

2011 DRAFTING REQUEST

Bill

Received: **07/18/2011**

Received By: **agary**

Wanted: **As time permits**

Companion to LRB:

For: **Keith Ripp (608) 266-3404**

By/Representing: **Tyler Wenzlaff**

May Contact:

Drafter: **agary**

Subject: **Transportation - traffic laws**

Addl. Drafters:

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Rep.Ripp@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Traffic law changes relating to bicycles

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>
/?							
/P1	agary 07/28/2011	wjackson 08/04/2011	jfrantze 08/05/2011	_____	lparisi 08/05/2011		
/P2	agary 08/11/2011 agary 09/02/2011	wjackson 08/12/2011 kfollett 09/02/2011	rschluet 08/12/2011	_____ _____ _____	mbarman 08/12/2011		
/1			jfrantze	_____	mbarman	mbarman	

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			09/02/2011 _____		09/02/2011	09/02/2011	

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↳ Not Needed

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			_____	_____			
			_____	_____			

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Bill

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Received By: **agary**

Wanted: **As time permits**

Companion to LRB:

For: **Jerry Petrowski (608) 266-1182**

By/Representing: **Tim Fiocchi**

May Contact:

Drafter: **agary**

Subject: **Transportation - traffic laws**

Addl. Drafters:

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Rep.Petrowski@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Traffic law changes relating to bicycles

Instructions:

See attached

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FE Sent For:

/p2 wly 8/12
8/21

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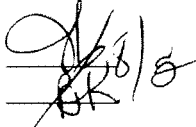
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1?	agary	/pl WLJ 8/4	 8/5	 8/5			

FE Sent For:

<END>

Gary, Aaron

From: Fiocchi, Tim
Sent: Friday, July 15, 2011 3:42 PM
To: Gary, Aaron
Cc: 'Greg Hubbard'
Subject: Drafting Request

Attachments: Bike Fed Draft Request.pdf

Hi Aaron,

The Bicycle Federation asked us to order a draft of some technical changes to address several concerns. Please send us a preliminary draft based on the attached document. If there are any questions you can contact me or Greg Hubbard at 255-0566 or 334-6603.

Thank you,

Tim

Tim Fiocchi
Clerk, Assembly Transportation Committee
Office of Representative Jerry Petrowski
(608) 266-1182



Bike Fed Draft
Request.pdf (97...

Memorandum

From: Bicycle Federation of Wisconsin

Date: July 14, 2011

Re: Bicycle Tune-Up Legislation

Introduction

There are numerous legislative changes that could be made to Wisconsin law that would make bicycling safer in Wisconsin. Many of these changes will require new laws or substantial change to existing laws. However, a number of tweaks to existing laws can be made that will make state law more bicycle-friendly; these changes are below:

- **Ability to signal turns with either hand**
Description: Allows bicyclists & motorcyclists to use either hand to indicate a turn
Benefit: Unlike people in motor vehicles, both arms of bicyclists are clearly visible to other road users and pedestrians. Allowing bicyclists to signal the intention to turn with either arm allows bicyclists to use commonsense indications of their intent. Legalizes existing common practice.
States with law: Arizona, California, Colorado, Connecticut, Delaware, Florida, Idaho, Illinois, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, Washington
- **Ability to substitute red rear light for reflector on bicycles**
Description: Allows bicyclists to use a rear red light instead of a red reflector
Benefit: Red rear lights are more visible under all conditions than red rear reflectors. Under existing law, bicyclists must retain a rear reflector even if they are using a rear light. This change would allow bicyclists to substitute a highly visible light for a standard reflector. Legalizes existing common practice.
States with law: Unknown, but a number do
- **Passing slow moving vehicles**
Description: It is illegal in Wisconsin to cross a solid yellow line to pass a slow moving vehicle such as a bicycle or tractor, even if it is safe to do so. The law should be clarified to allow crossing a solid yellow to pass a slow moving vehicle when no opposing traffic is present.
Benefit: Allows motor vehicles to safely pass bicyclists under circumstances when it would be illegal to pass another motor vehicle traveling at normal speeds. Legalizes existing common practice.
States with law: Ohio, Colorado, others
- **Include handcycles in the definition of bicycles in state law**
Description: Currently handcycles (bicycles powered with one's arms instead of legs) are not included in the definition of a bicycle under Wisconsin state law. Many people paralyzed below the chest utilize handcycles; under current law they cannot legally travel in the road and are not defined as a legal vehicle.
Benefit: Handcycles have the same or similar characteristics as bicycles and should have the same rights and responsibilities. Legalizes use of handcycles on roadway.
States with law: Unknown, but a number do
- **Allow bicyclists to legally use studded tires on the road**

Description: Studded tires on vehicles provide improved traction on snow and ice. This is particularly true for two-wheeled vehicles as they are less stable than four-wheeled vehicles. However, studded tires on heavier vehicles can cause significant damage to roadways and state law prohibits the use of studded tires on roads by any vehicle, except for a small group of farm vehicles. Because bicycles are so lightweight, studded bicycle tires do not cause increase damage to roadways or pavement.

Benefit: Allows safer legal operation of bicycles in the winter. Legalizes existing common practice.

All of these legislative changes would legalize existing common practices. The required changes are minor and typically require only the insertion or deletion of a few words in existing legislation.

Sample language that covers the signaling, light, studded tire and slow moving vehicle issues is provided below, although additional language will be needed to define a slow moving vehicle. For all five of these issues, the Legislative Reference Bureau would have to draft final legislative language.

Sample legislative amendment addressing handcycles, signaling, red rear lights and studded tires
AN ACT to amend 340.01 (5), 346.35 (intro.) and 347.489 (1) of the statutes; relating to: the definition of bicycle; manual turn signals for bicyclists; lighting of bicycles, motor bicycles, and electric personal assistive mobility devices; and use of studded tires.

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

SECTION 1. 340.01 (5) of the statutes is amended to read:

340.01 (5) "Bicycle" means every vehicle propelled by the feet or hands acting upon pedals and having wheels any 2 of which are not less than 14 inches in diameter.

SECTION 2. 346.09 (3) of the statutes is amended to read:

346.09 (3) The operator of a vehicle shall not drive on the left side of the center of a roadway on any portion thereof which has been designated a no-passing zone, either by signs or by a yellow unbroken line on the pavement on the right-hand side of and adjacent to the center line of the roadway, provided such signs or lines would be clearly visible to an ordinarily observant person, except that vehicles may drive on the left side with care in order to overtake a slow moving vehicle as defined in 346.09 (3) (a).
346.09 (3) (a) A slow moving vehicle is defined as any vehicle traveling significantly slower than the flow of traffic. Such vehicles may include, but are not limited to, bicycles, agricultural machinery, horse-drawn vehicles, disabled motor vehicles, or any vehicle displaying a slow moving vehicle symbol on the rear of the vehicle.

SECTION 3. 346.35 (intro.) of the statutes is amended to read:

346.35 Method of giving signals on turning and stopping. (intro.)

Whenever a stop or turn signal is required by s. 346.34, such signal may in any event be given by a signal lamp or lamps of a type meeting the specifications set forth in s. 347.15. Except as provided in s. 347.15 (3m), such signals also may be given by the hand and arm in lieu of or in addition to signals by signal lamp. When given by hand and arm, such signals, except signals by the operator of a bicycle, who may use either hand and arm, shall be given from the left side of the vehicle in the following manner and shall indicate as follows:

SECTION 4. 347.489 (1) of the statutes is amended to read:

347.489 (1) No person may operate a bicycle, motor bicycle, or electric personal assistive mobility device upon a highway, sidewalk, bicycle lane, or bicycle way during hours of darkness unless the bicycle, motor bicycle, or electric personal assistive mobility device is equipped with or, with respect to a bicycle or motor

bicycle, the operator is wearing, a lamp emitting a white light visible from a distance of at least 500 feet to the front of the bicycle, motor bicycle, or electric personal assistive mobility device. A bicycle, motor bicycle, or electric personal assistive mobility device shall also be equipped with a red reflector that has a diameter of at least 2 inches of surface area or, with respect to an electric personal assistive mobility device, that is a strip of reflective tape that has at least 2 square inches of surface area, on the rear so mounted and maintained as to be visible from all distances from 50 to 500 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in lieu of the red reflector.

SECTION 4. 347.45 (2) of the statutes is amended to read:

347.45 (2) No person shall operate on a highway any vehicle, including farm tractors, self-propelled farm implements, implements of husbandry, animal-drawn vehicles and road machinery, if such vehicle has on the periphery of any of its tires any block, stud, flange, cleat, spike or other protuberance of any material other than rubber which projects beyond the tread of the traction surface of the tire, except that:

(a) Farm tractors, self-propelled farm implements, implements of husbandry, animal-drawn vehicles, ~~and road machinery~~ and bicycles may be operated with metal tires or tires having protuberances that will not injure the highway.

(b) Tire chains of reasonable proportions may be used on any vehicle when required for safety because of snow, ice or other conditions tending to cause a vehicle to skid.

(c) A pneumatic tire may have embedded in it wire or wire coils for improving traction on ice and snow, but such tire shall be so constructed that the percentage of wire or wire coils in contact with the roadway does not exceed, after the first 1,000 miles of use or operation, 5 percent of the total tire area in contact with the roadway. During the first 1,000 miles of use or operation of any such tire the wire or wire coils in contact with the roadway shall not exceed 20 percent of the total tire area in contact with the roadway in usage and design as follows:

1. The department shall, by rule, designate the times of year during which any type of tire described in this paragraph may be used.
2. Such tires may be used only on authorized emergency vehicles, school buses, vehicles used to deliver mail, bicycles and automobiles with out-of-state registrations and then only if such automobile is in the course of passing through this state for a period of not more than 30 days.
3. Such studs shall not project more than one-eighth inch beyond the tread surface of the tire.



500w



WLJ

in 7/28

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

insert 1-1 A, insert 1-1 B, insert 1-1 C

Gen Cat

1

AN ACT ...; relating to: overtaking and passing vehicles; and the operation of

2

bicycles equipped with metal-studded tires.

insert 1A, 1B, 1C

Analysis by the Legislative Reference Bureau

This bill allows a lamp emitting a red light to the rear to be used as a substitute for the red reflector on a bicycle, motor bicycle, or EPAMD.

Under current law, a vehicle operator may not drive on the left side of the center of a roadway designated, by signs or by a solid double yellow line, as a no-passing zone.

This bill allows a vehicle operator to cross the center line in such a no-passing zone to overtake and pass, with care, any vehicle, including a bicycle, traveling at a speed significantly less than the normal speed of traffic at the place of passing.

Current law generally prohibits automobiles and other motor vehicles from being operated on a highway with tires that have metal in contact with the roadway, except for tire chains and certain wire-embedded tires. Current law also generally prohibits other vehicles, including non-motorized vehicles, from being operated on a highway if the vehicle has on the periphery of its tires any stud, flange, cleat, or other protuberance of any material other than rubber which projects beyond the tire tread. However, there are various exceptions, including an exception for farm tractors, self-propelled farm implements, implements of husbandry, animal-drawn vehicles, and road machinery, which may be operated with metal tires or tires having

protuberances that will not injure the highway. In addition, current law prohibits a person from driving a vehicle equipped with metal tires at a speed in excess of 15 miles per hour.

This bill adds bicycles to the exception allowing a vehicle to be operated with metal tires or tires having protuberances that will not injure the highway. The bill also exempts bicycles from the 15 miles per hour speed limit for vehicles equipped with metal tires.

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

Insert
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SECTION 1. 346.09 (1) of the statutes is amended to read:

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346.09 (1) Upon any roadway where traffic is permitted to move in both

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directions simultaneously, the operator of a vehicle shall not drive to the left side of

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the center of the roadway in overtaking and passing another vehicle proceeding in

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the same direction unless such left side is clearly visible and is free of oncoming

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traffic for a sufficient distance ahead to permit such overtaking and passing to be

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done in safety. In no case when overtaking and passing on a roadway divided into

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4 or more clearly indicated lanes shall the operator of a vehicle drive to the left of the

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pavement marking indicating allocation of lanes to vehicles moving in the opposite

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direction or, in the absence of such marking, to the left of the center of the roadway.

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In Except as provided in sub. (3) (b), in no case shall the operator of a vehicle drive

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in a lane when signs or signals indicate that such lane is allocated exclusively to

15

vehicles moving in the opposite direction.

History: 2009 a. 97.

16

17

1 **SECTION 2.** 346.09 (3) of the statutes is renumbered 346.09 (3) (a) and amended
2 to read:

3 346.09 (3) (a) The Except as provided in par. (b), the operator of a vehicle shall
4 not drive on the left side of the center of a roadway on any portion thereof which has
5 been designated a no-passing zone, either by signs or by a yellow unbroken line on
6 the pavement on the right-hand side of and adjacent to the center line of the
7 roadway, provided such signs or lines would be clearly visible to an ordinarily
8 observant person.

History: 2009 a. 97.

9 **SECTION 3.** 346.09 (3) (b) of the statutes is created to read:

10 346.09 (3) (b) The operator of a vehicle may drive on the left side of the center
11 of a roadway on any portion thereof which has been designated a no-passing zone,
12 as described in par. (a), to overtake and pass, with care, any vehicle traveling at a
13 speed significantly less than the normal speed of traffic at the place of passing.

Insert
3-14
→

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16 **SECTION 4.** 346.58 (2) of the statutes is amended to read:

17 346.58 (2) In addition to complying with other speed restrictions imposed by
18 law, no person may drive any vehicle equipped with metal tires or solid rubber tires
19 at a speed in excess of 15 miles per hour. This subsection does not apply to operation
20 of a bicycle.

History: 1973 c. 165; 1975 c. 297; 1983 a. 54; 1999 a. 85; 2009 a. 276.

21 **SECTION 5.** 347.45 (2) (a) of the statutes is amended to read:

1 347.45 (2) (a) Farm tractors, self-propelled farm implements, implements of
2 husbandry, bicycles, animal-drawn vehicles, and road machinery may be operated
3 with metal tires or tires having protuberances that will not injure the highway.

4 **History:** 1973 c. 338; 1977 c. 29 s. 1654 (7) (a); 1985 a. 187; 1997 a. 102; 1999 a. 85; 2007 a. 11; 2009 a. 177.

5 **SECTION 6.** 347.489 (1) of the statutes is amended to read:

6 347.489 (1) No person may operate a bicycle, motor bicycle, or electric personal
7 assistive mobility device upon a highway, sidewalk, bicycle lane, or bicycle way
8 during hours of darkness unless the bicycle, motor bicycle, or electric personal
9 assistive mobility device is equipped with or, with respect to a bicycle or motor
10 bicycle, the operator is wearing, a lamp emitting a white light visible from a distance
11 of at least 500 feet to the front of the bicycle, motor bicycle, or electric personal
12 assistive mobility device. A bicycle, motor bicycle, or electric personal assistive
13 mobility device shall also be equipped with a red reflector that has a diameter of at
14 least 2 inches of surface area or, with respect to an electric personal assistive mobility
15 device, that is a strip of reflective tape that has at least 2 square inches of surface
16 area, on the rear so mounted and maintained as to be visible from all distances from
17 50 to 500 feet to the rear when directly in front of lawful upper beams of headlamps
18 on a motor vehicle. A lamp emitting a red or ~~flashing amber~~ light visible from a
19 distance of 500 feet to the rear may be used ~~in addition to but not~~ in lieu of the red
20 reflector.

21 **History:** 1973 c. 182, 333; 1977 c. 208; 1983 a. 243 s. 39; Stats. 1983 s. 347.489; 1995 a. 138; 2001 a. 90.

(END)

2009 BILL

INSERT

Insert 1-1 A

1 AN ACT *to amend* 340.01 (5) of the statutes; relating to: the definition of bicycle.

Analysis by the Legislative Reference Bureau

Insert
ANAL -
1A

Under current law, a "vehicle" is defined, with certain exceptions, to mean every device in, upon, or by which any person or property is or may be transported or drawn upon a highway. Certain legal consequences relating to a vehicle and its operation might follow from the classification of the vehicle, including equipment standards, traffic regulations, and registration requirements. Under current law, "bicycle" is defined as every vehicle propelled by the feet acting upon pedals and having wheels any two of which are not less than 14 inches in diameter.

This bill modifies the definition of "bicycle" to include vehicles propelled by hand.

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

Insert
2-1

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SECTION ~~#~~ 340.01 (5) of the statutes is amended to read:

340.01 (5) "Bicycle" means every vehicle propelled by ~~the~~ feet or hands acting upon pedals and having wheels any 2 of which are not less than 14 inches in diameter.

(END)

INSERT
2009 BILL

Insert 1-1 B

1 AN ACT *to amend* 346.35 (intro.) of the statutes; **relating to:** manual turn
2 signals for bicyclists.

insert Semichn

Analysis by the Legislative Reference Bureau

Under current law, persons operating vehicles on highways in this state are required to use stop and turn signals that can be either by a signal lamp or by hand and arm signals. If the operator of a vehicle uses hand and arm signals, the signals must be given on the left side of the vehicle.

This bill allows bicyclists to use hand and arm signals for turns and stops with either hand and arm.

Insert
ANAL
1 B

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

3 SECTION ~~#~~ 346.35 (intro.) of the statutes is amended to read:

346.35 Method of giving signals on turning and stopping. (intro.)

4 Whenever a stop or turn signal is required by s. 346.34, such signal may in any event
5 be given by a signal lamp or lamps of a type meeting the specifications set forth in
6 s. 347.15. Except as provided in s. 347.15 (3m), such signals also may be given by the
7

Insert
3-14

BILL

insert
3-14
cont'd

1 hand and arm in lieu of or in addition to signals by signal lamp. When given by hand
2 and arm, such signals, except signals by the operator of a bicycle, who may use either
3 hand and arm, shall be given from the left side of the vehicle in the following manner
4 and shall indicate as follows:

5 (END)

INSERT
2009 BILL

Insert 1-1c

1 AN ACT *to amend* 347.489 (1) of the statutes; **relating to:** lighting of bicycles,
2 motor bicycles, and electric personal assistive mobility devices

Analysis by the Legislative Reference Bureau

Insert
ANAL
1c

Under current law, vehicle equipment requirements are generally inapplicable to bicycles, motor bicycles, and electric personal assistive mobility devices (EPAMDs) except as otherwise expressly provided. Current law expressly prohibits a person from operating a bicycle, motor bicycle, or EPAMD, which is commonly known by its trade name "Segway," on a highway, sidewalk, bicycle lane, or bicycle way during hours of darkness unless the bicycle, motor bicycle, or EPAMD is equipped with or, with respect to a bicycle or motor bicycle, the operator is wearing, a lamp emitting a white light visible to the front. The bicycle, motor bicycle, or EPAMD must also be equipped with a red reflector or, with respect to an EPAMD, reflective tape, on the rear. A lamp emitting a red or flashing amber light to the rear may be used in addition to the reflector, but the lamp may not substitute for the reflector.

~~This bill eliminates the provision specifying that a lamp emitting a red or flashing amber light to the rear of a bicycle, motor bicycle, or EPAMD may be used, thereby allowing any color of flashing light to the rear of the bicycle, motor bicycle, or EPAMD.~~

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

BILL

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SECTION 1. 347.489 (1) of the statutes is amended to read:

~~347.489 (1) No person may operate a bicycle, motor bicycle, or electric personal assistive mobility device upon a highway, sidewalk, bicycle lane, or bicycle way during hours of darkness unless the bicycle, motor bicycle, or electric personal assistive mobility device is equipped with or, with respect to a bicycle or motor bicycle, the operator is wearing, a lamp emitting a white light visible from a distance of at least 500 feet to the front of the bicycle, motor bicycle, or electric personal assistive mobility device. A bicycle, motor bicycle, or electric personal assistive mobility device shall also be equipped with a red reflector that has a diameter of at least 2 inches of surface area or, with respect to an electric personal assistive mobility device, that is a strip of reflective tape that has at least 2 square inches of surface area, on the rear so mounted and maintained as to be visible from all distances from 50 to 500 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red or flashing amber light visible from a distance of 500 feet to the rear may be used in addition to but not in lieu of the red reflector.~~

(END)

Gary, Aaron

From: Gary, Aaron
Sent: Thursday, August 11, 2011 1:21 PM
To: Fiocchi, Tim
Subject: RE: Update on moped memo

Sorry to be a pest ... actually I think I'll draft a combination of what the BFW provided and what was in 2009 AB-975, as looking at it again I don't think that 09 AB-975 will fully meet the intent. Unless I hear differently from you, I'll go ahead and put together the /P2, and we can always make it a /P3 if it is not quite right.

Thanks. Aaron

From: Gary, Aaron
Sent: Thursday, August 11, 2011 12:56 PM
To: Fiocchi, Tim
Subject: RE: Update on moped memo

Tim,

I have some reservation about the drafting approach in the Bicycle Federation attachment, including how it impacts Segways (electronic personal assistive mobility devices). Basically the same idea was proposed last session in AB-975. I have attached a copy of that bill - analysis item 1. and bill section 5 are the relevant provisions. Would you be OK with following the approach in 2009 AB-975?

Thanks. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Fiocchi, Tim
Sent: Wednesday, August 10, 2011 2:26 PM
To: Gary, Aaron
Subject: RE: Update on moped memo

Thanks Aaron – let's do a P2.

From: Gary, Aaron
Sent: Wednesday, August 10, 2011 2:25 PM
To: Fiocchi, Tim
Subject: RE: Update on moped memo

Hi Tim,

I'll add this to LRB-2401. Do you want the next draft as a "/P2" or a "/1"? Thanks. Aaron

8/11/2011

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Fiocchi, Tim
Sent: Thursday, August 04, 2011 1:40 PM
To: Gary, Aaron
Cc: 'Greg Hubbard'
Subject: FW: Update on moped memo

Hi Aaron,

I'd like to add the changes described in the attached memo to the bill we have in progress for the bike federation. Give me a call with any questions.

Thank you,

Tim

From: Greg Hubbard [<mailto:ghubbard@hwz-gov.com>]
Sent: Thursday, August 04, 2011 10:22 AM
To: Fiocchi, Tim
Subject: Fwd: Update on moped memo

Greg Hubbard
Hubbard Wilson & Zelenkova
44 E. Mifflin Street, Suite 605
Madison, WI 53703
p: (608) 255-0566
c: (608) 334-6603
ghubbard@hwz-gov.com

www.hwz-gov.com

Begin forwarded message:

8/11/2011

Memorandum

From: Bicycle Federation of Wisconsin
Date: July 22, 2011
Re: Wisconsin Moped Parking Statute

Background

Wisconsin statute 346.54 allows the parking of mopeds and electric personal assistive mobility devices on the sidewalk and at bicycle racks where the moped does not interfere with the flow of pedestrian traffic. Most communities in Wisconsin do not have significant moped traffic, and parking mopeds on sidewalks and at bicycle racks does not interfere with pedestrian traffic or bicycle security. However, a small number of Wisconsin communities, particularly those with universities or colleges, have a greater number of mopeds and moped parking has become an issue in these communities.

Requested Action

Wisconsin statute 346.54(1)(cm) 1 and 2 and 346.54(1)(e) of the statutes are amended to read:

346.54(1)(cm) 1. In a parallel parking area, a Type 1 motorcycle or moped may park at an angle. If parallel parking spaces are not indicated by markers, no Type 1 motorcycle or moped may be parked within 2 feet of another vehicle. Where a parallel parking space is indicated by a marker or where angle parking is authorized, up to 3 Type 1 motorcycles or mopeds may park in the space.

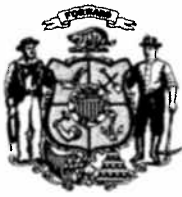
346.54(1)(cm)2. Up to 3 Type 1 motorcycles or mopeds may be parked in a parking space where a parking meter has been installed unless the space is restricted by official traffic sign or marker to a single motorcycle or moped. The operator of each Type 1 motorcycle or moped parked in a single space regulated by a parking meter shall receive a citation for any violation of a time restriction.

346.54(1)(e) ~~For the purpose of parking, mopeds and electric personal assistive mobility devices shall be considered bicycles.~~ Where possible without impeding the flow of pedestrian traffic, a bicycle, moped, or electric personal assistive mobility device may be parked on a sidewalk unless not permitted to by local ordinance. A bicycle, moped, or electric personal assistive mobility device may be parked in a bike rack or other similar area designated for bicycle parking unless not permitted by local ordinance.

Rational

Existing legislation does not allow local discretion in how to best address parking for mopeds and electric personal assistive mobility devices. While this is not an issue in most Wisconsin communities, it has become an issue in some municipalities. Existing law is particularly problematic in that it allows moped parking at all bicycle racks, despite the fact that bicycle racks are typically not designed to accommodate mopeds. Additionally, existing law is unclear on if mopeds may legally park where motorcycles are allowed to park. A moped parked at a bicycle rack typically obstructs two to three bicycle parking spaces. As cities, villages and towns have installed bicycle racks to meet local demand, some have found that many of these rack spaces are utilized by mopeds, and not the intended bicycle users.

Local municipalities best know how to handle transportation issues that are unique to their community. The requested legislative change will not impact municipalities that are not interested in changing the status quo, but will allow communities that are having moped parking issues to address those concerns.



State of Wisconsin
2011 - 2012 LEGISLATURE

soon



LRB-2401/PZ

ARG:wlj:jf

in
8/11

stays
RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Regen

1 AN ACT *to renumber and amend* 346.09 (3); *to amend* 340.01 (5), 346.09 (1),
 2 346.35 (intro.), 346.58 (2), 347.45 (2) (a) and 347.489 (1); and *to create* 346.09
 3 (3) (b) of the statutes; **relating to:** the definition of bicycle; manual turn signals
 4 for bicyclists; lighting of bicycles, motor bicycles, and electric personal assistive
 5 mobility devices; overtaking and passing vehicles; ~~and~~ the operation of bicycles
 6 equipped with metal-studded tires

Insert 1-6

Analysis by the Legislative Reference Bureau

Under current law, a “vehicle” is defined, with certain exceptions, to mean every device in, upon, or by which any person or property is or may be transported or drawn upon a highway. Certain legal consequences relating to a vehicle and its operation might follow from the classification of the vehicle, including equipment standards, traffic regulations, and registration requirements. Under current law, “bicycle” is defined as every vehicle propelled by the feet acting upon pedals and having wheels any two of which are not less than 14 inches in diameter.

This bill modifies the definition of “bicycle” to include vehicles propelled by hand.

Under current law, persons operating vehicles on highways in this state are required to use stop and turn signals that can be either by a signal lamp or by hand and arm signals. If the operator of a vehicle uses hand and arm signals, the signals must be given on the left side of the vehicle.

This bill allows bicyclists to use hand and arm signals for turns and stops with either hand and arm.

Under current law, vehicle equipment requirements are generally inapplicable to bicycles, motor bicycles, and electric personal assistive mobility devices (EPAMDs) except as otherwise expressly provided. Current law expressly prohibits a person from operating a bicycle, motor bicycle, or EPAMD, which is commonly known by its trade name "Segway," on a highway, sidewalk, bicycle lane, or bicycle way during hours of darkness unless the bicycle, motor bicycle, or EPAMD is equipped with or, with respect to a bicycle or motor bicycle, the operator is wearing, a lamp emitting a white light visible to the front. The bicycle, motor bicycle, or EPAMD must also be equipped with a red reflector or, with respect to an EPAMD, reflective tape, on the rear. A lamp emitting a red or flashing amber light to the rear may be used in addition to the reflector, but the lamp may not substitute for the reflector.

This bill allows a lamp emitting a red light to the rear to be used as a substitute for the red reflector on a bicycle, motor bicycle, or EPAMD.

Under current law, a vehicle operator may not drive on the left side of the center of a roadway designated, by signs or by a solid double yellow line, as a no-passing zone.

This bill allows a vehicle operator to cross the center line in such a no-passing zone to overtake and pass, with care, any vehicle, including a bicycle, traveling at a speed significantly less than the normal speed of traffic at the place of passing.

Current law generally prohibits automobiles and other motor vehicles from being operated on a highway with tires that have metal in contact with the roadway, except for tire chains and certain wire-embedded tires. Current law also generally prohibits other vehicles, including nonmotorized vehicles, from being operated on a highway if the vehicle has on the periphery of its tires any stud, flange, cleat, or other protuberance of any material other than rubber which projects beyond the tire tread. However, there are various exceptions, including an exception for farm tractors, self-propelled farm implements, implements of husbandry, animal-drawn vehicles, and road machinery, which may be operated with metal tires or tires having protuberances that will not injure the highway. In addition, current law prohibits a person from driving a vehicle equipped with metal tires at a speed in excess of 15 miles per hour.

This bill adds bicycles to the exception allowing a vehicle to be operated with metal tires or tires having protuberances that will not injure the highway. The bill also exempts bicycles from the 15 miles per hour speed limit for vehicles equipped with metal tires.

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

1 **SECTION 1.** 340.01 (5) of the statutes is amended to read:

Insert
ANAL

1 340.01 (5) "Bicycle" means every vehicle propelled by ~~the~~ feet or hands acting
2 upon pedals and having wheels any 2 of which are not less than 14 inches in diameter.

3 **SECTION 2.** 346.09 (1) of the statutes is amended to read:

4 346.09 (1) Upon any roadway where traffic is permitted to move in both
5 directions simultaneously, the operator of a vehicle shall not drive to the left side of
6 the center of the roadway in overtaking and passing another vehicle proceeding in
7 the same direction unless such left side is clearly visible and is free of oncoming
8 traffic for a sufficient distance ahead to permit such overtaking and passing to be
9 done in safety. In no case when overtaking and passing on a roadway divided into
10 4 or more clearly indicated lanes shall the operator of a vehicle drive to the left of the
11 pavement marking indicating allocation of lanes to vehicles moving in the opposite
12 direction or, in the absence of such marking, to the left of the center of the roadway.
13 ~~In~~ Except as provided in sub. (3) (b), in no case shall the operator of a vehicle drive
14 in a lane when signs or signals indicate that such lane is allocated exclusively to
15 vehicles moving in the opposite direction.

16 **SECTION 3.** 346.09 (3) of the statutes is renumbered 346.09 (3) (a) and amended
17 to read:

18 346.09 (3) (a) ~~The~~ Except as provided in par. (b), the operator of a vehicle shall
19 not drive on the left side of the center of a roadway on any portion thereof which has
20 been designated a no-passing zone, either by signs or by a yellow unbroken line on
21 the pavement on the right-hand side of and adjacent to the center line of the
22 roadway, provided such signs or lines would be clearly visible to an ordinarily
23 observant person.

24 **SECTION 4.** 346.09 (3) (b) of the statutes is created to read:

1 346.09 (3) (b) The operator of a vehicle may drive on the left side of the center
2 of a roadway on any portion thereof which has been designated a no-passing zone,
3 as described in par. (a), to overtake and pass, with care, any vehicle traveling at a
4 speed significantly less than the normal speed of traffic at the place of passing.

5 **SECTION 5.** 346.35 (intro.) of the statutes is amended to read:

6 **346.35 Method of giving signals on turning and stopping.** (intro.)
7 Whenever a stop or turn signal is required by s. 346.34, such signal may in any event
8 be given by a signal lamp or lamps of a type meeting the specifications set forth in
9 s. 347.15. Except as provided in s. 347.15 (3m), such signals also may be given by the
10 hand and arm in lieu of or in addition to signals by signal lamp. When given by hand
11 and arm, such signals, except signals by the operator of a bicycle, who may use either
12 hand and arm, shall be given from the left side of the vehicle in the following manner
13 and shall indicate as follows:

14 **SECTION 6.** 346.58 (2) of the statutes is amended to read:

15 346.58 (2) In addition to complying with other speed restrictions imposed by
16 law, no person may drive any vehicle equipped with metal tires or solid rubber tires
17 at a speed in excess of 15 miles per hour. This subsection does not apply to operation
18 of a bicycle.

19 **SECTION 7.** 347.45 (2) (a) of the statutes is amended to read:

20 347.45 (2) (a) Farm tractors, self-propelled farm implements, implements of
21 husbandry, bicycles, animal-drawn vehicles, and road machinery may be operated
22 with metal tires or tires having protuberances that will not injure the highway.

23 **SECTION 8.** 347.489 (1) of the statutes is amended to read:

24 347.489 (1) No person may operate a bicycle, motor bicycle, or electric personal
25 assistive mobility device upon a highway, sidewalk, bicycle lane, or bicycle way

1 during hours of darkness unless the bicycle, motor bicycle, or electric personal
2 assistive mobility device is equipped with or, with respect to a bicycle or motor
3 bicycle, the operator is wearing, a lamp emitting a white light visible from a distance
4 of at least 500 feet to the front of the bicycle, motor bicycle, or electric personal
5 assistive mobility device. A bicycle, motor bicycle, or electric personal assistive
6 mobility device shall also be equipped with a red reflector that has a diameter of at
7 least 2 inches of surface area or, with respect to an electric personal assistive mobility
8 device, that is a strip of reflective tape that has at least 2 square inches of surface
9 area, on the rear so mounted and maintained as to be visible from all distances from
10 50 to 500 feet to the rear when directly in front of lawful upper beams of headlamps
11 on a motor vehicle. A lamp emitting a red ~~or flashing amber~~ light visible from a
12 distance of 500 feet to the rear may be used ~~in addition to but not~~ in lieu of the red
13 reflector.

(END)

14

Insert
5-13

1 **INSERT 1-6:**

2 (~~no #~~) ; and parking mopeds

3 **INSERT ANAL:**

 Current law considers mopeds as bicycles for the purpose of parking, allowing them to be parked on sidewalks and in bicycle parking areas.

 This bill allows municipalities to enact ordinances considering mopeds as motorcycles rather than bicycles for the purpose of parking, allowing municipalities to prohibit moped parking on sidewalks and in bicycle parking areas. The bill also allows mopeds to be parked like motorcycles in parking spaces.

4
5 **INSERT 4-13:**

6 ~~SECTION #~~ 346.54 (1) (cm) ↓ of the statutes is amended to read:

7 346.54 (1) (cm) 1. In a parallel parking area, a Type 1 motorcycle or moped may
8 park at an angle. If parallel parking spaces are not indicated by markers, no Type
9 1 motorcycle or moped may be parked within 2 feet of another vehicle. Where a
10 parallel parking space is indicated by a marker or where angle parking is authorized,
11 up to 3 Type 1 motorcycles or mopeds may park in the space.

12 2. Up to 3 Type 1 motorcycles or mopeds may be parked in a parking space
13 where a parking meter has been installed unless the space is restricted by official
14 traffic sign or marker to a single motorcycle or moped. The operator of each Type 1
15 motorcycle or moped parked in a single space regulated by a parking meter shall
16 receive a citation for any violation of a time restriction.

17 History: 1977 c. 288; 1983 a. 57, 213; 1985 a. 65; 1995 a. 138; 1999 a. 85; 2001 a. 90.

18 ~~SECTION #~~ 346.54 (1) (e) of the statutes is amended to read:

19 346.54 (1) (e) ~~For~~ Except as provided in par. (cm) and s. 349.13 (6), ↓ for the
20 purpose of parking, mopeds and electric personal assistive mobility devices shall be
 considered bicycles. Where possible without impeding the flow of pedestrian traffic,

1 a bicycle, moped, or electric personal assistive mobility device may be parked on a
2 sidewalk. A bicycle, moped, or electric personal assistive mobility device may be
3 parked in a bike rack or other similar area designated for bicycle parking.

4 **History:** 1977 c. 288; 1983 a. 57, 243; 1985 a. 65; 1995 a. 138; 1999 a. 85; 2001 a. 90.

5 **INSERT 5-13:**

6 **SECTION ~~5~~ 349.13 (6)** of the statutes is created to read:

7 349.13 **(6)** Notwithstanding s. 346.54 (1) (e),[✓] the governing body of any
8 municipality may, by ordinance, consider mopeds as Type 1 motorcycles rather than
9 bicycles for the purpose of parking and may prohibit the parking of mopeds on
10 sidewalks or in bike racks or other similar areas designated for bicycle parking.

11

12

Gary, Aaron

From: Fiocchi, Tim
Sent: Friday, September 02, 2011 9:22 AM
To: Wenzlaff, Tyler; Gary, Aaron
Subject: Bike Draft

Hi Aaron,

Rep. Ripp will be taking over the bike draft we had asked for.

Have a good weekend,

Tim

From: Wenzlaff, Tyler
Sent: Friday, September 02, 2011 9:04 AM
To: Fiocchi, Tim
Subject:

Can you call the drafter of the bike legislation and ask them to release the draft to us. LRB – 2401/P2
ARG:wj:rs

Thanks.

Tyler Wenzlaff
Office of Wisconsin State Representative Keith Ripp
47th Assembly District

Gary, Aaron

From: Wenzlaff, Tyler
Sent: Friday, September 02, 2011 9:45 AM
To: Gary, Aaron
Subject: RE: Bike Draft

Please. Thank you.

Tyler

From: Gary, Aaron
Sent: Friday, September 02, 2011 9:44 AM
To: Wenzlaff, Tyler
Subject: RE: Bike Draft

Do you want it as a "/1" draft then? Aaron

From: Wenzlaff, Tyler
Sent: Friday, September 02, 2011 9:30 AM
To: Gary, Aaron
Subject: RE: Bike Draft

Aaron,

Can we get this redrafted and sent to our office. Thank you.

Tyler Wenzlaff
Office of Wisconsin State Representative Keith Ripp
47th Assembly District

From: Fiocchi, Tim
Sent: Friday, September 02, 2011 9:22 AM
To: Wenzlaff, Tyler; Gary, Aaron
Subject: Bike Draft

Hi Aaron,

Rep. Ripp will be taking over the bike draft we had asked for.

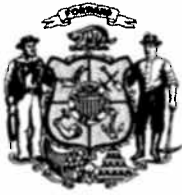
Have a good weekend,

Tim

From: Wenzlaff, Tyler
Sent: Friday, September 02, 2011 9:04 AM
To: Fiocchi, Tim
Subject:

Can you call the drafter of the bike legislation and ask them to release the draft to us. LRB – 2401/P2
ARG:wlj:rs

9/2/2011



State of Wisconsin
2011 - 2012 LEGISLATURE

in 9/2
wanted
by 9/7



LRB-2401/21
ARG:wjrs

stays RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

No changes
Reger

1 AN ACT *to renumber and amend* 346.09 (3); *to amend* 340.01 (5), 346.09 (1),
2 346.35 (intro.), 346.54 (1) (cm), 346.54 (1) (e), 346.58 (2), 347.45 (2) (a) and
3 347.489 (1); and *to create* 346.09 (3) (b) and 349.13 (6) of the statutes; **relating**
4 **to:** the definition of bicycle; manual turn signals for bicyclists; lighting of
5 bicycles, motor bicycles, and electric personal assistive mobility devices;
6 overtaking and passing vehicles; the operation of bicycles equipped with
7 metal-studded tires; and moped parking.

Analysis by the Legislative Reference Bureau

Under current law, a “vehicle” is defined, with certain exceptions, to mean every device in, upon, or by which any person or property is or may be transported or drawn upon a highway. Certain legal consequences relating to a vehicle and its operation might follow from the classification of the vehicle, including equipment standards, traffic regulations, and registration requirements. Under current law, “bicycle” is defined as every vehicle propelled by the feet acting upon pedals and having wheels any two of which are not less than 14 inches in diameter.

This bill modifies the definition of “bicycle” to include vehicles propelled by hand.

Under current law, persons operating vehicles on highways in this state are required to use stop and turn signals that can be either by a signal lamp or by hand

and arm signals. If the operator of a vehicle uses hand and arm signals, the signals must be given on the left side of the vehicle.

This bill allows bicyclists to use hand and arm signals for turns and stops with either hand and arm.

Under current law, vehicle equipment requirements are generally inapplicable to bicycles, motor bicycles, and electric personal assistive mobility devices (EPAMDs) except as otherwise expressly provided. Current law expressly prohibits a person from operating a bicycle, motor bicycle, or EPAMD, which is commonly known by its trade name "Segway," on a highway, sidewalk, bicycle lane, or bicycle way during hours of darkness unless the bicycle, motor bicycle, or EPAMD is equipped with or, with respect to a bicycle or motor bicycle, the operator is wearing, a lamp emitting a white light visible to the front. The bicycle, motor bicycle, or EPAMD must also be equipped with a red reflector or, with respect to an EPAMD, reflective tape, on the rear. A lamp emitting a red or flashing amber light to the rear may be used in addition to the reflector, but the lamp may not substitute for the reflector.

This bill allows a lamp emitting a red light to the rear to be used as a substitute for the red reflector on a bicycle, motor bicycle, or EPAMD.

Under current law, a vehicle operator may not drive on the left side of the center of a roadway designated, by signs or by a solid double yellow line, as a no-passing zone.

This bill allows a vehicle operator to cross the center line in such a no-passing zone to overtake and pass, with care, any vehicle, including a bicycle, traveling at a speed significantly less than the normal speed of traffic at the place of passing.

Current law generally prohibits automobiles and other motor vehicles from being operated on a highway with tires that have metal in contact with the roadway, except for tire chains and certain wire-embedded tires. Current law also generally prohibits other vehicles, including nonmotorized vehicles, from being operated on a highway if the vehicle has on the periphery of its tires any stud, flange, cleat, or other protuberance of any material other than rubber which projects beyond the tire tread. However, there are various exceptions, including an exception for farm tractors, self-propelled farm implements, implements of husbandry, animal-drawn vehicles, and road machinery, which may be operated with metal tires or tires having protuberances that will not injure the highway. In addition, current law prohibits a person from driving a vehicle equipped with metal tires at a speed in excess of 15 miles per hour.

This bill adds bicycles to the exception allowing a vehicle to be operated with metal tires or tires having protuberances that will not injure the highway. The bill also exempts bicycles from the 15 miles per hour speed limit for vehicles equipped with metal tires.

Current law considers mopeds as bicycles for the purpose of parking, allowing them to be parked on sidewalks and in bicycle parking areas.

This bill allows municipalities to enact ordinances considering mopeds as motorcycles rather than bicycles for the purpose of parking, allowing municipalities

to prohibit moped parking on sidewalks and in bicycle parking areas. The bill also allows mopeds to be parked like motorcycles in parking spaces.

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

1 **SECTION 1.** 340.01 (5) of the statutes[✓] is amended to read:

2 340.01 (5) "Bicycle" means every vehicle propelled by ~~the~~ feet or hands acting
3 upon pedals and having wheels any 2 of which are not less than 14 inches in diameter.

4 **SECTION 2.** 346.09 (1) of the statutes[✓] is amended to read:

5 346.09 (1) Upon any roadway where traffic is permitted to move in both
6 directions simultaneously, the operator of a vehicle shall not drive to the left side of
7 the center of the roadway in overtaking and passing another vehicle proceeding in
8 the same direction unless such left side is clearly visible and is free of oncoming
9 traffic for a sufficient distance ahead to permit such overtaking and passing to be
10 done in safety. In no case when overtaking and passing on a roadway divided into
11 4 or more clearly indicated lanes shall the operator of a vehicle drive to the left of the
12 pavement marking indicating allocation of lanes to vehicles moving in the opposite
13 direction or, in the absence of such marking, to the left of the center of the roadway.
14 ~~In~~ Except as provided in sub. (3) (b), in no case shall the operator of a vehicle drive
15 in a lane when signs or signals indicate that such lane is allocated exclusively to
16 vehicles moving in the opposite direction.

17 **SECTION 3.** 346.09 (3) of the statutes[✓] is renumbered 346.09 (3) (a) and amended
18 to read:

19 346.09 (3) (a) ~~The~~ Except as provided in par. (b), the operator of a vehicle shall
20 not drive on the left side of the center of a roadway on any portion thereof which has
21 been designated a no-passing zone, either by signs or by a yellow unbroken line on

1 the pavement on the right-hand side of and adjacent to the center line of the
2 roadway, provided such signs or lines would be clearly visible to an ordinarily
3 observant person.

4 **SECTION 4.** 346.09 (3) (b) of the statutes is created to read:

5 346.09 (3) (b) The operator of a vehicle may drive on the left side of the center
6 of a roadway on any portion thereof which has been designated a no-passing zone,
7 as described in par. (a), to overtake and pass, with care, any vehicle traveling at a
8 speed significantly less than the normal speed of traffic at the place of passing.

9 **SECTION 5.** 346.35 (intro.) of the statutes is amended to read:

10 **346.35 Method of giving signals on turning and stopping.** (intro.)

11 Whenever a stop or turn signal is required by s. 346.34, such signal may in any event
12 be given by a signal lamp or lamps of a type meeting the specifications set forth in
13 s. 347.15. Except as provided in s. 347.15 (3m), such signals also may be given by the
14 hand and arm in lieu of or in addition to signals by signal lamp. When given by hand
15 and arm, such signals, except signals by the operator of a bicycle, who may use either
16 hand and arm, shall be given from the left side of the vehicle in the following manner
17 and shall indicate as follows:

18 **SECTION 6.** 346.54 (1) (cm) of the statutes is amended to read:

19 346.54 (1) (cm) 1. In a parallel parking area, a Type 1 motorcycle or moped may
20 park at an angle. If parallel parking spaces are not indicated by markers, no Type
21 1 motorcycle or moped may be parked within 2 feet of another vehicle. Where a
22 parallel parking space is indicated by a marker or where angle parking is authorized,
23 up to 3 Type 1 motorcycles or mopeds may park in the space.

24 2. Up to 3 Type 1 motorcycles or mopeds may be parked in a parking space
25 where a parking meter has been installed unless the space is restricted by official

1 traffic sign or marker to a single motorcycle or moped. The operator of each Type 1
2 motorcycle or moped parked in a single space regulated by a parking meter shall
3 receive a citation for any violation of a time restriction.

4 **SECTION 7.** 346.54 (1) (e) of the statutes is amended to read:

5 346.54 (1) (e) ~~For~~ Except as provided in par. (cm) and s. 349.13 (6), for the
6 purpose of parking, mopeds and electric personal assistive mobility devices shall be
7 considered bicycles. Where possible without impeding the flow of pedestrian traffic,
8 a bicycle, moped, or electric personal assistive mobility device may be parked on a
9 sidewalk. A bicycle, moped, or electric personal assistive mobility device may be
10 parked in a bike rack or other similar area designated for bicycle parking.

11 **SECTION 8.** 346.58 (2) of the statutes is amended to read:

12 346.58 (2) In addition to complying with other speed restrictions imposed by
13 law, no person may drive any vehicle equipped with metal tires or solid rubber tires
14 at a speed in excess of 15 miles per hour. This subsection does not apply to operation
15 of a bicycle.

16 **SECTION 9.** 347.45 (2) (a) of the statutes is amended to read:

17 347.45 (2) (a) Farm tractors, self-propelled farm implements, implements of
18 husbandry, bicycles, animal-drawn vehicles, and road machinery may be operated
19 with metal tires or tires having protuberances that will not injure the highway.

20 **SECTION 10.** 347.489 (1) of the statutes is amended to read:

21 347.489 (1) No person may operate a bicycle, motor bicycle, or electric personal
22 assistive mobility device upon a highway, sidewalk, bicycle lane, or bicycle way
23 during hours of darkness unless the bicycle, motor bicycle, or electric personal
24 assistive mobility device is equipped with or, with respect to a bicycle or motor
25 bicycle, the operator is wearing, a lamp emitting a white light visible from a distance

1 of at least 500 feet to the front of the bicycle, motor bicycle, or electric personal
2 assistive mobility device. A bicycle, motor bicycle, or electric personal assistive
3 mobility device shall also be equipped with a red reflector that has a diameter of at
4 least 2 inches of surface area or, with respect to an electric personal assistive mobility
5 device, that is a strip of reflective tape that has at least 2 square inches of surface
6 area, on the rear so mounted and maintained as to be visible from all distances from
7 50 to 500 feet to the rear when directly in front of lawful upper beams of headlamps
8 on a motor vehicle. A lamp emitting a red ~~or flashing amber~~ light visible from a
9 distance of 500 feet to the rear may be used ~~in addition to but not~~ in lieu of the red
10 reflector.

11 **SECTION 11.** 349.13 (6) of the statutes is created to read:

12 349.13 (6) Notwithstanding s. 346.54 (1) (e), the governing body of any
13 municipality may, by ordinance, consider mopeds as Type 1 motorcycles rather than
14 bicycles for the purpose of parking and may prohibit the parking of mopeds on
15 sidewalks or in bike racks or other similar areas designated for bicycle parking.

16 (END)

Barman, Mike

From: Wenzlaff, Tyler

Sent: Friday, September 02, 2011 3:42 PM

To: LRB.Legal

Subject: Draft Review: LRB 11-2401/1 Topic: Traffic law changes relating to bicycles

Please Jacket LRB 11-2401/1 for the ASSEMBLY.

9/2/2011