

1999 DRAFTING REQUEST

Bill

Received: **09/22/98**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB: **97-2912**

For: **Fred Risser (608) 266-1627**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Transportation - traffic laws**

Extra Copies: **TNF**

Topic:

Required use of helmets on bicycles children under age 18

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 09/22/98 | jgeller 09/23/98 | | _____ | | | |
| /1 | nilsepe 01/19/99 | jgeller 01/19/99 | lpaasch 09/24/98 | _____ | lrb_docadmin 09/24/98 | | |
| /2 | | | lpaasch 01/19/99 | _____ | lrb_docadmin 01/19/99 | lrb_docadmin 01/27/99 | |

FE Sent For:

<END>

**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: 1/19/99

To: Senator Risser

Relating to LRB drafting number: LRB-0258

Topic

Required use of helmets on bicycles children under age 18

Subject(s)

Transportation - traffic laws

1. **JACKET** the draft for introduction Fred Risser
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

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| /? | nilsepe 09/22/98 | ygeller 09/23/98 | | _____ | | | |
| /1 | | 1/2 1/19 JLG | lpaasch 09/24/98 | _____ | lrb_docadmin 09/24/98 | | |

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1/19LP. ~~1/19LP.~~

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|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| /? | nilsepe | 1-9-23-98 JLG | 9-24-98 | 9-24-98 JS | | | |

FE Sent For:

<END>

FRED A. RISSER

State Senator



September 14, 1998

Paul E. Nilsen
Legislative Reference Bureau - Legal Section
100 North Hamilton - 3rd Floor
Madison, Wi. 53703

Dear Paul:

97-2912

97-4646

I'm writing to request that 1997 Senate Bill 402 relating to requiring motor vehicle headlamps be lighted whenever the vehicle is operated upon a highway and 1997 Senate Bill 222 addressing the use of bicycle helmets be redrafted for introduction during the upcoming 1999-2001 legislative session.

With respect to Senate Bill 222, I would like to make a change to incorporate LRBa1054/1, which you also drafted, into the original bill. I have enclosed a copy of the amendment for your information.

If you have any questions relative to these requests, please feel free to contact me.

Thank you.

Most sincerely,


FRED A. RISSER
State Senator

FAR:ca



State of Wisconsin
1997 - 1998 LEGISLATURE

LRBa1054/1
PEN:jlg:hmh

NOV 06 1997

SENATE AMENDMENT,
TO 1997 SENATE BILL 222

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 20: delete "purchased" and substitute "obtained for his or her
3 regular use".

4 (END)

CINDY: Here is
the amendment Kim
will introduce - in ante.
JA.

jal

~0258/1

1997 SENATE BILL 222

May 29, 1997 - Introduced by Senators ~~RISSE~~, BURKE, COWLES, ROSENZWEIG and RUDE, cosponsored by Representatives R. YOUNG, URBAN, HANSON, NOTESTEIN and HANDRICK. Referred to Committee on Labor, Transportation and Financial Institutions.

See changes
PJ-2

D-Note

Regen

1 AN ACT to create 346.79 (6) and 346.82 (3) of the statutes; relating to: the use
2 of bicycle helmets and providing a penalty. ✓

Analysis by the Legislative Reference Bureau

This bill requires that whenever a person younger than 18 years of age (minor) is riding a bicycle upon a highway, bicycle lane or bicycle way, the person wear an approved bicycle helmet properly fastened to his or her head. The bill also:

1. Prohibits parents and guardians of minors from knowingly permitting a minor to ride or be a passenger on a bicycle without properly wearing an approved bicycle helmet.

2. Prohibits any person from renting or leasing a bicycle for the use of a minor unless the minor is in possession of an approved bicycle helmet.

3. Prohibits any person from selling a bicycle for the use of a minor without first ascertaining that the minor owns an approved bicycle helmet.

A violator may be required to forfeit not more than \$30, except that no forfeiture may be assessed against a parent, guardian or minor if the parent, guardian or minor provides proof that, within 30 days after the citation was issued, he or she purchased a helmet.

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

3 SECTION 1. 346.79 (6) of the statutes is created to read:

SENATE BILL 222

SECTION 1

1 346.79 (6) (a) Any operator or passenger on a bicycle who has not attained[✓] 18
 2 years of age shall wear a helmet that meets the requirements of this paragraph
 3 securely fastened to his or her head according to the directions of the manufacturer
 4 of the helmet. A helmet meets the requirements of this paragraph if it meets or
 5 exceeds the impact standards for protective bicycle helmets established by the
 6 American National Standards Institute[✓] or the Snell Memorial Foundation in effect
 7 on the effective date of this paragraph [revisor inserts date].[✓]

8 (b) No parent or guardian, as defined in s. 146.34 (1) (d),[✓] of a person under 18
 9 years of age may knowingly permit that person to violate par. (a).

10 (c) No person may rent or lease a bicycle to or for the use of any person under
 11 18[✓] years of age unless he or she has ascertained that the person is in possession of
 12 a helmet that meets the requirements of par. (a).

13 (d) No person may sell any bicycle to or for the use of a person under 18 years
 14 of age unless that person presents satisfactory proof of ownership of a helmet that
 15 meets the requirements of par. (a).

16 **SECTION 2.** 346.82 (3)^x of the statutes is created to read:

17 346.82 (3) Any person violating s. 346.79 (6)[✓] may be required to forfeit not more
 18 than \$30,[✓] except that no forfeiture may be assessed for a violation of s. 346.79 (6) (a)
 19 or (b)[✓] if the person provides proof that, within 30 days after the uniform traffic
 20 citation was issued, he or she ~~purchased~~ ^{obtained for his or her} a helmet that meets the requirements of s.
 21 346.79 (6) (a).[✓] _{regular use}

22 **SECTION 3. Effective date.**

23 (1) This act takes effect on the first day of the 2nd[✓] month beginning after
 24 publication.

25 (END) [✓]

D-NOTE



99-0258/1dn

P This bill is identical to 1999

Senate Bill 222[✓], as amended by 1997

LRBa1054/1.

-PEN

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0258/1dn
PEN:jlg:lp

September 24, 1998

This bill is identical to 1999 Senate Bill 222, as amended by 1997 LRBa1054/1.

Paul E. Nilsen
Legislative Attorney
261-6926



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-02584

PEN:jlg:lp

500H

2

1999 BILL

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

3 SECTION 1. 346.79 (6) of the statutes is created to read:

