



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2005 Senate Bill 528

Senate Amendment 1

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Contact: Ronald Sklansky, Senior Staff Attorney (266-1946)

Senate Bill 528 and Senate Amendment 1 to the bill provide the following:

Driver Education

Senate Bill 528 provides that driver education courses must include information on motorcycle awareness and pedestrian and bicycle awareness, if materials that provide information on these subjects are donated to the Department of Transportation (DOT) by one or more recognized safety and awareness organizations.

Senate Amendment 1 removes the requirement that materials relating to motorcycle, pedestrian, and bicycle awareness be donated to DOT by one or more recognized safety and awareness organizations.

Highway Improvements

Senate Bill 528 requires that DOT must consider the safety of motor vehicles operated on the highway when it plans highway improvements.

Senate Amendment 1 removes this requirement.

Motorcycle Safety Instruction

Senate Bill 528 provides that a person who successfully completes a basic rider course is not required to hold an instruction permit in order to receive a motorcycle endorsement. Further, DOT may not require a person applying for an authorization to operate a motorcycle who holds an instruction permit to hold it for a minimum period of time before taking a driving skills test.

Senate Amendment 1 makes no change to these provisions.

Right-of-Way Violations

Current law provides that a person who violates the general rules of right-of-way may be required to forfeit not less than \$20 nor more than \$50 for the first offense and not less than \$50 nor more than \$100 for the second offense or subsequent conviction within a year. The forfeitures will be doubled if the violations take place in a highway work area.

Senate Bill 528 provides that a violation of right-of-way resulting in: (1) bodily harm constitutes a Class C misdemeanor with a 30-day license suspension; (2) great bodily harm constitutes a Class B misdemeanor with a 90-day license suspension; or (3) death constitutes a Class A misdemeanor with a license suspension of nine months. In addition, the violator must attend traffic school.

Senate Amendment 1 removes the misdemeanors for violations resulting in bodily harm, great bodily harm, and death and substitutes forfeitures of \$200, \$500, and \$1,000, respectively.

Facing a Red Signal

Senate Bill 528 provides that a motorcycle facing a red signal at an intersection may, after stopping for not less than 30 seconds, proceed cautiously through the intersection before the signal turns green if no other vehicles are present at the intersection to actuate the signal and the motorcycle operator reasonably believes the signal is vehicle actuated. The motorcycle operator must yield the right-of-way to any vehicular traffic, pedestrian, bicyclist, or rider of an electric personal assisted mobility device proceeding through a green signal at the intersection or lawfully within a crosswalk or using the intersection.

Senate Amendment 1 amends this provision by extending it to an operator of a moped, motor bicycle, or bicycle and by increasing the minimum stopping time from 30 seconds to 45 seconds.

Legislative History

On February 14, 2006, the Senate Committee on Judiciary, Corrections and Privacy introduced and adopted Senate Amendment 1 and recommended passage of Senate Bill 528, as amended, on votes of Ayes, 4; Noes, 1.

RS:ksm