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of motorcycles and safety features
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WISCONSIN LAWS RELATING TO THE OPERATION OF MOTORCYCLES AND SAFETY FEATURES REQUIRED FOR THE VEHICLE AND OPERATOR*

There are now over 1-1/2 million motorcycles and scooters in the United States. This number has doubled in the last three years, and it is estimated that it will reach 5 million by 1970. While the number of machines on the road is accelerating rapidly, their accident rate is mounting even faster. The death rate for motorcycles is twice as high as the comparable rate for automobiles. National Safety Council statistics indicate that death or injury comes 10 times as often in motorcycle accidents as it does in crashes involving vehicles of all kinds. Wisconsin had 47 fatalities in motorcycle accidents in 1966 (34 in 1965). In the face of the many new problems created by the cycle population explosion, there is concern over the adequacy of motorcycle legislation in Wisconsin's statutes.

Section 340.01 (35) of the 1965 Wisconsin Statutes states that a "motor vehicle means a vehicle which is self-propelled..." Since this definition includes motorcycles, it follows that the general provisions of the Wisconsin Motor Vehicle Code (Chapters 340 to 349 of the statutes) apply to motorcycles.

The statutes do provide definitions for four different types of cycles:

Section 340.01 (30) - "Motor bicycle" means a bicycle to which a motor has been added to form a motor driven cycle as distinguished from a power driven cycle or motorcycle in which the motor is an integral part of the original vehicle.

Section 340.01 (32) - "Motorcycle" means a motor driven cycle which does not come within the definition of power driven cycle or motor bicycle.

Section 340.01 (33) - "Motor driven cycle" means a motor vehicle designed to travel on not more than 3 wheels in contact with the ground and having a seat for the use of the rider, including motorcycles, power driven cycles and motor bicycles but excluding tractors.

Section 340.01 (45) - "Power driven cycle" means a motor driven cycle weighing between 100 and 300 pounds fully equipped but without gasoline or oil and designed to travel not over 35 miles per hour with a 150-pound rider on a dry, level, hard surface with no wind.

Various provisions specifically relating to these four types of cycles are scattered throughout the Motor Vehicle Code. They comprise the following sections (in part):

*Prepared by Dick Pazen, Research Analyst.

341.25 ANNUAL REGISTRATION FEES. (1) (b) For each motor vehicle with a shipping weight of 1,000 pounds or less which is designed primarily for the transportation of persons rather than property, a fee of \$5.

341.29 REGISTRATION FOR VEHICLES OTHER THAN PRIVATE AUTOMOBILES AND TAXICABS. (1) Annual registration for all vehicles other than private automobiles and taxicabs, shall be for the calendar year and expire on December 31 of the year for which the vehicle is registered. The department shall take the necessary action to make the change not later than January 1, 1963.

343.08 RESTRICTED LICENSES FOR PERSONS UNDER 16 YEARS OF AGE. (1) Upon application therefor, the department may issue a restricted license to a person who is at least 14 and less than 16 years of age if the following conditions, in addition to any others specified in this chapter, are fulfilled:

(a) The department must be satisfied that it is necessary for the applicant to operate either an automobile, farm truck or power driven cycle owned and registered by his parent or guardian.

(b) The applicant, accompanied by his parent or guardian, must have appeared in person before an examining officer with a certificate of birth to show that the applicant is at least 14 years of age.

(c) The applicant must have passed an examination as specified in s. 343.16, including a test of his ability to safely operate the type of vehicle which he is making application for license to operate.

(d) If the application is for a license to operate a power driven cycle, the dealer from whom the power driven cycle was originally purchased or the manufacturer of the vehicle must have certified on a form to be supplied by the department that the vehicle meets all the specifications set forth in sub. (3).

(2) A restricted license issued pursuant to this section is valid only until the licensee reaches 16 years of age and entitles him to operate either an automobile or farm truck owned and registered by his parent or guardian or a power driven cycle owned and registered by his parent or guardian or both, depending on the restrictions placed by the department on the particular license. A license issued pursuant to this section does not authorize the licensee to operate any such vehicle during hours of darkness or to operate a vehicle in a city with a population of 500,000 or more or to operate a motorcycle, motor bicycle, commercial motor truck, motor bus or taxicab.

(3) In this section, "power driven cycle" means a motor vehicle of the cycle type designed to travel on not more than 3 wheels, having a seat for use of the rider, weighing between 100 and 300 pounds fully equipped but 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 and having brakes as specified in s. 347.35 (2) and lights as specified in ss. 347.09 and 347.13 (1).

346.94 MISCELLANEOUS PROHIBITED ACTS. (10) Clinging to moving vehicle. No person riding upon a motor driven cycle shall attach the same or himself to any other moving vehicle upon a highway.

347.09 HEADLAMPS ON MOTOR VEHICLES. (1) (b) Every motorcycle shall be equipped with at least one and not more than 2 headlamps, which headlamps shall comply with the requirements and limitations set forth in sub. (2) and s. 347.10.

(c) Every power driven cycle and motor bicycle shall be equipped with at least one and not more than 2 headlamps, which headlamps shall comply with the requirements and limitations set forth in sub. (2) and s. 347.11.

347.11 HEADLAMP SPECIFICATIONS FOR POWER-DRIVEN CYCLES AND MOTOR BICYCLES. The headlamps on power-driven cycles or motor bicycles may be of the single-beam or multiple-beam type but in either event shall comply with the following requirements and limitations:

(1) The headlamp shall be an electric headlamp and the current shall be supplied by a wet battery and electric generator, by a current-generating coil incorporated into the magneto or by a generator driven directly by the motor by means of gears, friction wheel, chain or belt.

(2) The headlamp shall display a white light of sufficient illuminating power to reveal any person, vehicle or substantial object at a distance of 200 feet ahead and shall be so adjusted or operated that the glaring light rays therefrom are not directed into the eyes of the driver of any oncoming vehicle.

(3) If the power-driven cycle or motor bicycle is equipped with a multiple-beam headlamp, the upper beam shall meet the minimum requirements set forth in sub. (2) and the lowermost beam shall meet the requirements applicable to a lowermost distribution of light as set forth in s. 347.10 (2) (b).

(4) If the power-driven cycle or motor bicycle is equipped with a single-beam lamp, such lamp shall be so aimed that when the vehicle is loaded none of the high-intensity portion of light, at a distance of 25 feet ahead, projects higher than the level of the center of the lamp from which it comes.

347.15 DIRECTION SIGNAL LAMPS OR DEVICES. (1) No person shall sell any new motor vehicle, other than a motor driven cycle, unless such motor vehicle is equipped with direction signal lamps meeting the requirements of this section. No person shall operate on a highway any motor vehicle sold new after January 1, 1955, other than a vehicle which is operated pursuant to s. 341.47 (1) (b) or a motor driven cycle, unless such motor vehicle is equipped with direction signal lamps meeting the requirements of this section. Any other vehicle may be equipped with such lamps.

347.35 BRAKES. (2) Motor driven cycles. No person shall operate a motor driven cycle upon a highway unless such motor driven cycle is equipped with at least one brake capable of meeting the performance specifications set forth in s. 347.36. Such brake may be designed to be operated either by hand or by foot. The brake on a power driven cycle shall be an enclosed brake of sound design with the disc or brake drum directly connected or integral with the rear wheel and with internal-expanding brake shoes or engaging discs. The design shall permit simple and easy adjustment to compensate for wear. If the brake control is hand operated, there shall be no other controls linked to it.

347.36 PERFORMANCE ABILITY OF BRAKES. (1) Brakes on motor vehicles other than power driven cycles and brakes on combinations of vehicles shall be capable of bringing the vehicle or combination of vehicles to a stop, under normal conditions, within 50 feet when traveling at a speed of 20 miles per hour .

(2) Brakes on a power driven cycle shall be capable of bringing such vehicle to a stop within 35 feet when traveling at a speed of 20 miles per hour with a 150-pound rider and on a level, dry, hard surface free from loose material and with no wind.

(3) All required brakes shall be maintained in good working order .

349.105 AUTHORITY TO PROHIBIT CERTAIN TRAFFIC ON EXPRESSWAYS AND FREEWAYS. The authority in charge of maintenance of an expressway or freeway may, by order, ordinance or resolution, prohibit the use of such expressway or freeway by pedestrians, persons riding bicycles or other nonmotorized traffic or by persons operating power driven cycles or motor bicycles. The state or local authority adopting any such prohibitory regulation shall erect and maintain official signs giving notice thereof on the expressway or freeway to which such prohibition applies .

349.18 ADDITIONAL TRAFFIC-CONTROL AUTHORITY OF CITIES AND VILLAGES. Any city or village may by ordinance:

(1) Designate the number of persons that may ride on a power driven cycle or motor bicycle at any one time and the time of day at which and the highways upon which a power driven cycle or motor bicycle may or may not be operated;

Because of their mechanical structure, motorcycles have certain unique characteristics which prompt suggestions that specific regulations be adopted. Governor Warren Knowles, in his "Special Message On Traffic Safety" (delivered January 17, 1967), recommended that special headgear, driver examinations and operator's permits be required for cyclists. At present, Wisconsin does not require special safety equipment (other than such items as head-lights and brakes) nor specify equipment to be worn by operators and riders. The standard motor vehicle operator's permit is all that is required to drive a motorcycle in Wisconsin. There is no provision for a special operator's license, nor are there any other special qualifications .

While an up-to-date compilation of motorcycle legislation in other states is not readily available, the Legislative Reference Bureau's clipping collection relating to motorcycles indicates that Georgia, Michigan and New York require cyclists to wear protective helmets and goggles (or plastic face shields). Hawaii, Maine, Massachusetts, New Jersey, New York and Oregon provide special driver examinations and licensing for motorcycle operators. New York and Pennsylvania have periodic motorcycle inspection programs .