

Chapter Trans 315

SAFETY BELT USAGE: PHYSICAL OR MEDICAL EXEMPTION

Trans 315.01 Purpose and scope.

Trans 315.03 Exemption for physical or medical condition.

Note: Chapter Trans 315 was created as an emergency rule effective December 18, 1987.

Trans 315.01 Purpose and scope. (1) PURPOSE. As authorized by s. 347.48 (2m) (e), Stats., the purpose of this chapter is to establish the criteria for exemption from Wisconsin's mandatory safety belt usage law for persons, who because of a physical or medical condition, cannot be properly restrained in a safety belt.

(2) APPLICABILITY. This chapter applies to all persons who are at least 4 years old and are subject to the safety belt installation and usage requirements of s. 347.48, Stats.

History: Cr. Register, June, 1988, No. 390, eff. 7-1-88.

Trans 315.03 Exemption for physical or medical condition. (1) A person who is at least 4 years old is exempted from the provisions of s. 347.48 (2m), Stats., if the person cannot be properly restrained in a safety belt because of a physical or medical condition providing:

(a) The person has a written statement signed by a licensed

physician indicating the person cannot be restrained by a safety belt because of a physical or medical condition, or words to that effect.

(b) The statement in par. (a) is dated not more than one year previously, unless a shorter period is specified or the statement indicates that the medical or physical condition is permanent or chronic.

(c) The statement in par. (a) contains an address and telephone number of the physician.

(d) The statement in par. (a), or a photocopy of the statement, is carried on the person or in the vehicle transporting the person.

(2) A person at least 4 years old being transported in an authorized emergency vehicle as defined in s. 340.01 (3), Stats., when the vehicle is being operated in the performance of official duties, may be transported without a safety belt when the physical or medical needs of the person make restraint by safety belt unreasonable.

History: Cr. Register, June, 1988, No. 390, eff. 7-1-88; EmR0909: emerg. am. (1) (a) and (c), eff. 6-25-09; CR 09-058: am. (1) (a) and (c) Register December 2009 No. 648, eff. 1-1-10.