486 of the statutes is amended to read:

347.486 General requirements. (1) No person may operate a ~~motor-driven-eye~~ motorcycle if the handlegrips of the handlebars rise more than 30 inches above the lowest point of the top of the driver's seat when the seat is occupied.

(2) No person may operate a ~~motor-driven-eye~~ motorcycle with an improvised, defective or repaired handlebar.

(3) No person may operate a ~~motor-driven-eye~~ motorcycle without a functioning muffler.

SECTION 58. 347.487 of the statutes is amended to read:

347.487 Seating requirements. ~~No~~ Except as provided in s. 346.595 (3m), no more than 2 persons shall ride on a ~~motor-driven-eye~~ motorcycle during operation, and then only if the vehicle is equipped and designed with adequate seats and foot rests or pegs. Foot rests or pegs shall be mounted in accordance with manufacturer's specifications. In

the absence of manufacturer's specifications, foot rests or pegs for the passenger shall be located on the same horizontal plane as those of the operator.

SECTION 59. 347.50 (1) of the statutes is amended to read:

347.50 (1) Any person violating ss. 347.35 to 347.49, except s. 347.415 (1), (2) and (3) to (5) or s. 347.48 (4) (a) or s. 347.489, may be required to forfeit not less than \$10 nor more than \$200.

SECTION 60. 347.50 (5) of the statutes is created to read:

347.50 (5) Any person violating s. 347.489 may be required to forfeit not more than \$20.

SECTION 61. 349.105 of the statutes is amended to read:

349.105 Authority to prohibit certain traffic on expressways and freeways. The authority in charge of maintenance of an expressway or freeway may, by order, ordinance or resolution, prohibit the use of such expressway or freeway by pedestrians, persons riding bicycles or other nonmotorized traffic or by persons operating ~~power-driven cycles~~ mopeds or motor bicycles. The state or local authority adopting any such prohibitory regulation shall erect and maintain official signs giving notice thereof on the expressway or freeway to which such prohibition applies.

SECTION 62. 349.18 (1) and (2) of the statutes are amended to read:

349.18 (1) Designate the number of persons that may ride on a ~~power-driven cycle~~ or motor bicycle at any one time and the highways upon which a ~~power-driven cycle~~, motor bicycle or moped may or may not be operated;

(2) Regulate the operation of bicycles and motor bicycles and require their registration, including the payment of a registration fee.

SECTION 63. 349.23 (3) of the statutes is amended to read:

349.23 (3) The governing body of any city, town, village or county may by ordinance prohibit the use of bicycles and motor bicycles on a roadway over which they have jurisdiction, after holding a public hearing on ~~such~~ the proposal.

SECTION 64. 632.32 (6) (b) 2. b of the statutes is amended to read:

632.32 (6) (b) 2. b. This subdivision, as it relates to passengers, does not apply to a policy of insurance for a ~~motor-driven cycle~~ motorcycle as defined in s. 340.01 ~~(33)~~ (32) or a moped as defined in s. 340.01 (29m) if the ~~motor-driven cycle~~ motorcycle or moped is designed to carry only one person and does not have a seat for any passenger.

SECTION 65. 779.41 (2) of the statutes is amended to read:

779.41 (2) Every keeper of a garage or repair shop who alters, repairs or does any work on any detached accessory, fitting or part of an automobile, truck, ~~motor cycle~~ motorcycle, moped, motor bicycle or similar motor vehicle or bicycle at the request of the owner or legal possessor thereof, shall have a lien upon and may retain possession of any such accessory, fitting or part until the charges for such alteration, repairing or other work have been paid. If the detached article becomes attached to such motor vehicle or bicycle while in the possession of the keeper, the keeper has a lien on the motor vehicle or bicycle under sub. (1).

SECTION 66. **Cross-reference changes.** In the sections of the statutes listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

A	B	C
Statute Sections	Old Cross-References	New Cross-References
346.77	346.78 to 346.81	346.78 to 346.804 and 347.489