

2001 DRAFTING REQUEST

Bill

Received: **11/01/2000**

Received By: **phurley**

Wanted: **As time permits**

Identical to LRB:

For: **Marlin Schneider (608) 266-0215**

By/Representing:

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

Drafter: **phurley**

May Contact:

Alt. Drafters:

Subject: **Transportation - traffic laws**

Extra Copies: **TNF**

Pre Topic:

No specific pre topic given

Topic:

Requiring headlamps to be used in inclement weather

Instructions:

redraft 99-4244/1

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>
/?	phurley 11/06/2000	gilfokm 11/13/2000		_____			
/1			pgreensl 11/14/2000	_____	lrb_docadmin 11/14/2000	lrb_docadmin 01/17/2001	

FE Sent For:

<END>

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1?	phurley	11-11/10	11/13 pg	11/13 pg/RD			

FE Sent For:

<END>

Hurley, Peggy

From: Fast, Timothy
Sent: Thursday, October 26, 2000 2:56 PM
To: Hurley, Peggy
Subject: FW: Redraft request for Marlin Schneider

-----Original Message-----

From: Fast, Timothy
Sent: Thursday, October 26, 2000 2:31 PM
To: Miller, Steve
Subject: RE: Redraft request for Marlin Schneider

Peggy and I will handle these. Peggy the first as she's done some drafting on this subject; I'll handle the second.

Peace, Tim

-----Original Message-----

From: Miller, Steve
Sent: Thursday, October 26, 2000 2:22 PM
To: Fast, Timothy
Subject: Redraft request for Marlin Schneider

Rep. Schneider has requested the following redrafts.
He understands that our priority at this time is drafting the Governor's budget.

99-4244/1

99-4252/1

~~1999 BILL~~

111-600

→ PROOF: all amended
stats. w/FOLIO

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AN ACT to amend 29.924 (2), 347.06 (1), 347.06 (4), 347.09 (1) (intro.), 347.10 (4),
347.12 (1) (intro.), 347.13 (1), 347.16 (1) (intro.) and 347.16 (2) (intro.) of the
statutes; relating to: requiring headlights and other required lamps on
vehicles to be lighted during inclement weather conditions

Sen. CRT

and providing a penalty

with limited exceptions

Analysis by the Legislative Reference Bureau

Under current law, no person may operate a vehicle upon a highway during hours of darkness unless any required headlamps, tail lamps, and clearance lamps of the vehicle are lighted. This bill provides that these lamps must also be lighted whenever it is raining, snowing, sleet, or hailing, or any other time when visibility is impaired by inclement weather conditions. A person who violates any of these provisions may be required to forfeit not less than \$10 nor more than \$20 for a first offense and not less than \$25 nor more than \$50 for a 2nd or subsequent conviction within a year.

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

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SECTION 1. 29.924 (2) of the statutes is amended to read:

29.924 (2) DRIVING WITHOUT HEADLIGHTS. In the performance of their law enforcement duties, wardens may operate motor vehicles owned or leased by the

BILL

2

1 department upon a highway, other than an interstate, a state trunk highway for any
 2 highway within the limits of any incorporated area, during hours of darkness,
 3 whenever it is raining, snowing, sleet^g or hailing, or at any other time when
 4 visibility is impaired by inclement weather conditions, without lighted headlamps,
 5 tail lamps or clearance lamps, contrary to s. 347.06 (1), if the driving will aid in the
 6 accomplishment of a lawful arrest for violation of this chapter or in ascertaining
 7 whether a violation of this chapter has been or is about to be committed. Any civil
 8 action or proceeding brought against any warden operating a motor vehicle under
 9 this subsection is subject to ss. 893.82 and 895.46.

10 SECTION 2. 347.06 (1) of the statutes is amended to read:

11 347.06 (1) Except as provided in subs. (2) and (4), no person may operate a
 12 vehicle upon a highway during hours of darkness unless all headlamps, tail lamps
 13 and clearance lamps with which such vehicle is required to be equipped are lighted.
 14 Parking lamps as defined described in s. 347.27 shall not be used for this purpose.

15 SECTION 3. 347.06 (4) of the statutes is amended to read:

16 347.06 (4) A duly authorized warden, as defined in s. 24.01 (11), may operate
 17 a vehicle owned or leased by the department of natural resources upon a highway
 18 during hours of darkness, whenever it is raining, snowing, sleet^g or hailing, or at
 19 any other time when visibility is impaired by inclement weather conditions, without
 20 lighted headlamps, tail lamps or clearance lamps in the performance of the warden's
 21 duties under s. 29.924 (2).

22 SECTION 4. 347.09 (1) (intro.) of the statutes is amended to read:

23 347.09 (1) (intro.) No person shall operate a motor vehicle on a highway during
 24 hours of darkness, whenever it is raining, snowing, sleet^g or hailing, or at any

whenever it is raining, snowing, sleet^g or hailing, or at any other time when visibility is impaired by inclement weather conditions

BILL

1 other time when visibility is impaired by inclement weather conditions, unless such
2 vehicle is equipped as follows:

3 **SECTION 5.** 347.10 (4) of the statutes is amended to read:

4 347.10 (4) Any motor vehicle may be operated during hours of darkness,
5 whenever it is raining, snowing, sleet^ging or hailing, or at any other time when
6 visibility is impaired by inclement weather conditions, when equipped with 2 lighted
7 lamps upon the front thereof capable of revealing persons and objects 75 feet ahead
8 in lieu of lamps required by subs. (1) to (3) if such vehicle at no time is operated at
9 a speed in excess of 20 miles per hour. No lighted lamp under this subsection shall
10 have any type of decorative covering that restricts the amount of light emitted when
11 the lighted lamp is in use. This subsection does not apply to any type of decorative
12 covering originally equipped on the vehicle at the time of manufacture and sale.

13 **SECTION 6.** 347.12 (1) (intro.) of the statutes is amended to read:

14 347.12 (1) (intro.) Whenever a motor vehicle is being operated on a highway
15 during hours of darkness, whenever it is raining, snowing, sleet^ging or hailing, or at
16 any other time when visibility is impaired by inclement weather conditions, the
17 operator shall use a distribution of light or composite beam directed high enough and
18 of sufficient intensity to reveal a person or vehicle at a safe distance in advance of
19 the vehicle, subject to the following requirements and limitations:

20 **SECTION 7.** 347.13 (1) of the statutes is amended to read:

21 347.13 (1) No person shall operate a motor vehicle, mobile home^g trailer or
22 semitrailer upon a highway during hours of darkness, whenever it is raining,
23 snowing, sleet^ging or hailing, or at any other time when visibility is impaired by
24 inclement weather conditions, unless such motor vehicle, mobile home^g trailer or
25 semitrailer is equipped with at least one tail lamp mounted on the rear which, when

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1 lighted during hours of darkness, whenever it is raining, snowing, sleet^ging or hailing,
2 or at any other time when visibility is impaired by inclement weather conditions,
3 emits a red light plainly visible from a distance of 500 feet to the rear. No tail lamp
4 shall have any type of decorative covering that restricts the amount of light emitted
5 when the tail lamp is in use. No vehicle originally equipped at the time of
6 manufacture and sale with 2 tail lamps shall be operated upon a highway during
7 hours of darkness unless both such lamps are in good working order. This subsection
8 does not apply to any type of decorative covering originally equipped on the vehicle
9 at the time of manufacture and sale.

10 **SECTION 8.** 347.16 (1) (intro.) of the statutes is amended to read:

11 347.16 (1) (intro.) No person shall operate on a highway ~~during hours of~~
12 ~~darkness~~ any vehicle, except automobiles, having a width at any part in excess of 80
13 inches during hours of darkness, whenever it is raining, snowing, sleet^ging or hailing,
14 or at any other time when visibility is impaired by inclement weather conditions,
15 unless such vehicle is equipped with:

16 **SECTION 9.** 347.16 (2) (intro.) of the statutes is amended to read:

17 347.16 (2) (intro.) No person shall operate any of the following vehicles on a
18 highway during hours of darkness, whenever it is raining, snowing, sleet^ging or
19 hailing, or at any other time when visibility is impaired by inclement weather
20 conditions, unless such vehicles are equipped as indicated:

21 (END)



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

STEPHEN H. MILLEH
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

November 14, 2000

MEMORANDUM

To: Representative Schneider

From: Peggy J. Hurley, Legislative Attorney

Re: LRB-0883 Requiring headlamps to be used in inclement weather

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-8906 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266 3561 if you have any questions regarding this memorandum.