



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-2498/en
CMH:emw

2017 SENATE BILL 148

1 **AN ACT** *to amend* 194.01 (7), 340.01 (74), 344.01 (2) (g), 346.04 (1), subchapter
2 IV (title) of chapter 346 [precedes 346.23], 346.23 (1), 346.23 (2), 346.24 (1),
3 346.24 (2), 346.24 (3), 346.28 (title), 346.28 (2), 346.30 (1) (a), 346.37 (1) (intro.),
4 346.37 (1) (a) 2., 346.37 (1) (c) 2., 346.37 (1) (c) 3., 346.37 (1) (c) 4., 346.37 (1) (d)
5 1., 346.37 (1) (d) 2., 346.37 (1) (e) 1., 346.37 (1) (e) 2., 346.37 (3), 346.38 (1),
6 346.38 (2), 346.43 (1) (a), 346.445 (title), 346.445 (1) (intro.), 346.445 (1) (b),
7 346.445 (2), 346.445 (3), 346.47 (1), 346.495 (1) (a), subchapter XII (title) of
8 chapter 346 [precedes 346.77], 346.80 (5), 346.82 (title), 346.82 (1), 346.95 (6),
9 347.245 (1), 347.489 (title), 347.489 (1), 349.236 (title), 349.236 (1) (b), 349.236
10 (1) (c), 349.236 (2) and 939.22 (44); and *to create* 340.01 (43fg), 340.01 (43fs),

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1 341.0585, 346.807, 346.94 (18m), 347.02 (1) (k), 347.489 (1m) and 347.489 (4)
2 of the statutes; **relating to:** personal delivery devices and providing a penalty.

Analysis by the Legislative Reference Bureau

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

3 **SECTION 1.** 194.01 (7) of the statutes is amended to read:

4 194.01 (7) “Motor vehicle” means any automobile, truck, trailer, semitrailer,
5 tractor, motor bus, or any self-propelled or motor driven vehicle, except a motorcycle,
6 moped, motor bicycle, electric personal assistive mobility device, personal delivery
7 device, or vehicle operated on rails.

8 **SECTION 2.** 340.01 (43fg) of the statutes is created to read:

9 340.01 (43fg) “Personal delivery device” means an electronically powered
10 device that satisfies all of the following:

11 (a) The device is intended primarily to transport property on sidewalks and
12 crosswalks.

13 (b) The device has an empty weight of less than 80 pounds, excluding cargo.

14 (c) The device is capable of a maximum speed of 10 miles per hour or less.

15 (d) The device is capable of operating with and without the active control or
16 monitoring by an individual.

17 **SECTION 3.** 340.01 (43fs) of the statutes is created to read:

18 340.01 (43fs) “Personal delivery device operator” means an entity or its agent
19 that exercises control over, or that monitors, the navigation system and operation of
20 a personal delivery device. “Personal delivery device operator” does not include an
21 entity or person that requests the services of a personal delivery device to transport

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1 property or that only arranges for and dispatches the requested services of a personal
2 delivery device.

3 **SECTION 4.** 340.01 (74) of the statutes is amended to read:

4 340.01 (74) "Vehicle" means every device in, upon, or by which any person or
5 property is or may be transported or drawn upon a highway, except railroad trains.
6 A snowmobile, an all-terrain vehicle, a personal delivery device, and an electric
7 personal assistive mobility device shall not be considered a vehicle except for
8 purposes made specifically applicable by statute.

9 **SECTION 5.** 341.0585 of the statutes is created to read:

10 **341.0585 Personal delivery devices.** Personal delivery devices, even
11 though operated upon a highway of this state, are exempt from registration.

12 **SECTION 6.** 344.01 (2) (g) of the statutes is amended to read:

13 344.01 (2) (g) "Vehicle" means every device in, upon, or by which any person
14 or property is or may be transported or drawn upon a highway, except vehicles used
15 exclusively upon stationary rails or tracks and except electric personal assistive
16 mobility devices and personal delivery devices.

17 **SECTION 6m.** 346.04 (1) of the statutes is amended to read:

18 346.04 (1) No person including a personal delivery device operator shall fail or
19 refuse to comply with any lawful order, signal, or direction of a traffic officer.

20 **SECTION 7.** Subchapter IV (title) of chapter 346 [precedes 346.23] of the
21 statutes is amended to read:

22 **CHAPTER 346**

23 **SUBCHAPTER IV**

24 **RESPECTIVE RIGHTS AND DUTIES OF**

25 **DRIVERS, PEDESTRIANS, BICYCLISTS,**

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SECTION 7

~~AND RIDERS OF ELECTRIC PERSONAL~~

~~ASSISTIVE MOBILITY DEVICES~~

~~AND OTHER HIGHWAY USERS~~

SECTION 8. 346.23 (1) of the statutes is amended to read:

346.23 (1) At an intersection or crosswalk where traffic is controlled by traffic control signals or by a traffic officer, the operator of a vehicle shall yield the right-of-way to a pedestrian or personal delivery device, or to a person who is riding a bicycle or electric personal assistive mobility device in a manner which is consistent with the safe use of the crosswalk by pedestrians, ~~who~~ that has started to cross the highway on a green signal or a pedestrian signal authorizing crossing and in all other cases pedestrians, bicyclists, and riders of electric personal assistive mobility devices shall yield, and personal delivery device operators shall ensure that personal delivery devices yield, the right-of-way to vehicles lawfully proceeding directly ahead on a green signal. No operator of a vehicle proceeding ahead on a green signal may begin a turn at a controlled intersection or crosswalk when a pedestrian, personal delivery device, bicyclist, or rider of an electric personal assistive mobility device crossing in the crosswalk on a green signal or a pedestrian signal authorizing crossing would be endangered or interfered with in any way. The rules stated in this subsection are modified at intersections or crosswalks on divided highways or highways provided with safety zones in the manner and to the extent stated in sub. (2).

SECTION 9. 346.23 (2) of the statutes is amended to read:

346.23 (2) At intersections or crosswalks on divided highways or highways provided with safety zones where traffic is controlled by traffic control signals or by a traffic officer, the operator of a vehicle shall yield the right-of-way to a pedestrian,

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1 personal delivery device, bicyclist, or rider of an electric personal assistive mobility
2 device ~~who~~ that has started to cross the roadway either from the near curb or
3 shoulder or from the center dividing strip or a safety zone with the green signal or
4 a pedestrian signal authorizing crossing in the favor of the pedestrian, personal
5 delivery device, bicyclist, or rider of an electric personal assistive mobility device.

6 **SECTION 10.** 346.24 (1) of the statutes is amended to read:

7 346.24 (1) At an intersection or crosswalk where traffic is not controlled by
8 traffic control signals or by a traffic officer, the operator of a vehicle shall yield the
9 right-of-way to a pedestrian or personal delivery device, or to a person riding a
10 bicycle or electric personal assistive mobility device in a manner which is consistent
11 with the safe use of the crosswalk by pedestrians, ~~who~~ that is crossing the highway
12 within a marked or unmarked crosswalk.

13 **SECTION 11.** 346.24 (2) of the statutes is amended to read:

14 346.24 (2) No pedestrian, personal delivery device, bicyclist, or rider of an
15 electric personal assistive mobility device shall may suddenly leave, and no personal
16 delivery device operator may allow a personal delivery device to suddenly leave, a
17 curb or other place of safety and walk, run, or ride into the path of a vehicle which
18 is so close that it is difficult for the operator of the vehicle to yield.

19 **SECTION 12.** 346.24 (3) of the statutes is amended to read:

20 346.24 (3) Whenever any vehicle is stopped at an intersection or crosswalk to
21 permit a pedestrian, personal delivery device, bicyclist, or rider of an electric
22 personal assistive mobility device to cross the roadway, the operator of any other
23 vehicle approaching from the rear shall may not overtake and pass the stopped
24 vehicle.

25 **SECTION 13.** 346.28 (title) of the statutes is amended to read:

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1 **346.28** (title) **Pedestrians to walk on left side of highway; pedestrians,**
2 **bicyclists, and riders of electric personal assistive mobility devices drivers**
3 **to yield on sidewalks.**

4 **SECTION 14.** 346.28 (2) of the statutes is amended to read:

5 346.28 (2) Operators of vehicles shall yield the right-of-way to pedestrians,
6 personal delivery devices, bicyclists, and riders of electric personal assistive mobility
7 devices on sidewalks as required by s. 346.47.

8 **SECTION 15.** 346.30 (1) (a) of the statutes is amended to read:

9 346.30 (1) (a) Any pedestrian violating s. 346.23, 346.24 (2), 346.25, 346.28 or
10 346.29 and any personal delivery device operator violating s. 346.23 or 346.24 (2)
11 may be required to forfeit not less than \$2 nor more than \$20 for the first offense and
12 not less than \$10 nor more than \$50 for the 2nd or subsequent conviction within a
13 year.

14 **SECTION 15m.** 346.37 (1) (intro.) of the statutes is amended to read:

15 346.37 (1) (intro.) Whenever traffic is controlled by traffic control signals
16 exhibiting different colored lights successively, or with arrows, the following colors
17 shall be used and shall indicate and apply to operators of vehicles, personal delivery
18 device operators, and pedestrians as follows:

19 **SECTION 16.** 346.37 (1) (a) 2. of the statutes is amended to read:

20 346.37 (1) (a) 2. Pedestrians, and persons who are riding bicycles or electric
21 personal assistive mobility devices in a manner which is consistent with the safe use
22 of the crosswalk by pedestrians, facing the signal may proceed, and personal delivery
23 device operators may allow personal delivery devices to proceed, across the roadway
24 within any marked or unmarked crosswalk.

25 **SECTION 17.** 346.37 (1) (c) 2. of the statutes is amended to read:

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1 346.37 (1) (c) 2. No pedestrian, personal delivery device, bicyclist, or rider of
2 an electric personal assistive mobility device facing such signal shall enter, and no
3 personal delivery device operator may allow a personal delivery device facing such
4 signal to enter, the roadway unless he or she can do so safely and without interfering
5 with any vehicular traffic.

6 **SECTION 18.** 346.37 (1) (c) 3. of the statutes is amended to read:

7 346.37 (1) (c) 3. Vehicular traffic facing a red signal at an intersection may, after
8 stopping as required under subd. 1., cautiously enter the intersection to make a right
9 turn into the nearest lawfully available lane for traffic moving to the right or to turn
10 left from a one-way highway into the nearest lawfully available lane of a one-way
11 highway on which vehicular traffic travels to the left. Vehicular traffic in the leftmost
12 right-turn lane of a roadway that provides 2 right-turn lanes may make a right turn
13 on a red signal into a lawfully available lane that is 2nd to the rightmost lane for
14 traffic moving to the right. Except for a vehicle turning right from the leftmost
15 right-turn lane of a roadway that provides 2 right-turn lanes, no turn may be made
16 on a red signal if lanes of moving traffic are crossed. No turn may be made on a red
17 signal if a sign at the intersection prohibits the turn on a red signal. In making a turn
18 on a red signal vehicular traffic shall yield the right-of-way to pedestrians, personal
19 delivery devices, bicyclists, and riders of electric personal assistive mobility devices
20 lawfully within a crosswalk, to operators of vehicles making a lawful U-turn, and to
21 other traffic lawfully using the intersection.

22 **SECTION 19.** 346.37 (1) (c) 4. of the statutes is amended to read:

23 346.37 (1) (c) 4. Notwithstanding subd. 1., a motorcycle, moped, motor bicycle,
24 or bicycle facing a red signal at an intersection may, after stopping as required under
25 subd. 1. for not less than 45 seconds, proceed cautiously through the intersection

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1 before the signal turns green if no other vehicles are present at the intersection to
2 actuate the signal and the operator of the motorcycle, moped, motor bicycle, or bicycle
3 reasonably believes the signal is vehicle actuated. The operator of a motorcycle,
4 moped, motor bicycle, or bicycle proceeding through a red signal under this
5 subdivision shall yield the right-of-way to any vehicular traffic, pedestrian,
6 personal delivery device, bicyclist, or rider of an electric personal assistive mobility
7 device proceeding through a green signal at the intersection or lawfully within a
8 crosswalk or using the intersection. This subdivision does not affect any
9 authorization for a bicyclist under subd. 2.

10 **SECTION 20.** 346.37 (1) (d) 1. of the statutes is amended to read:

11 346.37 (1) (d) 1. Vehicular traffic facing a green arrow signal may enter the
12 intersection to make the movement indicated by the arrow but shall yield the
13 right-of-way to pedestrians, personal delivery devices, bicyclists, and riders of
14 electric personal assistive mobility devices lawfully within a crosswalk and to other
15 traffic lawfully using the intersection. Vehicular traffic facing a left turn arrow may
16 make a U-turn unless a sign prohibits U-turns. When the green arrow signal
17 indicates a right or left turn traffic shall cautiously enter the intersection.

18 **SECTION 21.** 346.37 (1) (d) 2. of the statutes is amended to read:

19 346.37 (1) (d) 2. No pedestrian, bicyclist, or rider of electric personal assistive
20 mobility device facing such signal shall may enter, and no personal delivery device
21 operator may allow a personal delivery device facing such signal to enter, the
22 roadway unless he or she can do so safely and without interfering with any vehicular
23 traffic.

24 **SECTION 22.** 346.37 (1) (e) 1. of the statutes is amended to read:

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1 346.37 (1) (e) 1. Vehicular traffic facing a flashing yellow arrow signal may
2 cautiously enter the intersection to make the movement indicated by the arrow but
3 shall yield the right-of-way to pedestrians, personal delivery devices, bicyclists, and
4 riders of electric personal assistive mobility devices lawfully within a crosswalk and
5 to other traffic lawfully using the intersection. Vehicular traffic facing a left turn
6 arrow may make a U-turn unless a sign prohibits U-turns.

7 **SECTION 23.** 346.37 (1) (e) 2. of the statutes is amended to read:

8 346.37 (1) (e) 2. No pedestrian, bicyclist, or rider of an electric personal
9 assistive mobility device facing such signal shall may enter, and no personal delivery
10 device operator may allow a personal delivery device facing such signal to enter, the
11 roadway unless he or she can do so safely and without interfering with any vehicular
12 traffic.

13 **SECTION 23m.** 346.37 (3) of the statutes is amended to read:

14 346.37 (3) If a traffic control signal suffers a loss of power or otherwise
15 malfunctions so that the traffic control signal does not exhibit any color of light,
16 vehicular traffic, pedestrians, and persons riding bicycles or electric personal
17 assistive mobility devices shall proceed, and personal delivery device operators shall
18 ensure that personal delivery devices proceed, at the traffic control signal as if the
19 traffic control signal were an official stop sign and shall comply with the
20 requirements applicable under ss. 346.18 (1) and (3) and 346.46 (1), (2), and (4),
21 unless otherwise directed by a traffic officer.

22 **SECTION 24.** 346.38 (1) of the statutes is amended to read:

23 346.38 (1) WALK. A pedestrian, or a person riding a bicycle or electric personal
24 assistive mobility device in a manner which is consistent with the safe use of the
25 crossing by pedestrians, facing a pedestrian signal authorizing crossing may

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1 proceed, and a personal delivery device operator may allow a personal delivery device
2 facing a pedestrian signal authorizing crossing to proceed, across the roadway or
3 other vehicular crossing in the direction of the signal and the operators of all vehicles
4 shall yield the right-of-way to the pedestrian, personal delivery device, bicyclist, or
5 electric personal assistive mobility device rider.

6 **SECTION 25.** 346.38 (2) of the statutes is amended to read:

7 346.38 (2) DON'T WALK. No pedestrian, personal delivery device, bicyclist, or
8 rider of an electric personal assistive mobility device may start to cross, and no
9 personal delivery device operator may allow a personal delivery device to start to
10 cross, the roadway or other vehicular crossing in the direction of a pedestrian signal
11 limiting crossing, regardless of whether the signal is steady or flashing, but any
12 pedestrian, personal delivery device, bicyclist, or rider of an electric personal
13 assistive mobility device ~~who~~ that has partially completed crossing on the pedestrian
14 signal authorizing crossing may proceed to a sidewalk or safety zone while a
15 pedestrian signal limiting crossing is showing.

16 **SECTION 26.** 346.43 (1) (a) of the statutes is amended to read:

17 346.43 (1) (a) Any pedestrian or personal delivery device operator violating s.
18 346.37 or 346.38 may be required to forfeit not less than \$2 nor more than \$20 for the
19 first offense and not less than \$10 nor more than \$50 for the 2nd or subsequent
20 conviction within a year.

21 **SECTION 26c.** 346.445 (title) of the statutes is amended to read:

22 **346.445 (title) Limitations on pedestrians and personal delivery**
23 **devices crossing railroad tracks.**

24 **SECTION 26g.** 346.445 (1) (intro.) of the statutes is amended to read:

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1 346.445 (1) (intro.) No pedestrian may enter or cross a railroad crossing, and
2 no personal delivery device operator may allow a personal delivery device to enter
3 or cross a railroad crossing, under any of the following circumstances:

4 **SECTION 26n.** 346.445 (1) (b) of the statutes is amended to read:

5 346.445 (1) (b) While a warning device signals to stop, except that if the
6 pedestrian after stopping and investigating, or the personal delivery device operator
7 after stopping the personal delivery device and investigating, finds that no railroad
8 train or railroad track equipment is approaching, the pedestrian or personal delivery
9 device may proceed.

10 **SECTION 26r.** 346.445 (2) of the statutes is amended to read:

11 346.445 (2) No pedestrian may cross, and no personal delivery device operator
12 may allow a personal delivery device to cross, through, around, over, or under any
13 crossing gate or barrier at a railroad crossing while the gate or barrier is closed or
14 is being opened or closed.

15 **SECTION 26w.** 346.445 (3) of the statutes is amended to read:

16 346.445 (3) No pedestrian may cross through or around or climb over or under,
17 and no personal delivery device operator may allow a personal delivery device to
18 cross through or around or climb over or under, a railroad train or railroad track
19 equipment while the railroad train or railroad track equipment occupies a railroad
20 crossing.

21 **SECTION 27.** 346.47 (1) of the statutes is amended to read:

22 346.47 (1) The operator of a vehicle emerging from an alley or about to cross
23 or enter a highway from any point of access other than another highway shall stop
24 such vehicle immediately prior to moving on to the sidewalk or on to the sidewalk
25 area extending across the path of such vehicle and shall yield the right-of-way to any

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1 pedestrian, bicyclist, personal delivery device, or rider of an electric personal
2 assistive mobility device, and upon crossing or entering the roadway shall yield the
3 right-of-way to all vehicles approaching on such roadway.

4 **SECTION 27m.** 346.495 (1) (a) of the statutes is amended to read:

5 346.495 (1) (a) If a court imposes a forfeiture under s. 346.49 (1g) or (2m) (a),
6 (am), (b), or (c) for a violation of s. 346.44, 346.445, 346.45, or 346.46 (3), the court
7 shall also impose a railroad crossing improvement surcharge under ch. 814 equal to
8 50 percent of the amount of the forfeiture. This paragraph does not apply to a
9 personal delivery device operator.

10 **SECTION 28.** Subchapter XII (title) of chapter 346 [precedes 346.77] of the
11 statutes is amended to read:

CHAPTER 346**SUBCHAPTER XII****BICYCLES, ELECTRIC PERSONAL****ASSISTIVE MOBILITY DEVICES,****PERSONAL DELIVERY DEVICES,****AND PLAY VEHICLES**

17 **SECTION 29.** 346.80 (5) of the statutes is amended to read:

18 346.80 (5) Except as provided in ss. 346.23, 346.24, 346.37, and 346.38, every
19 rider of a bicycle or electric personal assistive mobility device shall, upon entering
20 on a highway, yield, and every personal delivery device operator shall ensure that the
21 personal delivery device, upon entering on a highway, yield the right-of-way to
22 motor vehicles.
23

24 **SECTION 30.** 346.807 of the statutes is created to read:

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1 **346.807 Operating personal delivery device on sidewalk. (1)** Except as
2 provided in s. 346.94 (18m) (a) 2. and 349.236 (1) (b), a personal delivery device may
3 be operated upon any sidewalk or crosswalk.

4 **(2)** Every personal delivery device operator shall ensure that the operation of
5 the personal delivery device upon a sidewalk or crosswalk satisfies all of the
6 following:

7 (a) The personal delivery device operator shall control or monitor the
8 navigation and operation of the device.

9 (b) The device may not go upon any roadway except while crossing a roadway
10 at a crosswalk.

11 (c) The device shall be operated with due care.

12 (d) The device shall comply with each traffic signal and sign.

13 (e) The speed of the device may not exceed 10 miles per hour.

14 (f) The device shall yield the right-of-way to a pedestrian.

15 **SECTION 31.** 346.82 (title) of the statutes is amended to read:

16 **346.82 (title) Penalty for violating sections 346.77 to 346.805 346.807.**

17 **SECTION 32.** 346.82 (1) of the statutes is amended to read:

18 346.82 **(1)** Any person violating ss. 346.77, 346.79 (1) to (3), or 346.80 to ~~346.805~~
19 346.807 may be required to forfeit not more than \$20.

20 **SECTION 33.** 346.94 (18m) of the statutes is created to read:

21 346.94 **(18m)** PERSONAL DELIVERY DEVICES ON SIDEWALKS AND CROSSWALKS. (a) 1.
22 Except as otherwise prohibited in this chapter, a personal delivery device operator
23 may operate a personal delivery device upon a sidewalk or crosswalk that is under
24 the jurisdiction of the department.

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1 2. Except as provided in s. 349.236 (1) (c), the department may by rule prohibit
2 personal delivery devices upon any sidewalk under its jurisdiction. This subdivision
3 does not apply upon any sidewalk at a permanent or temporarily established
4 driveway.

5 (b) A personal delivery device operator may operate a personal delivery device
6 upon any sidewalk under the jurisdiction of a local authority, subject to any
7 prohibitions specified by municipal ordinance enacted under s. 349.236.

8 **SECTION 34.** 346.95 (6) of the statutes is amended to read:

9 346.95 (6) Any person violating s. 346.94 (17) ~~or~~, (18), or (18m) may be required
10 to forfeit not less than \$10 nor more than \$20 for the first offense and not less than
11 \$25 nor more than \$50 for the 2nd or subsequent conviction within a year.

12 **SECTION 35.** 347.02 (1) (k) of the statutes is created to read:

13 347.02 (1) (k) Personal delivery devices.

14 **SECTION 36.** 347.245 (1) of the statutes is amended to read:

15 347.245 (1) No person may operate on a highway any vehicle or equipment, any
16 implement of husbandry, any animal-drawn vehicle, or any other machinery,
17 including all road machinery, that usually travels at speeds of less than 25 miles per
18 hour or any vehicle operated under a special restricted operator's license issued
19 under s. 343.135 or any lightweight utility vehicle, as defined in s. 346.94 (21) (a) 2.,
20 unless there is displayed on the most practicable visible rear area of the vehicle or
21 combination of vehicles, a slow moving vehicle (SMV) emblem as described in and
22 displayed as provided in sub. (2). Any towed vehicle or machine is exempt from this
23 provision if the towing vehicle is visible from the rear and is in compliance with this
24 section. All road machinery is excluded when it is engaged in actual construction or
25 maintenance work either guarded by a flagman or clearly visible warning signs. The

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1 requirement of the emblem shall be in addition to any lighting devices required or
2 permitted by law. Mopeds and motor bicycles are excluded from the provisions of this
3 section unless they are operated under a special restricted operator's license issued
4 under s. 343.135. Electric personal assistive mobility devices and personal delivery
5 devices are excluded from the provisions of this section. The SMV emblem need not
6 be displayed on vehicles moving directly across the highway.

7 **SECTION 37.** 347.489 (title) of the statutes is amended to read:

8 **347.489 (title) Lamps and other equipment on bicycles, motor bicycles,**
9 **and electric personal assistive mobility other vehicles and devices.**

10 **SECTION 38.** 347.489 (1) of the statutes is amended to read:

11 347.489 (1) No person may operate a bicycle, motor bicycle, personal delivery
12 device, or electric personal assistive mobility device upon a highway, sidewalk,
13 bicycle lane, or bicycle way during hours of darkness unless the bicycle, motor
14 bicycle, personal delivery device, or electric personal assistive mobility device is
15 equipped with or, with respect to a bicycle or motor bicycle, the operator is wearing,
16 a lamp emitting a white light visible from a distance of at least 500 feet to the front
17 of the bicycle, motor bicycle, personal delivery device, or electric personal assistive
18 mobility device. A bicycle, motor bicycle, personal delivery device, or electric
19 personal assistive mobility device shall also be equipped with a red reflector that has
20 a diameter of at least 2 inches of surface area or, with respect to an electric personal
21 assistive mobility device, that is a strip of reflective tape that has at least 2 square
22 inches of surface area, on the rear so mounted and maintained as to be visible from
23 all distances from 50 to 500 feet to the rear when directly in front of lawful upper
24 beams of headlamps on a motor vehicle. A lamp emitting a steady or flashing red

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1 light visible from a distance of 500 feet to the rear may be used in lieu of the red
2 reflector.

3 **SECTION 39.** 347.489 (1m) of the statutes is created to read:

4 347.489 **(1m)** No person may operate a personal delivery device upon a
5 sidewalk unless the device is equipped with a braking system that, when engaged,
6 will enable the personal delivery device to come to a controlled stop.

7 **SECTION 40.** 347.489 (4) of the statutes is created to read:

8 347.489 **(4)** No person may operate a personal delivery device upon a sidewalk
9 unless the device is equipped with a plate or marker that is in a position to be clearly
10 visible and that identifies the name and contact information of the personal delivery
11 device operator.

12 **SECTION 41.** 349.236 (title) of the statutes is amended to read:

13 **349.236 (title) Authority to regulate operation of electric personal**
14 **assistive mobility devices and personal delivery devices.**

15 **SECTION 42.** 349.236 (1) (b) of the statutes is amended to read:

16 349.236 **(1)** (b) Prohibit the operation of electric personal assistive mobility
17 devices or personal delivery devices on all sidewalks under its jurisdiction or only on
18 certain sidewalks, or portions of such sidewalks, under its jurisdiction that are
19 designated in the ordinance. This paragraph does not apply to the operation of such
20 devices on any sidewalk at a permanent or temporarily established driveway.

21 **SECTION 43.** 349.236 (1) (c) of the statutes is amended to read:

22 349.236 **(1)** (c) Designate and mark locations for electric personal assistive
23 mobility devices or personal delivery devices to cross a state trunk highway or
24 connecting highway that is not a controlled-access highway and on which the
25 department has prohibited the operation of electric personal assistive mobility

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1 devices under s. 346.94 (18) (a) 2. A municipality or county may erect official signs
2 or otherwise mark a crossing designated under this paragraph only as directed by
3 the department.

4 **SECTION 44.** 349.236 (2) of the statutes is amended to read:

5 349.236 (2) Except as otherwise provided in this chapter, ch. 346, and s. 59.84
6 (2) (j), the governing body of any municipality or county may not restrict the
7 operation of electric personal assistive mobility devices or personal delivery devices
8 on any roadway or sidewalk under its jurisdiction.

9 **SECTION 45.** 939.22 (44) of the statutes is amended to read:

10 939.22 (44) "Vehicle" means any self-propelled device for moving persons or
11 property or pulling implements from one place to another, whether such device is
12 operated on land, rails, water, or in the air. "Vehicle" does not include a personal
13 delivery device, as defined in s. 340.01 (43fg).

14 (END)