

## 2001 ASSEMBLY BILL 463

July 17, 2001 - Introduced by Representatives STONE, AINSWORTH, LIPPERT, McCORMICK, RYBA, STARZYK and SYKORA, by request of Odelle Leonard. Referred to Committee on Highway Safety.

1     **AN ACT to amend** 29.924 (2), 347.06 (1), 347.06 (4), 347.09 (1) (intro.), 347.10 (4),  
2             347.12 (1) (intro.), 347.13 (1), 347.16 (2) (intro.) and 347.26 (1) of the statutes;  
3             **relating to:** requiring vehicle headlamps and other required lamps to be  
4             lighted whenever the vehicle is being operated on certain highways.

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### *Analysis by the Legislative Reference Bureau*

Under current law, with certain exceptions, a person is required to light all headlamps, tail lamps, and clearance lamps with which his or her vehicle is required to be equipped whenever he or she operates the vehicle on any highway during hours of darkness.

This bill provides that these lamps must also be lighted whenever the vehicle is being operated at any time on a highway with a maximum speed limit of 55 miles per hour.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

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

**ASSEMBLY BILL 463****SECTION 1**

1           29.924 (2) DRIVING WITHOUT HEADLIGHTS. In the performance of their law  
2 enforcement duties, wardens may operate motor vehicles owned or leased by the  
3 department upon a highway, other than an interstate, a state trunk highway or any  
4 highway within the limits of any incorporated area, during hours of darkness or, if  
5 the maximum speed limit on the highway is 55 miles per hour, at any time, without  
6 lighted headlamps, tail lamps or clearance lamps, contrary to s. 347.06, if the driving  
7 will aid in the accomplishment of a lawful arrest for violation of this chapter or in  
8 ascertaining whether a violation of this chapter has been or is about to be committed.  
9 Any civil action or proceeding brought against any warden operating a motor vehicle  
10 under this subsection is subject to ss. 893.82 and 895.46.

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

12           347.06 (1) Except as provided in subs. (2) and (4), no person may operate a  
13 vehicle upon a highway during hours of darkness or, if the maximum speed limit on  
14 the highway is 55 miles per hour, at any time, unless all headlamps, tail lamps and  
15 clearance lamps with which such vehicle is required to be equipped are lighted.  
16 Parking lamps as ~~defined~~ described in s. 347.27 shall not be used for this purpose.

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

18           347.06 (4) A duly authorized warden, as defined in s. 24.01 (11), may operate  
19 a vehicle owned or leased by the department of natural resources upon a highway  
20 during hours of darkness or, if the maximum speed limit on the highway is 55 miles  
21 per hour, at any time, without lighted headlamps, tail lamps or clearance lamps in  
22 the performance of the warden's duties under s. 29.924 (2).

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

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1           347.09 (1) (intro.) No person shall operate a motor vehicle on a highway during  
2 hours of darkness or, if the maximum speed limit on the highway is 55 miles per hour,  
3 at any time, unless such vehicle is equipped as follows:

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

5           347.10 (4) Any motor vehicle may be operated during hours of darkness or, if  
6 the maximum speed limit on the highway is 55 miles per hour, at any time, when  
7 equipped with 2 lighted lamps upon the front thereof capable of revealing persons  
8 and objects 75 feet ahead in lieu of lamps required by subs. (1) to (3) if such vehicle  
9 at no time is operated at a speed in excess of 20 miles per hour. No lighted lamp under  
10 this subsection shall have any type of decorative covering that restricts the amount  
11 of light emitted when the lighted lamp is in use. This subsection does not apply to  
12 any type of decorative covering originally equipped on the vehicle at the time of  
13 manufacture and sale.

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

15           347.12 (1) (intro.) Whenever a motor vehicle is being operated on a highway  
16 during hours of darkness or, if the maximum speed limit on the highway is 55 miles  
17 per hour, at any time, the operator shall use a distribution of light or composite beam  
18 directed high enough and of sufficient intensity to reveal a person or vehicle at a safe  
19 distance in advance of the vehicle, subject to the following requirements and  
20 limitations:

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

22           347.13 (1) No person shall operate a motor vehicle, mobile home or trailer or  
23 semitrailer upon a highway during hours of darkness or, if the maximum speed limit  
24 on the highway is 55 miles per hour, at any time, unless such motor vehicle, mobile  
25 home or trailer or semitrailer is equipped with at least one tail lamp mounted on the

**ASSEMBLY BILL 463****SECTION 7**

1 rear which, when lighted during hours of darkness, emits a red light plainly visible  
2 from a distance of 500 feet to the rear. No tail lamp shall have any type of decorative  
3 covering that restricts the amount of light emitted when the tail lamp is in use. No  
4 vehicle originally equipped at the time of manufacture and sale with 2 tail lamps  
5 shall be operated upon a highway during hours of darkness or, if the maximum speed  
6 limit on the highway is 55 miles per hour, at any time, unless both such lamps are  
7 in good working order. This subsection does not apply to any type of decorative  
8 covering originally equipped on the vehicle at the time of manufacture and sale.

9 **SECTION 8.** 347.16 (2) (intro.) of the statutes is amended to read:

10 347.16 (2) (intro.) No person shall operate any of the following vehicles on a  
11 highway during hours of darkness or, if the maximum speed limit on the highway is  
12 55 miles per hour, at any time, unless such vehicles are equipped as indicated:

13 **SECTION 9.** 347.26 (1) of the statutes is amended to read:

14 347.26 (1) GENERAL RESTRICTIONS. A vehicle need not be equipped with the  
15 lamps specified in this section, but if a vehicle is equipped with any such lamps, no  
16 person shall operate such vehicle on a highway during hours of darkness or, if the  
17 maximum speed limit on the highway is 55 miles per hour, at any time, unless such  
18 lamps comply with the requirements of this section and no person shall use such  
19 lamps in a manner inconsistent with this section.

20 (END)