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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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**Ronald Sklansky**  
*Clearinghouse Director*

**Richard Sweet**  
*Clearinghouse Assistant Director*

**Terry C. Anderson**  
*Legislative Council Director*

**Laura D. Rose**  
*Legislative Council Deputy Director*

### CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

#### CLEARINGHOUSE RULE 01-120

AN ORDER to renumber and amend Trans 305.19 (4); to amend Trans 305.19 (title); and to create Trans 305.05 (7m) and 305.19 (4), (6) and (7), relating to standards for vehicle equipment.

Submitted by **DEPARTMENT OF TRANSPORTATION**

10-15-01 RECEIVED BY LEGISLATIVE COUNCIL.

11-12-01 REPORT SENT TO AGENCY.

RNS:PGC:jal

**LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT**

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached      YES       NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached      YES       NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached      YES       NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS  
[s. 227.15 (2) (e)]

Comment Attached      YES       NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached      YES       NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL  
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached      YES       NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached      YES       NO



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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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Richard Sweet  
*Clearinghouse Assistant Director*

Terry C. Anderson  
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Laura D. Rose  
*Legislative Council Deputy Director*

### CLEARINGHOUSE RULE 01-120

#### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]**

#### 5. Clarity, Grammar, Punctuation and Use of Plain Language

a. The definition in s. Trans 305.05 (7m) would be clearer if written as “. . . means a device including a knob, latch release or lever that is used to open or close, or both, a door either from the interior or exterior of a vehicle.”

b. In the effective date provision, “s. 227.22 (2), Stats.” should be “s. 227.22 (2) (intro.), Stats.”

The Wisconsin Department of Transportation proposes an order to renumber and amend TRANS 305.19(4) to amend TRANS 305.19(title); and create TRANS 305.05(7m) and 305.19(4), (6) and (7), relating to standards for vehicle equipment.

**NOTICE OF HEARING  
AND  
TEXT OF PROPOSED RULE**

NOTICE IS HEREBY GIVEN that pursuant to ss. 85.16(1), 110.075 and 227.10(1), Stats., and interpreting s. 110.075, Stats., the Department of Transportation will hold a public hearing in **Room 551** of the Hill Farms State Transportation Building, 4802 Sheboygan Avenue, Madison, Wisconsin on the **15th** day of **November**, 2001, at **10:00 AM**, to consider the amendment of chapter Trans 305, Wisconsin Administrative Code, relating to standards for vehicle equipment.

An interpreter for the hearing impaired will be available on request for this hearing. Please make reservations for a hearing interpreter at least 10 days prior to the hearing.

The public record on this proposed rule making will be held open until close of business on Friday, November 16, 2001, to permit the submission of written comments from persons unable to attend the public hearing or who wish to supplement testimony offered at the hearing. Any such comments should be submitted to Lorelee Brumund, Department of Transportation, Division of State Patrol, Room 551, P. O. Box 7912, Madison, WI 53707-7912.

Parking for persons with disabilities and an accessible entrance are available on the north and south sides of the Hill Farms State Transportation Building.

**Analysis Prepared by the Wisconsin Department of Transportation**

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

**STATUTES INTERPRETED:** s. 110.075, Stats.

**General Summary of Proposed Rule.** This proposed rule will require van-type vehicles to have operable interior door handles on passenger doors located on the sides of the vehicles. The intent is to enhance the safety of passengers inside the vehicles, enabling them to escape the vehicle, in instances of vehicle crashes. The vehicles most affected by this rule amendment would be those vehicles operated by private companies that transport passengers for recreational purposes, for shuttle transportation, and general transport. It is not intended to be applied to vans used primarily for transportation of cargo, or to impose substantial additional costs on operators of van-type vehicles.

**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, vocational, technical and adult education district, sewerage district, or federally-recognized tribes or bands. The Department estimates that there will be no fiscal impact on state revenues or liabilities.

**Initial Regulatory Flexibility Analysis.** This proposed rule will have no significant adverse impact on small businesses.

**Copies of Proposed Rule.** Copies of the rule may be obtained upon request, without cost, by writing to Lorelee Brumund, Department of Transportation, Division of State Patrol, Room 551, P. O. Box 7912, Madison, WI 53707-7912, or by calling (608) 267-3622. Hearing-impaired individuals may contact the Department using TDD (608) 266-3096. Alternate formats of the proposed rule will be provided to individuals at their request.

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**TEXT OF PROPOSED 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 proposes to amend a rule interpreting s. 110.075, Stats., relating to standards for vehicle equipment.

**SECTION 1.** Trans 305.05(7m) is created to read:

Trans 305.05(7m) "Door handle" means a device including, but not limited to, a knob, latch release or lever that is used to open or close, or both, a door either from the interior or exterior of a vehicle ~~to which this chapter applies.~~

**SECTION 2.** Trans 305.19(title) is amended to read:

Trans 305.19 (title) Doors, hoods, locks and, latches and door handles.

**SECTION 3.** Trans 305.19(4) is renumbered Trans 305.19(5) and amended to read:

Trans 305.19(5) Nothing in this section prohibits the interior door handles of the rear door or side rear doors of authorized emergency vehicles being intentionally made inoperative.

**SECTION 4.** Trans 305.19(4), (6) and (7) are created to read:

Trans 305.19(4) All door handles on every motor vehicle shall be maintained in proper working condition.

(6) Nothing in this section prohibits the interior door handles of the rear door or side rear doors of a vehicle being intentionally made inoperative by use of a child security door latch system installed by the manufacturer of the vehicle.

(7) Vehicles designed to transport at least 6, but not more than 14, passengers in addition to the driver shall be equipped with interior door handles on side and rear doors which lead directly into a compartment that contains one or more seating accommodations.

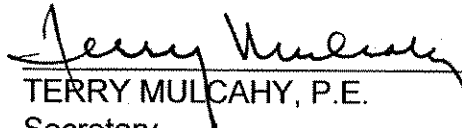
**(END OF RULE TEXT)**

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**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.

(I.W.T.P.O.)

Signed at Madison, Wisconsin, this 11 day of October, 2001.

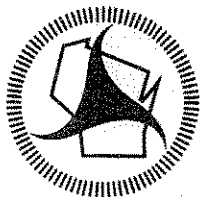


TERRY MULCAHY, P.E.

Secretary

Wisconsin Department of Transportation

MAR 01 2001



## Wisconsin Department of Transportation

www.dot.state.wi.us

Scott McCallum  
Governor

Terrence D. Mulcahy, P.E.  
Secretary

Office of General Counsel  
4802 Sheboygan Ave., Rm. 115B  
P.O. Box 7910  
Madison, WI 53707-7910

Telephone: 608-266-8810  
FAX: 608-267-6734  
E-Mail: ogc.exec@dot.state.wi.us

February 27, 2001

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

RE: **STATEMENT OF SCOPE OF PROPOSED RULEMAKING, TRANS 305**

Dear Mr. Poulson:

Enclosed is the Statement of Scope for the proposed amendment of ch. Trans 305. Please publish the Scope Statement in accordance with § 227.135(3), Stats., in the Administrative Register.

Sincerely,

A handwritten signature in cursive script, appearing to read "Julie A. Johnson".

Julie A. Johnson  
Paralegal

Enclosures

cc: Richard G. Chandler/DOA State Budget Director  
Senator Judy Robson, Co-Chair/JCRAR  
Representative Glenn Grothman, Co-Chair/JCRAR  
Alice Morehouse  
Mike Goetzman  
Doug Van Buren  
Loralee Brumund



## STATEMENT OF SCOPE

### **DESCRIPTION OF THE OBJECTIVE OF THE RULE:**

The objective of this rule making is to amend ch. Trans 305 to require van-type vehicles to have operable interior door handles on passenger doors located on the sides of the vehicles. The intent is to enhance the safety of passengers inside the vehicles, enabling them to escape the vehicle, in instances of vehicle crashes. The vehicles most affected by this rule change would be those vehicles operated by private companies that transport passengers for recreational purposes, for shuttle transportation, and general transport. It is not intended to be applied to vans used primarily for transportation of cargo, or to impose substantial additional costs on operators of van-type vehicles.

### **DESCRIPTION OF EXISTING POLICIES RELEVANT TO THE RULE AND OF NEW POLICIES PROPOSED TO BE INCLUDED IN THE RULE AND AN ANALYSIS OF POLICY ALTERNATIVES:**

There are no current policies relevant to the rule, nor the development of new policies.

### **STATUTORY AUTHORITY FOR THE RULE:**

ss. 85.16(1) and 110.075, Stats.

### **ESTIMATES OF THE AMOUNT OF TIME THAT STATE EMPLOYEES WILL SPEND DEVELOPING THE RULE AND OF OTHER RESOURCES NECESSARY TO DEVELOP THE RULE:**

32 hours.

Signed at Madison, Wisconsin, this 26<sup>th</sup> day  
of February, 2001.

  
TERRENCE D. MULCAHY, P.E.

Secretary

Wisconsin Department of Transportation



## Wisconsin Department of Transportation

www.dot.state.wi.us

Scott McCallum  
Governor

Terrence D. Mulcahy, P.E.  
Secretary

**Office of General Counsel**  
4802 Sheboygan Ave., Rm. 115B  
P.O. Box 7910  
Madison, WI 53707-7910

Telephone: 608-266-8810  
FAX: 608-267-6734  
E-Mail: [ogc.exec@dot.state.wi.us](mailto:ogc.exec@dot.state.wi.us)

The Honorable Judy Robson  
Senate Chairman  
Joint Committee for Review  
of Administrative Rules  
Room 15 South, State Capitol  
Madison, Wisconsin 53702

October 15, 2001


The Honorable Glenn Grothman  
Assembly Chairman  
Joint Committee for Review  
of Administrative Rules  
Room 15 North, State Capitol  
Madison, Wisconsin 53702

RE: **NOTICE OF PUBLIC HEARING** and Text of Proposed Rule, relating to **standards for vehicle equipment, Trans 305**

Dear Senator Robson and Representative Grothman:

Enclosed for your information is a Notice of Public Hearing and Text of Proposed Rulemaking relating to the above-entitled matter. These documents have also been filed with the Revisor of Statutes, the Legislative Council, and the Department of Administration in accordance with the requirements of §§ 227.15 and 227.17, Stats.

Sincerely,

  
Julie A. Johnson  
Paralegal

Enclosure

cc: Alice Morehouse  
Mike Goetzman  
Doug Van Buren  
Loralee Brumund

---

The Wisconsin Department of Transportation proposes an order to renumber and amend TRANS 305.19(4); amend TRANS 305.19(title); and create TRANS 305.05(7m), and 305.19(4), (6) and (7), relating to standards for vehicle equipment.

---

**NOTICE OF HEARING  
AND  
TEXT OF PROPOSED RULE**

NOTICE IS HEREBY GIVEN that pursuant to ss. 85.16(1), 110.075 and 227.10(1), Stats., and interpreting s. 110.075, Stats., the Department of Transportation will hold a public hearing in **Room 551** of the Hill Farms State Transportation Building, 4802 Sheboygan Avenue, Madison, Wisconsin on the **15th** day of **November**, 2001, at **10:00 AM**, to consider the amendment of chapter Trans 305, Wisconsin Administrative Code, relating to standards for vehicle equipment.

An interpreter for the hearing impaired will be available on request for this hearing. Please make reservations for a hearing interpreter at least 10 days prior to the hearing.

The public record on this proposed rule making will be held open until close of business on Friday, November 16, 2001, to permit the submission of written comments from persons unable to attend the public hearing or who wish to supplement testimony offered at the hearing. Any such comments should be submitted to Lorelee Brumund, Department of Transportation, Division of State Patrol, Room 551, P. O. Box 7912, Madison, WI 53707-7912.

Parking for persons with disabilities and an accessible entrance are available on the north and south sides of the Hill Farms State Transportation Building.

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**Analysis Prepared by the Wisconsin Department of Transportation**

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

**STATUTES INTERPRETED:** s. 110.075, Stats.

**General Summary of Proposed Rule.** This proposed rule will require van-type vehicles to have operable interior door handles on passenger doors located on the sides of the vehicles. The intent is to enhance the safety of passengers inside the vehicles, enabling them to escape the vehicle, in instances of vehicle crashes. The vehicles most affected by this rule amendment would be those vehicles operated by private companies that transport passengers for recreational purposes, for shuttle transportation, and general transport. It is not intended to be applied to vans used primarily for transportation of cargo, or to impose substantial additional costs on operators of van-type vehicles.

**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, vocational, technical and adult education district, sewerage district, or federally-recognized tribes or bands. The Department estimates that there will be no fiscal impact on state revenues or liabilities.

**Initial Regulatory Flexibility Analysis.** This proposed rule will have no significant adverse impact on small businesses.

**Copies of Proposed Rule.** Copies of the rule may be obtained upon request, without cost, by writing to Lorelee Brumund, Department of Transportation, Division of State Patrol, Room 551, P. O. Box 7912, Madison, WI 53707-7912, or by calling (608) 267-3622. Hearing-impaired individuals may contact the Department using TDD (608) 266-3096. Alternate formats of the proposed rule will be provided to individuals at their request.

---

**TEXT OF PROPOSED 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 proposes to amend a rule interpreting s. 110.075, Stats., relating to standards for vehicle equipment.

**SECTION 1.** Trans 305.05(7m) is created to read:

Trans 305.05(7m) "Door handle" means a device including, but not limited to, a knob, latch release or lever that is used to open or close, or both, a door either from the interior or exterior of a vehicle to which this chapter applies.

**SECTION 2.** Trans 305.19(title) is amended to read:

Trans 305.19 (title) Doors, hoods, locks and latches and door handles.

**SECTION 3.** Trans 305.19(4) is renumbered Trans 305.19(5) and amended to read:

Trans 305.19(5) Nothing in this section prohibits the interior door handles of the rear door or side rear doors of authorized emergency vehicles being intentionally made inoperative.

**SECTION 4.** Trans 305.19(4), (6) and (7) are created to read:

Trans 305.19(4) All door handles on every motor vehicle shall be maintained in proper working condition.

(6) Nothing in this section prohibits the interior door handles of the rear door or side rear doors of a vehicle being intentionally made inoperative by use of a child security door latch system installed by the manufacturer of the vehicle.

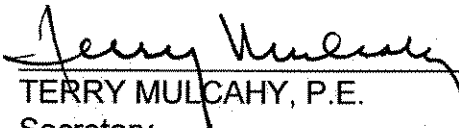
(7) Vehicles designed to transport at least 6, but not more than 14, passengers in addition to the driver shall be equipped with interior door handles on side and rear doors which lead directly into a compartment that contains one or more seating accommodations.

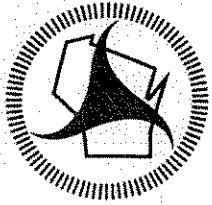
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(END OF RULE TEXT)

**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 11 day of October, 2001.

  
\_\_\_\_\_  
TERRY MULCAHY, P.E.  
Secretary  
Wisconsin Department of Transportation



## Wisconsin Department of Transportation

www.dot.state.wi.us

Scott McCallum  
Governor

Gene E. Kussart  
Secretary

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Telephone: 608-266-8810  
FAX: 608-267-6734  
E-mail: [ogc.exec@dot.state.wi.us](mailto:ogc.exec@dot.state.wi.us)

The Honorable Fred Risser  
President, Wisconsin State Senate  
Room 220 South, State Capitol  
Madison, Wisconsin 53707

February 14, 2002


The Honorable Scott Jensen  
Speaker, Wisconsin State Assembly  
Room 211 West, State Capitol  
Madison, Wisconsin 53707

RE: Proposed Administrative Rule **TRANS 305**  
Notification of Legislative Standing Committees  
**CLEARINGHOUSE RULE 01-120**

Gentlemen:

Enclosed is a copy of Clearinghouse Rule **01-120**, relating to **standards for vehicle equipment**. The rule is submitted to you for referral to the appropriate standing committees.

Sincerely,

  
Julie A. Johnson  
Paralegal

JAJ/dim

Enclosure

cc: Gary Poulson/Senator Judy Robson/Representative Glenn Grothman/  
Doug Van Buren/Jeff Lorentz/Loralee Brumund

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**CR 01-120**

The Wisconsin Department of Transportation proposes an order to renumber and amend TRANS 305.19(4); amend TRANS 305.19(title); and create TRANS 305.05(7m), and 305.19(4) and (6), relating to standards for vehicle equipment.

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**REPORT OF THE DEPARTMENT OF TRANSPORTATION  
ON THE FINAL RULE DRAFT**

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This report is submitted to the presiding officers of the Senate and Assembly for referral to the appropriate standing committees. The report consists of the following parts:

Part 1--Analysis prepared by the Department of Transportation.

Part 2--Rule text in final draft form.

Part 3--Recommendations of the Legislative Council.

Part 4--Analysis prepared pursuant to the provisions of s. 227.19(3), Stats.

Submitted by:



BARBARA F. BIRD  
Assistant General Counsel  
Office of General Counsel  
Department of Transportation  
Room 115-B, Hill Farms State  
Transportation Building  
P. O. Box 7910  
Madison, WI 53707-7910  
(608) 266-8807



## PART 1

### Analysis Prepared by the Wisconsin Department of Transportation

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

**STATUTES INTERPRETED:** s. 110.075, Stats.

**General Summary of Proposed Rule.** This proposed rule will prohibit the operation of vehicles, including van-type vehicles, on which the interior door handles installed by the manufacturer of the vehicle have been disabled, removed or made inoperative. The intent is to enhance the safety of passengers inside the vehicles, enabling them to escape the vehicle, in instances of vehicle crashes. Exceptions to the requirement of operative interior door handles are provided for authorized emergency vehicles, use of child security latch systems, use of door locking mechanisms, and for replica and street modified vehicles.

**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, vocational, technical and adult education district, sewerage district, or federally-recognized tribes or bands. The Department estimates that there will be no fiscal impact on state revenues or liabilities.

**Copies of Proposed Rule.** Copies of the rule may be obtained upon request, without cost, by writing to Lorelee Brumund, Department of Transportation, Division of State Patrol, Room 551, P. O. Box 7912, Madison, WI 53707-7912, or by calling (608) 267-3622. Hearing-impaired individuals may contact the Department using TDD (608) 266-3096. Alternate formats of the proposed rule will be provided to individuals at their request.

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## PART 2

### TEXT OF PROPOSED 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 proposes to amend a rule interpreting s. 110.075, Stats., relating to standards for vehicle equipment.

**SECTION 1.** Trans 305.05(7m) is created to read:

Trans 305.05(7m) "Door handle" means a device including a knob, latch release or lever that is used to open or close, or both, a door either from the interior or exterior of a vehicle.

**SECTION 2.** Trans 305.19(title) is amended to read:

Trans 305.19(title) Doors, hoods, locks and, latches and door handles.

**SECTION 3.** Trans 305.19(4) is renumbered Trans 305.19(5) and amended to read:

Trans 305.19(5) Nothing in this section prohibits the interior door handles of the rear door or side rear doors of authorized emergency vehicles being intentionally made inoperative.

**SECTION 4.** Trans 305.19(4) and (6) are created to read:

Trans 305.19(4)(a) All door handles on every motor vehicle shall be maintained in proper working order.

(b) Except as provided in subs. (5) and (6), no person may operate, or allow to be operated, on a highway a motor vehicle on which the door handles installed by the manufacturer of the motor vehicle have been disabled, removed or made inoperative. This paragraph does not apply to replica or street modified vehicles.

(6) Nothing in this section prohibits the interior door handles of the rear door or side rear doors of a vehicle being intentionally made inoperative by use of a child security door latch system or other door locking mechanism installed by the manufacturer of the vehicle.

**NOTE:** The vehicles to which this section applies include a vehicle designed to transport at least 6, but not more than 14, passengers in addition to the driver and commonly called a "van." In Wisconsin, a van is registered as an automobile if it is

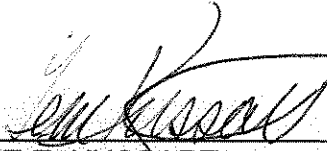
primarily used for the transportation of persons; a van is registered as a truck if it is primarily used for the transportation of property.

(END OF RULE TEXT)

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**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)(intro.), Stats.

Signed at Madison, Wisconsin, this 14<sup>th</sup> day of February, 2002.



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GENE E. KUSSART  
Secretary  
Wisconsin Department of Transportation



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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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**Ronald Sklansky**  
*Clearinghouse Director*

**Richard Sweet**  
*Clearinghouse Assistant Director*

**Terry C. Anderson**  
*Legislative Council Director*

**Laura D. Rose**  
*Legislative Council Deputy Director*

### PART 3 CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

#### **CLEARINGHOUSE RULE 01-120**

AN ORDER to renumber and amend Trans 305.19 (4); to amend Trans 305.19 (title); and to create Trans 305.05 (7m) and 305.19 (4), (6) and (7), relating to standards for vehicle equipment.

Submitted by **DEPARTMENT OF TRANSPORTATION**

10-15-01 RECEIVED BY LEGISLATIVE COUNCIL.

11-12-01 REPORT SENT TO AGENCY.

RNS:PGC:jal

**LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT**

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached      YES       NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached      YES       NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached      YES       NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS  
[s. 227.15 (2) (e)]

Comment Attached      YES       NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached      YES       NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL  
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached      YES       NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached      YES       NO



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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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Ronald Sklansky  
*Clearinghouse Director*

Richard Sweet  
*Clearinghouse Assistant Director*

Terry C. Anderson  
*Legislative Council Director*

Laura D. Rose  
*Legislative Council Deputy Director*

### CLEARINGHOUSE RULE 01-120

#### Comments

**[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]**

#### 5. Clarity, Grammar, Punctuation and Use of Plain Language

a. The definition in s. Trans 305.05 (7m) would be clearer if written as ". . . means a device including a knob, latch release or lever that is used to open or close, or both, a door either from the interior or exterior of a vehicle."

b. In the effective date provision, "s. 227.22 (2), Stats." should be "s. 227.22 (2) (intro.), Stats."

**PART 4**  
**CR 01-120**

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ANALYSIS OF FINAL DRAFT OF TRANS 305

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(a) **Need for Amended Rule.** This proposed rule will prohibit the operation of vehicles, including van-type vehicles, on which the interior door handles installed by the manufacturer of the vehicle have been disabled, removed or made inoperative. The intent is to enhance the safety of passengers inside the vehicles, enabling them to escape the vehicle, in instances of vehicle crashes. Exceptions to the requirement of operative interior door handles are provided for authorized emergency vehicles, use of child security latch systems, use of door locking mechanisms, and for replica and street modified vehicles.

(b) **Modifications as a Result of Testimony at Public Hearing.** The public hearing was held in Madison on November 15, 2001. No modifications were made as a result of testimony at the hearing.

(c) **List of Persons who Appeared or Registered at Public Hearing.** Persons who appeared/registered at the hearing were:

Tom Powell, Research Assistant for Representative Terese Berceau, 402 Paunack Place, #1, Madison, WI 53705 (spoke in favor of the rule).

Amy L. Boyer, Lobbyist, Alliance of Automobile Manufacturers, 10 East Doty Street, #500, Madison, WI 53703 (registered for information).

Written comments were accepted until close of business on November 29, 2001. Comments were received from:

Kimberly Ashton, Manager, State Affairs, Alliance of Automobile Manufacturers, 1401 H Street, NW, Suite 900, Washington, D.C. 20005.

(d) **Response to Legislative Council Recommendations.** The Legislative Council made only two recommendations, both of which have been incorporated into the proposed rule.

(e) **Final Regulatory Flexibility Analysis.** This proposed rule will have no significant adverse impact on small businesses.