2007 SENATE BILL 561

March 4, 2008 – Introduced by Senators HANSEN, BRESKE and CARPENTER, cosponsored by Representatives SOLETSKI, NELSON, HAHN, GRONEMUS, HRAYCHUCK, BENEDICT, RICHARDS, BOYLE, TURNER and BERCEAU. Referred to Committee on Transportation and Tourism.

1 AN ACT *to amend* 343.20 (2) (a); and *to create* 38.04 (4) (e) 4., 85.07 (9), 115.28

2 (11) (d) and 343.71 (5) (d) of the statutes; **relating to:** creating a child safety

3 program in the Department of Transportation, driver education instruction,

4 information mailed in connection with motor vehicle operator's license

5 renewal, and requiring the exercise of rule–making authority.

Analysis by the Legislative Reference Bureau

Current law requires all driver education courses offered by school districts, county children with disabilities education boards, technical college districts, and driver schools to provide instruction related to farm machinery, animal, and railroad grade crossing hazards, organ and tissue donation, and motorcycle, bicycle, and pedestrian awareness.

This bill requires driver education courses to also acquaint each student with the hazards of leaving young children unattended in vehicles, of motor vehicle blind spots, of backing motor vehicles around small children, and of accidental activation of power windows and to provide instruction in safely dealing with such hazards.

Under current law, the Department of Transportation (DOT) must mail a notice to each person holding an operator's license, at least 30 days before license expiration, advising of the date on which the license must be renewed.

This bill requires DOT to develop and administer a child safety program to provide information to the public about potential vehicle hazards to young children. The program must include information on risks to young children left unattended in

SENATE BILL 561

vehicles and on ways in which parents and caregivers can reduce risks to young children related to backover incidents and accidental activation of power windows. The bill also requires DOT to include with the renewal notice a one−page informational sheet reminding licensees of such hazards and containing such information as well as accident statistics and other pertinent data related to these hazards. DOT must promulgate rules to implement and administer the program.

   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:

1   SECTION 1. 38.04 (4) (e) 4. of the statutes is created to read:

2   38.04 **(4)** (e) 4. Acquaints each student with the hazards of leaving young

3   children unattended in vehicles, of motor vehicle blind spots, of backing motor

4   vehicles around small children, and of accidental activation of power windows and

5   provides instruction in safely dealing with such hazards.

6   SECTION 2. 85.07 (9) of the statutes is created to read:

7   85.07 **(9)** CHILD SAFETY PROGRAM AND DATABASE. (a) In this subsection:

8   1. "Light motor vehicle" means an automobile or any other motor vehicle having

9   a gross vehicle weight rating of 10,000 pounds or less, except a motorcycle.

10   2. "Off−highway accident" means an event causing injury or death to a child

11   that results from any movement, device, or function of a light motor vehicle and that

12   does not involve the collision of the light motor vehicle with another vehicle or object

13   or the rolling over of the light motor vehicle.

14   (b) The department shall develop and administer a child safety program to

15   provide information to the public, including on the department's Internet site, about

16   hazards to young children in potential off−highway accident situations. The

17   program shall include information on risks to young children left unattended in

18   vehicles, on ways in which parents and caregivers can reduce risks to young children

1   relating to backover incidents and accidental activation of power windows, and on

2   any other risks that the department determines should be addressed. In developing

3   and administering the program, the department shall utilize information collected

4   by the department and other relevant data from private organizations to establish

5   priorities for the program. The department shall promulgate rules to implement and

6   administer this program.

7   SECTION 3. 115.28 (11) (d) of the statutes is created to read:

8   115.28 **(11)** (d)   Acquaint each student with the hazards of leaving young

9   children unattended in vehicles, of motor vehicle blind spots, of backing motor

10   vehicles around small children, and of accidental activation of power windows and

11   provide instruction in safely dealing with such hazards.

12   SECTION 4. 343.20 (2) (a) of the statutes is amended to read:

13   343.20 **(2)** (a)   The department shall mail to the last−known address of a

14   licensee at least 30 days prior to the expiration of the license a notice of the date upon

15   which the license must be renewed. The department shall include, with each notice

16   mailed under this paragraph, a one−page informational sheet reminding licensees

17   of the hazards to young children in potential off−highway accident, as defined in s.

18   85.07 (9), situations, and including information on risks to young children left

19   unattended in vehicles, on ways in which parents and caregivers can reduce risks to

20   young children relating to backover incidents and accidental activation of power

21   windows, and on any other risks that the department determines should be

22   addressed, as well as accident statistics and other pertinent data related to these

23   hazards.

24   SECTION 5. 343.71 (5) (d) of the statutes is created to read:

2007 – 2008 Legislature   – 4 –   LRB–3272/4
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SENATE BILL 561   **SECTION 5**

1   343.71 **(5)** (d)   Acquaints each student with the hazards of leaving young

2   children unattended in vehicles, of motor vehicle blind spots, of backing motor

3   vehicles around small children, and of accidental activation of power windows and

4   provides instruction in safely dealing with such hazards.

5   **SECTION 6. Initial applicability.**

6   (1)   The treatment of sections 38.04 (4) (e) 4., 115.28 (11) (d), and 343.71 (5) (d)

7   of the statutes first applies to driver education courses that are begun on the effective

8   date of this subsection.

9   **SECTION 7. Effective date.**

10   (1)   This act takes effect on the first day of the 6th month beginning after

11   publication.

12   **(END)**