

SECTION 8. 45.37 (5) of the statutes is created to read:

45.37 (5) The commandant or manager or superintendent of the Grand Army Home may receive, disburse and account for personal funds of members of the home, other than state funds, received from any source, upon court order, under policies adopted by the board of veterans' affairs.

SECTION 9. This act shall take effect July 1, 1947.

Approved August 25, 1947.

No. 363, S.]

[Published August 29, 1947.

CHAPTER 605.

AN ACT to repeal 85.015 (2); to renumber 85.08 (9) (b) to be 85.08 (9) (c); to amend 85.01 (1a) (b) and (7), 85.015 (1) and (3), 85.06 (2) (a), 85.08 (7) and (9) (a), 85.10 (3), 85.67 (1), 194.01 (1), 218.01 (1) (a) 2; to repeal and recreate 85.10 (4); and to create 85.08 (9) (b) of the statutes, relating to the regulation and definition of motor driven cycles.

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

SECTION 1. 85.01 (1a) (b) and (7) of the statutes are amended to read:

85.01 (1a) (b) The term "automobile" does not include motor *driven* cycles, motor vehicles used for the purpose of transporting persons or goods for hire, and motor vehicles owned and operated exclusively in the public service by the state of Wisconsin or by any county or municipality thereof.

(7) MOTOR *DRIVEN* CYCLE NUMBERS. The motor vehicle department shall issue and deliver to each owner of a motor *driven* cycle an official number plate of standard size and design which shall have thereon the letter "W" and the number assigned to such motor *driven* cycle, such letter and figures to be at least 2 inches high; said number plates shall be kept firmly and rigidly fastened on the rear of such motor *driven* cycle in a conspicuous place.

SECTION 2. 85.015 (1) and (3) of the statutes are amended to read:

85.015 LICENSES FOR POWER *DRIVEN* CYCLES AND

MOTOR BICYCLES. (1) There shall be paid annually to the motor vehicle department for the registration of each power driven cycle and motor bicycle as defined in section 85.10 (4) (a) and (b) operated upon a public highway of this state a fee of \$3.

(3) Local municipalities may by ordinance regulate the number of persons that may ride on any such power driven cycle or motor bicycle at any one time, and the time of day at which, and the highways upon which, any such power driven cycle or motor bicycle may be operated.

SECTION 3. 85.015 (2) of the statutes is repealed.

SECTION 4. 85.06 (2) (a) of the statutes is amended to read:

85.06 (2) (a) Every motor vehicle in use on the public highways except motor driven cycles shall be equipped with at least 2 headlights in good working order. Such headlights shall display a white light of sufficient illuminating power under normal atmospheric conditions to reveal any persons, vehicles, or substantial objects 200 feet ahead of the headlights. Motor driven cycles and motor bicycles shall be equipped with at least one such headlight. Power driven cycles shall be equipped with an electric headlight, tail light and current source. The headlight shall illuminate an object 50 feet ahead of the vehicle; the lens shall be of the diffusing type; the bulb or bulbs shall be of the pre-focused type, or permit ready focusing; the headlight shall be so designed and attached to the machine that the height of the beam from the road may be readily adjusted; there shall be either 2 bulbs or a bifocal bulb. The tail light, when illuminated, must be visible on a dark, clear night for a minimum of 500 feet from the rear or either side; there shall be either 2 bulbs or a bifocal bulb. The current source shall be one of 3 types: by means of a wet battery and current generating source; or by means of a generator connected to motor direct, or by gears, chain, or belt; or, by means of a light coil incorporated into the magneto.

(b) Every motor vehicle, including a motor-driven cycle, when in use or parked upon, or immediately adjacent to, the traveled portion of the highway, shall display on the rear at least one lamp so constructed and placed as to show a red light from the rear plainly visible under normal atmospheric conditions from a distance of 500 feet to the rear of such vehicle. Reflective signals approved by the motor vehicle department may be used in

lieu of tail lights on trucks, trailers, and semitrailers non electrically equipped, or *power-driven cycles*, and on parked vehicles, except as provided in paragraph (d) * * *.

SECTION 5. 85.08 (7) and (9) (a) are amended to read:

85.08 (7) Any person, who, except for his lack of instruction in operating a motor vehicle would otherwise be qualified to obtain a license under this section, may apply for an instruction permit, and the department may issue such permit, entitling the applicant, while having such permit in his immediate possession, to operate a motor vehicle upon the highways for a period not to exceed 60 days, but, except when operating a motor *driven cycle* * * *, such person must be accompanied by a licensed operator who is actually occupying a seat beside the operator and there shall be no other occupant in the vehicle. Any instruction permit shall be valid only to the party to whom issued for use during daylight hours.

(9) (a) The department may issue a license to any person otherwise qualified, who is less than 16 years and more than 14 years of age, if satisfied that it is necessary for such person to operate his parent's or guardian's motor vehicle licensed as an automobile or a farm truck *except as specified in section 85.08 (9) (b)*. Such license shall be of such form or color so that it may be readily distinguishable from licenses issued to persons who are 16 years of age or over, and shall restrict the holder thereof to the operation of a motor vehicle licensed as an automobile or farm truck belonging to his parent or guardian during the daylight hours only and shall not authorize such license to operate a motor cycle, motor * * * *bicycle*, commercial motor truck, motor bus or taxicab. A license shall not be issued to a person who is less than 16 years of age until such person accompanied by his parent or guardian appears in person before an examining officer, as provided in this section, with a certificate of birth to show that such person is at least 14 years of age; nor until such person shall have passed an oral examination and a test of his ability to safely operate a motor vehicle as provided herein and the examining officer shall attest the signatures of the applicant and the parent or guardian as required on the application for licenses issued to persons under the age of 16 years. Nothing in this section shall be construed to permit any person who is less than 16 years of age to operate any type of

motor vehicle in any county of this state having a population of 500,000 or more.

SECTION 6. 85.08 (9) (b) of the statutes is renumbered 85.08 (9) (c).

SECTION 7. 85.08 (9) (b) of the statutes is created to read:

85.08 (9) (b) The department may issue a permit to any person otherwise qualified, who is less than 16 years and more than 14 years of age, to operate a motor driven cycle as defined in section 85.10, provided the applicant establishes his age and passes an operator's test as specified in paragraph (a). The driving test shall be taken on a motor driven cycle and the permit issued shall be so marked as to show that it entitles the holder to operate a motor driven cycle only. The permit shall be readily distinguishable from a license for operating motor vehicles and shall restrict the holder thereof to the operation of a motor driven cycle belonging to his parent or guardian and during daylight hours only. The applicant shall submit on a form furnished by the department a certificate attested to by the dealer from whom the vehicle was originally purchased or by the manufacturer of the vehicle declaring that the vehicle meets all the specifications set forth in the definition of a motor-driven cycle as stated in section 85.10.

SECTION 8. 85.10 (3) of the statutes is amended to read:

85.10 (3) Every motor vehicle, excepting motor *driven* cycles, designed for the purpose of transporting not more than 7 persons including the operator and not used for the purpose of transporting persons or goods for hire.

SECTION 9. 85.10 (4) of the statutes is repealed and recreated to read:

85.10 (4) MOTOR DRIVEN CYCLES. Motor driven cycles are motor vehicles designed to travel on not more than 3 wheels in contact with the ground, having a seat for the use of the rider, including motor cycles, power driven cycles, and motor bicycles, but excluding tractors as herein defined. Motor cycles, power driven cycles and motor bicycles are further defined as follows:

(a) A power driven cycle is a motor driven cycle, weighing between 100 and 175 pounds avoirdupois, fully equipped, without gasoline or oil, designed to travel not over 35 miles per hour, with a 150 pound rider on a dry, level, hard surface with no

wind, having brakes as specified in section 85.67 and having lights as specified in section 85.06.

(b) A motor bicycle is a bicycle to which a motor has been added to form a motor driven cycle as distinguished from a power driven cycle or motor cycle in which the motor is an integral part of the original vehicle.

(c) A motor cycle, or motorcycle, is a motor driven cycle not otherwise classified.

SECTION 10. 85.67 (1) of the statutes is amended to read:

85.67 (1) Every motor vehicle, when operated upon a highway, shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle, including 2 separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least 2 wheels, except that a motor *driven* cycle need be equipped with only one brake. All such brakes shall be maintained in good working order and shall be considered efficient if the vehicle can be stopped under normal conditions within 50 feet when traveling at a rate of speed of 20 miles per hour. *A power driven cycle shall be equipped with an inclosed brake of sound design, with the disc or brake drum directly connected to or integral with the rear wheel; with internal-expanding brake shoes or engaging discs. The brake shall be operated by a foot pedal which shall be connected to the brake by means of a brake rod. Design shall permit simple and easy adjustment to compensate for wear. The machine, with 150 pound rider, traveling 20 miles per hour, on level, dry, hard surface free from loose material with no wind, must be capable of being brought to a complete stop in 35 feet.*

SECTION 11. 194.01 (1) of the statutes is amended to read:

194.01 (1) "Motor vehicle" means any automobile, truck, trailer, semitrailer, tractor, motor bus or any self-propelled or motor driven vehicle, except a * * * *motor driven cycle* or a vehicle operated on rails, or trackless trolley car.

SECTION 12. 218.01 (1) (a) 2 of the statutes is amended to read:

218.01 (1) (a) 2. Who is engaged wholly or in part in the business of selling motor vehicles, *including motor driven cycles*, whether or not such motor vehicles are owned by such person, firm or corporation.

Approved August 21, 1947.