

NOTICE OF PROPOSED GUIDANCE DOCUMENT

WisDOT Previous Law of the Month webpage

Pursuant to Wis. Stat. s. 227.112, the Wisconsin Department of Transportation is hereby seeking comment on WisDOT Previous Law of the Month webpage, a proposed guidance document.

PUBLIC COMMENTS AND DEADLINE FOR SUBMISSION

Comments may be submitted to the Wisconsin Department of Transportation for 21 days by:

1. Department's website: <https://appengine.egov.com/apps/wi/dot/guidance-docs?guidDocId=OPA8>

2. Mailing written comments to:

Office of Public Affairs
Wisconsin Department of Transportation
4822 Madison Yards Way
PO Box 7910
Madison, WI 53707-7910

WEBSITE LOCATION OF FINAL GUIDANCE DOCUMENT

The final version of this guidance document will be posted at wisconsindot.gov to allow for ongoing comment.

AGENCY CONTACT

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State of Wisconsin Department of Transportation

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May - State Patrol reminds motorists to look twice, share the road with

motorcycles

May is national "Motorcycle Safety Awareness Month" and the Wisconsin State Patrol is asking motorcyclists and all other motorists to share the road, be alert and safe.

"Motorcycle crashes often occur when a car or truck driver changes lanes, turns left or pulls out in front of a motorcycle," said Wisconsin State Patrol Superintendent Tony Burrell. "Because of their smaller profile, it's easy to misjudge a motorcycle's speed and distance. That's why we're reminding motorists to always look twice at approaching motorcycles."

Failure to yield the right of way to another vehicle ([state law 346.18](#)) can result in a \$175 citation, but penalties are much more severe if the violation results in someone getting injured or killed. In 2018 in Wisconsin, there were 2,074 motorcycle crashes, 1,678 motorcyclists injured and 81 motorcycle fatalities.

Motorcyclists can do their part by getting properly licensed, wearing visible and protective equipment, and carefully scanning ahead for potential hazards such as gravel, debris or wildlife in the roadway. As a group, motorcyclists are aging. The average age of a motorcyclist involved in a fatal crash in 1992 was 30 – in 2018, it was 46.

Motorcyclists have two options to get the required Class M license: pass a motorcycle driving skills test after making an [appointment](#) at a [Division of Motor Vehicles service center](#) or successfully complete a [WisDOT-approved rider education course](#). Motorcyclists who successfully complete an approved safety course earn a skills test waiver used to obtain their Class M license.

"Whether a person is brand new to motorcycling or a returning rider, a safety course is a wise investment," Superintendent Tony Burrell said. "Safety along our roadways requires all motor vehicle operators to share the road, watch their speed, eliminate distractions and be alert."

April - As road construction season begins, State Patrol reminds motorists to be especially cautious in highway work zones

With another road construction season getting underway, the Wisconsin State Patrol is asking motorists to be especially cautious when approaching and traveling through highway work zones. Work zone hazards often include narrow and shifted lanes, uneven pavements, construction workers and equipment all operating in a confined area.

"Rear-end crashes occur far too often in work zones, usually because drivers are going too fast and can't react in time when traffic in front of them slows or stops," said Wisconsin State Patrol Superintendent Tony Burrell. "When drivers see orange signs and construction barrels, they need to slow down, set the phone aside and focus on what's happening ahead of them."

Last year, there were 3,157 crashes in Wisconsin work zones resulting in 1,274 injuries and nine deaths. While workers in construction zones are vulnerable - often a few feet or less away from moving traffic - most people injured and killed in work zone crashes are motorists.

To help protect motorists and workers, state law ([346.89 4m](#)) prohibits use of hand-held electronic devices in work zones. Violations can result in a \$163 citation and assessment of four demerit points. Since the law first took effect in the fall of 2016, a total of 490 traffic convictions have been entered on Wisconsin driver records for violating the law. The State Patrol offers these work zone safety tips:

- **Buckle up, be alert, plan ahead.** Leave early or map out an alternate route. Find the latest road conditions and work zone news at [511 Wisconsin](#);
- **Eliminate distractions** like eating, talking on the phone, using GPS or other electronic devices;

- **Expect the unexpected.** Speed limits may be reduced, traffic lanes may be shifted, and people and vehicles may be working on or near the road;
- **Give yourself extra room.** Rear-end collisions are common in work zones, so don't tailgate;
- **Be patient.** If you don't see workers, that doesn't mean they're not there. Be watchful for workers and signs throughout the work zone;
- **Follow the law.** When you see stopped emergency vehicles that have their warning lights activated, move over if possible or slow down.

March - March Law of the Month reminds drivers to move over/slow down for emergency responders

It's been a challenging winter for motorists across the state and with more winter weather likely, the Wisconsin State Patrol is asking drivers to slow down when travel conditions deteriorate, stay alert and be prepared to move over for stopped emergency responders.

"When roads get slippery, drivers need to slow down, scan the road ahead carefully, and be ready to shift over a lane if possible when approaching stopped emergency vehicles," Wisconsin State Patrol Superintendent Tony Burrell said.

The state's Move Over law ([346.072](#)) requires drivers to move out of the lane closest to stopped law enforcement vehicles, ambulances, fire trucks, tow trucks, utility or highway maintenance vehicles that have their warning lights activated. If unable to move over, vehicle operators must slow down. Violations can result in a citation of \$263.

"Tow truck operators, law enforcement and other emergency responders face significant risks when they're stopped along roadways to assist motorists," Superintendent Burrell said. "We all want to get home safely, so we're asking drivers to be alert, move over as the law requires and provide a safety zone for roadside workers."

In the last two years (2017 and 2018), there were a total of 1,419 traffic convictions in Wisconsin for violating the Move Over law.

December - State Patrol reminds drivers that snowplows require extra room to operate

With another winter travel season underway, the Wisconsin State Patrol is reminding motorists to be extra cautious when driving near snowplows - and to consider staying off roadways when winter storms make travel treacherous.

"Most collisions between snowplows and other vehicles occur when the snowplow is rear-ended, usually by a driver travelling too fast for conditions," Wisconsin State Patrol Colonel Charles Teasdale said. "Snowplow operators may need to slow down or stop suddenly if they encounter a stranded vehicle or other obstacle. Visibility is poor during major winter storms and is another reason to simply stay off roadways until conditions improve."

State law ([346.915](#)) requires drivers to stay at least 200 feet behind a snowplow engaged in snow/ice removal upon any highway with a posted speed limit of more than 35 mph. Violations can result in a \$175 fine and assessment of three demerit points. Being involved in a crash however can have consequences much more serious than a citation. Since 2008, there have been 3,459 snowplow-related crashes in Wisconsin resulting in 571 injuries and five fatalities.

As part of the December Law of the Month, the State Patrol offers these winter travel tips:

- Before your trip, check the [511 travel information system](#) for the latest on road conditions and possible incidents.
- During severe winter storms, postpone your trip if possible. Stranded motorists and vehicles become hazards that interfere with snow removal efforts.
- If you must travel: buckle up, turn on your low-beam headlights, slow down, allow extra time and following distance (at least 200 feet behind a working snowplow).
- If you must pass, be careful. Snowplows often create a cloud of snow that can obscure vision. Road conditions in front of the plow are often worse.
- Don't be over-confident if you operate a four-wheel or all-wheel-drive vehicle. They still require a considerable distance to stop on slick roadways.

"Snowplow operators work during challenging weather conditions to help keep roadways as safe as possible for all of us," Colonel Charles Teasdale said. "Motorists can help by giving snowplows plenty of room to operate and by staying off the roads during severe winter storms."

The Wisconsin Department of Transportation's [website](#) provides more tips on safe winter driving, things to consider should you become stranded, keeping your vehicle properly maintained and how to prepare an emergency winter travel kit.

November - Drivers should prepare now for fall and winter travel challenges

Several factors help explain why traffic crashes tend to peak in Wisconsin over the next three months. Along with the potential for wintry weather, there are decreased hours of daylight, increased deer activity, combined with several major travel periods. The Wisconsin State Patrol Law of the Month for November highlights steps drivers should take to prepare themselves and their vehicles to safely navigate the fall and winter driving seasons.

"A primary factor behind many crashes and slide-offs is drivers who are going too fast for conditions," Wisconsin State Patrol Colonel Charles Teasdale said. "To help ensure a safe trip, check the weather forecast and remove any frost, ice or snow from vehicle windows. Then, make sure everyone is buckled up, watch your speed, scan the road ahead carefully and allow adequate following distance."

Posted speed limits apply to ideal travel conditions. State law ([346.57](#)) requires drivers to operate at a speed that is "reasonable and prudent" to maintain safe control of their vehicle. Violations can result in a fine of \$213. State law ([346.88](#)) also requires drivers to keep all vehicle windows "reasonably clean at all times." Violations can result in a \$175 citation.

When roads become slippery:

- Slow down. Avoid sudden braking or steering. Don't use cruise control.
- Don't be overconfident if you have a four-wheel or all-wheel-drive vehicle. All vehicles require additional time and distance to stop in slippery conditions.
- Remember that bridge decks and overpasses tend to freeze up first.

Make sure that your vehicle is prepared for the challenges ahead:

- Ensure that vehicle tires are properly inflated, have adequate tread and that the battery and

cooling system are in good condition.

- Put a snowbrush/scrapper in each vehicle, replace worn windshield wipers and have adequate washer fluid.
- Make sure that headlights and other vehicle lights are operating properly.
- Keep your fuel tank at least half-full to help prevent fuel lines from freezing and provide necessary fuel should you become stranded.

"If your vehicle breaks down, or you slide off the road, it's generally safest to stay buckled up inside your vehicle until help arrives," Colonel Charles Teasdale said. "Getting out of your vehicle and walking around a highway is always dangerous, but especially when roads are slippery."

The Wisconsin Department of Transportation's [website](#) provides more tips on safe winter driving, things to consider should you become stranded, keeping your vehicle properly maintained and how to prepare an emergency winter travel kit.

October - Headlights help motorists see what's ahead - and allow other travelers to see you

Fall is a time of year when hours of daylight grow shorter and weather conditions like fog can create challenges for motorists. The Wisconsin State Patrol's October Law of the Month covers laws and safety tips on proper vehicle lighting.

"Keeping all lights on your vehicle clean and functioning properly allows drivers to see what's ahead and will help ensure that other travelers can see you," Wisconsin State Patrol Superintendent J.D. Lind said. "It's also a good idea to clean the outside and inside of your vehicle's windows to help enhance vision and reduce glare."

- State law requires drivers to use headlights during hours of darkness - defined as the period from one-half hour after sunset to one-half hour before sunrise - and all other times when there is insufficient natural light to clearly see a person or vehicle 500 feet away (equivalent to about one-and-a-half football fields). Driving with defective vehicle lights can result in a warning from law enforcement requiring vehicle owners to complete needed repairs within a specified time frame. State law ([347.06](#)) provides for a citation of \$163 and assessment of three demerit points for operating a motor vehicle without required lamps lighted.
- State law ([347.12](#)) requires drivers to dim their headlights whenever approaching or following within 500 feet of another vehicle.
- In 2016, state law was revised to require headlight use any time that weather conditions (such as fog, rain or snow) make it difficult to discern objects 500 feet away.

"Many modern vehicles have an automatic headlight setting that functions well in most driving scenarios," Superintendent J.D. Lind said. "But, when in doubt, it's a good idea to simply click on your vehicle's low beam headlights."

September - Start of another school year means drivers must watch for students/buses

State Patrol Law of the month highlights school bus, pedestrian and bicyclist laws

As students across Wisconsin head back to school, motorists are being reminded to keep a sharp eye out for students, school buses and crossing guards. The State Patrol's September Law of the

Month details state laws designed to protect students as they head to and from school activities.

"Children are easily distracted and don't always think about their own safety, requiring drivers to be extra alert and cautious," said Superintendent J.D. Lind of the Wisconsin State Patrol . "Motorists should be watchful for school buses loading and unloading passengers, and for children who are walking or biking."

School bus laws

Wisconsin law ([346.48](#)) requires drivers to stop at least 20 feet from a stopped school bus that has its red warning lights flashing. The law applies when approaching a school bus from either direction. The only exception is if you are traveling on the other side of a divided roadway separated by a median or other physical barrier.

When passed illegally, school bus drivers are authorized to report violations to law enforcement. A citation for failure to stop for a school bus costs \$326 and four demerit points.

All Wisconsin school buses built on or after January 1, 2005 must now be fitted with amber lights. When flashing, the amber lights mean drivers should slow down because the red flashing lights will soon be activated and the bus is about to stop. Drivers can carefully pass a school bus with amber lights activated, but should do so cautiously.

Pedestrian laws

State law requires drivers to yield to pedestrians:

- Who have started crossing an intersection or crosswalk on a walk signal or on a green light if there is no walk signal;
- Who are crossing the road within a marked or unmarked crosswalk at an intersection where there are no traffic lights or control signals; and
- Whenever directed to stop by a school crossing guard ([346.46 \(2m\)](#)). Like bus drivers, crossing guards have the authority to report violations to law enforcement.

Depending on the specific violation, drivers who fail to yield the right of way to pedestrians that are legally crossing a roadway can receive a citation ranging from \$175 to \$326.

Bicycling laws

When passing a bicyclist traveling in the same direction, motor vehicle operators must leave at least three feet of clearance and maintain this safety zone until safely past the bicycle. Violating state law that requires drivers to overtake and pass bicyclists safely can result in a \$200 citation.

"While motorists need to do their part, it's also important for parents to talk with their children about safe travel habits such as always using crosswalks and obeying bus drivers and crossing guards," Superintendent J.D. Lind said.

August - State Patrol August Law of the Month highlights safe travel around CMVs

Automobile drivers share the road with all types of travelers including motorcyclists, pedestrians, bicyclists - and a growing number of commercial motor vehicles (CMVs). The Wisconsin State Patrol Law of the Month for August focuses on state traffic laws and good driving habits to help ensure safe interactions between CMVs and other motor vehicle operators.

"Due to their size and weight, commercial motor vehicles have unique operating limitations such as large blind spots, longer stopping distances and limited maneuverability," said Wisconsin State Patrol Superintendent J.D. Lind. "Whether you're driving a CMV or other motor vehicle, the same rules and advice apply: don't tailgate, be aware of lingering in blind spots, pass safely and allow adequate room when you re-enter a traffic lane."

State law [346.07](#) pertains to safe passing, and prohibits drivers from returning to a traffic lane "until

safely clear of the overtaken vehicle.” Violations can result in a fine of \$232 and assessment of three demerit points. State law [346.14](#) prohibits drivers from following another vehicle “more closely than is reasonable and prudent.” Violations can result in a \$200 citation and three demerit points. General safety guidelines that apply to CMV operators and other motorists:

- Be patient, watch your speed and don’t tailgate. Some CMVs may travel slower than other traffic due to technology that limits their freeway speed. Drivers who follow too close decrease their ability to see what’s ahead and have less time to react when traffic slows.
- When passing, don’t linger in blind spots. As you return to a traffic lane, allow adequate room to avoid “cutting off” other vehicles.
- Use and watch for turn signals. CMVs require extra room to turn. Never try to squeeze in between the curb and a turning CMV.

“Safety on our roadways requires all drivers to do their part by being patient, sharing the road and abiding by traffic laws,” Superintendent J.D. Lind said.

July – As summer travel picks up, State Patrol offers freeway safety reminders: keep right except to pass; U-turns on median crossovers are dangerous and illegal

With another busy summer travel season underway, officials with the Wisconsin State Patrol are reminding freeway travelers of state laws designed to enhance traffic flow and public safety.

State law ([346.05](#)) requires vehicles traveling “at less than the normal speed of traffic” to drive in the right lane except when legally passing another vehicle. Violations can result in a citation up to \$213 and four demerit points. A related law ([346.59 \(1\)](#)), prohibits drivers from impeding “the normal and reasonable movement of traffic.” Violations can result in a \$175 citation and two demerit points.

“Any time you’re on the freeway, it’s best to remain in the right lane unless you need to pass other vehicles or to move over a lane for emergency responders,” said Wisconsin State Patrol Superintendent J.D. Lind. “Drivers who linger in the passing lane can create serious problems such as tailgating, rear-end crashes and road rage incidents. If you’re concerned that other motorists are going too fast, it’s best to stay to the right, get out of their way and let law enforcement handle potential violators.”

State law ([346.15](#)) prohibits drivers from using freeway median crossovers which are intended only for law enforcement and other authorized vehicles. When drivers slow to attempt an illegal turn at a crossover, other traffic travelling at highway speeds may not be able to stop in time resulting in a serious crash. Merging back into traffic from a crossover is also dangerous. “If you miss your exit, the only safe and legal option is to proceed to the next exit and use the off and on ramps to turn around,” Superintendent J.D. Lind said. Violating the law can result in a \$263 citation. Other safety guidelines:

- Watch your speed. Posted speed limits apply to ideal traffic conditions. Weather, traffic levels, work zones and other factors often require drivers to reduce their speed accordingly.
- Be considerate of merging vehicles. As vehicles merge onto the freeway from a ramp, shift over a lane if possible or adjust your speed slightly to accommodate merging traffic.
- When changing lanes, allow adequate distance to avoid cutting off other traffic. Remember that larger vehicles such as commercial trucks need more time and distance to slow or stop.

June means increase in deer activity – greater potential for deer/vehicle crashes

The month of June typically sees a spike in deer activity, and safety officials with the Wisconsin

Department of Transportation (WisDOT) are asking motorists - and especially motorcyclists - to be extra alert. Deer activity increases in June as females search for places to give birth and young deer separate from their mothers. While crashes between deer and motor vehicles tend to peak in the fall, June is typically when motorists are most likely to be injured in a deer/vehicle crash.

"It's that time of year when we see an increase in traffic volumes, in vehicle speeds and deer activity," said David Pabst, Director of WisDOT's Bureau of Transportation Safety. "The best advice to prevent deer crashes and protect yourself is to be alert, slow down, buckle up - and if you're motorcycling - always wear protective equipment." Last year in Wisconsin, nine people were killed in deer-related crashes - six were motorcyclists.

Wisconsin law enforcement agencies reported 20,482 deer/motor vehicle crashes last year. Dane County had the most with 959, followed by Waukesha County with 869 and Manitowoc County with 788. In five counties, more than half of all crashes reported in 2017 involved deer: Green Lake, Kewaunee, Lafayette, Oconto and Shawano.

The full news release is available on the [WisDOT Website](#).

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