February 1, 2001 – Introduced by Representatives SCHNEIDER, RYBA, LA FAVE and BOYLE, cosponsored by Senator WIRCH. Referred to Committee on Highway Safety.

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 and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, no person, with limited exceptions, 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, sleeting, 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:

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 department upon a highway, other than an interstate, a state trunk highway, or any highway within the limits of any incorporated area, during hours of darkness, whenever it is raining, snowing, sleet, or hailing, or at any other time when visibility is impaired by inclement weather conditions, without lighted headlamps, tail lamps, or clearance lamps, contrary to s. 347.06 (1), if the driving will aid in the accomplishment of a lawful arrest for violation of this chapter or in ascertaining whether a violation of this chapter has been or is 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.

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

347.06 (1) Except as provided in subs. (2) and (4), no person may operate a vehicle upon a highway during hours of darkness, whenever it is raining, snowing, sleet, or hailing, or at any other time when visibility is impaired by inclement weather conditions, unless all headlamps, tail lamps, and clearance lamps with which such vehicle is required to be equipped are lighted. Parking lamps as defined in s. 347.27 shall not be used for this purpose.

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

347.06 (4) A duly authorized warden, as defined in s. 24.01 (11), may operate a vehicle owned or leased by the department of natural resources upon a highway during hours of darkness, whenever it is raining, snowing, sleet, or hailing, or at any other time when visibility is impaired by inclement weather conditions, without lighted headlamps, tail lamps, or clearance lamps in the performance of the warden's duties under s. 29.924 (2).
SECTION 4. 347.09 (1) (intro.) of the statutes is amended to read:

347.09 (1) (intro.) No person shall operate a motor vehicle on a highway during hours of darkness, whenever it is raining, snowing, sleeti

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

347.10 (4) Any motor vehicle may be operated during hours of darkness, whenever it is raining, snowing, sleeti

Section 6. 347.12 (1) (intro.) of the statutes is amended to read:

347.12 (1) (intro.) Whenever a motor vehicle is being operated on a highway during hours of darkness, whenever it is raining, snowing, sleeti

Section 7. 347.13 (1) of the statutes is amended to read:

347.13 (1) No person shall operate a motor vehicle, mobile home or, trailer or semitrailer upon a highway during hours of darkness, whenever it is raining,
snowing, sleeting, or hailing, or at any other time when visibility is impaired by inclement weather conditions, unless such motor vehicle, mobile home or trailer or semitrailer is equipped with at least one tail lamp mounted on the rear which, when lighted during hours of darkness, whenever it is raining, snowing, sleeting, or hailing, or at any other time when visibility is impaired by inclement weather conditions, emits a red light plainly visible from a distance of 500 feet to the rear. No tail lamp shall have any type of decorative covering that restricts the amount of light emitted when the tail lamp is in use. No vehicle originally equipped at the time of manufacture and sale with 2 tail lamps shall be operated upon a highway during hours of darkness unless both such lamps are in good working order. This subsection does not apply to any type of decorative covering originally equipped on the vehicle at the time of manufacture and sale.

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

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

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

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