

CR 86-179

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CERTIFICATE

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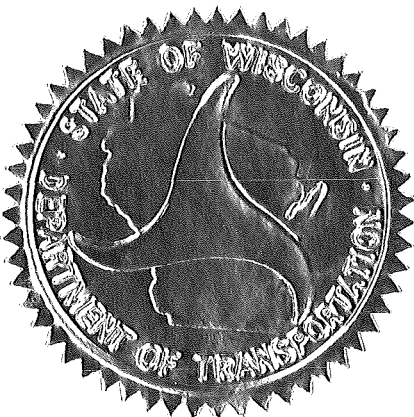
STATE OF WISCONSIN)
) s.s.
DEPARTMENT OF TRANSPORTATION)

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Ronald R. Fiedler, Secretary of the Wisconsin Department of Transportation and custodian of the official records do hereby certify that the rule relating to the motor-driven cycle, moped and motor bicycle safety program was duly approved and adopted by this department on February 9, 1987.

I further certify that this copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Transportation at 4802 Sheboygan Avenue, in the City of Madison, this 9th day of February, 1987.



Ronald R. Fiedler

RONALD R. FIEDLER, P.E.
Secretary

4-1-87

OFFICE OF THE SECRETARY

IN THE MATTER OF THE ADOPTION	*	
OF A RULE TO AMEND CHAPTER	*	
TRANS 503 (title), ss. TRANS	*	ORDER
503.01, 503.05, 503.06 AND	*	ADOPTING
503.07, RELATING TO THE MOTOR-	*	RULE
DRIVEN CYCLE, MOPED AND MOTOR	*	
BICYCLE SAFETY PROGRAM	*	

Analysis Prepared by the Wisconsin Department of Transportation

General summary of rule. The Wisconsin Department of Transportation adopts this rule change solely to bring the language of this rule into conformity with current statutes which have been changed by the adoption of 1985 Wis Act 65 which amended s. 85.30, Wis. Stats.

The title of Trans 503 is changed to "Type 1 Motorcycle, Moped and Motor Bicycle Safety Program" to distinguish between the statutory treatment of Type 1 and Type 2 motorcycles. Type 1 motorcycles are motor vehicles designed and built with 2 wheels in tandem and a seat for the operator and they may be modified to have no more than 3 wheels by attaching a sidecar to one side of the wheels in tandem without changing the location of the power source; or Type 1 motorcycles may be designed and built to have no more than 3 wheels, seating for the operator and no more than 3 passengers, and not having the operator area enclosed. Type 1 motorcycles are capable of speeds in excess of 30 miles per hour with a 150-pound rider on a dry, level, hard surface with no wind, excluding a tractor, with a power source as an integral part of the vehicle.

Type 2 motorcycles are designed and built to have at least 3 wheels in contact with the ground, a curb weight of less than 1,500 pounds, and a passenger and operator area with sides permanently enclosed with rigid construction and a top which may be convertible.

Trans 503 treats Type 1 motorcycles and does not treat Type 2 motorcycles. In accordance with this distinction, references in ss. Trans 503.01, 503.05 and 503.07 to "motor-driven cycle" are changed to "Type 1 motorcycle."

In s. Trans 503.06, "proper eye protection" is added as a safety-related topic to be covered in public workshops, rallies and programs because s. 85.30, Wis. Stats., requires that instruction be given by the department at its Type 1 motorcycle, moped and motor bicycle safety programs in the proper eye protection to be worn during hours of darkness.

Fiscal effect. This rule change will not have a fiscal effect upon the state, any local governments or the private sector.

This analysis was prepared by Connie S. Keator, Administrative Assistant, Office of General Counsel, Wisconsin Department of Transportation, (608) 266-8810.

Pursuant to the authority vested in the Wisconsin department of transportation by ss. 85.30 and 227.11, Wis. Stats., the department of transportation hereby adopts the amendments to ch. Trans 503, Wisconsin Administrative Code, as follows:

SECTION 1. Chapter Trans 503(title) is amended to read:

CHAPTER TRANS 503

TYPE 1 MOTORCYCLE ~~MOTOR-DRIVEN-CYCLE~~, MOPED AND MOTOR BICYCLE

SAFETY PROGRAM

SECTION 2. Trans 503.01 is amended to read:

Trans 503.01 PURPOSE. The purpose of this rule is to implement the Type 1 motorcycle ~~motor-driven-cycle~~, moped and motor bicycle safety program under s. 85.30, Wis. Stats.

SECTION 3. Trans 503.05 is amended to read:

Trans 503.05 PUBLIC AWARENESS PROGRAMS. The department shall aid other organizations in the promotion of Type 1 motorcycle safety by furnishing them with educational and information materials for display and distribution. The department's participation in activities under this section shall not extend beyond the furnishing of materials.

SECTION 4. Trans 503.06 is amended to read:

Trans 503.06 SAFETY EDUCATION. The department shall conduct public workshops, rallies and programs to cover Type 1 motorcycle, moped and motor bicycle safety related topics such as alcohol and drug abuse, helmet use, proper eye protection and improved driving techniques.

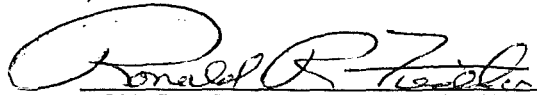
SECTION 5. Trans 503.07 is amended to read:

Trans 503.07 IMPROVED TESTING. The department shall annually allocate funds to improve the testing of applicants for Type 1 motorcycle ~~motor-driven-cycle~~, moped and motor bicycle endorsements or licenses. The amount allocated shall be made available to the division of motor vehicles to use for training or the purchasing of equipment.

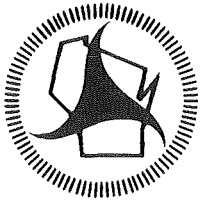
(END)

This rule shall take effect on the first day of the month commencing after the date of publication in accordance with s. 227.22(2), Wis. Stats.

Signed at Madison, Wisconsin,
this 9th day of February, 1987.



RONALD R. FIEDLER, P.E.
Secretary
Wisconsin Department of
Transportation



Wisconsin Department of Transportation

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OFFICE OF GENERAL COUNSEL
4802 Sheboygan Avenue
P.O. Box 7910
Madison, WI 53707-7910
Telephone: (608) 266-8810

February 6, 1987

Mr. Gary Poulson
Assistant Revisor of Statutes
30 West Mifflin Street
Suite 904
Madison, Wisconsin 53703

RE: Clearinghouse Rule 86-179
In the Matter of the Adoption
of TRANS 503, Wis. Admin. Code,
Relating to the Motor-Driven Cycle,
Moped and Motor Bicycle Safety Program

Dear Mr. Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of CR 86-179, an administrative rule relating to the motor-driven cycle, moped and motor bicycle safety program. An additional, uncertified copy of CR 86-179 is enclosed to be used as a printer's copy. This rule is submitted by the Wisconsin Department of Transportation.

Sincerely,

A handwritten signature in cursive script that reads "Debbie L. Moore".

Debbie L. Moore
Legal Assistant

DLM

Enclosures

CC: Thomas Walker
Maynard Schneider
Ron Thompson