

CHAPTER 75

STATE NON-CRIMINAL TRAFFIC CODE

SECTION 1.

Provisions of State Law Adopted by Reference.

- (1) STATE TRAFFIC FORFEITURE LAWS ADOPTED. Except as otherwise specifically provided in this ordinance, all provisions of Chapters 340 to 350 of the Wisconsin Statutes describing and defining regulations with respect to vehicles and traffic for which the penalty is a forfeiture only, including penalties to be imposed and procedure for prosecution are hereby adopted and by reference made a part of this ordinance as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this ordinance. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this ordinance in order to secure uniform statewide regulation of traffic on the highways, streets, and alleys of the State of Wisconsin.

Sections of Chapters 340 to 350 adopted by reference shall include but not be limited to the following:

- 340.01 Words and phrases defined.
- 341.15 Display of registration plates.
- 343.01 Words and phrases defined.
- 343.303 Preliminary breath screening test.
- 343.305 Refusal to submit to chemical tests.
- 343.45 Permitting unauthorized person to drive.
- 343.46 Duty of persons renting vehicles to another.
- 345.01 Words and phrases defined.
- 345.11 Uniform traffic citation and complaint.
- 345.20 General provisions in traffic forfeiture actions.
- 345.21 Authority to arrest with a warrant.
- 345.22 Authority to arrest without a warrant.
- 345.23 Officer's action after arrest without a warrant.
- 345.24 Officer's action after arrest for driving under influence of intoxicant.
- 345.25 Traffic citation.
- 345.255 Deposit after release.
- 345.26 Deposit.
- 345.27 Stipulation of no contest.
- 345.28 Nonmoving violations.
- 345.30 Jurisdiction.
- 345.31 Venue in traffic regulation actions.
- 345.315 Change of judge.
- 345.32 Initial appearance before judge.

- 345.34 Arraignment; pleas.
- 345.35 Not guilty plea; immediate trial.
- 345.36 Not guilty plea; continuance.
- 345.37 Procedure on default of appearance.
- 345.375 Judgment against a corporation.
- 345.38 Effect of plea of no contest.
- 345.40 Pleading.
- 345.41 Motion to dismiss.
- 345.42 No preliminary examination.
- 345.421 Discovery.
- 345.422 No guardian ad litem.
- 345.425 Mode of trial.
- 345.43 Jury trial.
- 345.45 Burden of proof.
- 345.46 Verdict.
- 345.47 Judgment of forfeiture and penalty assessment.
- 345.48 Reporting pending appeal.
- 345.49 Procedure on imprisonment; nonpayment of forfeiture or penalty assessment.
- 345.50 Appeal.
- 345.51 Reopening of default judgment.
- 345.52 No double prosecution.
- 345.53 Costs not taxed against plaintiff.
- 345.55 Traffic Officers not to profit from arrests.
- 346.01 Words and phrases defined.
- 346.02 Applicability of chapter.
- 346.03 Applicability of rules of the road to authorized emergency vehicles.
- 346.04 Obedience to traffic officers, signs and signals; feeling from officer.
- 346.05 Vehicles to be driven on right side of roadway; exceptions.
- 346.06 Meeting of vehicles.
- 346.07 Overtaking and passing on the left.
- 346.075 Overtaking and passing bicycles.
- 346.08 When overtaking and passing on the right permitted.
- 346.09 Limitations on overtaking on left or driving on left side of roadway.
- 346.10 When passing at a railroad crossing or intersection prohibited.
- 346.11 Passing or meeting frightened animal.
- 346.12 Driving through safety zones prohibited.
- 346.13 Driving on roadways laned for traffic.
- 346.14 Distance between vehicles.
- 346.15 Driving on divided highway.
- 346.16 Use of controlled-access highways, expressways and freeways.
- 346.17 Penalty for violating sections 346.04 to 346.16.
- 346.18 General rules of right of way.
- 346.19 What to do on approach of emergency vehicle.
- 346.20 Right of way of funeral processions and military convoys.
- 346.21 Right of way of livestock.
- 346.22 Penalty for violating sections 346.18 to 346.21.

- 346.23 Crossing controlled intersection or crosswalk.
- 346.24 Crossing at uncontrolled intersection or crosswalk.
- 346.25 Crossing at place other than crosswalk.
- 346.26 Blind pedestrian on highway.
- 346.27 Persons working on highway.
- 346.28 Pedestrian to walk on left side of highway; pedestrian on sidewalks.
- 346.29 When standing or loitering in roadway or highway prohibited.
- 346.30 Penalty for violating sections 346.23 to 346.29.
- 346.31 Required position and method of turning at intersections.
- 346.32 Required position for turning into private road or driveway.
- 346.33 Where turns prohibited, exception.
- 346.34 Turning movements and required signals on turning and stopping.
- 346.35 Method of giving signals on turning and stopping.
- 346.36 Penalty for violating sections 346.31 to 346.35.
- 346.37 Traffic-control signal legend.
- 346.38 Pedestrian control signals.
- 346.39 Flashing signals.
- 346.40 Whistle signals.
- 346.41 Display of unauthorized signs and signals prohibited.
- 346.42 Interference with signs and signals prohibited.
- 346.43 Penalty for violating sections 346.37 to 346.42.
- 346.44 All vehicles to stop at signal indicating approach of train.
- 346.45 Certain vehicles to stop at railroad crossings.
- 346.46 Vehicles to stop at stop signs and school crossings.
- 346.47 When vehicles using alley or nonhighway access to stop.
- 346.48 Vehicles to stop for school busses loading or unloading children.
- 346.49 Penalty for violating sections 346.44 to 346.48.
- 346.50 Exceptions to stopping and parking restrictions.
- 346.505 Stopping, standing or parking prohibited in places reserved for handicapped.
- 346.51 Stopping, standing or parking outside of business or residence districts.
- 346.52 Stopping prohibited in certain specified places.
- 346.53 Parking prohibited in certain specified places.
- 346.54 How to park and stop on streets.
- 346.55 Other restrictions on parking and stopping.
- 346.56 Penalty for violating sections 346.505 to 346.55.
- 346.57 Speed restrictions.
- 346.58 Special speed restrictions for certain vehicles.
- 346.59 Minimum speed regulation.
- 346.595 Motor-driven cycles.
- 346.60 Penalty for violating sections 346.57 to 346.595.
- 346.61 Applicability of sections relating to reckless and drunken driving.
- 346.62 Reckless driving.
- 346.63 Operating under influence of intoxicant.
- 346.635 Report arrest to department.
- 346.65 Penalty for violating sections 346.62 to 346.64.
- 346.655 Driver improvement surcharge.

- 346.66 Applicability of sections relating to accidents and accident reporting.
- 346.67 Duty upon striking person or attended or occupied vehicle.
- 346.68 Duty upon striking unattended vehicle.
- 346.69 Duty upon striking property on or adjacent to highway.
- 346.70 Duty to report accident.
- 346.71 Coroners or medical examiners to report; require blood specimen.
- 346.72 Garages to keep record of repairs of accident damage.
- 346.73 Accident reports not to be used in trial.
- 346.74 Penalty for violating sections 346.67 to 346.73.
- 346.77 Responsibility of parent or guardian for violating of bicycle and play vehicle regulations.
- 346.78 Play vehicles not to be used on roadway.
- 346.79 Special rules applicable to bicycles.
- 346.80 Riding bicycle on roadway.
- 346.802 Riding bicycle on bicycle lane.
- 346.803 Riding bicycle on bicycle way.
- 346.804 Riding bicycle on sidewalk.
- 346.81 Lamps and other equipment on bicycles.
- 346.82 Penalty for violating sections 346.77 to 346.81.
- 346.87 Limitations on backing.
- 346.88 Obstruction of operator's view or driving mechanism.
- 346.89 Inattentive driving.
- 346.90 Following emergency vehicle.
- 346.91 Crossing fire hose.
- 346.92 Illegal riding.
- 346.93 Intoxicants in vehicle carrying minor.
- 346.935 Drinking in motor vehicles on highway.
- 346.94 Miscellaneous prohibited acts.
- 346.95 Penalty for violating sections 346.87 to 346.94.
- 347.01 Words and phrases defined.
- 347.02 Applicability of chapter.
- 347.03 Sale of prohibited equipment unlawful.
- 347.04 Owner responsible for improperly equipped vehicle.
- 347.05 Reciprocity agreements as to equipment.
- 347.06 When lighted lamps required.
- 347.07 Special restrictions on lamps and the use thereof.
- 347.08 Determining the visibility distance and mounted height of lamps.
- 347.09 Headlamps on motor vehicles.
- 347.10 Headlamp specifications for motor vehicles other than power-driven cycles and motor bicycles.
- 347.11 Headlamp specifications for power-driven cycles and motor bicycles.
- 347.12 Use of multiple-beam headlamps.
- 347.13 Tail lamps and registration plate lamps.
- 347.14 Stop lamps.
- 347.15 Direction signal lamps or devices.
- 347.16 Clearance lamps and reflectors.
- 347.17 Color of clearance and marker lamps and reflectors.

- 347.18 Mounting of clearance lamps and reflectors.
- 347.19 Visibility of clearance lamps and reflectors.
- 347.20 Lamps or flag on projecting load.
- 347.21 Lamps and flags on trains of agricultural vehicles.
- 347.22 Lamps on farm tractors and self-propelled farm implements.
- 347.23 Lamps on highway maintenance equipment.
- 347.24 Lamps on nonmotor vehicles and equipment.
- 347.245 Identification emblem on certain slow moving vehicles.
- 347.25 Special warning lamps on emergency vehicles, school busses and funeral vehicles.
- 347.255 Auxiliary lamps on emergency vehicles used to activate traffic control signal preemption devices.
- 347.26 Restrictions on certain optional lighting equipment.
- 347.27 When lighted lamps required on parked vehicles.
- 347.28 Certain vehicles to carry flares or other warning devices.
- 347.29 Display of warning devices for certain vehicles when standing on highway.
- 347.30 Penalty for violating lighting equipment requirements.
- 347.35 Brakes.
- 347.36 Performance ability of brakes.
- 347.37 Brake fluid, sale regulation.
- 347.38 Horns and warning devices.
- 347.39 Mufflers.
- 347.40 Mirrors.
- 347.41 Speed indicators.
- 347.415 Odometer tampering.
- 347.42 Windshield wipers.
- 347.43 Safety glass.
- 347.44 Painting requirements for school busses; restrictions as to painting of other vehicles.
- 347.45 Tire equipment.
- 347.46 Fenders and mudguards.
- 347.47 Drawbars, trailer hitches and mobile home couplings.
- 347.48 Safety belts.
- 347.485 Protective headgear for motorcyclists.
- 347.486 General requirements.
- 347.487 Seating requirements.
- 347.488 Moped equipment.
- 347.49 Equipment of vehicles transporting flammable liquids.
- 347.50 Penalties.
- 348.01 Words and phrases defined.
- 348.02 Applicability of chapter.
- 348.05 Width of vehicles.
- 348.06 Height of vehicles.
- 348.07 Length of vehicles.
- 348.08 Vehicle trains.
- 348.09 Projecting loads on side of vehicles.
- 348.10 Special limitations on load.
- 348.11 Penalty for violating size and load limitations.

WEIGHT

- 348.15 Weight limitations on class "A" highways.
- 348.16 Weight limitations on class "B" highways.
- 348.17 Special or seasonal weight limitations.
- 348.175 Seasonal operation of vehicles hauling peeled or unpeeled forest products cut crosswise.
- 348.18 Weight limitations apply to publicly owned vehicles; exceptions.
- 348.185 Empty weight to be indicated on side of certain vehicles; rules.
- 348.19 Traffic officers may weigh vehicles and require removal of excess load.
- 348.20 Policy in prosecuting weight violations.
- 348.21 Penalty for violating weight limitations.
- 348.25 General provisions relating to permits for vehicles and loads of excessive size and weight.
- 348.26 Single trip permits.
- 348.27 Annual or multiple trip permits.
- 348.28 Permits to be carried.

GENERAL PROVISIONS

- 349.01 Words and phrases defined.
- 349.02 Police and traffic officers to enforce law.
- 349.03 Regulation by local authorities forbidden; exceptions.

EXPRESS REGULATORY POWERS

- 349.06 Authority to adopt traffic regulations in strict conformity with state law.
- 349.065 Uniform traffic control devices.
- 349.07 Authority to designate through highways.
- 349.08 Cost of signs and traffic control signals.
- 349.085 Authority to install stop signs at railroad grade crossings.
- 349.09 Authority to remove prohibited signs or signals.
- 349.10 Authority to designate one-way highways, safety zones, turns and lanes.
- 349.105 Authority to prohibit certain traffic on expressways and freeways.
- 349.11 Authority to modify speed restrictions.
- 349.12 Authority to designate no-passing zones.
- 349.13 Authority to regulate the stopping, standing or parking of vehicles.
- 349.14 Authority to use parking meters.
- 349.15 Authority to modify weight limitations and classify highways.
- 349.16 Authority to impose special or seasonal weight limitations.
- 349.17 Authority of cities and villages to regulate heavy traffic.
- 349.18 Additional traffic control authority of cities and villages.
- 349.185 Authority to regulate processions, assemblages and pedestrians.
- 349.19 Authority to require accident reports.
- 349.20 Authority to prohibit use of bridges for fishing or swimming.
- 349.21 Authority to regulate school bus warning lights.

- 349.215 Authority to appoint school crossing guards.
- 349.22 Authority to establish mass transit way.
- 349.23 Authority to designate bicycle lanes and bicycle ways.

LICENSING POWERS

- 349.24 Authority to license taxicab operators and taxicabs.
- 349.25 Authority to license hayrack and sleigh rides.
- 350.01 Definitions.
- 350.02 Operation of snowmobiles on or in the vicinity of highways.
- 350.03 Right-of-way.
- 350.04 Snowmobile races, derbies and routes.
- 350.045 Public utility exemption.
- 350.047 Local ordinance to be filed.
- 350.05 Operation by youthful operators restricted.
- 350.055 Safety certification program established.
- 350.06 Firearms and bows.
- 350.07 Driving animals.
- 350.08 Owner permitting operation.
- 350.09 Head lamps, tail lamps and brakes, etc.
- 350.10 Miscellaneous provisions for snowmobile operation.
- 350.11 Penalties.
- 350.13 Uniform trail signs and standards.
- 350.15 Accidents and accident reports.
- 350.17 Enforcement.
- 350.18 Local Ordinances.
- 350.99 Parties to a violation.

(2) OTHER LAWS ADOPTED. There are also hereby adopted by reference the following sections of the Wisconsin Statutes but the prosecution of such offenses under this ordinance shall be as provided in Chapters 340 to 348 of the Wisconsin statutes and the penalty for violation thereof shall be limited to a forfeiture as provided in Section 10 of this ordinance.

- 941.01 Negligent operation of vehicle off highway.
- 86.192 Penalty for injuring guide board, markers, etc.

SECTION 2.

Penalty

- (1) The penalty for violation of any provision of this ordinance shall be a forfeiture as hereinafter provided together with the cost of prosecution, plus penalty assessment, imposed as provided in §345.20 to 345.53, Wisconsin Statutes.
- (2) Uniform Offenses. Forfeitures for violation of any provision of Chapters 341 to 348 adopted by reference in section 1 of this ordinance shall conform to forfeitures for violation of the

comparable state offense, including any variations or increases for second offenses.

SECTION 3.

Enforcement. This ordinance shall be enforced in accordance with the provisions of §345.20 to 345.53, Ch. 299 and §66.12 of the Wisconsin Statutes.

- (1) Stipulation of guilt or no contest. Stipulation of guilt or no contest may be made by persons arrested for violations of this ordinance in accordance with §66.12(1)(b), Wisconsin Statutes, whenever the provisions of §345.27 are inapplicable to such violations. Stipulations shall conform to the form contained on the uniform traffic citation and complaint under s. 345.11, Wisconsin Statutes, and may be accepted within 5 days of the date of the alleged violation. Stipulations may be accepted by the (clerk of county court) (city) (village) police department.
- (2) Deposits. Any person stipulating guilty or no contest under subsection (1) of this section must make the deposit required under §345.26, Wisconsin Statutes.
- (3) Notice of Demerit Points and Receipt. Every officer accepting a forfeited penalty or money deposit under this ordinance shall receipt therefore in triplicate as provided in §345.26(3)(b), Wisconsin statutes. Every officer accepting a stipulation under the provisions of this ordinance shall comply with the provisions of §343.27, 343.28, 345.26, (1)(a) and 345.27(2), Wisconsin Statutes, and shall require the alleged violator to sign a statement of notice in substantially the form contained on the uniform traffic citation and complaint promulgated under §345.11, Wisconsin Statutes.
- (4) Forfeitures in Treasury; Officer to Post Bond. Qualify. Any officer accepted deposits or forfeited penalties under this ordinance shall deliver them to the County Treasurer within 20 days after receipt. Any officer authorized to accept deposits under §345.26 Wisconsin Statutes, or this ordinance shall qualify by taking the oath prescribed by §19.01 Wisconsin Statutes, and filing an official bond in the sum of \$500.00 as described by §19.01.

SECTION 4.

References to Statutes. References to specific statutory sections wherever used in this ordinance shall mean the most current Wisconsin Statutes, and any future amendments, revisions or modifications thereof which are expressly incorporated herein pursuant to Section 1 (1) of this ordinance.

SECTION 5.

Incorporation of certain county ordinances. The following County Ordinances are hereby adopted and are incorporated into this Ordinance by reference as if set forth fully herein:

- (1) 23(79) (1) Unnecessary noise with a motor vehicle.
- (2) 23(79) (2) Deface roadway or shoulder with a motor vehicle.

- (3) 27(79) (1) Consumption of an intoxicant while parked on a highway or public parking lot.
- (4) 27(79) (2) Possession of an open container of an intoxicant moving or parked.

SECTION 6.

Repeal of conflicting ordinances. All previous ordinances regulating traffic upon the streets, alleys, and highways of St. Croix County, Wisconsin, and all ordinances or parts of ordinances heretofore enacted by the County Board of St. Croix County, Wisconsin are hereby repealed, and are recreated as this Ordinance.

Ordinance No. 54 (82) - April, 1982