

1999 DRAFTING REQUEST

Bill

Received: 11/13/98

Received By: nilsepe

Wanted: As time permits

Identical to LRB:

For: John Ainsworth (608) 266-3097

By/Representing:

This file may be shown to any legislator: NO

Drafter: nilsepe

May Contact:

Alt. Drafters:

Subject: Transportation - traffic laws

Extra Copies: TNF

Pre Topic:

No specific pre topic given

Topic:

Strobe lights on slow moving motor trucks

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	nilsepe 03/9/99	wjackson 03/10/99		_____			
/1	nilsepe 03/26/99	wjackson 03/26/99	martykr 03/11/99	_____	lrb_docadmin 03/11/99		
/2			jfrantze 03/30/99	_____	lrb_docadmin 03/30/99	lrb_docadmin 04/1/99	

FE Sent For:

Not Needed

<END>

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Topic:

Strobe lights on milk trucks

Instructions:

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1/2	nilsepe.	1 3/10 WLJ	1/3 Am 11	25 3 Am 11			

FE Sent For:

<END>





John Ainsworth

State Representative • 6th Assembly District

Chair: Assembly Committee on Rural Affairs

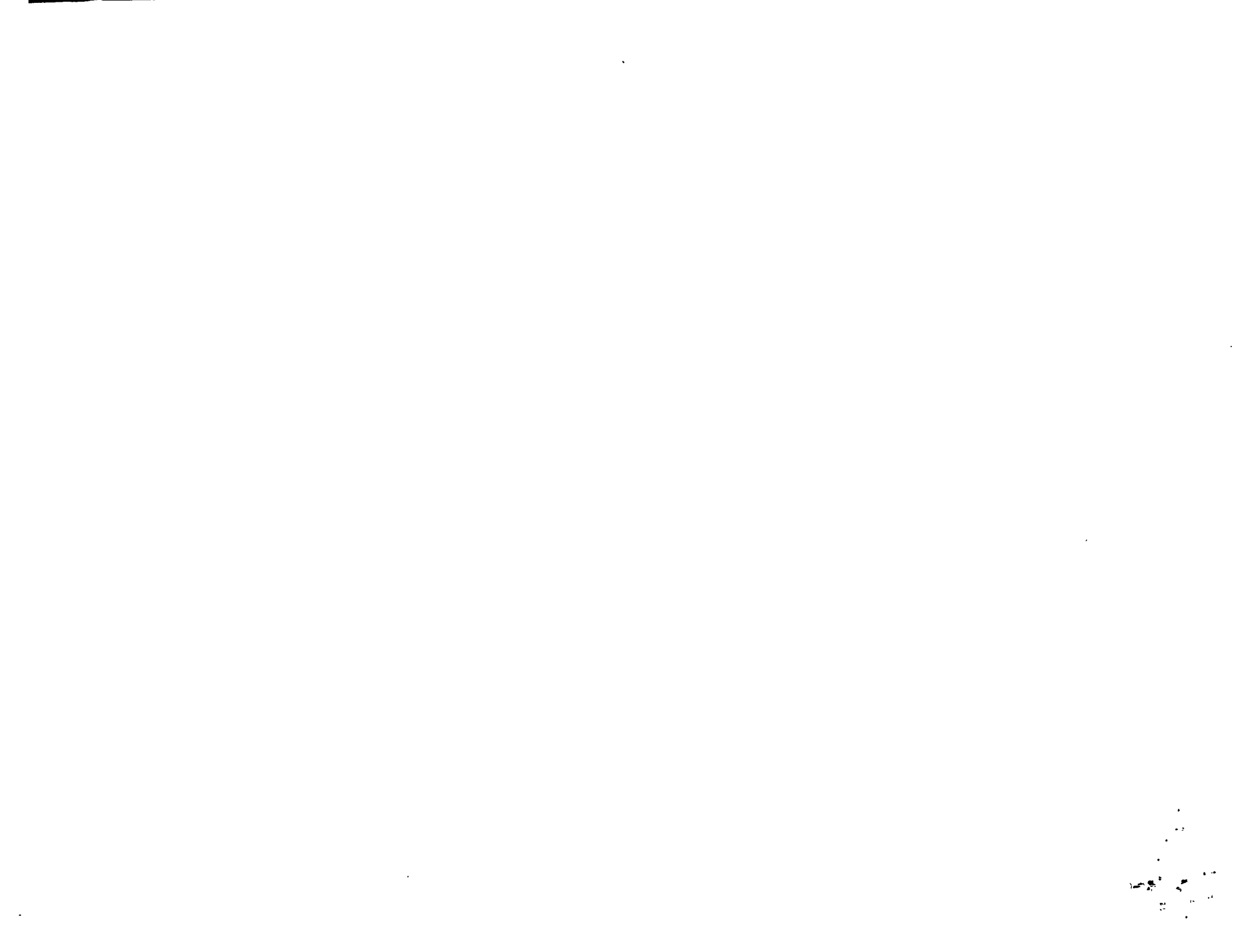
MEMORANDUM

To: Tim Fast, Senior Attorney
From: Representative John Ainsworth
Date: November 13, 1998
Re: Special Warning Lamp Legislation

According to *Wisconsin Statute 347.25 (2)*, school buses may be equipped with a 360-degree flashing white strobe light with a flashrate of 60 to 120 per minute. I would like to draft legislation, for the 1999-2000 legislative session, which would extend permission for such warning lamps to trucks which pick up milk from farms.

Thank you in advance for your assistance on this matter. If you have any additional questions regarding this request, please do not hesitate to contact either myself or Kristina Boardman at 266-3097.







State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0874/2

PEN.../.....

WJ
[Handwritten signature]

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

d-note

Gen Cat

1
2

AN ACT ^{Gen Cat} relating to: strobe lights on certain vehicles transporting milk, dairy supplies or dairy products and requiring the exercise of rulemaking authority??

Analysis by the Legislative Reference Bureau

Current law generally prohibits any vehicle from displaying any flashing light. Specific exceptions allow flashing lights to be displayed on police, fire, ambulance and other authorized emergency vehicles and on school buses. Specific rules of the road generally apply to those vehicles whenever those vehicles display flashing lights.

This bill authorizes the display of a white strobe light on any vehicle or combination of vehicles transporting exclusively milk from the point of production to the primary market and the return of dairy supplies and dairy products from such primary market to the farm. The bill requires the department of transportation to promulgate rules specifying the type, installation and use of the flashing light.

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

3
4
5

SECTION 1. 347.25 (6) of the statutes is created to read:

347.25 (6) A vehicle or combination of vehicles transporting exclusively milk from the point of production to the primary market and the return of dairy supplies

1 and dairy products from such primary market to the farm may display a 360-degree
2 white strobe light having a flashrate of 60 to 120 per minute.

3 **SECTION 2. Nonstatutory provisions.**

4 (1) Not later than June 30, 2000, the department of transportation shall submit
5 to the legislative council staff under section 227.15 (1) ^{✓ of the statutes} rules in proposed form
6 specifying the type, installation, operation and light output brilliance of the strobe
7 lights authorized under section 347.25 (6) [✓] of the statutes, as created by this act.

8 (END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0874/20m

PEN.....

WLj

March 8, 1999

Handwritten signature/initials in a circle

Rep. Ainsworth:

Current law seems to generally authorize the use of flashing lights to provide notice to the drivers of other vehicles to take certain actions (yield, stop, don't pass, ^{observe} slow moving vehicle, etc.). Do you want to change the rules of the road so that the flashing light signals something? ^{Specific}

I do not know whether federal law permits the use of a strobe light on top of milk trucks. Because your draft makes use of the light optional and because the light is not a lesser safety standard, I think it probably does not. If this is a concern to you, please let me know and I will try to determine for certain whether this bill conflicts with federal law.

Paul E. Nilsen
Legislative Attorney
Phone: (608) 261-6926

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0874/1dn
PEN:wlj:km

March 11, 1999

Rep. Ainsworth:

Current law seems to generally authorize the use of flashing lights to provide notice to the drivers of other vehicles to take certain actions (yield, stop, don't pass, observe slow moving vehicle, etc.). Do you want to change the rules of the road so that the flashing light signals something specific?

I do not know whether federal law permits the use of a strobe light on top of milk trucks. Because your draft makes use of the light optional and because the light is not a lesser safety standard, I think it probably does not. If this is a concern to you, please let me know and I will try to determine for certain whether this bill conflicts with federal law.

Paul E. Nilsen
Legislative Attorney
Phone: (608) 261-6926

7

1999 BILL

f-white

street motor trucks
+ traveling slowly
on certain highways

Reger

1 AN ACT to create 347.25 (6) of the statutes; relating to: strobe lights on certain
2 vehicles transporting milk, dairy supplies or dairy products and requiring the
3 exercise of rule making authority.

Analysis by the Legislative Reference Bureau

Current law generally prohibits any vehicle from displaying any flashing light. Specific exceptions allow flashing lights to be displayed on police, fire, ambulance and other authorized emergency vehicles and on school buses. Specific rules of the road generally apply to those vehicles whenever those vehicles display flashing lights.

This bill authorizes the display of a white strobe light on any vehicle or combination of vehicles transporting exclusively milk from the point of production to the primary market or returning dairy supplies and dairy products from such primary market to the farm. The bill requires the department of transportation to promulgate rules specifying the type, installation and use of the flashing light.

Use
A

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

4 SECTION 1. 347.25 (6) of the statutes is created to read:
5 347.25 (6) A vehicle or combination of vehicles transporting exclusively milk
6 from the point of production to the primary market or returning dairy supplies and

BILL

1 dairy products from such primary market to the farm may display a 360-degree
2 white strobe light having a flashrate of 60 to 120 per minute.

3 **SECTION 2. Nonstatutory provisions.**

4 (1) Not later than June 30, 2000, the department of transportation shall submit
5 to the legislative council staff under section 227.15 (1) of the statutes rules in
6 proposed form specifying the type, installation, operation and light output brilliance
7 of the strobe lights authorized under section 347.25 (6) of the statutes, as created by
8 this act.

9 (END)



insert

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0874/2ins
PEN.....

Insert A

Current law generally prohibits any vehicle from displaying any flashing light. Specific exceptions allow flashing lights to be displayed on police vehicles, fire engines, ambulances, school buses, mail delivery vehicles, highway maintenance vehicles and other vehicles. This bill authorizes motor trucks to be equipped with an amber strobe light that may be operated only when the motor truck is upon a highway having a maximum speed limit of more than 35 miles per hour and traveling ~~10~~^{ten} or more miles per hour below the speed limit.

Insert C

1 SECTION 1. 347.26 (11) (am) of the statutes is created to read:

2 347.26 (11) (am) In addition to lamps authorized under this subsection, a
3 motor truck may be equipped with a 360-degree flashing amber light having a
4 flashrate of 60 to 120 per minute and mounted at the highest practicable point. The
5 flashing amber lamp may be lighted only when the motor truck is upon a highway
6 having a maximum speed limit of more than 35 miles per hour and the motor truck
7 is traveling 10 or more miles per hour below the maximum speed limit. The flashing
8 amber lamp may not be lit at other times.

(end insert)

d-note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0874/2dn

PEN.../:...
WJ

March 26, 1999

Rep. Ainsworth:

This bill allows amber strobe lights to be mounted on trucks, but does not require such lights.

The bill allows the lights to be lit only when the truck is traveling on a road having a speed limit of more than 35 miles per hour, but only when the truck is traveling ~~10~~ ten or more miles per hour below the speed limit. This will practically prevent trucks from operating the lights when traveling at the speed limit on faster highways, such as interstates. In effect, the lights become lights warning of a slow moving truck on a fast highway. Ok?

Paul E. Nilsen
Legislative Attorney
Phone: (608) 261-6926

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0874/2dn
PEN:wlj:jf

March 26, 1999

Rep. Ainsworth:

This bill allows amber strobe lights to be mounted on trucks, but does not require such lights.

The bill allows the lights to be lit only when the truck is traveling on a road having a speed limit of more than 35 miles per hour, but only when the truck is traveling ten or more miles per hour below the speed limit. This will practically prevent trucks from operating the lights when traveling at the speed limit on faster highways, such as interstates. In effect, the lights become lights warning of a slow moving truck on a fast highway. OK?

Paul E. Nilsen
Legislative Attorney
Phone: (608) 261-6926

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 3/30/99

To: Representative Ainsworth

Relating to LRB drafting number: LRB-0874


Topic

Strobe lights on slow moving motor trucks

Subject(s)

Transportation - traffic laws

1. **JACKET** the draft for introduction



in the **Senate** ____ or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Paul E. Nilsen, Legislative Attorney
Telephone: (608) 261-6926