
The Wisconsin Department of Transportation adopts an order to renumber and amend TRANS 305.19(4); amend TRANS 305.19(title); and create TRANS 305.05(7m), and 305.19(4) and (6), relating to standards for vehicle equipment.

ORDER ADOPTING RULE

Analysis Prepared by the Wisconsin Department of Transportation

STATUTORY AUTHORITY: ss. 85.16(1), 110.075 and 227.10(1), Stats.

STATUTES INTERPRETED: s. 110.075, Stats.

General Summary of Rule. This rule will prohibit the operation of vehicles, including van-type vehicles, on which the interior door handles installed by the manufacturer of the vehicle have been disabled, removed or made inoperative. The intent is to enhance the safety of passengers inside the vehicles, enabling them to escape the vehicle, in instances of vehicle crashes. Exceptions to the requirement of operative interior door handles are provided for authorized emergency vehicles, use of child security latch systems, use of door locking mechanisms, and for replica and street modified vehicles.

Fiscal Impact. The Department estimates that there will be no fiscal impact on the liabilities or revenues of any county, city, village, town, school district, vocational, technical and adult education district, sewerage district, or federally-recognized tribes or bands. The Department estimates that there will be no fiscal impact on state revenues or liabilities.

Final Regulatory Flexibility Analysis. This rule will have no significant adverse impact on small businesses.

Copies of Rule. Copies of the rule may be obtained upon request, without cost, by writing to Lorelee Brumund, Department of Transportation, Division of State Patrol, Room 551, P. O. Box 7912, Madison, WI 53707-7912, or by calling (608) 267-3622. Hearing-impaired individuals may contact the Department using TDD (608) 266-3096. Alternate formats of the rule will be provided to individuals at their request.

TEXT OF RULE

Under the authority vested in the state of Wisconsin, department of transportation, by ss. 85.16(1), 110.075 and 227.10(1), Stats., the department of transportation hereby amends a rule interpreting s. 110.075, Stats., relating to standards for vehicle equipment.

SECTION 1. Trans 305.05(7m) is created to read:

Trans 305.05(7m) "Door handle" means a device including a knob, latch release or lever that is used to open or close, or both, a door either from the interior or exterior of a vehicle.

SECTION 2. Trans 305.19(title) is amended to read:

Trans 305.19(title) Doors, hoods, locks ~~and~~, latches and door handles.

SECTION 3. Trans 305.19(4) is renumbered Trans 305.19(5) and amended to read:

Trans 305.19(5) Nothing in this section prohibits the interior door handles of the rear door or side rear doors of authorized emergency vehicles being intentionally made inoperative.

SECTION 4. Trans 305.19(4) and (6) are created to read:

Trans 305.19(4)(a) All door handles on every motor vehicle shall be maintained in proper working order.

(b) Except as provided in subs. (5) and (6), no person may operate, or allow to be operated, on a highway a motor vehicle on which the door handles installed by the

manufacturer of the motor vehicle have been disabled, removed or made inoperative. This paragraph does not apply to replica or street modified vehicles.

(6) Nothing in this section prohibits the interior door handles of the rear door or side rear doors of a vehicle being intentionally made inoperative by use of a child security door latch system or other door locking mechanism installed by the manufacturer of the vehicle.

NOTE: The vehicles to which this section applies include a vehicle designed to transport at least 6, but not more than 14, passengers in addition to the driver and commonly called a "van." In Wisconsin, a van is registered as an automobile if it is primarily used for the transportation of persons; a van is registered as a truck if it is primarily used for the transportation of property.

(END OF RULE TEXT)

Effective Date. This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2)(intro.), Stats.

Signed at Madison, Wisconsin, this _____ day
of March, 2002.

GENE E. KUSSART
Secretary
Wisconsin Department of Transportation