

# State of Wisconsin



2019 Senate Bill 152

Date of enactment: **July 8, 2019**  
Date of publication\*: **July 9, 2019**

## 2019 WISCONSIN ACT 11

**AN ACT to amend** 23.117 (1), 23.117 (3), 23.117 (4), 23.33 (4) (d) 1., 23.33 (4) (d) 3. a., 23.33 (11) (am) 3. d., 23.335 (10) (a) 1., 23.335 (10) (a) 2., 23.335 (21) (am) 4., 29.001 (57), 59.84 (2) (j), 66.1001 (2) (c), 83.42 (1), 84.60 (1) (a), 167.31 (1) (h), 194.01 (7), 287.81 (1) (b), 340.01 (5e), 340.01 (5s), 340.01 (35), 340.01 (43), 340.01 (43m) (b), 340.01 (74), 340.01 (74p) (c), 341.058, 344.01 (2) (g), 346.02 (12), 346.05 (1m), 346.075 (title), 346.075 (1), 346.16 (2) (am), 346.23 (1), 346.23 (2), 346.24 (1), 346.24 (2), 346.24 (3), 346.25, 346.28 (2), 346.30 (1) (b) 2., 346.34 (1) (b), 346.36 (2), 346.37 (1) (a) 2., 346.37 (1) (c) 2., 346.37 (1) (c) 3., 346.37 (1) (c) 4., 346.37 (1) (d) 1., 346.37 (1) (d) 2., 346.37 (1) (e) 1., 346.37 (1) (e) 2., 346.37 (3), 346.38 (1), 346.38 (2), 346.43 (1) (b) 2., 346.47 (1), 346.49 (1) (b), 346.49 (1g) (b), 346.49 (2m) (b), 346.54 (1) (e), 346.60 (5) (a), 346.60 (5) (b), 346.71 (2), 346.80 (title), 346.80 (1), 346.80 (2) (a) (intro.), 346.80 (2) (b), 346.80 (2) (c), 346.80 (3) (a), 346.80 (3) (b), 346.80 (4), 346.80 (5), 346.803 (title), 346.803 (1) (intro.), 346.803 (1) (a), 346.803 (2), 346.803 (3), 346.803 (4), 346.804, 346.805, 346.94 (12), 347.02 (1) (i), 347.245 (1), 347.489 (1), 347.489 (2), 347.489 (3), 348.01 (2) (d), 349.015 and 779.41 (2); and **to create** 23.335 (1) (hh), 340.01 (15ps), 346.94 (18s) and 349.237 of the statutes; **relating to:** the operation of electric scooters on highways, granting rule-making authority, and providing a penalty.

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

**SECTION 1.** 23.117 (1) of the statutes is amended to read:

23.117 (1) No person may operate a bicycle, electric scooter, or electric personal assistive mobility device on a trail in a state park or in the Kettle Moraine state forest unless the department has determined that the trail will be opened for use by bicycles, electric scooters, or electric personal assistive mobility devices and has posted the trail open for such use.

**SECTION 2.** 23.117 (3) of the statutes is amended to read:

23.117 (3) The department shall patrol on a regular basis the trails in state parks and in the Kettle Moraine

state forest that are open to use by bicycles, electric scooters, or electric personal assistive mobility devices.

**SECTION 3.** 23.117 (4) of the statutes is amended to read:

23.117 (4) Any council that is created by the natural resources board under s. 15.04 (1) (c) to advise the department on the opening of trails in state parks and in the Kettle Moraine state forest for use by bicycles, electric scooters, or electric personal assistive mobility devices shall have its recommendations regarding such use reviewed and approved by the natural resources board before they are implemented.

**SECTION 4.** 23.33 (4) (d) 1. of the statutes is amended to read:

23.33 (4) (d) 1. To cross a roadway. The crossing of a roadway is authorized only if the crossing is done in the

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

most direct manner practicable, if the crossing is made at a place where no obstruction prevents a quick and safe crossing, and if the operator stops the all-terrain vehicle or utility terrain vehicle prior to the crossing and yields the right-of-way to other vehicles, pedestrians, electric scooters, and electric personal assistive mobility devices using the roadway.

**SECTION 5.** 23.33 (4) (d) 3. a. of the statutes is amended to read:

23.33 (4) (d) 3. a. To cross a bridge, culvert, or railroad right-of-way. The crossing of a bridge, culvert, or railroad right-of-way is not authorized if the roadway is officially closed to all-terrain vehicle or utility terrain vehicle traffic, except as provided in subd. 3. b. The crossing is authorized only if the crossing is done in the most direct manner practicable, if the crossing is made at a place where no obstruction prevents a quick and safe crossing, and if the operator stops the vehicle prior to the crossing and yields the right-of-way to other vehicles, pedestrians, electric scooters, and electric personal assistive mobility devices using the roadway.

**SECTION 6.** 23.33 (11) (am) 3. d. of the statutes is amended to read:

23.33 (11) (am) 3. d. Yield the right-of-way to other vehicles, pedestrians, electric scooters, and electric personal assistive mobility devices using the roadway or shoulder.

**SECTION 7.** 23.335 (1) (hh) of the statutes is created to read:

23.335 (1) (hh) "Electric scooter" has the meaning given in s. 340.01 (15ps).

**SECTION 8.** 23.335 (10) (a) 1. of the statutes is amended to read:

23.335 (10) (a) 1. Operation on the roadway is necessary to cross the roadway. The crossing of a roadway is authorized only if the crossing is done in the most direct manner practicable, if the crossing is made at a place where no obstruction prevents a quick and safe crossing, and if the operator stops the limited use off-highway motorcycle prior to entering the crossing and yields the right-of-way to any other vehicles, pedestrians, electric scooters, or electric personal assistive mobility devices that are using the roadway.

**SECTION 9.** 23.335 (10) (a) 2. of the statutes is amended to read:

23.335 (10) (a) 2. Operation on the roadway is necessary to cross a bridge, culvert, or railroad right-of-way. The crossing of a bridge, culvert, or railroad right-of-way is not authorized if the roadway is officially closed to off-highway motorcycle traffic. The crossing is authorized only if the crossing is done in the most direct manner practicable, if the crossing is made at a place where no obstruction prevents a quick and safe crossing, and if the operator stops the limited use off-highway motorcycle prior to entering the crossing and yields the right-of-way to any other vehicles, pedestrians, electric

scooters, or electric personal assistive mobility devices that are using the roadway.

**SECTION 10.** 23.335 (21) (am) 4. of the statutes is amended to read:

23.335 (21) (am) 4. Yield the right-of-way to other vehicles, pedestrians, electric scooters, and electric personal assistive mobility devices using the roadway or shoulder.

**SECTION 11.** 29.001 (57) of the statutes is amended to read:

29.001 (57) "Motor vehicle" means a self-propelled vehicle, including a combination of 2 or more vehicles or an articulated vehicle. "Motor vehicle" includes a snowmobile or an all-terrain vehicle. "Motor vehicle" does not include an aircraft, a vehicle operated exclusively on rails, an electric scooter, or an electric personal assistive mobility device.

**SECTION 12.** 59.84 (2) (j) of the statutes is amended to read:

59.84 (2) (j) *Traffic types and speed limits.* After an expressway project has been certified as completed, the public body having jurisdiction over the maintenance thereof shall have the power to regulate the type of vehicular use of such portion of the expressway except as limited by federal and state laws and regulations, and the power to fix speed limits thereon not in excess of the maximum speed limits for state trunk highways, and to provide and enforce reasonable penalties for infraction of such vehicular use regulation or speed limits. Notwithstanding s. 346.16 (2), the use of the expressways by pedestrians, mopeds, motor bicycles, motor scooters, bicycles, electric scooters, electric personal assistive mobility devices, off-road utility vehicles, lightweight utility vehicles as defined in s. 346.94 (21) (a) 2. except when used to cross an expressway, funeral processions, and animals on foot and the hauling of oversized equipment without special permit shall be prohibited when an ordinance in conformity with this section and, with respect to prohibiting the use of electric personal assistive mobility devices, in conformity with s. 349.236 (1) (a) or (b), and with respect to prohibiting the use of electric scooters, in conformity with s. 349.237, is enacted by the board, but a forfeiture provided therein shall not exceed the maximum forfeiture under s. 346.17 (2). The board may not prohibit the towing of disabled vehicles on expressways, except that the board may prohibit the towing of disabled vehicles during the peak hours of 7 a.m. to 9 a.m. and 4 p.m. to 6:30 p.m. as established under county ordinance and except that the board may establish procedures for and may contract for the towing of vehicles which have become disabled on the expressway.

**SECTION 13.** 66.1001 (2) (c) of the statutes is amended to read:

66.1001 (2) (c) *Transportation element.* A compilation of objectives, policies, goals, maps and programs to guide the future development of the various modes of

transportation, including highways, transit, transportation systems for persons with disabilities, bicycles, electric scooters, electric personal assistive mobility devices, walking, railroads, air transportation, trucking and water transportation. The element shall compare the local governmental unit's objectives, policies, goals and programs to state and regional transportation plans. The element shall also identify highways within the local governmental unit by function and incorporate state, regional and other applicable transportation plans, including transportation corridor plans, county highway functional and jurisdictional studies, urban area and rural area transportation plans, airport master plans and rail plans that apply in the local governmental unit.

**SECTION 14.** 83.42 (1) of the statutes is amended to read:

83.42 (1) **PURPOSE.** In order to create and preserve rustic and scenic roads for vehicular, bicycle, electric scooter, electric personal assistive mobility device, and pedestrian travel in unhurried, quiet and leisurely enjoyment; to protect and preserve recreational driving, culture, beauty, trees, vegetation and wildlife by establishing protective standards of rustic road design, access, speed, maintenance and identification, which will promote a continuous system of rustic roads and scenic easements for the public health and welfare; a state system of rustic roads is created.

**SECTION 15.** 84.60 (1) (a) of the statutes is amended to read:

84.60 (1) (a) “Bikeway” means a public path, trail, lane or other way, including structures, traffic control devices and related support facilities and parking areas, designated for use by bicycles, electric scooters, electric personal assistive mobility devices, and other vehicles propelled by human power. The term also includes “bicycle lane” as defined in s. 340.01 (5e) and “bicycle way” as defined in s. 340.01 (5s).

**SECTION 16.** 167.31 (1) (h) of the statutes is amended to read:

167.31 (1) (h) “Vehicle” has the meaning given in s. 340.01 (74), but includes a snowmobile, as defined in s. 340.01 (58a), an all-terrain vehicle, as defined in s. 340.01 (2g), an electric scooter, as defined in s. 340.01 (15ps), and an electric personal assistive mobility device, as defined in s. 340.01 (15pm), except that for purposes of subs. (4) (c) and (cg) and (4m) “vehicle” has the meaning given for “motor vehicle” in s. 29.001 (57).

**SECTION 17.** 194.01 (7) of the statutes is amended to read:

194.01 (7) “Motor vehicle” means any automobile, truck, trailer, semitrailer, tractor, motor bus, or any self-propelled or motor driven vehicle, except a motorcycle, moped, motor bicycle, electric scooter, electric personal assistive mobility device, personal delivery device, or vehicle operated on rails.

**SECTION 18.** 287.81 (1) (b) of the statutes is amended to read:

287.81 (1) (b) “Vehicle” has the meaning given in s. 340.01 (74), but includes an electric scooter, as defined in s. 340.01 (15ps), an electric personal assistive mobility device, as defined in s. 340.01 (15pm), and an all-terrain vehicle, as defined in s. 340.01 (2g).

**SECTION 19.** 340.01 (5e) of the statutes is amended to read:

340.01 (5e) “Bicycle lane” means that portion of a roadway set aside by the governing body of any city, town, village, or county for the exclusive use of bicycles, electric scooters, electric personal assistive mobility devices, or other modes of travel where permitted under s. 349.23 (2) (a), and so designated by appropriate signs and pavement markings.

**SECTION 20.** 340.01 (5s) of the statutes is amended to read:

340.01 (5s) “Bicycle way” means any path or sidewalk or portion thereof designated for the use of bicycles, electric scooters, and electric personal assistive mobility devices by the governing body of any city, town, village, or county.

**SECTION 21.** 340.01 (15ps) of the statutes is created to read:

340.01 (15ps) “Electric scooter” means a device weighing less than 100 pounds that has handlebars and an electric motor, is powered solely by the electric motor and human power, and has a maximum speed of not more than 20 miles per hour on a paved level surface when powered solely by the electric motor. “Electric scooter” does not include an electric personal assistive mobility device, motorcycle, motor bicycle, electric bicycle, or moped.

**SECTION 22.** 340.01 (35) of the statutes is amended to read:

340.01 (35) “Motor vehicle” means a vehicle, including a combination of 2 or more vehicles or an articulated vehicle, which is self-propelled, except a vehicle operated exclusively on a rail. “Motor vehicle” includes, without limitation, a commercial motor vehicle or a vehicle which is propelled by electric power obtained from overhead trolley wires but not operated on rails. A snowmobile, an all-terrain vehicle, a utility terrain vehicle, an electric scooter, and an electric personal assistive mobility device shall be considered motor vehicles only for purposes made specifically applicable by statute.

**SECTION 23.** 340.01 (43) of the statutes is amended to read:

340.01 (43) “Pedestrian” means any person afoot or any person in a wheelchair, either manually or mechanically propelled, or other low-powered, mechanically propelled vehicle designed specifically for use by a physically disabled person, but does not include any person

using an electric scooter or an electric personal assistive mobility device.

**SECTION 24.** 340.01 (43m) (b) of the statutes is amended to read:

340.01 (43m) (b) Does not include in-line skates or electric scooters.

**SECTION 25.** 340.01 (74) of the statutes is amended to read:

340.01 (74) “Vehicle” means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except railroad trains. A snowmobile, an all-terrain vehicle, a personal delivery device, an electric scooter, and an electric personal assistive mobility device shall not be considered a vehicle except for purposes made specifically applicable by statute.

**SECTION 26.** 340.01 (74p) (c) of the statutes is amended to read:

340.01 (74p) (c) An operator of a moped, electric scooter, or motor bicycle.

**SECTION 27.** 341.058 of the statutes is amended to read:

**341.058 Electric scooters and electric personal assistive mobility devices.** Electric scooters and electric personal assistive mobility devices, even though operated upon a highway of this state, are exempt from registration.

**SECTION 28.** 344.01 (2) (g) of the statutes is amended to read:

344.01 (2) (g) “Vehicle” means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except vehicles used exclusively upon stationary rails or tracks and except electric scooters, electric personal assistive mobility devices, and personal delivery devices.

**SECTION 29.** 346.02 (12) of the statutes is amended to read:

346.02 (12) APPLICABILITY TO ELECTRIC SCOOTERS AND ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES. An electric scooter and an electric personal assistive mobility device shall be considered a vehicle for purposes of ss. 346.04 to 346.10, 346.12, 346.13, 346.15, 346.16, 346.18, 346.19, 346.20, 346.215 (3), 346.23 to 346.28, 346.31 to 346.35, 346.37 to 346.40, 346.44, 346.46, 346.47, 346.48, 346.50 to 346.55, 346.57, 346.59, 346.62, 346.65 (5m), 346.67 to 346.70, 346.78, 346.80, 346.87, 346.88, 346.90, 346.91, and 346.94 (4), (5), (9), and (10), except those provisions which by their express terms apply only to motor vehicles or which by their very nature would have no application to electric scooters or electric personal assistive mobility devices.

**SECTION 30.** 346.05 (1m) of the statutes is amended to read:

346.05 (1m) Notwithstanding sub. (1), any person operating a bicycle, electric scooter, or electric personal assistive mobility device may ride on the shoulder of a

highway unless such riding is prohibited by the authority in charge of the maintenance of the highway.

**SECTION 31.** 346.075 (title) of the statutes is amended to read:

**346.075 (title) Overtaking and passing bicyceles, electric personal assistive mobility devices, and motor buses certain vehicles and devices.**

**SECTION 32.** 346.075 (1) of the statutes is amended to read:

346.075 (1) The operator of a motor vehicle overtaking a bicycle, electric scooter, or electric personal assistive mobility device proceeding in the same direction shall exercise due care, leaving a safe distance, but in no case less than 3 feet clearance when passing the bicycle, electric scooter, or electric personal assistive mobility device, and shall maintain clearance until safely past the overtaken bicycle, electric scooter, or electric personal assistive mobility device.

**SECTION 33.** 346.16 (2) (am) of the statutes is amended to read:

346.16 (2) (am) Notwithstanding s. 349.105 and except as provided in par. (b), no person riding an electric scooter or an electric personal assistive mobility device may go upon any expressway or freeway when official signs have been erected prohibiting persons specified in par. (a) from using the expressway or freeway.

**SECTION 34.** 346.23 (1) of the statutes is amended to read:

346.23 (1) At an intersection or crosswalk where traffic is controlled by traffic control signals or by a traffic officer, the operator of a vehicle shall yield the right-of-way to a pedestrian or personal delivery device, or to a person who is riding a bicycle, electric scooter, or electric personal assistive mobility device in a manner which is consistent with the safe use of the crosswalk by pedestrians, that has started to cross the highway on a green signal or a pedestrian signal authorizing crossing and in all other cases pedestrians, bicyclists, and riders of electric scooters and electric personal assistive mobility devices shall yield, and personal delivery device operators shall ensure that personal delivery devices yield, the right-of-way to vehicles lawfully proceeding directly ahead on a green signal. No operator of a vehicle proceeding ahead on a green signal may begin a turn at a controlled intersection or crosswalk when a pedestrian, personal delivery device, bicyclist, or rider of an electric scooter or an electric personal assistive mobility device crossing in the crosswalk on a green signal or a pedestrian signal authorizing crossing would be endangered or interfered with in any way. The rules stated in this subsection are modified at intersections or crosswalks on divided highways or highways provided with safety zones in the manner and to the extent stated in sub. (2).

**SECTION 35.** 346.23 (2) of the statutes is amended to read:

346.23 (2) At intersections or crosswalks on divided highways or highways provided with safety zones where traffic is controlled by traffic control signals or by a traffic officer, the operator of a vehicle shall yield the right-of-way to a pedestrian, personal delivery device, bicyclist, or rider of an electric scooter or an electric personal assistive mobility device that has started to cross the roadway either from the near curb or shoulder or from the center dividing strip or a safety zone with the green signal or a pedestrian signal authorizing crossing in the favor of the pedestrian, personal delivery device, bicyclist, or rider of an electric scooter or an electric personal assistive mobility device.

**SECTION 36.** 346.24 (1) of the statutes is amended to read:

346.24 (1) At an intersection or crosswalk where traffic is not controlled by traffic control signals or by a traffic officer, the operator of a vehicle shall yield the right-of-way to a pedestrian or personal delivery device, or to a person riding a bicycle, electric scooter, or electric personal assistive mobility device in a manner which is consistent with the safe use of the crosswalk by pedestrians, that is crossing the highway within a marked or unmarked crosswalk.

**SECTION 37.** 346.24 (2) of the statutes is amended to read:

346.24 (2) No pedestrian, personal delivery device, bicyclist, or rider of an electric scooter or an electric personal assistive mobility device may suddenly leave, and no personal delivery device operator may allow a personal delivery device to suddenly leave, a curb or other place of safety and walk, run, or ride into the path of a vehicle which is so close that it is difficult for the operator of the vehicle to yield.

**SECTION 38.** 346.24 (3) of the statutes is amended to read:

346.24 (3) Whenever any vehicle is stopped at an intersection or crosswalk to permit a pedestrian, personal delivery device, bicyclist, or rider of an electric scooter or an electric personal assistive mobility device to cross the roadway, the operator of any other vehicle approaching from the rear may not overtake and pass the stopped vehicle.

**SECTION 39.** 346.25 of the statutes is amended to read:

**346.25 Crossing at place other than crosswalk.** Every pedestrian, bicyclist, or rider of an electric scooter or an electric personal assistive mobility device crossing a roadway at any point other than within a marked or unmarked crosswalk shall yield the right-of-way to all vehicles upon the roadway.

**SECTION 40.** 346.28 (2) of the statutes is amended to read:

346.28 (2) Operators of vehicles shall yield the right-of-way to pedestrians, personal delivery devices, bicyclists, and riders of electric scooter and electric personal

assistive mobility devices on sidewalks as required by s. 346.47.

**SECTION 41.** 346.30 (1) (b) 2. of the statutes is amended to read:

346.30 (1) (b) 2. Any operator of a bicycle, electric scooter, or electric personal assistive mobility device violating s. 346.23, 346.24 or 346.25 may be required to forfeit not more than \$20.

**SECTION 42.** 346.34 (1) (b) of the statutes is amended to read:

346.34 (1) (b) In the event any other traffic may be affected by the movement, no person may turn any vehicle without giving an appropriate signal in the manner provided in s. 346.35. A person making a U-turn shall use the same signal used to indicate a left turn. When given by the operator of a vehicle other than a bicycle, electric scooter, or electric personal assistive mobility device, the signal shall be given continuously during not less than the last 100 feet traveled by the vehicle before turning. The operator of a bicycle, electric scooter, or electric personal assistive mobility device shall give the signal continuously during not less than the last 50 feet traveled before turning. A signal by the hand and arm need not be given continuously if the hand is needed in the control or operation of the bicycle, electric scooter, or electric personal assistive mobility device.

**SECTION 43.** 346.36 (2) of the statutes is amended to read:

346.36 (2) Any operator of a bicycle, electric scooter, or electric personal assistive mobility device violating ss. 346.31 to 346.35 may be required to forfeit not more than \$20.

**SECTION 44.** 346.37 (1) (a) 2. of the statutes is amended to read:

346.37 (1) (a) 2. Pedestrians, and persons who are riding bicycles, electric scooters, or electric personal assistive mobility devices in a manner which is consistent with the safe use of the crosswalk by pedestrians, facing the signal may proceed, and personal delivery device operators may allow personal delivery devices to proceed, across the roadway within any marked or unmarked crosswalk.

**SECTION 45.** 346.37 (1) (c) 2. of the statutes is amended to read:

346.37 (1) (c) 2. No pedestrian, personal delivery device, bicyclist, or rider of an electric scooter or an electric personal assistive mobility device facing such signal shall enter, and no personal delivery device operator may allow a personal delivery device facing such signal to enter, the roadway unless he or she can do so safely and without interfering with any vehicular traffic.

**SECTION 46.** 346.37 (1) (c) 3. of the statutes is amended to read:

346.37 (1) (c) 3. Vehicular traffic facing a red signal at an intersection may, after stopping as required under subd. 1., cautiously enter the intersection to make a right

turn into the nearest lawfully available lane for traffic moving to the right or to turn left from a one-way highway into the nearest lawfully available lane of a one-way highway on which vehicular traffic travels to the left. Vehicular traffic in the leftmost right-turn lane of a roadway that provides 2 right-turn lanes may make a right turn on a red signal into a lawfully available lane that is 2nd to the rightmost lane for traffic moving to the right. Except for a vehicle turning right from the leftmost right-turn lane of a roadway that provides 2 right-turn lanes, no turn may be made on a red signal if lanes of moving traffic are crossed. No turn may be made on a red signal if a sign at the intersection prohibits the turn on a red signal. In making a turn on a red signal vehicular traffic shall yield the right-of-way to pedestrians, personal delivery devices, bicyclists, and riders of electric scooters and electric personal assistive mobility devices lawfully within a crosswalk, to operators of vehicles making a lawful U-turn, and to other traffic lawfully using the intersection.

**SECTION 47.** 346.37 (1) (c) 4. of the statutes is amended to read:

346.37 (1) (c) 4. Notwithstanding subd. 1., a motorcycle, moped, motor bicycle, or bicycle facing a red signal at an intersection may, after stopping as required under subd. 1. for not less than 45 seconds, proceed cautiously through the intersection before the signal turns green if no other vehicles are present at the intersection to actuate the signal and the operator of the motorcycle, moped, motor bicycle, or bicycle reasonably believes the signal is vehicle actuated. The operator of a motorcycle, moped, motor bicycle, or bicycle proceeding through a red signal under this subdivision shall yield the right-of-way to any vehicular traffic, pedestrian, personal delivery device, bicyclist, or rider of an electric scooter or an electric personal assistive mobility device proceeding through a green signal at the intersection or lawfully within a crosswalk or using the intersection. This subdivision does not affect any authorization for a bicyclist under subd. 2.

**SECTION 48.** 346.37 (1) (d) 1. of the statutes is amended to read:

346.37 (1) (d) 1. Vehicular traffic facing a green arrow signal may enter the intersection to make the movement indicated by the arrow but shall yield the right-of-way to pedestrians, personal delivery devices, bicyclists, and riders of electric scooters and electric personal assistive mobility devices lawfully within a crosswalk and to other traffic lawfully using the intersection. Vehicular traffic facing a left turn arrow may make a U-turn unless a sign prohibits U-turns. When the green arrow signal indicates a right or left turn traffic shall cautiously enter the intersection.

**SECTION 49.** 346.37 (1) (d) 2. of the statutes is amended to read:

346.37 (1) (d) 2. No pedestrian, bicyclist, or rider of an electric scooter or an electric personal assistive mobility device facing such signal may enter, and no personal delivery device operator may allow a personal delivery device facing such signal to enter, the roadway unless he or she can do so safely and without interfering with any vehicular traffic.

**SECTION 50.** 346.37 (1) (e) 1. of the statutes is amended to read:

346.37 (1) (e) 1. Vehicular traffic facing a flashing yellow arrow signal may cautiously enter the intersection to make the movement indicated by the arrow but shall yield the right-of-way to pedestrians, personal delivery devices, bicyclists, and riders of electric scooters and electric personal assistive mobility devices lawfully within a crosswalk and to other traffic lawfully using the intersection. Vehicular traffic facing a left turn arrow may make a U-turn unless a sign prohibits U-turns.

**SECTION 51.** 346.37 (1) (e) 2. of the statutes is amended to read:

346.37 (1) (e) 2. No pedestrian, bicyclist, or rider of an electric scooter or an electric personal assistive mobility device facing such signal may enter, and no personal delivery device operator may allow a personal delivery device facing such signal to enter, the roadway unless he or she can do so safely and without interfering with any vehicular traffic.

**SECTION 52.** 346.37 (3) of the statutes is amended to read:

346.37 (3) If a traffic control signal suffers a loss of power or otherwise malfunctions so that the traffic control signal does not exhibit any color of light, vehicular traffic, pedestrians, and persons riding bicycles, electric scooters, or electric personal assistive mobility devices shall proceed, and personal delivery device operators shall ensure that personal delivery devices proceed, at the traffic control signal as if the traffic control signal were an official stop sign and shall comply with the requirements applicable under ss. 346.18 (1) and (3) and 346.46 (1), (2), and (4), unless otherwise directed by a traffic officer.

**SECTION 53.** 346.38 (1) of the statutes is amended to read:

346.38 (1) WALK. A pedestrian, or a person riding a bicycle, electric scooter, or electric personal assistive mobility device in a manner which is consistent with the safe use of the crossing by pedestrians, facing a pedestrian signal authorizing crossing may proceed, and a personal delivery device operator may allow a personal delivery device facing a pedestrian signal authorizing crossing to proceed, across the roadway or other vehicular crossing in the direction of the signal and the operators of all vehicles shall yield the right-of-way to the pedestrian, personal delivery device, bicyclist, or electric

scooter or electric personal assistive mobility device rider.

**SECTION 54.** 346.38 (2) of the statutes is amended to read:

346.38 (2) DON'T WALK. No pedestrian, personal delivery device, bicyclist, or rider of an electric scooter or an electric personal assistive mobility device may start to cross, and no personal delivery device operator may allow a personal delivery device to start to cross, the roadway or other vehicular crossing in the direction of a pedestrian signal limiting crossing, regardless of whether the signal is steady or flashing, but any pedestrian, personal delivery device, bicyclist, or rider of an electric scooter or an electric personal assistive mobility device that has partially completed crossing on the pedestrian signal authorizing crossing may proceed to a sidewalk or safety zone while a pedestrian signal limiting crossing is showing.

**SECTION 55.** 346.43 (1) (b) 2. of the statutes is amended to read:

346.43 (1) (b) 2. Any operator of a bicycle, electric scooter, or electric personal assistive mobility device violating s. 346.37, 346.38 or 346.39 may be required to forfeit not more than \$20.

**SECTION 56.** 346.47 (1) of the statutes is amended to read:

346.47 (1) The operator of a vehicle emerging from an alley or about to cross or enter a highway from any point of access other than another highway shall stop such vehicle immediately prior to moving on to the sidewalk or on to the sidewalk area extending across the path of such vehicle and shall yield the right-of-way to any pedestrian, bicyclist, personal delivery device, or rider of an electric scooter or an electric personal assistive mobility device, and upon crossing or entering the roadway shall yield the right-of-way to all vehicles approaching on such roadway.

**SECTION 57.** 346.49 (1) (b) of the statutes is amended to read:

346.49 (1) (b) Any operator of a bicycle, electric scooter, or electric personal assistive mobility device violating s. 346.46 (1), (2m) or (4) may be required to forfeit not more than \$20.

**SECTION 58.** 346.49 (1g) (b) of the statutes is amended to read:

346.49 (1g) (b) Any operator of a bicycle, electric scooter, or electric personal assistive mobility device violating s. 346.46 (3) shall forfeit not more than \$40.

**SECTION 59.** 346.49 (2m) (b) of the statutes is amended to read:

346.49 (2m) (b) Any operator of a bicycle, electric scooter, or electric personal assistive mobility device violating s. 346.44 may be required to forfeit not less than \$100 nor more than \$250 for the first offense and not less than \$225 nor more than \$750 for the 2nd or subsequent conviction within 3 years.

**SECTION 60.** 346.54 (1) (e) of the statutes is amended to read:

346.54 (1) (e) Except as provided in par. (cm) and s. 349.13 (6), for the purpose of parking, mopeds, electric scooters, and electric personal assistive mobility devices shall be considered bicycles. Except as provided in s. 349.13 (6), where possible without impeding the flow of pedestrian traffic, a bicycle, moped, electric scooter, or electric personal assistive mobility device may be parked on a sidewalk. Except as provided in s. 349.13 (6), a bicycle, moped, electric scooter, or electric personal assistive mobility device may be parked in a bike rack or other similar area designated for bicycle parking.

**SECTION 61.** 346.60 (5) (a) of the statutes is amended to read:

346.60 (5) (a) Any operator of a bicycle, electric scooter, or electric personal assistive mobility device who violates s. 346.57 may be required to forfeit not more than \$20.

**SECTION 62.** 346.60 (5) (b) of the statutes is amended to read:

346.60 (5) (b) Any operator of a bicycle, electric scooter, or electric personal assistive mobility device who violates s. 346.59 may be required to forfeit not more than \$10.

**SECTION 63.** 346.71 (2) of the statutes is amended to read:

346.71 (2) In cases of death involving a motor vehicle in which the decedent was the operator of a motor vehicle, a pedestrian 14 years of age or older or a bicycle, electric scooter, or electric personal assistive mobility device operator 14 years of age or older and who died within 6 hours of the time of the accident, the coroner or medical examiner of the county where the death occurred shall require that a blood specimen of at least 10 cc. be withdrawn from the body of the decedent within 12 hours after his or her death, by the coroner or medical examiner or by a physician so designated by the coroner or medical examiner or by a qualified person at the direction of the physician. All funeral directors shall obtain a release from the coroner or medical examiner of the county where the accident occurred as provided in s. 979.01 (4) prior to proceeding with embalming any body coming under the scope of this section. The blood so drawn shall be forwarded to a laboratory approved by the department of health services for analysis of the alcoholic content of the blood specimen. The coroner or medical examiner causing the blood to be withdrawn shall be notified of the results of each analysis made and shall forward the results of each such analysis to the department of health services. If the death involved a motor vehicle, the department shall keep a record of all such examinations to be used for statistical purposes only and the department shall disseminate and make public the cumulative results of the examinations without identifying the individuals involved. If the death involved an all-terrain vehicle, a utility terrain

vehicle, or an off-highway motorcycle, as defined in s. 23.335 (1) (q), that was being operated off the highways, as defined in s. 23.335 (1) (y), the department of natural resources shall keep a record of all such examinations to be used for statistical purposes only and the department of natural resources shall disseminate and make public the cumulative results of the examinations without identifying the individuals involved.

**SECTION 64.** 346.80 (title) of the statutes is amended to read:

**346.80 (title) Riding bicycle, electric scooter, or electric personal assistive mobility device on roadway.**

**SECTION 65.** 346.80 (1) of the statutes is amended to read:

346.80 (1) In this section, “substandard width lane” means a lane that is too narrow for a bicycle, electric scooter, or electric personal assistive mobility device and a motor vehicle to travel safely side by side within the lane.

**SECTION 66.** 346.80 (2) (a) (intro.) of the statutes is amended to read:

346.80 (2) (a) (intro.) Any person operating a bicycle, electric scooter, or electric personal assistive mobility device upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as close as practicable to the right-hand edge or curb of the unobstructed traveled roadway, including operators who are riding 2 or more abreast where permitted under sub. (3), except:

**SECTION 67.** 346.80 (2) (b) of the statutes is amended to read:

346.80 (2) (b) Notwithstanding par. (a), any person operating a bicycle, electric scooter, or electric personal assistive mobility device upon a one-way highway having 2 or more lanes available for traffic may ride as near the left-hand edge or curb of the roadway as practicable.

**SECTION 68.** 346.80 (2) (c) of the statutes is amended to read:

346.80 (2) (c) Any person operating a bicycle, electric scooter, or electric personal assistive mobility device upon a roadway shall exercise due care when passing a standing or parked vehicle or a vehicle proceeding in the same direction and, when passing a standing or parked vehicle that is a school bus that is not displaying flashing red warning lights as provided in s. 346.48 (1) or a motor bus, shall allow a minimum of 3 feet between the bicycle, electric scooter, or electric personal assistive mobility device and the vehicle.

**SECTION 69.** 346.80 (3) (a) of the statutes is amended to read:

346.80 (3) (a) Persons riding bicycles, electric scooters, or electric personal assistive mobility devices upon a roadway may ride 2 abreast if such operation does not impede the normal and reasonable movement of traffic. Bicycle, electric scooter, or electric personal assistive

mobility device operators riding 2 abreast on a 2-lane or more roadway shall ride within a single lane.

**SECTION 70.** 346.80 (3) (b) of the statutes is amended to read:

346.80 (3) (b) Persons riding bicycles upon a roadway may not ride more than 2 abreast except upon any path, trail, lane or other way set aside for the exclusive use of bicycles, electric scooters, and electric personal assistive mobility devices.

**SECTION 71.** 346.80 (4) of the statutes is amended to read:

346.80 (4) No person may operate a bicycle, electric scooter, electric personal assistive mobility device, or moped upon a roadway where a sign is erected indicating that bicycle, electric scooter, electric personal assistive mobility device, or moped riding is prohibited.

**SECTION 72.** 346.80 (5) of the statutes is amended to read:

346.80 (5) Except as provided in ss. 346.23, 346.24, 346.37, and 346.38, every rider of a bicycle, electric scooter, or electric personal assistive mobility device shall, upon entering on a highway, yield, and every personal delivery device operator shall ensure that the personal delivery device, upon entering on a highway, yield the right-of-way to motor vehicles.

**SECTION 73.** 346.803 (title) of the statutes is amended to read:

**346.803 (title) Riding bicycle, electric scooter, or electric personal assistive mobility device on bicycle way.**

**SECTION 74.** 346.803 (1) (intro.) of the statutes is amended to read:

346.803 (1) (intro.) Every person operating a bicycle, electric scooter, or electric personal assistive mobility device upon a bicycle way shall:

**SECTION 75.** 346.803 (1) (a) of the statutes is amended to read:

346.803 (1) (a) Exercise due care and give an audible signal when passing a bicycle, electric scooter, or electric personal assistive mobility device rider or a pedestrian proceeding in the same direction.

**SECTION 76.** 346.803 (2) of the statutes is amended to read:

346.803 (2) Every person operating a bicycle, electric scooter, or electric personal assistive mobility device upon a bicycle way open to 2-way traffic shall ride on the right side of the bicycle way.

**SECTION 77.** 346.803 (3) of the statutes is amended to read:

346.803 (3) Every operator of a bicycle, electric scooter, or electric personal assistive mobility device entering a bicycle way shall yield the right-of-way to all bicycles and pedestrians in the bicycle way.

**SECTION 78.** 346.803 (4) of the statutes is amended to read:

346.803 (4) Except as provided in s. ss. 349.236 (1) (bm) and 349.237, a person may operate an electric personal assistive mobility device, or an electric scooter at a speed not to exceed 15 miles per hour, upon any bicycle path.

**SECTION 79.** 346.804 of the statutes is amended to read:

**346.804 Riding bicycle on sidewalk.** When local authorities under s. 346.94 (1) permit bicycles on the sidewalk, every person operating a bicycle upon a sidewalk shall yield the right-of-way to any pedestrian and shall exercise due care and give an audible signal when passing a bicycle, electric scooter, or electric personal assistive mobility device rider or a pedestrian proceeding in the same direction.

**SECTION 80.** 346.805 of the statutes is amended to read:

**346.805 Riding electric scooter or electric personal assistive mobility device on sidewalk.** Except as provided in ss. 346.94 (18) (a) 2. and (18s), 349.236 (1) (b), and 349.237, a person may operate an electric scooter or an electric personal assistive mobility device upon any sidewalk. Every person operating an electric scooter or an electric personal assistive mobility device upon a sidewalk shall yield the right-of-way to any pedestrian or bicyclist and shall exercise due care and give an audible signal when passing a bicycle or other electric scooter or electric personal assistive mobility device or a pedestrian proceeding in the same direction.

**SECTION 81.** 346.94 (12) of the statutes is amended to read:

346.94 (12) DRIVING ON BICYCLE LANE OR BICYCLE WAY. No operator of a motor vehicle may drive upon a bicycle lane or bicycle way except to enter a driveway, to merge into a bicycle lane before turning at an intersection, or to enter or leave a parking space located adjacent to the bicycle lane or bicycle way. Persons operating a motor vehicle upon a bicycle lane or bicycle way shall yield the right-of-way to all bicycles, electric scooters, and electric personal assistive mobility devices within the bicycle lane or bicycle way.

**SECTION 82.** 346.94 (18s) of the statutes is created to read:

346.94 (18s) ELECTRIC SCOOTERS ON ROADWAYS, SIDEWALKS, BICYCLE LANES, AND BICYCLE WAYS. (a) Except as otherwise prohibited in this chapter, a person may operate an electric scooter upon any roadway, sidewalk, bicycle lane, or bicycle way that is under the jurisdiction of the department or that is open to operation of bicycles.

(b) A person may operate an electric scooter upon any roadway, sidewalk, bicycle lane, or bicycle way under the jurisdiction of a local authority, subject to any restrictions or prohibitions specified by municipal ordinance enacted under s. 349.237.

(c) No person may operate an electric scooter upon any roadway, sidewalk, bicycle lane, or bicycle way at a speed in excess of 15 miles per hour.

**SECTION 83.** 347.02 (1) (i) of the statutes is amended to read:

347.02 (1) (i) Electric scooters and electric personal assistive mobility devices.

**SECTION 84.** 347.245 (1) of the statutes is amended to read:

347.245 (1) No person may operate on a highway any vehicle or equipment, any implement of husbandry, any animal-drawn vehicle, or any other machinery, including all road machinery, that usually travels at speeds of less than 25 miles per hour or any vehicle operated under a special restricted operator's license issued under s. 343.135 or any lightweight utility vehicle, as defined in s. 346.94 (21) (a) 2., unless there is displayed on the most practicable visible rear area of the vehicle or combination of vehicles, a slow moving vehicle (SMV) emblem as described in and displayed as provided in sub. (2). Any towed vehicle or machine is exempt from this provision if the towing vehicle is visible from the rear and is in compliance with this section. All road machinery is excluded when it is engaged in actual construction or maintenance work either guarded by a flagman or clearly visible warning signs. The requirement of the emblem shall be in addition to any lighting devices required or permitted by law. Mopeds and motor bicycles are excluded from the provisions of this section unless they are operated under a special restricted operator's license issued under s. 343.135. Electric scooters, electric personal assistive mobility devices, and personal delivery devices are excluded from the provisions of this section. The SMV emblem need not be displayed on vehicles moving directly across the highway.

**SECTION 85.** 347.489 (1) of the statutes is amended to read:

347.489 (1) No person may operate a bicycle, motor bicycle, personal delivery device, electric scooter, or electric personal assistive mobility device upon a highway, sidewalk, bicycle lane, or bicycle way during hours of darkness unless the bicycle, motor bicycle, personal delivery device, electric scooter, or electric personal assistive mobility device is equipped with or, with respect to a bicycle or motor bicycle, the operator is wearing, a lamp emitting a white light visible from a distance of at least 500 feet to the front of the bicycle, motor bicycle, personal delivery device, electric scooter, or electric personal assistive mobility device. A bicycle, motor bicycle, personal delivery device, electric scooter, or electric personal assistive mobility device shall also be equipped with a red reflector that has a diameter of at least 2 inches of surface area or, with respect to an electric scooter or an electric personal assistive mobility device,

that is a strip of reflective tape that has at least 2 square inches of surface area, on the rear so mounted and maintained as to be visible from all distances from 50 to 500 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a steady or flashing red light visible from a distance of 500 feet to the rear may be used in lieu of the red reflector.

**SECTION 86.** 347.489 (2) of the statutes is amended to read:

347.489 (2) No person may operate a bicycle, motor bicycle, electric scooter, or electric personal assistive mobility device upon a highway, bicycle lane, or bicycle way unless it is equipped with a brake in good working condition, adequate to control the movement of and to stop the bicycle, motor bicycle, electric scooter, or electric personal assistive mobility device whenever necessary.

**SECTION 87.** 347.489 (3) of the statutes is amended to read:

347.489 (3) No bicycle, motor bicycle, electric scooter, or electric personal assistive mobility device may be equipped with nor may any person riding upon a bicycle, motor bicycle, electric scooter, or electric personal assistive mobility device use any siren or compression whistle.

**SECTION 88.** 348.01 (2) (d) of the statutes is amended to read:

348.01 (2) (d) “Vehicle for recreational use” includes a bicycle, moped, motor bicycle, motorcycle, all-terrain vehicle, utility terrain vehicle, snowmobile, boat, as defined in s. 30.50 (2), sailboard, as defined in s. 30.50 (11), personal watercraft, electric scooter, or electric personal assistive mobility device, but does not include an automobile, motor truck, motor home, play vehicle, or in-line skates.

**SECTION 89.** 349.015 of the statutes is amended to read:

**349.015 Applicability of chapter to electric scooters and electric personal assistive mobility devices.** An electric scooter and an electric personal assistive

mobility device shall be considered a vehicle for purposes of this chapter, except those provisions which by their express terms apply only to motor vehicles or which by their very nature would have no application to electric scooters or electric personal assistive mobility devices.

**SECTION 90.** 349.237 of the statutes is created to read:

**349.237 Authority to regulate electric scooters.**

The governing body of any municipality or county may, by ordinance, regulate the rental and operation of electric scooters in a manner consistent with the regulation of bicycles in the municipality or county, except that the governing body of any municipality or county may do any of following:

(1) Restrict or prohibit the operation of electric scooters on any roadway under its jurisdiction having a speed limit of more than 25 miles per hour.

(2) Restrict or prohibit the operation of electric scooters on any sidewalk or bicycle way under its jurisdiction.

(3) Establish requirements for and limitations on the parking of electric scooters on roadways, sidewalks, bicycle lanes, or bicycle ways under its jurisdiction.

(4) Restrict or prohibit the short-term commercial rental of electric scooters to the general public.

**SECTION 91.** 779.41 (2) of the statutes is amended to read:

779.41 (2) Every keeper of a garage or repair shop who alters, repairs, or does any work on any detached accessory, fitting, or part of an automobile, a truck, a motorcycle, a moped, a motor bicycle or similar motor vehicle, a bicycle, an electric scooter, or an electric personal assistive mobility device, at the request of the owner or legal possessor thereof, shall have a lien upon and may retain possession of any such accessory, fitting, or part until the charges for such alteration, repairing, or other work have been paid. If the detached article becomes attached to such motor vehicle, bicycle, electric scooter, or electric personal assistive mobility device while in the possession of the keeper, the keeper has a lien on the motor vehicle, bicycle, electric scooter, or electric personal assistive mobility device under sub. (1).