

tained through the absence of egress or ingress to any such premises.

SECTION 2. This act shall take effect upon passage and publication.

Approved August 14, 1929.

No. 456, S.]

[Published Aug. 16, 1929.

CHAPTER 387.

AN ACT to repeal and recreate sections 85.13 and 85.135 of the statutes, relating to lighting equipment on motor vehicles and to the establishment and maintenance of light adjustment stations for motor vehicles, and providing a penalty.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Sections 85.13 and 85.135 of the statutes are repealed.

SECTION 2. Two new sections are added to the statutes to be numbered and to read: 85.13 LIGHTING EQUIPMENT ON MOTOR VEHICLES. (1) ADEQUATE LIGHTING EQUIPMENT REQUIRED. No motor vehicle shall be operated upon or occupy any public highway unless such vehicle is provided with sufficient lights, of such design and so adjusted and operated as to render the use of the highway by such vehicles reasonably safe for all the public.

(2) REFLECTIVE SIGNALS IN LIEU OF TAIL LIGHTS. A reflective signal approved by the industrial commission may be carried in lieu of a tail light on all trucks, tractors, trailers or semitrailers which are electrically equipped. Such reflective signal shall be applied in lieu of a tail light on all trucks, tractors, trailers and semitrailers which are not electrically equipped when such vehicles are being operated upon or occupy any public highway.

(3) CLEARANCE SIGNALS. Every motor vehicle having a width at any part in excess of eighty inches shall carry two clearance signal lights on the left side of such vehicle, one located at the front and the other located at the rear of the vehicle, such lights to be of such color and design as is approved by the industrial commission. Reflective signals approved by the in-

dustrial commission may be used in lieu of clearance signal lights, but the center of such signals shall be not more than forty-eight inches above the roadway.

(4) **DUTIES AND POWERS OF THE INDUSTRIAL COMMISSION.** The industrial commission shall investigate, ascertain, determine and fix such reasonable standards of lighting equipment and reflective signals for motor vehicles, trailers and semitrailers, and for the adjustment and use of such equipment, as to make the use of the highways by such vehicles safe for all the public. The said commission may issue general or special orders prohibiting the use of any highway by any motor vehicle not conforming to such standards. Such investigations, standards and orders shall be made, and any action, proceeding or suit to set aside, vacate or amend any such order of said commission or to enjoin the enforcement thereof shall be had, as provided in sections 101.01 to 101.28; and every order of the said commission shall have the same force and effect as orders issued pursuant to said sections 101.01 to 101.28.

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

(6) **EVIDENCE.** Failure to comply with the standards fixed by the industrial commission and with such orders as it may issue for the adjustment and use of lighting equipment or signal lights on motor vehicles, trailers and semitrailers, shall be prima facie evidence of unsafe practice in the use of the public highway by such vehicles.

(7) Existing orders of the industrial commission shall remain in effect until amended or repealed by the commission.

85.135 ADJUSTING STATIONS FOR MOTOR VEHICLE LIGHTS.

(1) **ESTABLISHMENT.** Stations for the purpose of testing the lighting equipment or for the adjustment or repair thereof on motor vehicles, may be established and operated by any city, village or county or by any person, firm or corporation upon application to and approval by the industrial commission. When approved, such stations shall be designated as "Certified Light Adjusting Stations".

(2) **EQUIPMENT.** Such certified light adjusting stations shall be equipped and conducted in accordance with the standards, rules and orders ascertained, determined and fixed by the

industrial commission. The provisions of sections 101.01 to 101.28 shall apply with like effect to the adoption, review and the force and effect of standards, rules and orders issued under this subsection.

(3) **CERTIFICATION.** A light adjusting station, when approved by the industrial commission, shall be provided with a certificate issued to the person in control of such station, such certificate to indicate the number of such station, together with the name of the person in control and said certificate shall be posted in a conspicuous place in such station. Whenever such station or the person in charge thereof shall fail to comply with any of the provisions of this section or the standards and orders prescribed by the industrial commission, the said commission may revoke such certificate and take such station from the posted list maintained by the commission. No person shall advertise or hold out to the public or to any person that his station is such certified light adjusting station unless such station has been approved by the industrial commission and the certificate therefor has not been revoked.

(4) **STATION OPERATOR.** The testing or adjustment or repair of motor vehicle lighting equipment shall be performed by a person who has demonstrated to the commission his ability to properly adjust and repair lighting equipment and who shall be designated as station operator.

(5) **NOTICE FOR TESTING; HOW GIVEN.** Whenever any sheriff, deputy sheriff or county traffic officer of any county in which a certified light adjusting station is maintained, has reasonable ground to believe that the lighting equipment or the adjustment or use thereof on any motor vehicle upon any public highway in such county within a radius of twenty-five miles of any such station, does not conform to the requirements of section 85.13 and to the standards and orders adopted pursuant to said section, or whenever any policeman, constable, marshal or traffic officer of any city or village in which such station is maintained, has reasonable ground to believe that the lighting equipment or the adjusting or use thereof on any motor vehicle upon any public highway in such city or village does not conform to such requirements, standards and orders, he shall direct the owner of such motor vehicle by written notice to have the same brought to a certified light adjusting station to have such light-

ing equipment and adjustment or use thereof tested. Such notice given to the operator or attached to such vehicle shall be deemed a direction to the owner thereof. Such sheriff, deputy sheriff, traffic officer, policeman, constable or marshal shall report the name of such owner to whom such directions have been given, together with the license number of his vehicle, to the department to which such officer is attached. Within three days, or within such time as may be specified by the officer, after such directions have been given, the owner of such vehicle shall cause the same to be brought to any certified light adjusting station to be tested. This subsection, however, shall not deny the owner of such vehicle the right to equip and adjust the lighting equipment of such motor vehicle prior to having same tested.

(6) **NOTIFICATION AFTER TESTING.** Upon being tested, if the lighting equipment or the adjustment or use thereof, does not conform to the requirements of section 85.13 and to the standards and orders adopted under the provisions of said section, the station operator shall notify the owner of such motor vehicle of the manner in which the equipment or adjustment or use thereof does not conform to such requirements, standards or orders. The owner of such vehicle shall forthwith make or cause the necessary changes to be made in such lighting equipment.

(7) **EVIDENCE OF COMPLIANCE.** Whenever the lighting equipment or adjustment or use thereof on any motor vehicle is found to conform to the requirements of section 85.13 and the standards and orders adopted under said section, the station operator shall apply a windshield sticker indicating that the lighting equipment of such motor vehicle complied with the law at the time of testing. The industrial commission shall determine the form, size and legend of said windshield sticker.

(8) **RETURN OF WRITTEN NOTICE.** The owner or operator of each motor vehicle brought to a certified light adjusting station pursuant to the notice provided for in subsection (5), shall deliver said notice to the station operator who shall promptly return said notice to the enforcement department named thereon with his endorsement stating the results of the test and the action taken to remedy any defects.

(9) **TESTING BEFORE DELIVERY.** No person, firm or corporation engaged in selling motor vehicles at retail, shall

sell or deliver any motor vehicle in any county in which a certified light adjusting station is maintained unless the lighting equipment and adjustment or use thereof has been first tested at a certified adjusting station and a windshield sticker issued as provided in subsection (7) of this section. Such test shall be made within thirty days prior to delivery of such motor vehicle to the purchaser.

(10) **STATEMENT IN LICENSE APPLICATION.** After January 1, 1930, each application for registration shall state whether or not the lighting equipment has been tested and adjusted in accordance with the provisions of this section.

(11) **TESTING FEES.** All fees charged by certified light adjusting stations shall be reasonable and just.

(12) **PENALTY.** Any person violating any of the provisions of sections 85.13 or 85.135 shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed twenty-five dollars for the first offense and for the second or each subsequent conviction within one year thereafter, by a fine not to exceed one hundred dollars or by imprisonment in the county or municipal jail for not more than thirty days, or by both such fine and imprisonment. In addition to such fine or imprisonment, or both, the operator's license of the person so convicted may be suspended or revoked for a period not exceeding one year.

SECTION 3. This act shall take effect upon passage and publication.

Approved August 14, 1929.

No. 305, S.]

[Published August 16, 1929.

CHAPTER 388.

AN ACT to renumber paragraph (da) of subsection (3) of section 20.40 and paragraph (da) of subsection (3) of section 20.41, and to create a new paragraph (da) of subsection (3) of section 20.40 and a new paragraph (da) of subsection (3) of section 20.41 of the statutes, relating to the Spooner agricultural experiment station and making appropriations.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows: