



## 1997 ASSEMBLY BILL 450

July 10, 1997 - Introduced by Representatives GUNDERSON, POWERS, DOBYNS, STASKUNAS, BRANDEMUEHL, J. LEHMAN, GOETSCH, TURNER, DUFF, PLOUFF and SKINDRUD. Referred to Committee on Highways and Transportation.

1     **AN ACT to amend** 341.067, 341.13 (4), 343.03 (3) (a), 343.16 (4) (a), 347.02 (6),  
2             347.09 (1) (c) and 347.245 (1); and **to create** 343.17 (3) (d) 3m. of the statutes;  
3             **relating to:** creating an operator's license endorsement that authorizes the  
4             operation of certain specially designed vehicles.

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### *Analysis by the Legislative Reference Bureau*

Under current law, a special restricted operator's license authorizes the operation of only motor bicycles, mopeds or specially designed vehicles having a maximum speed of 35 miles per hour that the department of transportation authorizes to be operated upon a highway. A special restricted operator's license may not be issued to any person who possesses a valid regular operator's license. A regular operator's license may be endorsed to permit the operation of certain vehicles.

This bill creates an endorsement to a regular operator's license that permits the operation upon a highway of a properly equipped and registered specially designed vehicle.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

**ASSEMBLY BILL 450****SECTION 1**

1           **SECTION 1.** 341.067 of the statutes is amended to read:

2           **341.067 Registration of special vehicles.** The department shall register a  
3 specially designed vehicle which is authorized for operation by a person holding a  
4 special restricted operator's license under s. 343.135, or an endorsement under s.  
5 343.17 (3) (d) 3m., if the special vehicle meets the equipment standards established  
6 under s. 347.02 (6).

7           **SECTION 2.** 341.13 (4) of the statutes is amended to read:

8           341.13 (4) A specially designed vehicle which is authorized for operation under  
9 s. 343.135 (2) (a) 2. or an endorsement under s. 343.17 (3) (d) 3m. shall bear a tag,  
10 decal or other identification issued by the department to indicate that the vehicle  
11 may be subject to special equipment standards under s. 347.02 (6) and that the  
12 vehicle may be operated only by a person authorized to do so under s. 343.135 (2) (b)  
13 or under an endorsement under s. 343.17 (3) (d) 3m.

14           **SECTION 3.** 343.03 (3) (a) of the statutes is amended to read:

15           343.03 (3) (a) *Regular license.* The standard license legend is "regular" or a  
16 readily recognizable abbreviation thereof. The regular license, without any express  
17 endorsements or restrictions as provided in this chapter, authorizes the licensee to  
18 operate only "class D" vehicles as described in s. 343.04 (1) (d), except as otherwise  
19 provided in this subsection. The license may be endorsed to permit operation of Type  
20 1 motorcycles, specially designed vehicles or school buses. A regular license may be  
21 subject to restrictions, including the attachment of a special restrictions card as  
22 provided in s. 343.17 (4).

23           **SECTION 4.** 343.16 (4) (a) of the statutes is amended to read:

24           343.16 (4) (a) An applicant who holds an expired instruction permit, expired  
25 out-of-state license or who seeks to reinstate his or her operating privilege may

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1 drive a motor vehicle only when accompanied by an authorized license examiner for  
2 the purpose of examining the applicant's ability to operate a motor vehicle. Such  
3 applicant must be driven to and from the examining area by a licensed driver. This  
4 exception to the requirement to hold a valid operator's license does not apply to the  
5 operation of a commercial motor vehicle. For purposes of examining applicants for  
6 a special restricted operator's license under s. 343.135 or an endorsement under s.  
7 343.17 (3) (d) 3m., the department may waive the requirements of this paragraph in  
8 any case in which it considers a waiver desirable.

9 **SECTION 5.** 343.17 (3) (d) 3m. of the statutes is created to read:

10 343.17 (3) (d) 3m. "R" endorsement, which authorizes the operation of specially  
11 designed vehicles described in s. 343.135 (2) (a) 2. An "R" endorsement may be issued  
12 only to a person who satisfies the requirements under s. 343.135 (1) (a) 3. and 4. The  
13 specific vehicle or type of vehicle authorized to be operated by an endorsement under  
14 this subdivision shall be described on the license as a special restriction.

15 **SECTION 6.** 347.02 (6) of the statutes is amended to read:

16 347.02 (6) Notwithstanding the requirements of this chapter, the department  
17 may establish special equipment standards for vehicles operated under s. 343.135  
18 or an endorsement under s. 343.17 (3) (d) 3m. which differ from the equipment  
19 standards established under this chapter. Equipment standards established under  
20 this subsection may not be less stringent than any federal standards established for  
21 the vehicle.

22 **SECTION 7.** 347.09 (1) (c) of the statutes is amended to read:

23 347.09 (1) (c) Every motor bicycle ~~or vehicle~~ registered under s. 341.067 and  
24 operated by a person licensed under s. 343.075 or 343.135 and every motor vehicle  
25 registered under s. 341.067 and operated by a person licensed under s. 343.075 or

**ASSEMBLY BILL 450****SECTION 7**

1 343.135 or possessing an endorsement under s. 343.17 (3) (d) 3m. shall be equipped  
2 with at least one and not more than 2 headlamps, which headlamps shall comply  
3 with the requirements and limitations set forth in sub. (2) and s. 347.11.

4 **SECTION 8.** 347.245 (1) of the statutes is amended to read:

5 347.245 (1) ~~After January 1, 1970, no~~ No person may operate on a highway, day  
6 or night, any vehicle or equipment, animal-drawn vehicle, or any other machinery,  
7 including all road machinery, that usually travel at speeds less than 25 miles per  
8 hour or any vehicle operated under a special restricted operator's license issued  
9 under s. 343.135 or an endorsement under s. 343.17 (3) (d) 3m., unless there is  
10 displayed on the most practicable visible rear area of the vehicle or combination of  
11 vehicles, a slow moving vehicle (SMV) emblem as described in and displayed as  
12 provided in sub. (2). Any towed vehicle or machine is exempt from this provision if  
13 the towing vehicle is visible from the rear and is in compliance with this section. All  
14 road machinery is excluded when it is engaged in actual construction or maintenance  
15 work either guarded by a flagman or clearly visible warning signs. Except as  
16 provided in s. 347.21 (1), the requirement of the emblem shall be in addition to any  
17 lighting devices required or permitted by law. Mopeds and bicycles are excluded from  
18 the provisions of this section unless they are operated under a special restricted  
19 operator's license issued under s. 343.135. The SMV emblem need not be displayed  
20 on vehicles moving directly across the highway.

21 (END)