

2001 Jr2 DRAFTING REQUEST

Senate Amendment (SA-SSA1-AB1)

Received: **03/27/2002**

Received By: **phurley**

Wanted: **As time permits**

Identical to LRB:

For: **Senate Democratic Caucus**

By/Representing: **Engel**

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

Drafter: **phurley**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**
Transportation - traffic laws

Extra Copies: **TNF, ARG**

Submit via email: **NO**

Pre Topic:

SCC:.....Engel - CN5804,

Topic:

Requiring headlamps when windshield wipers are used

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>
/?	phurley	gilfokm	jfrantze	_____			
	03/28/2002	03/28/2002	03/28/2002	_____			
		gilfokm		_____			
		03/28/2002		_____			
	gilfokm			_____			
	03/29/2002			_____			
/1	phurley	gilfokm	jfrantze	_____	lrb_docadmin		
	04/01/2002	04/01/2002	03/29/2002	_____	04/01/2002		
/2			rschluet	_____	lrb_docadmin		
			04/01/2002	_____	04/01/2002		

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

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/?	phurley 03/28/2002	gilfokm 03/28/2002	jfrantze 03/28/2002	_____			
		gilfokm 03/28/2002		_____			
		gilfokm 03/29/2002		_____			
/1	<i>12-4/1 kmg</i>		jfrantze 03/29/2002	_____	lrb_docadmin 04/01/2002		

FE Sent For:

4-1-2

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1/?	phurley	3/29 King	6/29	3/29			

FE Sent For:

<END>

This is a new provision with no fiscal effect.

Incorporate the provisions of **Senate Bill 19 (LRB 0831/1)** as amended by **Senate Amendment 1** and **Senate Substitute Amendment 1**. This bill relates to requiring headlights and other required lamps on vehicles to be lighted while windshield wipers are being used and providing a penalty.

PJH

CN 5804

2001

Date (time)
needed

LRB b 28351

CAUCUS BUDGET AMENDMENT
[CAUCUS AMDTS. ONLY]

P. V. King

See form **AMENDMENTS — COMPONENTS & ITEMS.**

CAUCUS AMENDMENT
TO SENATE SUBSTITUTE AMENDMENT 1
TO 2001 SPECIAL SESSION ASSEMBLY BILL 1

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated; amend the substitute amendment as follows:

✓ #. Page 29, line 17.: after that line insert: Insert 1 ✓

✓ #. Page 173, line 16.: after that line insert: Insert 2 ✓

✓ #. Page 205, line 20.: after that line insert: Insert 3 ✓

✓ #. Page 209, line 22.: after that line insert: Insert 4 ✓

✓ #. Page 211, line 3.: after that line insert: Insert 5 ✓

✓ #. Page 215, line 7.: after that line insert: Insert 6 ✓

p2 of 2

2001

Date (time) needed _____

LRB b 28351

CAUCUS BUDGET AMENDMENT
[CAUCUS AMDTS. ONLY]

0:00:00

See form **AMENDMENTS — COMPONENTS & ITEMS.**

CAUCUS AMENDMENT
TO SENATE SUBSTITUTE AMENDMENT 1
TO 2001 SPECIAL SESSION ASSEMBLY BILL 1

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated; amend the substitute amendment as follows:

✓ #. Page 222, line 23: after that line insert: Insert 7 ✓

✓ #. Page 224, line 10: after that line insert: Insert 8 ✓

→ Insert A ←

✓ #. Page 224, line 12: after "action for" insert "a headlamp violation under S. 347.065 (1) or"

✓ #. Page 225, line 3: after that line insert: Insert 9 ✓

✓ #. Page 435, line 1: after "(a)" insert "(by SECTION 520)"
(END) bd

#. Page, line:

**SENATE AMENDMENT 1,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2001 SENATE BILL 19**

March 13, 2001 - Offered by Senator BAUMGART.

At the locations indicated, amend the substitute amendment as follows:

1. Page 2, line 5: after that line insert:

SECTION 165.755 (1) (b) of the statutes is amended to read:

165.755 (1) (b) A court may not impose the crime laboratories and drug law enforcement assessment under par. (a) for a violation of s. 101.123 (2) (a), (am) 1., (ar) or (bm) or (5) (b) or for a violation of a state law or municipal or county ordinance involving a nonmoving traffic violation, a headlamp violation under s. 347.065 (1), or a safety belt use violation under s. 347.48 (2m). "

SECTION 302.46 (1) (a) of the statutes is amended to read:

302.46 (1) (a) On or after October 1, 1987, if a court imposes a fine or forfeiture for a violation of state law or for a violation of a municipal or county ordinance except for a violation of s. 101.123 (2) (a), (am) 1., (ar) or (bm) or (5) or state laws or municipal

Insert 2

Insert 3

Rev. can. page

Review by Can. M. Page

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**SENATE SUBSTITUTE AMENDMENT 1,
TO 2001 SENATE BILL 19**

February 20, 2001 - Offered by Senator BAUMGART.

1 **AN ACT** to amend 29.924 (2), 347.06 (1), 347.09 (1) (intro.), 347.10 (4), 347.12 (1)
2 (intro.), 347.13 (1), 347.16 (1) (intro.), 347.16 (2) (intro.), 347.30 (1) and 347.42;
3 and to create 340.01 (74v), 340.01 (74x), 343.23 (2) (c) and 347.065 of the
4 statutes; relating to: requiring headlights and other required lamps on
5 vehicles to be lighted while windshield wipers are being used and providing a
6 penalty.

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

Insert 1

7 **SECTION 1.** 29.924 (2) of the statutes is amended to read:
8 29.924 (2) DRIVING WITHOUT HEADLIGHTS. In the performance of their law
9 enforcement duties, wardens may operate motor vehicles owned or leased by the
10 department upon a highway, other than an interstate, a state trunk highway or any
11 highway within the limits of any incorporated area, during hours of darkness or at
12 any time that a windshield wiper is being used on the windshield of the vehicle,

84p



Ins 1, cont

1 without lighted headlamps, tail lamps or clearance lamps, contrary to s. 347.06 or
2 347.065, if the driving will aid in the accomplishment of a lawful arrest for violation
3 of this chapter or in ascertaining whether a violation of this chapter has been or is
4 about to be committed. Any civil action or proceeding brought against any warden
operating a motor vehicle under this subsection is subject to ss. 893.82 and 895.46. 1).

Insert 4

6 //SECTION 340.01 (74v) of the statutes is created to read:

7 ~~432pb~~ 340.01 (74v) "Windshield" means the shield of safety glass mounted forward
8 of the passenger compartment of a motor vehicle, other than a motor-driven cycle.

9 //SECTION 340.01 (74x) of the statutes is created to read:

10 ~~432pb~~ 340.01 (74x) "Windshield wiper" means a mechanical device for cleaning rain,
11 snow, or other moisture from the windshield of a vehicle. 1).

Insert 5

12 //SECTION 343.23 (2) (c) of the statutes is created to read:

13 ~~439s~~ 343.23 (2) (c) The file for a licensee under par. (a) shall not include any
14 conviction under s. 347.065 (1) or a local ordinance in conformity therewith or a law
15 of a federally recognized American Indian tribe or band in this state in conformity
16 with s. 347.065 (1) or the law of another jurisdiction prohibiting operating a vehicle
17 at any time that a windshield wiper is being used without lighted headlamps, tail
18 lamps, or clearance lamps, as those or substantially similar terms are used in that
19 jurisdiction's laws. 1).

Insert 20

20 //SECTION 347.06 (1) of the statutes is amended to read:

21 ~~461b~~ 347.06 (1) Except as provided in subs. (2) and (4), no person may operate a
22 vehicle upon a highway during hours of darkness unless all headlamps, tail lamps
23 and clearance lamps with which such vehicle is required to be equipped are lighted.
24 Parking lamps as defined described in s. 347.27 shall not be used for this purpose.

25 ~~461d~~ SECTION 347.065 of the statutes is created to read:



Insert 6,
cont

1

347.065 Lighted headlamps required; windshield wipers. (1) Except as

2

provided in subs. (2) to (4), no person may operate a vehicle upon a highway at any

3

time that a windshield wiper is being used on the windshield of the vehicle unless

4

all headlamps, tail lamps, and clearance lamps with which such vehicle is required

5

to be equipped are lighted. Parking lamps as described in s. 347.27 shall not be used

6

for this purpose.

7

(2) Subsection (1) does not apply to temporary use of a windshield wiper for the

8

sole purpose of cleaning the windshield or if lamps that are automatically activated

9

whenever the vehicle is started are in use, if the headlamps are of sufficient intensity

10

to satisfy the requirements for daytime running lamps under 49 CFR 571.108,

11

S5.5.11 (a).

12

(3) Headlamps need not be lighted on a towed vehicle or on a vehicle having

13

at least 2 lighted adverse weather lamps on the front thereof and being operated

14

under the circumstances described in s. 347.26 (3) (b).

15

(4) A duly authorized warden, as defined in s. 24.01 (11), may operate a vehicle

16

owned or leased by the department of natural resources upon a highway at any time

17

that a windshield wiper is being used on the windshield of the vehicle without lighted

18

headlamps, tail lamps, or clearance lamps in the performance of the warden's duties

19

under s. 29.924 (2).

20

(5) Notwithstanding s. 349.02, a law enforcement officer may not stop or

21

inspect a vehicle solely to determine compliance with this section or a local ordinance

22

in conformity with this section. This subsection does not limit the authority of a law

23

enforcement officer to issue a citation for a violation of this section or a local

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ordinance in conformity with this section observed in the course of a stop or

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inspection made for other purposes, except that a law enforcement officer may not



Insert
6. cont

1 take a person into physical custody solely for a violation of this section or a local
2 ordinance in conformity with this section.

461f

3 SECTION 7. 347.09 (1) (intro.) of the statutes is amended to read:

4 347.09 (1) (intro.) No person shall operate a motor vehicle on a highway, during
5 hours of darkness or, subject to the exceptions contained in s. 347.065 (2), at any time
6 that a windshield wiper is being used on the windshield of the vehicle, unless such
7 vehicle is equipped as follows:

461i

8 SECTION 8. 347.10 (4) of the statutes is amended to read:

9 347.10 (4) Any motor vehicle may be operated during hours of darkness or,
10 subject to the exceptions contained in s. 347.065 (2), at any time that a windshield
11 wiper is being used on the windshield of the vehicle, when equipped with 2 lighted
12 lamps upon the front thereof capable of revealing persons and objects 75 feet ahead
13 in lieu of lamps required by subs. (1) to (3) if such vehicle at no time is operated at
14 a speed in excess of 20 miles per hour. No lighted lamp under this subsection shall
15 have any type of decorative covering that restricts the amount of light emitted when
16 the lighted lamp is in use. This subsection does not apply to any type of decorative
17 covering originally equipped on the vehicle at the time of manufacture and sale.

461k

18 SECTION 9. 347.12 (1) (intro.) of the statutes is amended to read:

19 347.12 (1) (intro.) Whenever a motor vehicle is being operated on a highway,
20 during hours of darkness or, subject to the exceptions contained in s. 347.065 (2), at
21 any time that a windshield wiper is being used on the windshield of the vehicle, the
22 operator shall use a distribution of light or composite beam directed high enough and
23 of sufficient intensity to reveal a person or vehicle at a safe distance in advance of
24 the vehicle, subject to the following requirements and limitations:

461m

25 SECTION 10. 347.13 (1) of the statutes is amended to read:



Inset
cont

1 347.13 (1) No person shall operate a motor vehicle, mobile home or trailer or
 2 semitrailer upon a highway, during hours of darkness or, subject to the exceptions
 3 contained in s. 347.065 (2), at any time that a windshield wiper is being used on the
 4 windshield of the vehicle, unless such motor vehicle, mobile home or trailer or
 5 semitrailer is equipped with at least one tail lamp mounted on the rear which, when
 6 lighted during hours of darkness or, subject to the exceptions contained in s. 347.065
 7 (2), at any time a windshield wiper is being used on the windshield of the vehicle,
 8 emits a red light plainly visible from a distance of 500 feet to the rear. No tail lamp
 9 shall have any type of decorative covering that restricts the amount of light emitted
 10 when the tail lamp is in use. No vehicle originally equipped at the time of
 11 manufacture and sale with 2 tail lamps shall be operated upon a highway during
 12 hours of darkness unless both such lamps are in good working order. This subsection
 13 does not apply to any type of decorative covering originally equipped on the vehicle
 14 at the time of manufacture and sale.

15 **461p** SECTION ~~11~~. 347.16 (1) (intro.) of the statutes is amended to read:
 16 347.16 (1) (intro.) No person shall operate on a highway ~~during hours of~~
 17 ~~darkness~~ any vehicle, except automobiles, having a width at any part in excess of 80
 18 inches during hours of darkness or, subject to the exceptions contained in s. 347.065
 19 (2), at any time that a windshield wiper is being used on the windshield of the vehicle,
 20 unless such vehicle is equipped with:

21 **461q** SECTION ~~12~~. 347.16 (2) (intro.) of the statutes is amended to read:
 22 347.16 (2) (intro.) No person shall operate any of the following vehicles on a
 23 highway, during hours of darkness or, subject to the exceptions contained in s.
 24 347.065 (2), at any time that a windshield wiper is being used on the windshield of
 25 the vehicle, unless such vehicles are equipped as indicated:



ins. b. 1 x
cont

4615

SECTION 13. 347.30 (1) of the statutes is amended to read:

347.30 (1) Any person violating s. 347.06, 347.065, or 347.13 (2), (3) or (4) may be required to forfeit not less than \$10 nor more than \$20 for the first offense and not less than \$25 nor more than \$50 for the 2nd or subsequent conviction within a year.

4614

SECTION 14. 347.42 of the statutes is amended to read:

347.42 Windshield wipers. No person may operate on a highway any motor vehicle equipped with a windshield, except a moped or Type 1 motorcycle, unless the motor vehicle also is equipped with a ~~device for cleaning rain, snow or other moisture from the windshield.~~ The device windshield wiper. The windshield wiper shall be so constructed as to be controlled or operated by the operator of the vehicle and shall at all times be maintained in good working order. "

(END)

end of Ins. "6"

Insert 3

1 or county ordinances involving nonmoving traffic violations, headlamp violations
2 under s. 347.065 (1), or safety belt use violations under s. 347.48 (2m), the court, in
3 addition, shall impose a jail assessment in an amount of 1% of the fine or forfeiture
4 imposed or \$10, whichever is greater. If multiple offenses are involved, the court
5 shall determine the jail assessment on the basis of each fine or forfeiture. If a fine
6 or forfeiture is suspended in whole or in part, the court shall reduce the jail
7 assessment in proportion to the suspension.”.

Insert 7

2 Page 6, line 11, after that line insert:

as affected by 2001 Wisconsin Act 16, section 3774,

“SECTION 15 757.05 (1) (a) of the statutes is amended to read:

512m

10 757.05 (1) (a) Whenever a court imposes a fine or forfeiture for a violation of
11 state law or for a violation of a municipal or county ordinance except for a violation
12 of s. 101.123 (2) (a), (am) 1., (ar),^v or (bm) or (5) or state laws or municipal or county
13 ordinances involving nonmoving traffic violations, headlamp violations under s.
14 347.065 (1), or safety belt use violations under s. 347.48 (2m), there shall be imposed
15 in addition a penalty assessment in an amount of 2⁴% of the fine or forfeiture
16 imposed. If multiple offenses are involved, the penalty assessment shall be based
17 upon the total fine or forfeiture for all offenses. When a fine or forfeiture is suspended
18 in whole or in part, the penalty assessment shall be reduced in proportion to the
19 suspension.)).

Insert B

“SECTION 16 814.63 (1) (c) of the statutes is amended to read:

519 ~~np~~ np

21 814.63 (1) (c) This subsection does not apply to an action for a violation of s.
22 101.123 (2) (a), (am) 1., (ar) or (bm) or (5), a headlamp violation under s. 347.065 (1),
23 or a safety belt use violation under s. 347.48 (2m).

checked by mjs

SECTION 17 814.63 (2) of the statutes is amended to read:

519 ~~np~~

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Inst B, wnt

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814.63 (2) Upon the disposition of a forfeiture action in circuit court for violation of a county, town, city, village, town sanitary district or public inland lake protection and rehabilitation district ordinance, except an action for a headlamp violation under s. 347.065 (1) or a safety belt use violation under s. 347.48 (2m), the county, town, city, village, town sanitary district or public inland lake protection and rehabilitation district shall pay a nonrefundable fee of \$5 to the clerk of circuit court. ¹⁾

~~SECTION 18.~~ 814.634 (1) (a) of the statutes is amended to read:

814.634 (1) (a) Except for an action for a headlamp violation under s. 347.065 (1) or a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall charge and collect a \$40 court support services fee from any person, including any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3) or (8) (am) or 814.63 (1).

¹⁾ ~~SECTION 19.~~ 814.635 (1) of the statutes is amended to read:

⁵²² 814.635 (1) Except for an action for a headlamp violation under s. 347.065 (1) or a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall charge and collect a \$9 justice information system fee from any person, including any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3) or (8) (am), 814.62 (1), (2) or (3) (a) or (b) or 814.63 (1). The justice information system fee is in addition to the other fees listed in this section.

⁵²² ~~SECTION 20.~~ 814.65 (1) of the statutes is amended to read:

814.65 (1) COURT COSTS. In a municipal court action, except an action for violation of an ordinance in conformity with s. 347.065 (1) or 347.48 (2m), the municipal judge shall collect a fee of not less than \$15 nor more than \$23 on each separate matter, whether it is on default of appearance, a plea of guilty or no contest, on issuance of a warrant or summons or the action is tried as a contested matter. Of

Insert 9

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Ins d, cont

1 each fee received by the judge under this subsection, the municipal treasurer shall
2 pay monthly \$5 to the state treasurer for deposit in the general fund and shall retain
3 the balance for the use of the municipality.”

4

(END)

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB
PJH 2835/1

1 Insert A:

2 ✓ 1. Page 224, line 11: delete lines 11 to 15 and substitute:

3 "SECTION 520^{bb}. ~~§~~814.634 (1) (a) of the statutes is amended to read:

4 814,634 (1) (a) Except for an action for a headlamp violation under s. 347.065
5 (1) or a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall
6 charge and collect a \$40 court support services fee from any person, including any
7 governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a),
8 (3), or (8) (am) or 814.63 (1).

9 SECTION 520^{bd}. ~~§~~814.634 (1) (a) of the statutes, as affected by 2001 Wisconsin
10 Act ~~44~~⁴⁴. (this act), is amended to read:

11 814,634 (1) (a) Except for an action for a headlamp violation under s. 347.065
12 (1) or a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall
13 charge and collect a \$40 \$52 court support services fee from any person, including
14 any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1)
15 (a), (3), or (8) (am), or 814.63 (1).¹¹.



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

2
LRBb2835/1
PJH:kmg:jf

SCC:.....Engel - CN5804, Requiring headlamps when windshield wipers are used

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT ,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 29, line 17: after that line insert:

3 "SECTION 84r. 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
7 highway within the limits of any incorporated area, during hours of darkness or at
8 any time that a windshield wiper is being used on the windshield of the vehicle,
9 without lighted headlamps, tail lamps or clearance lamps, contrary to s. 347.06 or
10 347.065, if the driving will aid in the accomplishment of a lawful arrest for violation

1 of this chapter or in ascertaining whether a violation of this chapter has been or is
2 about to be committed. Any civil action or proceeding brought against any warden
3 operating a motor vehicle under this subsection is subject to ss. 893.82 and 895.46.”.

4 **2.** Page 173, line 16: after that line insert:

5 “SECTION 338r. 165.755 (1) (b) of the statutes is amended to read:

6 165.755 (1) (b) A court may not impose the crime laboratories and drug law
7 enforcement assessment under par. (a) for a violation of s. 101.123 (2) (a), (am) 1., (ar)
8 or (bm) or (5) (b) or for a violation of a state law or municipal or county ordinance
9 involving a nonmoving traffic violation, a headlamp violation under s. 347.065 (1),
10 or a safety belt use violation under s. 347.48 (2m).”.

11 **3.** Page 205, line 20: after that line insert:

12 “SECTION 420h. 302.46 (1) (a) of the statutes is amended to read:

13 302.46 (1) (a) On or after October 1, 1987, if a court imposes a fine or forfeiture
14 for a violation of state law or for a violation of a municipal or county ordinance except
15 for a violation of s. 101.123 (2) (a), (am) 1., (ar) or (bm) or (5) or state laws or municipal
16 or county ordinances involving nonmoving traffic violations, headlamp violations
17 under s. 347.065 (1), or safety belt use violations under s. 347.48 (2m), the court, in
18 addition, shall impose a jail assessment in an amount of 1% of the fine or forfeiture
19 imposed or \$10, whichever is greater. If multiple offenses are involved, the court
20 shall determine the jail assessment on the basis of each fine or forfeiture. If a fine
21 or forfeiture is suspended in whole or in part, the court shall reduce the jail
22 assessment in proportion to the suspension.”.

23 **4.** Page 209, line 22: after that line insert:

24 “SECTION 432pb. 340.01 (74v) of the statutes is created to read:

glass, or another material,

1 340.01 (74v) “Windshield” means the shield of safety glass mounted forward
2 of the passenger compartment of a motor vehicle, other than a motor-driven cycle.

3 **SECTION 432pd.** 340.01 (74x) of the statutes is created to read:

4 340.01 (74x) “Windshield wiper” means a mechanical device for cleaning rain,
5 snow, or other moisture from the windshield of a vehicle.”

6 **5.** Page 211, line 3: after that line insert:

7 **“SECTION 439s.** 343.23 (2) (c) of the statutes is created to read:

8 343.23 (2) (c) The file for a licensee under par. (a) shall not include any
9 conviction under s. 347.065 (1) or a local ordinance in conformity therewith or a law
10 of a federally recognized American Indian tribe or band in this state in conformity
11 with s. 347.065 (1) or the law of another jurisdiction prohibiting operating a vehicle
12 at any time that a windshield wiper is being used without lighted headlamps, tail
13 lamps, or clearance lamps, as those or substantially similar terms are used in that
14 jurisdiction’s laws.”.

15 **6.** Page 215, line 7: after that line insert:

16 **“SECTION 461b.** 347.06 (1) of the statutes is amended to read:

17 347.06 (1) Except as provided in subs. (2) and (4), no person may operate a
18 vehicle upon a highway during hours of darkness unless all headlamps, tail lamps
19 and clearance lamps with which such vehicle is required to be equipped are lighted.
20 Parking lamps as defined described in s. 347.27 shall not be used for this purpose.

21 **SECTION 461d.** 347.065 of the statutes is created to read:

22 **347.065 Lighted headlamps required; windshield wipers.** (1) Except as
23 provided in subs. (2) to (4), no person may operate a vehicle upon a highway at any
24 time that a windshield wiper is being used on the windshield of the vehicle unless

1 all headlamps, tail lamps, and clearance lamps with which such vehicle is required
2 to be equipped are lighted. Parking lamps as described in s. 347.27 shall not be used
3 for this purpose.

4 (2) Subsection (1) does not apply to temporary use of a windshield wiper for the
5 sole purpose of cleaning the windshield or if lamps that are automatically activated
6 whenever the vehicle is started are in use, if the headlamps are of sufficient intensity
7 to satisfy the requirements for daytime running lamps under 49 CFR 571.108,
8 S5.5.11 (a).

9 (3) Headlamps need not be lighted on a towed vehicle or on a vehicle having
10 at least 2 lighted adverse weather lamps on the front thereof and being operated
11 under the circumstances described in s. 347.26 (3) (b).

12 (4) A duly authorized warden, as defined in s. 24.01 (11), may operate a vehicle
13 owned or leased by the department of natural resources upon a highway at any time
14 that a windshield wiper is being used on the windshield of the vehicle without lighted
15 headlamps, tail lamps, or clearance lamps in the performance of the warden's duties
16 under s. 29.924 (2).

17 (5) Notwithstanding s. 349.02, a law enforcement officer may not stop or
18 inspect a vehicle solely to determine compliance with this section or a local ordinance
19 in conformity with this section. This subsection does not limit the authority of a law
20 enforcement officer to issue a citation for a violation of this section or a local
21 ordinance in conformity with this section observed in the course of a stop or
22 inspection made for other purposes, except that a law enforcement officer may not
23 take a person into physical custody solely for a violation of this section or a local
24 ordinance in conformity with this section.

25 **SECTION 461f.** 347.09 (1) (intro.) of the statutes is amended to read:

1 347.09 (1) (intro.) No person shall operate a motor vehicle on a highway, during
2 hours of darkness or, subject to the exceptions contained in s. 347.065 (2), at any time
3 that a windshield wiper is being used on the windshield of the vehicle, unless such
4 vehicle is equipped as follows:

5 **SECTION 461i.** 347.10 (4) of the statutes is amended to read:

6 347.10 (4) Any motor vehicle may be operated during hours of darkness or,
7 subject to the exceptions contained in s. 347.065 (2), at any time that a windshield
8 wiper is being used on the windshield of the vehicle, when equipped with 2 lighted
9 lamps upon the front thereof capable of revealing persons and objects 75 feet ahead
10 in lieu of lamps required by subs. (1) to (3) if such vehicle at no time is operated at
11 a speed in excess of 20 miles per hour. No lighted lamp under this subsection shall
12 have any type of decorative covering that restricts the amount of light emitted when
13 the lighted lamp is in use. This subsection does not apply to any type of decorative
14 covering originally equipped on the vehicle at the time of manufacture and sale.

15 **SECTION 461k.** 347.12 (1) (intro.) of the statutes is amended to read:

16 347.12 (1) (intro.) Whenever a motor vehicle is being operated on a highway,
17 during hours of darkness or, subject to the exceptions contained in s. 347.065 (2), at
18 any time that a windshield wiper is being used on the windshield of the vehicle, the
19 operator shall use a distribution of light or composite beam directed high enough and
20 of sufficient intensity to reveal a person or vehicle at a safe distance in advance of
21 the vehicle, subject to the following requirements and limitations:

22 **SECTION 461m.** 347.13 (1) of the statutes is amended to read:

23 347.13 (1) No person shall operate a motor vehicle, mobile home or trailer or
24 semitrailer upon a highway, during hours of darkness or, subject to the exceptions
25 contained in s. 347.065 (2), at any time that a windshield wiper is being used on the

1 windshield of the vehicle, unless such motor vehicle, mobile home or trailer or
2 semitrailer is equipped with at least one tail lamp mounted on the rear which, when
3 lighted during hours of darkness or, subject to the exceptions contained in s. 347.065
4 (2), at any time a windshield wiper is being used on the windshield of the vehicle,
5 emits a red light plainly visible from a distance of 500 feet to the rear. No tail lamp
6 shall have any type of decorative covering that restricts the amount of light emitted
7 when the tail lamp is in use. No vehicle originally equipped at the time of
8 manufacture and sale with 2 tail lamps shall be operated upon a highway during
9 hours of darkness unless both such lamps are in good working order. This subsection
10 does not apply to any type of decorative covering originally equipped on the vehicle
11 at the time of manufacture and sale.

12 **SECTION 461p.** 347.16 (1) (intro.) of the statutes is amended to read:

13 347.16 (1) (intro.) No person shall operate on a highway ~~during hours of~~
14 ~~darkness~~ any vehicle, except automobiles, having a width at any part in excess of 80
15 inches during hours of darkness or, subject to the exceptions contained in s. 347.065
16 (2), at any time that a windshield wiper is being used on the windshield of the vehicle,
17 unless such vehicle is equipped with:

18 **SECTION 461q.** 347.16 (2) (intro.) of the statutes is amended to read:

19 347.16 (2) (intro.) No person shall operate any of the following vehicles on a
20 highway, during hours of darkness or, subject to the exceptions contained in s.
21 347.065 (2), at any time that a windshield wiper is being used on the windshield of
22 the vehicle, unless such vehicles are equipped as indicated:

23 **SECTION 461s.** 347.30 (1) of the statutes is amended to read:

1 347.30 (1) Any person violating s. 347.06, 347.065, or 347.13 (2), (3) or (4) may
2 be required to forfeit not less than \$10 nor more than \$20 for the first offense and not
3 less than \$25 nor more than \$50 for the 2nd or subsequent conviction within a year.

4 **SECTION 461v.** 347.42 of the statutes is amended to read:

5 **347.42 Windshield wipers.** No person may operate on a highway any motor
6 vehicle equipped with a windshield, except a moped or Type 1 motorcycle, unless the
7 motor vehicle also is equipped with a ~~device for cleaning rain, snow or other moisture~~
8 ~~from the windshield. The device~~ windshield wiper. The windshield wiper shall be
9 so constructed as to be controlled or operated by the operator of the vehicle and shall
10 at all times be maintained in good working order.”.

11 **7.** Page 222, line 23: after that line insert:

12 **“SECTION 512n.** 757.05 (1) (a) of the statutes, as affected by 2001 Wisconsin Act
13 16, section 3774, is amended to read:

14 757.05 (1) (a) Whenever a court imposes a fine or forfeiture for a violation of
15 state law or for a violation of a municipal or county ordinance except for a violation
16 of s. 101.123 (2) (a), (am) 1., (ar), or (bm) or (5) or state laws or municipal or county
17 ordinances involving nonmoving traffic violations, headlamp violations under s.
18 347.065 (1), or safety belt use violations under s. 347.48 (2m), there shall be imposed
19 in addition a penalty assessment in an amount of 24% of the fine or forfeiture
20 imposed. If multiple offenses are involved, the penalty assessment shall be based
21 upon the total fine or forfeiture for all offenses. When a fine or forfeiture is suspended
22 in whole or in part, the penalty assessment shall be reduced in proportion to the
23 suspension.”.

24 **8.** Page 224, line 10: after that line insert:

1 **“SECTION 519np.** 814.63 (1) (c) of the statutes is amended to read:

2 814.63 (1) (c) This subsection does not apply to an action for a violation of s.
3 101.123 (2) (a), (am) 1., (ar) or (bm) or (5), a headlamp violation under s. 347.065 (1),
4 or a safety belt use violation under s. 347.48 (2m).

5 **SECTION 519nt.** 814.63 (2) of the statutes is amended to read:

6 814.63 (2) Upon the disposition of a forfeiture action in circuit court for
7 violation of a county, town, city, village, town sanitary district or public inland lake
8 protection and rehabilitation district ordinance, except an action for a headlamp
9 violation under s. 347.065 (1) or a safety belt use violation under s. 347.48 (2m), the
10 county, town, city, village, town sanitary district or public inland lake protection and
11 rehabilitation district shall pay a nonrefundable fee of \$5 to the clerk of circuit
12 court.”.

13 **9.** Page 224, line 11: delete lines 11 to 15 and substitute:

14 **“SECTION 520bb.** 814.634 (1) (a) of the statutes is amended to read:

15 814.634 (1) (a) Except for an action for a headlamp violation under s. 347.065
16 (1) or a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall
17 charge and collect a \$40 court support services fee from any person, including any
18 governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a),
19 (3), or (8) (am) or 814.63 (1).

20 **SECTION 520bd.** 814.634 (1) (a) of the statutes, as affected by 2001 Wisconsin
21 Act (this act), is amended to read:

22 814.634 (1) (a) Except for an action for a headlamp violation under s. 347.065
23 (1) or a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall
24 charge and collect a \$40 \$52 court support services fee from any person, including

1 any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1)
2 (a), (3), or (8) (am), or 814.63 (1).”.

3 **10.** Page 225, line 3: after that line insert:

4 “SECTION 522g. 814.635 (1) of the statutes is amended to read:

5 814.635 (1) Except for an action for a headlamp violation under s. 347.065 (1)
6 or a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall
7 charge and collect a \$9 justice information system fee from any person, including any
8 governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a),
9 (3) or (8) (am), 814.62 (1), (2) or (3) (a) or (b) or 814.63 (1). The justice information
10 system fee is in addition to the other fees listed in this section.

11 **SECTION 522k.** 814.65 (1) of the statutes is amended to read:

12 814.65 (1) COURT COSTS. In a municipal court action, except an action for
13 violation of an ordinance in conformity with s. 347.065 (1) or 347.48 (2m), the
14 municipal judge shall collect a fee of not less than \$15 nor more than \$23 on each
15 separate matter, whether it is on default of appearance, a plea of guilty or no contest,
16 on issuance of a warrant or summons or the action is tried as a contested matter. Of
17 each fee received by the judge under this subsection, the municipal treasurer shall
18 pay monthly \$5 to the state treasurer for deposit in the general fund and shall retain
19 the balance for the use of the municipality.”.

20 **11.** Page 435, line 1: after “(a)” insert “(by SECTION 520bd)”.

21 (END)



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2835/2
PJH:kmg:rs

SCC:.....Engel – CN5804, Requiring headlamps when windshield wipers are used

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 1

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 29, line 17: after that line insert:

3 "SECTION 84r. 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
7 highway within the limits of any incorporated area, during hours of darkness or at
8 any time that a windshield wiper is being used on the windshield of the vehicle,
9 without lighted headlamps, tail lamps or clearance lamps, contrary to s. 347.06 or
10 347.065, if the driving will aid in the accomplishment of a lawful arrest for violation

1 of this chapter or in ascertaining whether a violation of this chapter has been or is
2 about to be committed. Any civil action or proceeding brought against any warden
3 operating a motor vehicle under this subsection is subject to ss. 893.82 and 895.46.”.

4 **2.** Page 173, line 16: after that line insert:

5 “**SECTION 338r.** 165.755 (1) (b) of the statutes is amended to read:

6 165.755 (1) (b) A court may not impose the crime laboratories and drug law
7 enforcement assessment under par. (a) for a violation of s. 101.123 (2) (a), (am) 1., (ar)
8 or (bm) or (5) (b) or for a violation of a state law or municipal or county ordinance
9 involving a nonmoving traffic violation, a headlamp violation under s. 347.065 (1),
10 or a safety belt use violation under s. 347.48 (2m).”.

11 **3.** Page 205, line 20: after that line insert:

12 “**SECTION 420h.** 302.46 (1) (a) of the statutes is amended to read:

13 302.46 (1) (a) On or after October 1, 1987, if a court imposes a fine or forfeiture
14 for a violation of state law or for a violation of a municipal or county ordinance except
15 for a violation of s. 101.123 (2) (a), (am) 1., (ar) or (bm) or (5) or state laws or municipal
16 or county ordinances involving nonmoving traffic violations, headlamp violations
17 under s. 347.065 (1), or safety belt use violations under s. 347.48 (2m), the court, in
18 addition, shall impose a jail assessment in an amount of 1% of the fine or forfeiture
19 imposed or \$10, whichever is greater. If multiple offenses are involved, the court
20 shall determine the jail assessment on the basis of each fine or forfeiture. If a fine
21 or forfeiture is suspended in whole or in part, the court shall reduce the jail
22 assessment in proportion to the suspension.”.

23 **4.** Page 209, line 22: after that line insert:

24 “**SECTION 432pb.** 340.01 (74v) of the statutes is created to read:

1 340.01 (74v) “Windshield” means the shield of safety glass, glass, or another
2 material, mounted forward of the passenger compartment of a motor vehicle, other
3 than a motor-driven cycle.

4 **SECTION 432pd.** 340.01 (74x) of the statutes is created to read:

5 340.01 (74x) “Windshield wiper” means a mechanical device for cleaning rain,
6 snow, or other moisture from the windshield of a vehicle.”

7 **5.** Page 211, line 3: after that line insert:

8 “**SECTION 439s.** 343.23 (2) (c) of the statutes is created to read:

9 343.23 (2) (c) The file for a licensee under par. (a) shall not include any
10 conviction under s. 347.065 (1) or a local ordinance in conformity therewith or a law
11 of a federally recognized American Indian tribe or band in this state in conformity
12 with s. 347.065 (1) or the law of another jurisdiction prohibiting operating a vehicle
13 at any time that a windshield wiper is being used without lighted headlamps, tail
14 lamps, or clearance lamps, as those or substantially similar terms are used in that
15 jurisdiction’s laws.”

16 **6.** Page 215, line 7: after that line insert:

17 “**SECTION 461b.** 347.06 (1) of the statutes is amended to read:

18 347.06 (1) Except as provided in subs. (2) and (4), no person may operate a
19 vehicle upon a highway during hours of darkness unless all headlamps, tail lamps
20 and clearance lamps with which such vehicle is required to be equipped are lighted.
21 Parking lamps as ~~defined~~ described in s. 347.27 shall not be used for this purpose.

22 **SECTION 461d.** 347.065 of the statutes is created to read:

23 **347.065 Lighted headlamps required; windshield wipers.** (1) Except as
24 provided in subs. (2) to (4), no person may operate a vehicle upon a highway at any

1 time that a windshield wiper is being used on the windshield of the vehicle unless
2 all headlamps, tail lamps, and clearance lamps with which such vehicle is required
3 to be equipped are lighted. Parking lamps as described in s. 347.27 shall not be used
4 for this purpose.

5 (2) Subsection (1) does not apply to temporary use of a windshield wiper for the
6 sole purpose of cleaning the windshield or if lamps that are automatically activated
7 whenever the vehicle is started are in use, if the headlamps are of sufficient intensity
8 to satisfy the requirements for daytime running lamps under 49 CFR 571.108,
9 S5.5.11 (a).

10 (3) Headlamps need not be lighted on a towed vehicle or on a vehicle having
11 at least 2 lighted adverse weather lamps on the front thereof and being operated
12 under the circumstances described in s. 347.26 (3) (b).

13 (4) A duly authorized warden, as defined in s. 24.01 (11), may operate a vehicle
14 owned or leased by the department of natural resources upon a highway at any time
15 that a windshield wiper is being used on the windshield of the vehicle without lighted
16 headlamps, tail lamps, or clearance lamps in the performance of the warden's duties
17 under s. 29.924 (2).

18 (5) Notwithstanding s. 349.02, a law enforcement officer may not stop or
19 inspect a vehicle solely to determine compliance with this section or a local ordinance
20 in conformity with this section. This subsection does not limit the authority of a law
21 enforcement officer to issue a citation for a violation of this section or a local
22 ordinance in conformity with this section observed in the course of a stop or
23 inspection made for other purposes, except that a law enforcement officer may not
24 take a person into physical custody solely for a violation of this section or a local
25 ordinance in conformity with this section.

1 **SECTION 461f.** 347.09 (1) (intro.) of the statutes is amended to read:

2 347.09 (1) (intro.) No person shall operate a motor vehicle on a highway, during
3 hours of darkness or, subject to the exceptions contained in s. 347.065 (2), at any time
4 that a windshield wiper is being used on the windshield of the vehicle, unless such
5 vehicle is equipped as follows:

6 **SECTION 461i.** 347.10 (4) of the statutes is amended to read:

7 347.10 (4) Any motor vehicle may be operated during hours of darkness or,
8 subject to the exceptions contained in s. 347.065 (2), at any time that a windshield
9 wiper is being used on the windshield of the vehicle, when equipped with 2 lighted
10 lamps upon the front thereof capable of revealing persons and objects 75 feet ahead
11 in lieu of lamps required by subs. (1) to (3) if such vehicle at no time is operated at
12 a speed in excess of 20 miles per hour. No lighted lamp under this subsection shall
13 have any type of decorative covering that restricts the amount of light emitted when
14 the lighted lamp is in use. This subsection does not apply to any type of decorative
15 covering originally equipped on the vehicle at the time of manufacture and sale.

16 **SECTION 461k.** 347.12 (1) (intro.) of the statutes is amended to read:

17 347.12 (1) (intro.) Whenever a motor vehicle is being operated on a highway,
18 during hours of darkness or, subject to the exceptions contained in s. 347.065 (2), at
19 any time that a windshield wiper is being used on the windshield of the vehicle, the
20 operator shall use a distribution of light or composite beam directed high enough and
21 of sufficient intensity to reveal a person or vehicle at a safe distance in advance of
22 the vehicle, subject to the following requirements and limitations:

23 **SECTION 461m.** 347.13 (1) of the statutes is amended to read:

24 347.13 (1) No person shall operate a motor vehicle, mobile home or trailer or
25 semitrailer upon a highway, during hours of darkness or, subject to the exceptions

1 contained in s. 347.065 (2), at any time that a windshield wiper is being used on the
2 windshield of the vehicle, unless such motor vehicle, mobile home or trailer or
3 semitrailer is equipped with at least one tail lamp mounted on the rear which, when
4 lighted during hours of darkness or, subject to the exceptions contained in s. 347.065
5 (2), at any time a windshield wiper is being used on the windshield of the vehicle,
6 emits a red light plainly visible from a distance of 500 feet to the rear. No tail lamp
7 shall have any type of decorative covering that restricts the amount of light emitted
8 when the tail lamp is in use. No vehicle originally equipped at the time of
9 manufacture and sale with 2 tail lamps shall be operated upon a highway during
10 hours of darkness unless both such lamps are in good working order. This subsection
11 does not apply to any type of decorative covering originally equipped on the vehicle
12 at the time of manufacture and sale.

13 **SECTION 461p.** 347.16 (1) (intro.) of the statutes is amended to read:

14 347.16 (1) (intro.) No person shall operate on a highway ~~during hours of~~
15 ~~darkness~~ any vehicle, except automobiles, having a width at any part in excess of 80
16 inches during hours of darkness or, subject to the exceptions contained in s. 347.065
17 (2), at any time that a windshield wiper is being used on the windshield of the vehicle,
18 unless such vehicle is equipped with:

19 **SECTION 461q.** 347.16 (2) (intro.) of the statutes is amended to read:

20 347.16 (2) (intro.) No person shall operate any of the following vehicles on a
21 highway, during hours of darkness or, subject to the exceptions contained in s.
22 347.065 (2), at any time that a windshield wiper is being used on the windshield of
23 the vehicle, unless such vehicles are equipped as indicated:

24 **SECTION 461s.** 347.30 (1) of the statutes is amended to read:

1 347.30 (1) Any person violating s. 347.06, 347.065, or 347.13 (2), (3) or (4) may
2 be required to forfeit not less than \$10 nor more than \$20 for the first offense and not
3 less than \$25 nor more than \$50 for the 2nd or subsequent conviction within a year.

4 **SECTION 461v.** 347.42 of the statutes is amended to read:

5 **347.42 Windshield wipers.** No person may operate on a highway any motor
6 vehicle equipped with a windshield, except a moped or Type 1 motorcycle, unless the
7 motor vehicle also is equipped with a ~~device for cleaning rain, snow or other moisture~~
8 ~~from the windshield. The device~~ windshield wiper. The windshield wiper shall be
9 so constructed as to be controlled or operated by the operator of the vehicle and shall
10 at all times be maintained in good working order.”.

11 **7.** Page 222, line 23: after that line insert:

12 **“SECTION 512n.** 757.05 (1) (a) of the statutes, as affected by 2001 Wisconsin Act
13 16, section 3774, is amended to read:

14 757.05 (1) (a) Whenever a court imposes a fine or forfeiture for a violation of
15 state law or for a violation of a municipal or county ordinance except for a violation
16 of s. 101.123 (2) (a), (am) 1., (ar), or (bm) or (5) or state laws or municipal or county
17 ordinances involving nonmoving traffic violations, headlamp violations under s.
18 347.065 (1), or safety belt use violations under s. 347.48 (2m), there shall be imposed
19 in addition a penalty assessment in an amount of 24% of the fine or forfeiture
20 imposed. If multiple offenses are involved, the penalty assessment shall be based
21 upon the total fine or forfeiture for all offenses. When a fine or forfeiture is suspended
22 in whole or in part, the penalty assessment shall be reduced in proportion to the
23 suspension.”.

24 **8.** Page 224, line 10: after that line insert:

1 **SECTION 519np.** 814.63 (1) (c) of the statutes is amended to read:

2 814.63 (1) (c) This subsection does not apply to an action for a violation of s.
3 101.123 (2) (a), (am) 1., (ar) or (bm) or (5), a headlamp violation under s. 347.065 (1),
4 or a safety belt use violation under s. 347.48 (2m).

5 **SECTION 519nt.** 814.63 (2) of the statutes is amended to read:

6 814.63 (2) Upon the disposition of a forfeiture action in circuit court for
7 violation of a county, town, city, village, town sanitary district or public inland lake
8 protection and rehabilitation district ordinance, except an action for a headlamp
9 violation under s. 347.065 (1) or a safety belt use violation under s. 347.48 (2m), the
10 county, town, city, village, town sanitary district or public inland lake protection and
11 rehabilitation district shall pay a nonrefundable fee of \$5 to the clerk of circuit
12 court.”.

13 **9.** Page 224, line 11: delete lines 11 to 15 and substitute:

14 **SECTION 520bb.** 814.634 (1) (a) of the statutes is amended to read:

15 814.634 (1) (a) Except for an action for a headlamp violation under s. 347.065
16 (1) or a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall
17 charge and collect a \$40 court support services fee from any person, including any
18 governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a),
19 (3), or (8) (am) or 814.63 (1).

20 **SECTION 520bd.** 814.634 (1) (a) of the statutes, as affected by 2001 Wisconsin
21 Act (this act), is amended to read:

22 814.634 (1) (a) Except for an action for a headlamp violation under s. 347.065
23 (1) or a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall
24 charge and collect a \$40 \$52 court support services fee from any person, including

1 any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1)
2 (a), (3), or (8) (am), or 814.63 (1).”

3 **10.** Page 225, line 3: after that line insert:

4 “**SECTION 522g.** 814.635 (1) of the statutes is amended to read:

5 814.635 (1) Except for an action for a headlamp violation under s. 347.065 (1)
6 or a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall
7 charge and collect a \$9 justice information system fee from any person, including any
8 governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a),
9 (3) or (8) (am), 814.62 (1), (2) or (3) (a) or (b) or 814.63 (1). The justice information
10 system fee is in addition to the other fees listed in this section.

11 **SECTION 522k.** 814.65 (1) of the statutes is amended to read:

12 814.65 (1) **COURT COSTS.** In a municipal court action, except an action for
13 violation of an ordinance in conformity with s. 347.065 (1) or 347.48 (2m), the
14 municipal judge shall collect a fee of not less than \$15 nor more than \$23 on each
15 separate matter, whether it is on default of appearance, a plea of guilty or no contest,
16 on issuance of a warrant or summons or the action is tried as a contested matter. Of
17 each fee received by the judge under this subsection, the municipal treasurer shall
18 pay monthly \$5 to the state treasurer for deposit in the general fund and shall retain
19 the balance for the use of the municipality.”

20 **11.** Page 435, line 1: after “(a)” insert “(by SECTION 520bd)”.

21 (END)