



**SENATE AMENDMENT 1,  
TO SENATE BILL 509**

March 5, 2014 – Offered by Senator PETROWSKI.

1           At the locations indicated, amend the bill as follows:

2           **1.** Page 10, line 23: delete the material beginning with “is” and ending with  
3           “or” on line 24.

4           **2.** Page 11, line 22: after “1.” insert “or in which an implement of husbandry  
5           described in subd. 1. c. is towed by a farm truck, farm truck tractor, or motor truck.”.

6           **3.** Page 12, line 3: delete “(a)” and substitute “(am)”.

7           **4.** Page 14, line 10: after that line insert:

8           “**SECTION 14m.** 347.21 (1) of the statutes is amended to read:

9           347.21 (1) No person shall operate on a highway during hours of darkness any  
10          train of vehicles authorized by s. 348.08 (1) (d) unless there is mounted on each side  
11          of every vehicle in such train, including farm tractors and implements of husbandry,  
12          at least one lamp emitting a red or amber light visible from a distance of 500 feet to  
13          the side of the vehicle on which mounted or, in lieu thereof, at least one red or amber

1 reflector or, notwithstanding s. 347.245, one slow moving vehicle emblem visible  
2 from all distances within 500 feet to 50 feet of the side of the vehicle when directly  
3 in front of lawful upper beams of headlamps.”.

4 **5.** Page 14, line 15: delete “a red an” and substitute “a red or”.

5 **6.** Page 14, line 17: after “red” insert “or amber”.

6 **7.** Page 15, line 5: delete “No” and substitute “Except as provided in par. (bm),  
7 no”.

8 **8.** Page 15, line 10: after “husbandry.” insert “When lighted, these lamps shall  
9 be capable of being seen and distinguished under normal atmospheric conditions  
10 during hours of darkness at a distance of 500 feet from the front and rear of the  
11 implement of husbandry.”.

12 **9.** Page 15, line 15: after “practicable.” insert “This conspicuity material shall  
13 be of such size and characteristics and so maintained as to be readily visible during  
14 the hours of darkness from all distances within 500 feet to 50 feet from the implement  
15 of husbandry when directly in front of lawful upper beams of headlamps.”.

16 **10.** Page 15, line 20: after “husbandry.” insert “This conspicuity material shall  
17 be of such size and characteristics and so maintained as to be readily visible during  
18 the hours of darkness from all distances within 500 feet to 50 feet from the implement  
19 of husbandry when directly in front of lawful upper beams of headlamps.”.

20 **11.** Page 15, line 23: after “practicable.” insert “These tail lamps are not  
21 required to be wired to light when headlamps or other lamps light. When lighted,  
22 these tail lamps shall be capable of being seen and distinguished under normal

1 atmospheric conditions during hours of darkness at a distance of 500 feet from the  
2 rear of the implement of husbandry.”.

3 **12.** Page 15, line 23: after that line insert:

4 “(bm) A person may operate on a highway, at times other than hours of  
5 darkness, a wide implement of husbandry manufactured before January 1, 2014,  
6 that does not comply with par. (b) if all of the following apply:

7 1. The wide implement of husbandry is accompanied by an escort vehicle  
8 operating with hazard lights activated.

9 2. Two orange or red flags, not less than 12 inches square, are attached to the  
10 rear of the wide implement of husbandry, or as close to the rear as practicable, in a  
11 manner that is clearly visible to the operator of a vehicle approaching from the rear  
12 and that marks the extreme left and extreme right of the implement of husbandry.”.

13 **13.** Page 15, line 24: after “(b)” insert “or (bm)”.

14 **14.** Page 15, line 25: delete “20” and substitute “22”.

15 **15.** Page 16, line 9: delete “and” and substitute “or between a farm and a field  
16 and is”.

17 **16.** Page 16, line 9: delete “0.25” and substitute “0.5”.

18 **17.** Page 19, line 4: before “spreading” insert “spraying pesticides or”.

19 **18.** Page 20, line 16: delete “including any utility line.” and substitute “other  
20 than a structure or obstruction that is any of the following:”.

21 **19.** Page 20, line 16: after that line insert:

22 “**SECTION 34m.** 348.06 (2) (a) and (b) of the statutes are created to read:

1           348.06 (2) (a) Any overhead utility line that does not satisfy the requirements  
2 of the state electric code promulgated by the public service commission.

3           (b) Any overhead electric line of a cooperative association that is organized  
4 under ch. 185 and that does not comply with the National Electrical Safety Code.”.

5           **20.** Page 21, line 24: delete “20” and substitute “25”.

6           **21.** Page 22, line 7: delete “20” and substitute “25”.

7           **22.** Page 26, line 21: delete “and” and substitute “or between a farm and a field  
8 and is”.

9           **23.** Page 26, line 22: delete “0.25” and substitute “0.5”.

10          **24.** Page 27, line 18: delete “and” and substitute “or between a farm and a field  
11 and is”.

12          **25.** Page 27, line 18: delete “0.25” and substitute “0.5”.

13          **26.** Page 28, line 16: delete “any” and substitute “all”.

14          **27.** Page 31, line 1: delete “subd. 3.” and substitute “subds. 3. and 5. b.”.

15          **28.** Page 31, line 8: after “this” insert “3-week”.

16          **29.** Page 31, line 9: after “4.” insert “or until 6 weeks from receipt of the  
17 application. If the maintaining authority fails to approve or deny the application  
18 within 6 weeks of its receipt, the application is approved.”.

19          **30.** Page 31, line 17: after “period” insert “of 5 business days”.

20          **31.** Page 31, line 18: after “4.” insert “or until 10 business days from receipt  
21 of the application. If the maintaining authority fails to approve or deny the  
22 application within 10 business days of its receipt, the application is approved. This

1 subdivision does not apply if the permit is a resolution or ordinance adopted under  
2 subd. 5.”.

3 **32.** Page 32, line 3: after “municipality” insert “or county”.

4 **33.** Page 32, line 4: after “municipality’s” insert “or county’s”.

5 **34.** Page 32, line 6: delete the material beginning with “A” and ending with  
6 municipality.” on line 9 and substitute “If the governing body of a municipality or  
7 county adopts a resolution or ordinance under this subd. 5. a., the resolution or  
8 ordinance shall be valid for at least one calendar year.”.

9 **35.** Page 32, line 10: delete lines 10 to 15 and substitute:

10 “b. If the governing body of a municipality or county adopts a resolution or  
11 ordinance under subd. 5. a., then subd. 3. and par. (c) 3. do not apply, no permit  
12 application is required, and the resolution or ordinance shall serve as the permit  
13 under this subsection. The governing body of the municipality or county shall make  
14 copies of the resolution or ordinance readily available to the public at multiple  
15 locations within the municipality or county.

16 c. If the governing body of a municipality or county adopts a resolution or  
17 ordinance under subd. 5. a. that applies to fewer than all of the highways under the  
18 municipality’s or county’s jurisdiction or that authorizes operation of implements of  
19 husbandry and agricultural commercial motor vehicles but imposes conditions,  
20 restrictions, or limitations on this operation, then a person may apply for a permit  
21 under subd. 1. for operation of an implement of husbandry or agricultural  
22 commercial motor vehicle on any highway or under any circumstance not authorized  
23 by the resolution or ordinance.”.

24 **36.** Page 34, line 20: after that line insert:

1           “**SECTION 61m.** 348.28 (1) of the statutes is renumbered 348.28 (1) (a) and  
2 amended to read:

3           348.28 (1) (a) Permits issued under ss. 348.25, 348.26 and 348.27, other than  
4 a permit described in s. 348.27 (19) (b) 5. b., shall be carried on the vehicle during  
5 operations so permitted.

6           **SECTION 61p.** 348.28 (1) (b) of the statutes is created to read:

7           348.28 (1) (b) Permits issued under s. 348.27 (19) that are required to be carried  
8 on the vehicle under par. (a) may be carried and produced in either printed or  
9 electronic format, including by display of electronic images on a cellular telephone  
10 or other electronic device. If the permit is displayed in electronic format on any  
11 cellular telephone or other electronic device, a traffic officer or inspector under s.  
12 110.07 (3) may not view, and producing the permit in electronic format is not  
13 considered consent for the traffic officer or inspector to view, any content on the  
14 telephone or other device except the permit.”.

15           **37.** Page 35, line 13: after that line insert:

16           “(4m) (a) Notwithstanding sections 348.05, 348.06, 348.07, 348.08, 348.15,  
17 348.16, and 348.21 of the statutes, as affected by this act, but subject to paragraph  
18 (b), during the period beginning on the effective date of this paragraph and ending  
19 on December 31, 2014, no officer of the state traffic patrol under section 110.07 (1)  
20 of the statutes, and no inspector under section 110.07 (3) of the statutes, may issue  
21 a citation to a person for violating any provision of sections 348.05, 348.06, 348.07,  
22 348.08, 348.15, or 348.16 of the statutes, as affected by this act, while operating an  
23 implement of husbandry described in section 340.01 (24) (a) 1. a. or b. of the statutes,

1 as affected by this act. A state traffic patrol officer or inspector may issue a warning  
2 notice for any violation specified in this paragraph.

3 (b) Paragraph (a) does not apply to an implement of husbandry described in  
4 section 340.01 (24) (a) 1. a. or b. of the statutes, as affected by this act, being operated  
5 on any highway that is a part of the national system of interstate and defense  
6 highways.”.

7 **38.** Page 35, line 25: delete “the first day of the 3rd month beginning after  
8 publication” and substitute “January 1, 2015”.

9 **39.** Page 36, line 1: delete lines 1 and 2.

10 (END)