

## 2009 ASSEMBLY BILL 59

February 17, 2009 – Introduced by Representatives BLACK, SHERMAN, MASON, BERCEAU, POPE-ROBERTS, POCAN, ZEPNICK, A. WILLIAMS and BALLWEG, cosponsored by Senators RISSER, MILLER, LEHMAN and HANSEN. Referred to Committee on Transportation.

1     **AN ACT** *to repeal* 346.80 (2) (c); *to amend* 346.95 (1); and *to create* 346.94 (20)  
2             of the statutes; **relating to:** passing parked motor vehicles and opening motor  
3             vehicle doors on highways and providing a penalty.

---

### ***Analysis by the Legislative Reference Bureau***

Under current law, any person operating a bicycle or electric personal assistive mobility device (EPAMD) upon a roadway must exercise due care when passing a parked vehicle or a vehicle proceeding in the same direction, allowing a minimum of three feet between the bicycle or EPAMD and the vehicle and giving an audible signal when passing a bicycle or EPAMD proceeding in the same direction. This bill eliminates this requirement.

This bill also prohibits any person from opening any door of a motor vehicle located on a highway without first taking due precaution to ensure that his or her act will not interfere with the movement of traffic or endanger any other person or vehicle. A person who violates this prohibition may be required to forfeit not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for any subsequent conviction within a year.

---

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

4             **SECTION 1.** 346.80 (2) (c) of the statutes is repealed.

