

# State of Wisconsin



1995 Assembly Bill 252

Date of enactment: **June 7, 1996**  
Date of publication\*: **June 20, 1996**

## 1995 WISCONSIN ACT 420

AN ACT *to amend* 343.32 (2) (bt); and *to create* 346.922 and 346.95 (7) of the statutes; **relating to:** transport of children riding within cargo areas of motor trucks and providing a penalty.

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

**SECTION 1.** 343.32 (2) (bt) of the statutes is amended to read:

343.32 (2) (bt) The scale adopted by the secretary may not assess any demerit points for a violation of s. 346.922 or 347.48 (2m) (b), (c) or (d) or (4) (a).

**SECTION 2.** 346.922 of the statutes is created to read:

**346.922 Transporting children in cargo areas of motor trucks.** (1) Notwithstanding s. 346.92, no person may operate upon a highway a motor truck having a gross weight of 10,000 pounds or less when any child under the age of 16 years is in an open cargo area of the motor truck.

(2) Subsection (1) does not apply to any of the following:

(a) A person operating a farm truck in conjunction with farm operations.

(b) A person operating a motor truck in a parade sanctioned by a local municipality.

(c) A person operating a motor truck for the purpose of transporting licensed deer hunters during the authorized deer hunting season with firearms.

**SECTION 3.** 346.95 (7) of the statutes is created to read:

346.95 (7) Any person violating s. 346.922 may be required to forfeit not less than \$10 nor more than \$25 for the first offense and not less than \$25 nor more than \$200 for a 2nd or subsequent conviction within 3 years.

**SECTION 4. Initial applicability.**

(1) This act first applies to offenses committed on the effective date of this subsection.

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\* Section 991.11, WISCONSIN STATUTES 1993-94: 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].