

Clearinghouse Rule 98-147

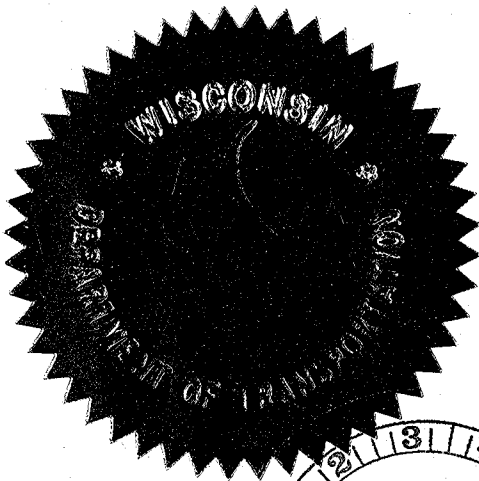
CERTIFICATE

STATE OF WISCONSIN)
) ss.
DEPARTMENT OF TRANSPORTATION)

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

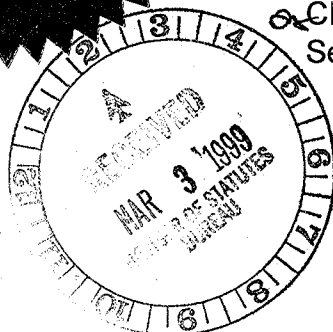
I, CHARLES H. THOMPSON, Secretary of the Wisconsin Department of Transportation and custodian of the official records, do hereby certify that the rule, relating to **vehicle restraining devices**, was duly approved and adopted by this Department on March 1, 1999.

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.



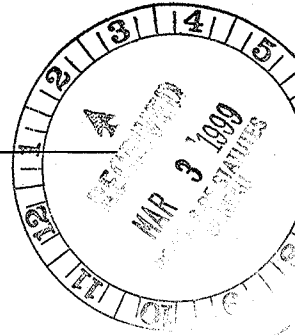
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Transportation at 4802 Sheboygan Avenue, in the City of Madison, Wisconsin, this 1 day of **March**, 1999.

Charles H. Thompson
of CHARLES H. THOMPSON
Secretary



5-1-99

The Wisconsin Department of Transportation adopts an order to amend TRANS 305.27(3)(a), relating to vehicle restraining devices.

ORDER ADOPTING RULE**Analysis Prepared by the Wisconsin Department of Transportation**

STATUTORY AUTHORITY: ss. 85.16(1), 110.075 and 227.10(1), Stats.

STATUTES INTERPRETED: s. 347.48, Stats.

General Summary of Rule. The rule amends s. Trans 305.27(3)(a) to clarify that this provision is intended to require that airbags which have been deployed must be replaced so that the vehicle continues to have all restraining devices with which it was originally manufactured. This was the intention of the Department of Transportation when ch. Trans 305 was created, effective March 1, 1996. However, some law enforcement officers and citizens expressed confusion with the present language and, therefore, the Department wishes to amend the rule to give clear notice to vehicle owners of their obligation to replace deployed airbags.

Fiscal Impact. The Department estimates that there will be no fiscal impact on the liabilities or revenues of any county, city, village, town, school district, technical college district, sewerage district, or any federally-recognized American Indian tribes or bands.

Final Regulatory Flexibility Analysis. This rule will have no adverse impact on small businesses.

Copies of Rule. Copies of the rule may be obtained upon request, without cost, by writing to Frieda Andreas, or by calling (608) 266-6936. Alternate formats of the rule will be provided to individuals at their request.

TEXT OF RULE

Under the authority vested in the state of Wisconsin, department of transportation, by ss. 85.16(1), 110.075 and 227.10(1), Stats., the department of transportation hereby adopts an order amending a rule interpreting s. 347.48, Stats., relating to vehicle restraining devices.

SECTION 1. Trans 305.27(3)(a) is amended to read:


Trans 305.27(3)(a) Except as provided in par. (b), the restraining devices, including air bags, of every motor vehicle shall be maintained in proper working condition

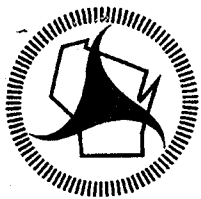
and in conformity with this section and s. 347.48, Stats. All required and optional restraining devices, including air bags, shall remain installed or be replaced by like equipment. All airbags that have been deployed shall be replaced with a comparable functioning airbag system.

(END OF RULE TEXT)

Effective Date. This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Signed at Madison, Wisconsin, this 1 day of March, 1999.


~~CHARLES H. THOMPSON~~
Secretary
Wisconsin Department of Transportation



Wisconsin Department of Transportation

www.dot.state.wi.us

Tommy G. Thompson
Governor

Charles H. Thompson
Secretary

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March 2, 1999

Mr. Gary Poulson
Deputy Revisor of Statutes
131 West Wilson Street, Suite 800
Madison, Wisconsin 53703

RE: **CLEARINGHOUSE RULE 98-147**

In the Matter of the Adoption of **TRANS 305**, Wisconsin Administrative Code,
relating to **vehicle restraining devices**

Dear Mr. Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of **CR 98-147**, an administrative rule relating to the above-mentioned matter.

Sincerely,

A handwritten signature in cursive script that reads "Julie A. Johnson".

Julie A. Johnson
Paralegal

Enclosures

cc: Secretary's Office
Mike Goetzman
Sandy Beaupre
David Schumacher
Lt. Sandy Huxtable
Frieda Andreas

