

CHAPTER 623.

AN ACT to repeal and recreate 85.06 and to amend 85.91 (2) and (4) of the statutes, relating to lighting equipment on vehicles, and imposing a penalty.

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

SECTION 1. 85.06 of the statutes is repealed and recreated to read:

85.06 LIGHTING EQUIPMENT ON VEHICLES. (1) DEFINITIONS. When used in chapter 85, unless the context clearly indicates otherwise, the following words and phrases shall mean:

(a) "Headlamp" is a major lighting device used to provide general illumination ahead of the vehicle.

(b) "Multiple beam headlamp" is a headlamp arranged to permit the driver of the vehicle to use any one of 2 or more distributions of light on the roadway.

(c) "Clear road beam" is a beam intended primarily for distant illumination and for use on the open highway when not meeting other vehicles.

(d) "Meeting or traffic beam" is a beam low enough on the left to avoid glare in the eyes of oncoming drivers and intended for use in congested areas and on highways when meeting other vehicles within a distance of 500 feet.

(e) "Spotlamp" is an auxiliary driving lamp used primarily to supplement the headlamps in providing general illumination ahead of the vehicle, usually mounted and arranged so it can be controlled by the driver for the purpose of reading signs and illuminating objects to the side of or beyond the scope of the regular headlamp beams.

(f) "Adverse weather lamp" is a lamp which may be used in lieu of a headlamp to provide road illumination under conditions of rain, snow, dust or fog.

(g) "Direction signal lamp" is a lighting device used to indicate the intention of the driver of a vehicle to change direction.

(h) "Stop lamp" is a device giving a steady warning light to the rear of a vehicle to indicate the intention of the driver of a vehicle to diminish speed or stop.

(i) "Tail lamp" is a device to designate the rear of a vehicle by a warning light.

(j) "License plate lamp" is a device to illuminate the license number plate on the rear of a vehicle.

(k) "Side marker lamps" are lamps on the left and right sides near the front and rear of a vehicle, which show to the side to mark the sides of the vehicle.

(l) "Clearance lamps" are lamps on the left and right sides of the front and rear of a vehicle which show to the front and rear to mark the extreme sides of the vehicle.

(m) "Emergency electric lantern" is an electric lantern providing a warning light, either flashed or steady burning, to mark a disabled vehicle.

(n) "Fusee" is a paper or fibre tube filled with an inflammable material which, when ignited, burns with a red flame for from 5 to 30 minutes and is used temporarily to mark a disabled vehicle until other warning lights or devices can be properly placed.

(o) "Pot torch" is a wick-type liquid-burning device designed to produce a steady burning flame to mark a disabled vehicle.

(p) "Reflex reflector" is a device designed to give an indication to an approaching driver by reflected light from the driving lamps on the approaching vehicle.

(q) "Hours of darkness" are the period of time from one-half hour after sunset to one-half hour before sunrise and all other times when there is not sufficient natural light to render clearly visible any person or vehicle upon a highway at a distance of 500 feet.

(2) EQUIPMENT REQUIRED. (a) Every vehicle upon a public highway during hours of darkness shall be equipped with the lighting equipment required by this section for vehicles of its class.

(b) In determining the distance from which lighting equipment shall render objects visible or within which such lighting equipment shall be visible during hours of darkness, such distance shall be measured directly ahead upon a straight, level, unlighted highway under normal atmospheric conditions unless a different time, direction or condition is expressly stated.

(3) HEADLAMPS ON MOTOR VEHICLES. Every motor vehicle other than a motorcycle, shall be equipped with 2 headlamps, which shall display a white light of sufficient illuminating power to reveal any person, vehicle or substantial object 200 feet ahead of the headlamps.

(4) HEADLAMPS ON MOTORCYCLES. Every motorcycle shall be equipped with at least one and not more than 2 headlamps which shall display a white light of

sufficient illuminating power to reveal any person, vehicle or substantial object 200 feet ahead of such headlamp.

(5) TAIL LAMP. Every motor vehicle, when in use upon, or parked upon or immediately adjacent to, a traveled portion of a highway shall display on the rear a tail lamp so constructed and placed to show a red light from the rear plainly visible from a distance of 500 feet to the rear of such vehicle. But no motor vehicle lawfully parked upon a highway within the limits of an incorporated municipality shall be required to display a lighted tail lamp or lamps when equipped with a red reflex reflector or reflectors in accordance with subsections (26) and (27). No motor vehicle originally equipped at the time of manufacture and sale with 2 tail lamps shall be operated upon any public highway unless both of said lamps are in good working order.

(6) STOP LAMP. Every motor vehicle in use upon a highway shall be equipped with a stop lamp on the rear, which shall emit a red light and which shall be actuated upon application of the service or foot brake. Such lamp shall be plainly visible and understandable from a distance of 100 feet to the rear both during normal sunlight and at those times when lighted lamps are required on motor vehicles. Such lamp may be incorporated with a tail lamp. No motor vehicle originally equipped at the time of manufacture and sale with 2 stop lamps shall be operated upon a highway unless both of said lamps are in good working order.

(7) SPOTLAMP. (a) Any motor vehicle may be equipped with not to exceed 2 spotlamps which shall not be used in substitution of headlamps.

(b) Every spotlamp mounted upon a motor vehicle shall be located with the center of such lamp not less than 30 nor more than 72 inches above the level surface upon which the vehicle stands.

(c) No spotlamp shall be used as an auxiliary driving light on any motor vehicle except when such spotlamp is set or adjusted so that the rays of light shall be projected directly upon the road surface at a distance not exceeding 150 feet directly in front of the vehicle and to the right of the center of the traveled roadway. No spotlight shall project any glaring light into the eyes of an approaching driver.

(8) ADVERSE WEATHER LAMP. (a) Any motor vehicle may be equipped with not to exceed 2 adverse weather lamps mounted upon the front of said vehicle below the level of the centers of the headlamps.

(b) Adverse weather lamps shall not be used in lieu of headlamps unless absolutely necessary in case of rain, snow, dust or fog and then only when a vehicle is equipped with 2 adverse weather lamps mounted on opposite sides of the front of the vehicle and when both such adverse weather lamps are lighted.

(c) Whenever any vehicle is equipped with only one adverse weather lamp, both headlamps of such vehicle shall be lighted at all times whenever such adverse weather lamp is lighted.

(9) BACK-UP LAMPS. (a) Any motor vehicle may be equipped with a back-up lamp, which shall be so directed as to project a white or amber light illuminating the roadway to the rear of such vehicle for a distance not to exceed 75 feet.

(b) No lighted back-up lamp shall be displayed on any vehicle upon a highway except when such vehicle is about to be or is being driven backward. Whenever a back-up lamp is lighted during hours of darkness, the tail lamp or tail lamps on the vehicle displaying such lighted back-up lamp shall also be lighted.

(10) NUMBER OF LIGHTED LAMPS RESTRICTED. No motor vehicle upon a highway shall display lighted at one time more than 4 headlamps, adverse weather lamps or spotlamps or combination thereof.

(11) COLOR OF LIGHTS ON FRONT OF VEHICLES. Except as otherwise provided in this section, no person shall drive or move any vehicle or equipment upon a highway displaying other than a white or amber light visible from directly in front of said vehicle.

(12) COLOR OF LIGHTS ON REAR OF VEHICLES. Except as otherwise provided in this section, no person shall drive or move any vehicle or equipment upon any highway displaying any color of light other than red on the rear of said vehicle.

(13) IDENTIFICATION LAMPS ON TAXICABS AND BUSES. No motor vehicle regularly used for transporting passengers for hire may display any lighting device for identification purposes other than a single illuminated sign or lighted lamp mounted above the top line of the windshield, colored white, amber or green. Such illuminated sign or lamp shall be so constructed as to emit a steady or flashing nonglaring light.

(14) LAMPS ON AUTHORIZED EMERGENCY VEHICLES. (a) Any authorized emergency vehicle may be equipped with flashing, oscillating or rotating red lights to warn drivers and pedestrians to yield the right-of-way when making an emergency run on official business.

(b) The chief of police of any city or, when the owner resides outside of a city the sheriff of the county, may authorize the owner of a motor truck equipped and used for towing or moving disabled vehicles to mount not to exceed 2 fixed flashing red lamps on the front of such truck. Said red lamps may be lighted only when said truck is being used to move a disabled vehicle along or upon a public highway. Chiefs of police and sheriffs shall keep a record of all such authorizations issued by them.

(15) DIRECTION SIGNAL LAMPS. (a) Any vehicle may be equipped, and when required under this chapter shall be equipped with direction signal lamps for the purpose of giving a signal of intention to turn right or left. Such lamps shall project a flashing white or amber light visible to the front and a red or amber flashing light visible to the rear. Direction signal lamps shall be plainly visible and understandable from a distance of 100 feet both during normal sunlight and during hours of darkness.

(b) Vehicle equipped with such lamps shall also be equipped with a visible signal on the instrument panel, dash or steering column to indicate to the driver when either signal lamp is operating.

(16) DIMMING OR DEPRESSING HEADLAMP BEAMS. (a) Every person operating a motor vehicle upon a highway shall, when within 500 feet of an oncoming vehicle, dim, depress or tilt the headlamps of his vehicle so as to distribute the light therefrom that the glaring rays are not directed into the eyes of the driver of the oncoming vehicle. But at all times during hours of darkness every operator of a motor vehicle upon a highway shall use headlights which will reveal a person or vehicle at a distance of at least 100 feet ahead.

(b) On vehicles equipped with multiple beam headlamps, when there is no oncoming vehicle within 500 feet, the operator shall use an upper distribution of light, except when fog, dust or other atmospheric conditions make it desirable to use a lower distribution for reasons of safety, or when on a highway where there is sufficient roadway illumination to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead, or when following another vehicle within 500 feet.

(17) CLEARANCE LAMPS. Every motor vehicle, trailer or semitrailer having a width at any part in excess of 80 inches shall be equipped with 2 amber clearance lamps mounted on the front of said vehicle so as to be visible from the front and 2 red clearance lamps mounted on the rear of said vehicle so as to be visible from the rear. Such lamps shall be mounted in such a manner as to indicate the extreme width of the vehicle and as near the top thereof as practicable, and when lighted shall be visible from a distance of 500 feet.

(18) LIGHTING DEVICES FOR STATIONARY VEHICLES. No person shall during hours of darkness permit a truck, tractor, trailer, semitrailer or bus to stand upon any traveled portion of a highway outside of the corporate limits of any incorporated city or village, unless there is displayed 3 of any one of the following lighting devices: burning fuseses, burning pot torches, lighted red lanterns. One shall be placed 10 feet to the left rear side of the vehicle, one placed approximately 125 feet to the front and one placed approximately 125 feet to the rear of the vehicle to clearly indicate the location of such vehicle on the highway. Such lighting devices shall be so displayed during the entire time such vehicle is left standing. Every truck, tractor or bus operated upon a highway outside of the corporate limits of any incorporated city or village shall carry in a place readily accessible to the driver the lighting device so required. Said lighting devices shall at all times be kept in proper working order, and pot torches or lanterns shall be kept filled.

(19) LIGHTS ON HIGHWAY MAINTENANCE EQUIPMENT. (a) No tractor, truck, road grader, road drag or other unit of road machinery used in highway construction or maintenance shall be used upon a highway unless such vehicle or machinery displays during daylight hours a red flag on each side of the front and a red flag on each side of the rear. During hours of darkness a red light visible at a distance of 500 feet shall be displayed on each side of the front and each side of the rear to give adequate warning of the presence of such vehicle or machinery and to show safe clearance for passing or overtaking vehicles. Red flags herein prescribed shall be not less than 12 inches square.

(b) In lieu of such red lamps such vehicles or road machinery may be equipped with 2 amber floodlamps, one mounted on each side of the vehicle, so as to illuminate the sides of the vehicle and the attachments, if any, to show safe clearance for passing or overtaking vehicles. Such floodlamps shall display an amber light of sufficient illuminating power to indicate safe clearance from a distance of 200 feet to the front and the rear of such vehicle. When such vehicles are required to operate on the left hand side of a highway they shall be equipped with an auxiliary lamp or lamps projecting a blue light visible from a distance of 500 feet from the front and rear. The lenses of such auxiliary lamps shall be not less than 6 inches in diameter, and said lamps shall be mounted ap-

proximately midway between the extremities of the width of the vehicle and at the highest practicable point.

(c) Motor vehicles and road machinery used for and engaged in maintaining highways, when equipped with and designated by lighted amber floodlamps and blue auxiliary lamps as provided in paragraph (b) are exempt from the provisions of paragraph (a).

(20) LAMPS ON SELF-PROPELLED FARM EQUIPMENT. No farm tractor, as defined in section 85.10, or self-propelled farm equipment shall be operated or parked upon a highway during the hours of darkness unless such tractor or equipment carries the lighted lighting equipment required of motor vehicles under this section.

(21) LAMPS ON MOTOR DRIVEN CYCLES AND MOTOR BICYCLES. Motor driven cycles, power driven cycles and motor bicycles shall be equipped with an electric headlamp, red tail lamp and current source. Such headlamp shall display a white light of sufficient illuminating power to reveal any person, vehicle or substantial object at a distance of 100 feet ahead, and shall be so adjusted or operated that the glaring light rays therefrom are not directed into the eyes of the driver of any oncoming vehicle. The electric current source shall be derived from either a wet battery and electric generator; or from a generator connected to the motor direct or by gears, chain or belt; or by means of a current generating coil incorporated into the magneto.

(22) LAMPS ON BICYCLES. Every bicycle operated upon a highway shall be equipped with a lamp on the front emitting a white light visible from a distance of at least 500 feet to the front and with a lamp on the rear emitting a red light visible from a distance of 300 feet to the rear. But in lieu of the red lamp a bicycle may be equipped with a red reflex reflector so mounted and maintained as to be readily visible from all distances from 50 feet to 300 feet from the rear of said bicycle.

(23) LAMPS ON CABIN TRAILERS. Cabin trailers operated on a highway shall be equipped with a combination tail lamp and stop lamp, controlled and operated from the driver's seat of the propelling vehicle.

(24) LAMPS ON NONMOTOR VEHICLES. No vehicle or piece of equipment or machinery not otherwise referred to in this section shall be driven upon or occupy any highway during hours of darkness unless such vehicle, equipment or machinery is equipped with at least one lighted lamp or lantern exhibiting a white light visible from a distance of 500 feet ahead and a lighted lamp or lantern exhibiting a red light visible at a distance of 300 feet to the rear, except that in lieu of a red lamp or lantern 2 red reflex reflectors may be displayed on the rear of such vehicle, equipment or machinery.

(25) REFLEX REFLECTORS ON VEHICLES. No vehicle having a width at any part in excess of 80 inches shall be operated or parked upon a highway during hours of darkness unless such vehicle is equipped with 2 amber reflex reflectors mounted on the front, and 2 red reflex reflectors mounted on the rear in such a manner as to indicate as nearly as possible the extreme width of said vehicle.

(26) INSTALLATION OF REFLEX REFLECTORS. Whenever this section requires any reflex reflector to be displayed by a vehicle upon a highway, each such reflector shall be mounted on such equipment not less than 16 inches nor more than 60 inches above the ground on which the equipment stands. Such reflector shall be of such size and characteristics and so maintained as to be readily visible from all distances within 500 feet to 50 feet from such vehicle when directly in front of lawful upper headlamp beams during hours of darkness. A lawful red reflex reflector may be incorporated as a part of a tail lamp.

(27) COLOR REFLEX REFLECTORS. All reflex reflectors required under this section shall reflect an amber color, except that any reflex reflector mounted on the rear or on either side nearest to the rear of a vehicle or other equipment shall reflect a red color. Red reflex reflector warning devices referred to in subsection (18) shall comply with the minimum visibility requirements set forth in subsection (26).

(28) LAMPS AND REFLECTORS TO BE KEPT CLEAN. The operator of every vehicle on a highway required to display lighted lamps or reflex reflectors under this section shall keep such lamps and reflectors reasonably clean and in proper working condition at all times.

(29) ENFORCEMENT. It shall be the duty of sheriffs, deputy sheriffs, traffic officers, policemen and village marshals to enforce the provisions of this section.

SECTION 2. 85.91 (2) and (4) of the statutes are amended to read:

85.91 (2) Any person violating any of the provisions of * * * sections 85.06, 85.14 (2), * * * 85.15 (1), (2) and (3), * * * 85.16 (3) to (7) and (9), (10), (11) and (12), * * * 85.18 (7), * * * 85.19 (1), (5) and (9), * * * 85.20, 85.24, 85.29, 85.30 * * *, 85.32, * * * 85.34 (3), * * * 85.36 to 85.38, * * * 85.39 (3), * * * 85.40 (1) (a) and (b) and (2) (c), * * * 85.41 (2), * * * 85.45, 85.47, 85.48, 85.49, 85.51, 85.54 to 85.60 * * *, 85.62 and * * *

85.67 (1) shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not to exceed \$25 for the first offense and for the second or each subsequent conviction within one year thereafter, by a fine not to exceed \$100 or by imprisonment * * * for not more than 30 days or * * * both * * *.

(4) Any person violating any provision of section * * * 85.19 (10) shall be punished by a fine of not less than \$1 and not more than \$5 or by imprisonment * * * not to exceed 5 days.

Approved August 3, 1949.
