

To all Wisconsin Law Enforcement Officers,

Wisconsin has seen an increase in the number of motorcycle crashes and deaths in recent years, partially due to the increase in registered motorcycles. While we have seen many single vehicle motorcycle crashes, there has also been an increase in the number of crashes involving another motor vehicle violating the right-of-way of a motorcycle. In an attempt to reduce the number of crashes being caused by these right-of-way crashes 130 members of our state legislature, (Senators Risser and Miller were the only votes against) and Governor Doyle saw fit to increase the applicable penalties for causing a crash by violating the right-of-way of another roadway user, including all motor vehicles, bicycles and pedestrians.

Wisconsin Act 466, the Roadway Users Responsibility Act, (RURA), took effect on October 1, 2006, and provides for increased penalties for vehicle operators who violate the right-of-way of other roadway users, (s. 346.18 of the Wisconsin statutes), and cause injury, great bodily injury, or death. The new penalties, listed under 343.30 (1j) for license suspension, and 346.22 (1) (c) (d) (e) for level of forfeiture and referencing 343.30 (1j), license suspension. These sections raise the applicable forfeiture from the prior amount of not less than \$20 nor more than \$50, to \$200 to \$1,000, depending on the level of injury or death caused by the crash. 343.30 (1j) specifies license suspensions ranging from 30 days to 9 months, again dependant on the severity of the injuries in the crash.

It appears to us that the appropriate tickets are not being written to use the new penalties in right-of-way caused crashes. It is our hope that by bringing this new law to your attention that in the future right-of-way violations will be ticketed appropriately.

Additionally we are concerned with how these crashes are being reported in the media. Many of the news stories carry lines such as “the motorcycle struck the side of the other vehicle”. The media outlets tell us that this is the wording being used in the crash report by the investigating officer. Many times this gives the public the impression that the motorcyclist was at fault for striking the offending vehicle. We intend to work with media outlets so that the language used in their reporting will more accurately reflect the actions of the offending vehicle to improve the understanding of the public of the true cause of these crashes.

RURA also includes a provision that allows motorcycles, mopeds and bicycles to proceed through a vehicle actuated traffic signal when the signal does not recognize their presence. This requires a minimum wait of 45 seconds by the vehicle and requires that the operator only proceed through the signal when it is safe to do so.

ABATE of Wisconsin is a safety and awareness organization representing the interests of Wisconsin motorcyclists. We are working to reduce the number and severity of motorcycle crashes through training and awareness programs, and thereby the number of injuries and deaths of motorcyclists in Wisconsin. To do this we need the help of law enforcement to reduce the number of right-of-way violations. Our thanks go out to those Officers and departments working to make our roads safe for all motorists.

If you need more information or wish to have a representative of ABATE of Wisconsin, speak to your agency contact:

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