

2001 DRAFTING REQUEST

Bill

Received: 01/17/2001

Received By: phurley

Wanted: As time permits

Identical to LRB:

For: Jeff Stone (608) 266-8590

By/Representing:

This file may be shown to any legislator: NO

Drafter: phurley

May Contact:

Addl. Drafters:

Subject: Transportation - motor vehicles

Extra Copies: TNF, ARG

Submit via email: NO

Requester's email:

Pre Topic:

No specific pre topic given

Topic:

Headlamps on two lane highways

Instructions:

Require the use of headlamps at all times on two lane highways

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> |
|--------------|-----------------------|--------------------|------------------------|----------------|----------------------------|-------------------------------|-----------------|
| /1 | phurley 03/27/2001 | jdye 03/27/2001 | jfrantze 03/29/2001 | _____ | lrb_docadmin 03/29/2001 | lrb_docadminS&L 05/01/2001 | |

FE Sent For:

<END>

→ At Intro.

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|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| 1/? | phurley | 1 3/27 jd | 63/09 | Self 3/29 | | | |

FE Sent For:

<END>

Bill Request Form

Legislative Reference Bureau
100 N. Hamilton Street
Legal Section 266-3561

*Use of this form is optional. It is often better to talk directly with the LRB attorney who will draft the bill.
Use this form only for bill draft requests. Attach more pages if necessary.*

Date January 17, 2001

Legislator, agency, or other person requesting this draft Rep. Jeff Stone

Person submitting request (name and phone number) Tami Rongstad 6-8591

Persons to contact for questions about this draft (names and phone numbers) Either Tami 6-8591 or Rep. Stone

Describe the problem, including any helpful examples. How do you want to solve the problem?

*require all vehicles to use their headlights
on two-lane highways.*

Please attach a copy of any correspondence or other material that may help us. If you know of any statute sections that might be affected, list them or provide a marked-up copy.

You may attach a marked-up copy of any LRB draft or provide its number (e.g., 1999 LRB-2345/1 or 1997 AB-67).

Requests are confidential unless stated otherwise. May we tell others that we are working on this for you? YES NO

If yes: Anyone who asks? YES NO
 Any legislator? YES NO

Only the following persons _____

Do you consider this request urgent? YES NO If yes, please indicate why _____

Should we give this request priority over any pending request of this legislator, agency, or person?

YES NO

January 8, 2001

Mr. Jeffrey A. Stone
7424 W. Forest Home Ave.
Greenfield, WI 53220

Dear Jeff:

As my husband and I were driving home from church yesterday I made an observation which my husband felt should be shared with you. It has to do with the safety of those driving on our state roads...particularly our two-lane highways.

This idea probably came to me because of a recent conversation with my brother who told of a harrowing incident he and his wife had on their return to Ames, Iowa, following a visit with us. He said that their was considerable blowing of snow, and as he passed another vehicle on a two-lane highway, they just narrowly missed hitting another vehicle head-on!

It is my suggestion that you sponsor legislation requiring that all vehicles use their headlights on two-lane highways in Wisconsin.

Although my husband and I use our headlights all the time, we feel that there would be significant reduction in the number of accidents and traffic deaths if people were better able to see on-coming vehicles when attempting to pass on a two-lane highway.

It is my sincere hope that you will give serious consideration to this potential safety enhancement for Wisconsin highways. Who knows, possibly other states will follow the lead if Wisconsin begins this safety program.

With sincere thanks for your dedicated service to the citizens of the 82nd District and the State of Wisconsin, I am-

Sincerely yours,



Mrs. Odelle M. Leonard
4589 South 119th Street
Greenfield, WI 53228



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-2113/1

PJH:n:...

Jed

2001 BILL

327.02

gen

1 AN ACT ...; relating to: requiring vehicle headlamps and other required lamps
2 to be lighted whenever the vehicle is being operated on certain highways. ✓

Analysis by the Legislative Reference Bureau

* Under current law, with certain exceptions, a person is required to light all headlamps, taillamps, 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.

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

3 SECTION 1. 29.924 (2) ✓ of the statutes is amended to read:
4 29.924 (2) DRIVING WITHOUT HEADLIGHTS. In the performance of their law
5 enforcement duties, wardens may operate motor vehicles owned or leased by the
6 department upon a highway, other than an interstate, a state trunk highway or any

BILL**SECTION 1**

1 highway within the limits of any incorporated area, during hours of darkness or, if
2 the maximum speed limit on the highway is 55[✓] miles per hour, at any time, without
3 lighted headlamps, tail lamps or clearance lamps, contrary to s. 347.06, if the driving
4 will aid in the accomplishment of a lawful arrest for violation of this chapter or in
5 ascertaining whether a violation of this chapter has been or is about to be committed.
6 Any civil action or proceeding brought against any warden operating a motor vehicle
7 under this subsection is subject to ss. 893.82 and 895.46.

8 History: 1997 a. 248 ss. 103 to 107, 711; 1999 a. 83; 1999 a. 150 s. 2; 13.93 (2) (c).

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

9 347.06 (1) Except as provided in subs. (2) and (4), no person may operate a
10 vehicle upon a highway during hours of darkness or, if the maximum speed limit on
11 the highway is 55[✓] miles per hour, at any time, unless all headlamps, tail lamps and
12 clearance lamps with which such vehicle is required to be equipped are lighted.
13 Parking lamps as defined described[✓] in s. 347.27 shall not be used for this purpose.

14 History: 1977 c. 425; 1979 c. 32; 1981 c. 98 s. 3; 1997 a. 248[✓]

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

15 347.06 (4) A duly authorized warden, as defined in s. 24.01 (11), may operate
16 a vehicle owned or leased by the department of natural resources upon a highway
17 during hours of darkness or, if the maximum speed limit on the highway is 55[✓] miles
18 per hour, at any time, without lighted headlamps, tail lamps or clearance lamps in
19 the performance of the warden's duties under s. 29.924 (2).

20 **SECTION 4.** 347.09 (1) (intro.)[✓] of the statutes is amended to read:

21 347.09 (1) (intro.) No person shall operate a motor vehicle on a highway during
22 hours of darkness or, if the maximum speed limit on the highway is 55[✓] miles per hour,
23 at any time, unless such vehicle is equipped as follows:

24 History: 1983 a. 243; 1985 a. 65.

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

BILL

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

History: 1983 a. 243; 1995 a. 346.

10 **SECTION 6.** 347.12 (1) (intro.)[✓] of the statutes is amended to read:

11 347.12 (1) (intro.) Whenever a motor vehicle is being operated on a highway
12 during hours of darkness or, if the maximum speed limit on the highway is 55[✓] miles
13 per hour, at any time, the operator shall use a distribution of light or composite beam
14 directed high enough and of sufficient intensity to reveal a person or vehicle at a safe
15 distance in advance of the vehicle, subject to the following requirements and
16 limitations:

History: 1989 a. 69; 1991 a. 316; 1999 a. 66.

17 **SECTION 7.** 347.13 (1)[✓] of the statutes is amended to read:

18 347.13 (1) No person shall operate a motor vehicle, mobile home or trailer or
19 semitrailer upon a highway during hours of darkness or, if the maximum speed limit
20 on the highway is 55[✓] miles per hour, at any time, unless such motor vehicle, mobile
21 home or trailer or semitrailer is equipped with at least one tail lamp mounted on the
22 rear which, when lighted during hours of darkness, emits a red light plainly visible
23 from a distance of 500 feet to the rear. No tail lamp shall have any type of decorative
24 covering that restricts the amount of light emitted when the tail lamp is in use. No

BILL

SECTION 7

1 vehicle originally equipped at the time of manufacture and sale with 2 tail lamps
2 shall be operated upon a highway during hours of darkness or, if the maximum speed
3 limit on the highway is 55 miles per hour, at any time, unless both such lamps are
4 in good working order. This subsection does not apply to any type of decorative
5 covering originally equipped on the vehicle at the time of manufacture and sale.

History: 1973 c. 252; 1995 a. 346.

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

7 347.16 (2) ^(intro.) No person shall operate any of the following vehicles on a highway
8 during hours of darkness or, if the maximum speed limit on the highway is 55 miles
9 per hour, at any time, unless such vehicles are equipped as indicated:

10 SECTION 9. 347.26 (1) ^(intro.) of the statutes is amended to read:

11 347.26 (1) GENERAL RESTRICTIONS. A vehicle need not be equipped with the
12 lamps specified in this section, but if a vehicle is equipped with any such lamps, no
13 person shall operate such vehicle on a highway during hours of darkness or, if the
14 maximum speed limit on the highway is 55 miles per hour, at any time, unless such
15 lamps comply with the requirements of this section and no person shall use such
16 lamps in a manner inconsistent with this section.

History: 1977 c. 29 s. 1654 (8) (a); 1983 a. 53 s. 114; 1985 a. 204; 1989 a. 134, 336; 1993 a. 496.

17

(END)



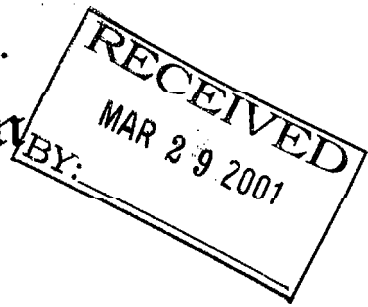
State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

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

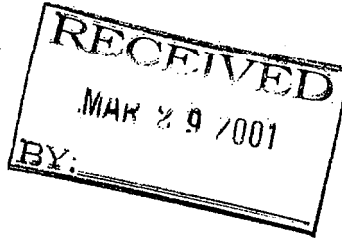
STEPHEN R. MILLER
CHIEF

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



March 29, 2001

MEMORANDUM



To: Representative Stone

From: Peggy J. Hurley, Legislative Attorney

Re: LRB-2113 Headlamps on two lane highways

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.