

City of Eau Claire Bicycle and Pedestrian Related Ordinances

Chapter 9.76 Park-Public Grounds

9.76.055 Skateboards, roller skates, roller skis, in-line skates, motor scooters, or similar equipment. A. It shall be lawful for any person to operate or ride a skateboard, roller skates, roller skis, in-line skates, motor scooters, or similar equipment on the roads, sidewalks and parking lots within Carson Park with the exception of Carson Park Drive and the rampways, sidewalks and stairs that form the entryways to the Carson Park baseball and football stadiums.

B. Operators and riders of the aforesaid equipment shall yield the right of way to other pedestrians and motor vehicles using the roads, sidewalks and parking lots within Carson Park and shall not otherwise endanger or interfere with normal pedestrian or vehicular traffic upon those areas.

C. Operators and riders of the aforesaid equipment shall obey the requirements of §346.80, Wis. Stats., "Riding bicycle or electric personal assistive mobility device on roadway," while riding upon the roads within Carson Park. (Ord. 6438 §2, 2003; Ord. 5745 §1, 1997).

Chapter 10.08 Bicycles

10.08.010 Purpose. The City strives to increase active living opportunities and provide healthy living options by encouraging bicycling for recreational and utilitarian use throughout the City while promoting a safe environment for pedestrians that contributes to the quality of life in Eau Claire, sustainability of the environment, and health of all residents. (Ord. 7205, 2016)

10.08.020 Definitions. A. "Bicycle way" as defined in Wisconsin Statutes s.340.01(5s) is any path or portion thereof designated for use of bicycles and electric personal assistive mobility devices by the governing body of any city, town, village, or county or any other path or portion thereof defined in Wisconsin Statutes 84.60 (1) as a bikeway. The bicycle ways in Eau Claire consist of the City's off-street pathways set forth in 10.08.120.

B. "Public sidewalk" is any sidewalk located within the public right-of-way. (Ord. 7205, 2016)

10.08.090 Hours of operation--Age limit. No person under the age of twelve years shall operate a bicycle upon any public street, highway, boulevard, sidewalk or alley between the hours of nine p.m. and five a.m. (Ord. 4471, 1984; Ord. 3313 §XXII (part), 1972; prior code §17.10(j)).

10.08.100 Parking. No person shall park a bicycle upon a street, against the curb, upon the sidewalk, upon the sidewalk in a rack to support the bicycle, or against a building or at the curb, in such a manner as to obstruct normal pedestrian traffic. (Ord. 4471, 1984; Ord. 3313 §XXII (part), 1972; prior code §17.10(j)).

10.08.110 Riding on sidewalks or the bicycle way. Bicycle riding on public sidewalks is allowed, except as follows: In an effort to protect public safety and enhance walkability in certain areas, the City has identified four districts where riding a bicycle on the public sidewalk along certain streets is prohibited. No person shall ride a bicycle upon a public sidewalk located along the following streets within the following areas.

1. Central Business District Area North of the Eau Claire River: The streets including Galloway Street and Wisconsin Street located to the west of Dewey Street; Barstow Street, Farwell Street, and Hobart Street all south of Madison Street; Dewey Street from Galloway Street to Madison Street and the north side of the 300 Block of Madison Street.
2. Central Business District Area from the Eau Claire River to the south. The streets including Farwell Street and Barstow Street and Graham Avenue from the north side of the Eau Claire River to Lake Street and Eau Claire Street, Gibson Street, East Grand Avenue, Main Street, and Gray Street between the Chippewa River and Dewey Street.
3. Water Street District: Both sides of Water Street from Second Avenue to Sixth Avenue, except the south side of Water Street from Second Avenue to Third Avenue; and both sides of Second Avenue, Third Avenue, Fourth Avenue, Fifth Avenue, and Sixth Avenue from Water Street north to the first alley.
4. Madison Street--Bellinger Street District: Both sides of Bellinger Street between Cameron Street and Randall Street.

A. Signs. The chief of police, the chief of police's designee, the director of community services or the director or community services designee is authorized to cause signs to be erected on any sidewalk or roadway prohibiting riding bicycles thereon by any person and when such signs are in place, no person shall disobey the same.

B. Right-of-way. Whenever any person is riding a bicycle upon a sidewalk or the bicycle way, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian. (Ord. 7205, 2016; Ord. 5736 §2, 1997; Ord. 4583, 1985; Ord. 3473, 1974; Ord. 3313 §XXII (part), 1972; prior code §17.10(k)).

10.08.120 Designation of the bicycle way. A. The bicycle way within the City shall be those off-street pathways that are identified in the map titled "City of Eau Claire Off-Street Multi-use Pathways/Bicycle Way System" that is adopted as part of this ordinance and on file with the City Clerk's Office. It shall include those pathways identified as existing and shall include those identified as proposed at such time that these sections are constructed.

B. All motorized vehicles except authorized city vehicles and vehicles permitted by Wisconsin Statutes s.340.01(5s) are prohibited from using any portion of the bicycle way.

C. The chief of police, the chief of police's designee, the director of community services or the director or community services designee is authorized to cause signs to be erected designating the bicycle way and prohibiting the use of motorized vehicles. No person shall disobey any such sign. (Ord. 7205, 2016; Ord. 7202, 2016; Ord. 5736 §3, 1997).

Chapter 10.09 Motor Scooters

10.09.010 Definition. A motor scooter shall be defined as a play vehicle under Wisconsin Statutes section 340.01 (43m). A motor scooter shall mean a play vehicle such as a coaster, skateboard, or unicycle that is equipped with an engine that cannot propel the device more than 15 miles per hour, has a T bar for steering, and a deck for standing or seat for sitting. A motor scooter under this section does not meet federal safety standards to be operated on the highway. A motor scooter shall not include a vehicle that can be legally registered by the state of Wisconsin and operated on the highway, or a device defined as an electric personal assistive mobility device under Wisconsin Statutes section 340.01(15pm). (Ord. 6438 §1, 2003).

10.09.020 Operating motor scooters. Operation of a motor scooter is permitted on a sidewalk, except that no person shall operate a motor scooter:

A. On a highway, pursuant to Wisconsin Statutes section 346.78, except as provided in section 9.76.055 of this code.

B. On a sidewalk in prohibited areas designated in section 10.08.110 of this code.

C. In any public parking ramp or parking lot, except as provided in section 9.76.055 of this code.

D. On private property, unless permission has been received from the owner, lessee, or person in charge of that property.

E. On any public step, railing, wall, or any appurtenance to a public way.

F. On a bicycle way as designated in section 10.08.120 of this code.

G. On the Grand Avenue Bridge as provided in chapter 10.16 of this code. (Ord. 6438 §1, 2003).

10.09.030 Right of way. Whenever a person rides a motor scooter upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall exercise due care and shall give an audible signal before overtaking or passing a bicycle, an electric personal assistive mobility device, or a pedestrian proceeding in the same direction. (Ord. 6438 §1, 2003).

10.09.040 Special rules applicable to motor scooters. Whenever a motor scooter is operated on a sidewalk, the following rules apply:

A. No motor scooter shall be used to carry or transport more persons at one time than the number for which it is designated.

B. No person operating a motor scooter shall carry any package, bundle, or article which prevents the operator from keeping at least one hand upon the handle bars.

C. No person operating a motor scooter shall attach himself or herself or the motor scooter to any other motor scooter, bicycle, or motor vehicle. (Ord. 6438 §1, 2003).

10.09.050 Signs. Signs authorized under city of Eau Claire ordinance section 10.08.110 A. prohibiting bicycles shall apply to motor scooters. (Ord. 6438 §1, 2003).

10.09.060 Parking. No person shall park a motor scooter in such a way as to obstruct normal vehicle or pedestrian traffic. (Ord. 6438 §1, 2003).

10.09.070 Responsibility of parent or guardian. Pursuant to Wisconsin Statutes section 346.77, no parent or guardian shall authorize or knowingly

Chapter 13.04 Construction and Repair of Sidewalks.

13.04.010 Installation of sidewalks--General. This chapter is adopted pursuant to the authority provided in Wis. Stats. 66.615(7). Subject to other provisions of this chapter, sidewalks shall be constructed as follows:

A. Within new subdivisions, as provided in Section 17.12.280 of this code. The provisions of s. 13.04.020, entitled "Deferral of sidewalk construction," and s. 13.04.025, entitled "Procedures for deferral of sidewalk construction," shall not apply to this subsection A. for the construction of sidewalks within new subdivisions.

B. Abutting any lot described on a certified survey map under Wis. Stats. s. 236.34, or any other unplatted lot, at the time when the main building on the lot is initially constructed or when it is entirely reconstructed or replaced. Prior to issuance of a building permit for such construction, reconstruction or replacement, the property owner shall execute and file with the city Administrator of Inspections and Zoning a written document certifying installation of a public sidewalk abutting such lot or execute a petition to the city for such installation and the levy of special assessments in connection therewith and waiving notice and hearing pursuant to Wis. Stats. s. 66.60 (18).

C. Along streets lying within one-half mile of a public or private elementary or secondary school;

D. Along any street or portion of street which is classified by the city council as a collector street or arterial street under the functional street classification system of the city;

E. Where the installation of a sidewalk will connect previously constructed and existing sidewalks within the immediate area;

F. When property owners who own over one-half of the frontage along a street file a petition with the city requesting that sidewalks be installed along such frontage; and

G. At such other locations where the city council determines that one or more of the following conditions exist:

1. Vehicular and pedestrian conflicts present a potential danger to the health and safety of persons; or

2. The number of small children, senior citizens or other persons having special needs reside on a street and require a sidewalk to assure their safety; or

3. Parks, playgrounds or other locations exist which are attractive to large numbers of children and are not served by sidewalks thereby resulting in an immediate danger to the health and safety of such children. (Ord. 6285 §1, 2002; Ord. 4510 §1, 1984).

13.04.020 Deferral of sidewalk construction. Sidewalk shall be constructed in all locations as outlined in section 13.04.010, except the city council retains the authority to review any sidewalk proposal and to designate procedures to defer the construction thereof whenever it is deemed necessary and desirable. A deferral shall not constitute a permanent waiver of sidewalk construction, and the city council may review and reconsider the need for construction at any time. Sidewalk construction may be deferred in the following situations:

A. Where the construction would be along a cemetery, outlying industrial property, or in any other area where little or no pedestrian use is reasonably anticipated;

B. Where the owner of the property adjacent to the street elects to provide an alternative pedestrian facility which is acceptable and approved;

C. When it is determined that the construction of sidewalk is not feasible or practical due to topographical or other physical constraints; or

D. When it is found that construction of sidewalk would not serve the public interest, safety or convenience. (Ord. 4981, 1989; Ord. 4510 §2, 1984).

13.04.025 Procedures for deferral of sidewalk construction. All requests for deferral of sidewalk construction shall be submitted in writing to the department of engineering. Applications for deferral of sidewalk construction shall be processed as follows:

A. The director of engineering or their designee is authorized to approve the deferral of sidewalk construction under the following circumstances:

1. Where the location is on a cul-de-sac or dead-end street of 750 feet or less in length and no other sidewalk exists on the cul-de-sac or dead-end street segment;
2. Where development is substantially complete in the area and no other sidewalk exists on the street segment;
3. Where the location is a remote rural area and no sidewalk exists or is planned to be constructed in the near future;
4. In locations where the city has programmed or scheduled street construction as part of the capital improvement program; or
5. Where topography, street grades or physical constraints make the construction impractical.

B. Decisions rendered by the director of engineering or their designee may be appealed by the applicant to the city council for consideration and determination by the council.

C. All applications for deferral of sidewalk construction for reasons not included in subsection 13.04.025 A. shall be submitted to the city council for review, consideration and determination.

D. Locations where construction of sidewalk is deferred shall be subject to the following conditions:

1. A concrete sidewalk section shall be constructed at the time the driveway is constructed in the location and at an elevation established by the department of engineering which is calculated to accommodate a possible future sidewalk in the location.

2. The terrace and yard area shall be graded to meet a possible future sidewalk in the location and elevation established by the department of engineering. This subsection shall not apply where sidewalk construction is not practical for topographic reasons. (Ord. 7202, 2016; Ord. 4981, 1989).

13.04.030 Design and construction of sidewalks. A. Sidewalks shall be constructed in accordance with city specifications as established by the department of engineering. Subject to the provisions of subsection B, and unless as otherwise directed by the director of engineering or their designee, the width of all sidewalks in residential areas shall be 5 feet. The sidewalk width in all other areas shall be established by the director of engineering or their designee.

B. The design of sidewalks shall be flexible and shall be adapted to suit the particular needs of the area within which they are constructed. The materials used and designs employed in connection with sidewalk construction shall be consistent with topography and aesthetics. Trees shall not be removed in order to construct sidewalks unless their removal is reasonably necessary in order to accommodate such construction, as determined by the director of engineering or their designee. If a boulevard exists, as much space as possible shall be retained on it to provide for the storage of snow. (Ord. 7202, 2016; Ord. 4510 §1, 1984).

Chapter 13.12 Street Use – Skateboards...

13.12.025 Skateboards, roller skates, roller skis, in-line skates or similar equipment. A. It shall be unlawful for any person to operate or ride a skateboard, roller skates, roller skis, in-line skates or similar equipment in any of the following places:

1. On any city street, except as provided in s. 9.76.055.
2. On any sidewalk in a business district. For purposes of this section, a business district shall be defined as any area primarily commercial in nature.
3. In any public parking ramp or parking lot, except as provided in s. 9.76.055.
4. On private property, unless permission has been received from the owner, lessee or person in charge of that property.
5. On any public step, railing, wall, or any appurtenance to a public way, including any such use by a bicycle or snowboard.

B. Operators or riders of skateboards, roller skates, roller skis, in-line skates or similar equipment shall yield the right of way to other pedestrians using city sidewalks or the bicycle way, and shall not otherwise endanger or interfere with normal pedestrian traffic on those sidewalks or the bicycle way.

C. This section shall not include motor scooters. The operation of motor scooters is regulated pursuant to chapter 10.09 of this code. (Ord. 6438 §5, 2003; Ord. 6161, 2001; Ord. 5745 §2, 1997; Ord. 5260, 1992; Ord. 4644, 1986).

Chapter 13.20 Materials on Sidewalks

13.20.010 Cleaning of snow and ice required. A. The owner of every lot or parcel of land shall keep the public sidewalk adjacent to said premises reasonably free and clear from snow and ice and shall clear the snow from such sidewalk within twenty-four hours following a snowfall. Any owner violating the provisions of this section shall be subject to a forfeiture of not less than five dollars nor more than fifty dollars for each offense. Upon the failure of an owner to clear any sidewalk as required under this section, the City shall cause the sidewalk to be so cleared and shall cause the cost thereof to be levied as a special tax chargeable to such lot or parcel of land to be collected like other taxes upon real estate, as prescribed in Wis. Stats. ss. 66.0627 or 66.0907.

B. "Sidewalk" as used in this chapter means any sidewalk, path, walk or way regularly used by pedestrians along any opened and established street and within the boundaries of such street. (Ord. 4262, 1982; Ord. 3599 (part), 1976; prior code §5.12).

Chapter 18.25 Off-Street Parking and Loading Requirements

18.25.020 General Provisions.

C. Reductions. 1. Off-street parking requirements for any use located within 500 feet of a regular, established city transit route may be reduced by up to 10 percent by the Commission.

2. Off-street parking requirements in a CBD central business district may be reduced by 5 percent by providing the bicycle spaces required in 18.25.031 by the Commission.

3. Off-street parking requirements of more than 100 stalls may be reduced by the Commission if, based on written certification provided by the applicant, an applicant provides proof of a ride-share program or group transit passes for employees, in the case of an employer.

18.25.031 Bicycle Parking Requirements. A. Off-street bicycle parking facilities shall be provided for new structures and additions as provided in this section.

1. Off-street bicycle parking shall be made available in bicycle racks or equivalent structures to which the bicycle may be locked by the user. Such racks shall support the bicycle upright by its frame in two places and prevent the wheels from tilting or twisting. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices. When approved by the commission to be located on a public sidewalk, the design of such rack shall match any existing design standard approved by the applicable Business Improvement District.

2. All required racks shall be securely anchored to the ground or the building to prevent removal. The surfacing of such facilities shall be designed and maintained to be mud, snow, and obstruction-free year-round.

3. Bicycle parking facilities shall be located in a clearly designated, lighted, convenient location; being at least as convenient as the majority of the auto parking spaces provided, and where possible, in a location sheltered from the weather.

4. Each required space shall be accessible without having to move another bicycle, and parking a bicycle in any space in the parking facility shall not result in a bicycle obstructing a required walkway or building entry.

5. Bicycle racks shall be installed to conform to the manufacturer's spacing specifications or the following, whichever is greater. The minimum area of at least 24 inches by 72 inches shall be provided per bicycle. Where multiple racks are installed in rows with access aisles separating the rows, the following minimums shall apply:

a) Minimum spacing horizontally between racks shall be 120 inches on center (see larger sized diagram in Index under Zoning-Parking and Loading Requirements).

b) Minimum spacing side-by-side between racks shall be 36 inches (see larger sized diagram in Index under Zoning-Parking and Loading Requirements).

6. Off-street bicycle parking shall be provided as required herein, with the required number of bicycle spaces rounded to the greater even number:

a) Single and two-family dwellings: 0

b) Multiple-family dwellings: 1 bicycle space per dwelling unit; 0 for dwellings where a garage is provided for such units.

c) Rooming houses, lodging houses: 1 bicycle space per four bedrooms

d) Non-residential uses: 1 bicycle space per 10 required automobile spaces, except for schools which shall use the following standards: elementary: sufficient bicycle spaces to accommodate 10 percent of the school design population, middle and high school: sufficient bicycle spaces to accommodate 5 percent of the school design population, and post-secondary schools as determined by the commission based on a plan submitted by the applicant.

In all cases where non-residential bicycle parking is required, no fewer than 4 spaces shall be provided. In addition, non-residential uses having less than 1,000 square feet of gross floor area shall be exempt from the bicycle parking requirements.

7. Required bicycle parking shall be provided within 500 feet of the site for which it is required.

8. After the first 50-bicycle required parking spaces are provided, additional required bicycle parking spaces shall be provided at one half-space per unit listed.

9. The commission can reduce the required bicycle parking spaces by up to 50 percent but any such reduction shall not reduce the number of spaces below 4 except as provided in subsection 10. To justify a reduction in the number of spaces required, the applicant shall demonstrate to the reasonable satisfaction of the commission that extraordinary circumstances exist that the required number of spaces are disproportionate to the expected demand due to reasons such as: accessibility constraints to a parcel for bicyclists, proximity to public bicycle parking, and nature of a business and likelihood customers or clientele would utilize bicycles to travel to the business.

10. The commission may waive the required bicycle parking when there is no reasonable location to provide the bicycle spaces due to physical constraints of the site and the provisions of subsection 7 cannot be met. (Ord. 7020 §2, 2012).

Chapter 18.45 Site Plans

18.45.060 Pedestrian and Bicycle Access and Circulation Standards. A. Pedestrian, bicycle, and other non-motorized vehicular circulation shall be designed to provide a logical, convenient, and safe flow within a site and provide connections to and from public streets, sidewalks and trails. As reasonably practical, this circulation system shall provide connections to building entrances, parking areas and public streets in order to achieve a method of minimizing conflicts with motorized vehicular traffic, giving equal consideration to the pedestrian, bicycle, and motorized vehicular traffic. Such accommodations shall be designed and maintained for year-round use.



In review of site plans, the Commission shall consider:





1. Direct, safe, and logical on-site connections from parking areas to building entrances;
2. Connections between buildings within the development and connections to adjacent developments;
3. Connections to the street, public sidewalks, multi-use trails, and transit stop locations (if located in the vicinity of the parcel);
4. Sidewalks in the front of buildings on the site;
5. Marked or striped crosswalks or pathways where appropriate, such as where vehicle conflicts exist with walkways;
6. Minimizing vehicular encroachments into pathways and walkways;
7. The avoidance of curb impediments along designated circulation routes through the use of curb ramps or curb-cuts and the avoidance of placing obstacles such as posts and other structures that may hinder such circulation;
8. The width of the sidewalk or connections on site;
9. Phasing for larger master planned developments;
10. Signage, lighting, and maintenance needs;
11. Access from bicycle parking areas to the buildings and related facilities.





B. When applying these provisions to existing developments, the Plan Commission shall require appropriate improvements commensurate with the scope of the building, site, or use changes that are proposed, with an emphasis on addressing both significant conflicts that may exist and important connections that may be lacking. (Ord. 7117, §2 2015)

GENERAL GUIDELINES FOR LEGAL OPERATION OF MOTOR VEHICLES & BICYCLES

Note: The operator of any of the motorized vehicles on this list may be arrested for OMVWI if operated on a roadway with the engine in use.

Vehicle Type	Driver's License Required?	Legal to Operate on the Roadway?	Legal to Operate on the Sidewalk?	Legal to Operate on the Bicycle way?	Eye Protection Required?	Helmet Required?	Passenger Permitted?	Vehicle Specifications
<p>Motorcycle</p> 	<p>*Yes, valid driver's license required</p> <p>*Class M endorsement required</p>	Yes	No	No	Yes	<p>*Yes, if under 18 yrs old or if you have an instructional permit</p> <p>*No, if older than 18 yrs and not operating under an instructional permit</p>	Yes	<p>*Engine is over 50cc and/or is capable of speeds over 30 mph with a 150lb rider</p>
<p>Moped</p> 	<p>*Yes, valid driver's license required</p> <p>*Class M endorsement not required</p>	Yes, except for highways or roads where mopeds are specifically prohibited or where the moped cannot maintain traffic speed	No	No	No	No	No	<p>*Not capable of more than 30mph with 150 lb rider on a flat surface</p> <p>*Engine at or under 50cc</p> <p>*A vehicle that exceeds these limits must be registered as a motorcycle with the DOT and driver must have a class M endorsement</p>

<p>Gas/Electric Scooter or gas/electric skateboard</p> 	No	No Private property operation only	Only if the motor is not engaged. Also, not permitted where prohibited by City ordinance	No	No	No	No, unless it is designed to carry more than 1	<p>These cannot be registered or licensed to operate on roadways.</p> <p>Cannot be able to travel more than 15mph.</p>
<p>Pocket Bike</p> 	No	No Private property operation only	No	No	No	No	No	These cannot be registered or licensed to operate on roadways.
<p>Lawn Mower</p> 	No	No Private property operation only	No	No	No	No	No	These cannot be registered or licensed to operate on roadways.
<p>Play Vehicle</p> 	No	No Private property operation only	Yes, except where prohibited by City ordinance	No	No	No	No, unless it is designed to carry more than 1	These cannot be registered or licensed to operate on roadways.

<p>Motorized Scooter for ADA use</p> 	No	Yes, follows same rules as a bicycle	Yes Handicap use permitted on all sidewalks by the ADA, even where prohibited by City ordinance	Yes	No	No	No	Must be self-balancing, 2-nontandem-wheeled device, holds 1 person, cannot be able to travel more than 15mph.
<p>Gas/Electric Bicycle</p> 	No	Yes, where bicycles are regularly permitted	Only if the motor is not engaged. Also, not permitted where prohibited by City ordinance	Yes, but the motor cannot be in operation	No	No	No	These cannot be able to travel more than 30mph, must have fully operative pedals.
<p>Bicycle</p> 	No	Yes	Yes, except where prohibited by City ordinance	Yes	No	No	No	
<p>Skateboards & non-motorized scooters</p> 	No	No	Yes, except where prohibited by City ordinance	Yes, according to City ordinance	No	No	No	

Wisconsin Laws Governing Bicyclists

Chapter 346 of the Wisconsin Statutes contains the traffic laws or "rules of the road" affecting the operation of motor vehicles and bicycles and pedestrians. Bicycles are included within the definition of "vehicle," and bicyclists are granted all of the rights and responsibilities afforded motor vehicle operators, with a few exceptions. For example, bicycles are prohibited on expressways and freeways where signs have been posted prohibiting such use.

The following are the more important state laws relating to the operation of bicycles on the street system:

Lane Positioning, Use of Shoulders, Turning

- Bicyclists must ride as near as practicable to the right edge of the roadway. Situations when this is not practicable include when preparing to make a left-hand turn or passing another vehicle, and when necessary to avoid unsafe conditions (e.g., to avoid objects or when the road is too narrow to be safely shared by a bicycle and motor vehicle).
- Bicycles may be ridden on the shoulder of a highway unless prohibited by the authorities responsible for maintaining the roadway.
- Bicycles and motorists must be in the proper lane position prior to turning or making other movements.

- Bicyclists are required to use the same hand signals as motorists when turning. However, bicyclists are not required to signal continuously before turning if both hands are needed on the handle bars to control the bicycle.
- Bicyclists, as well as motorists, are required to yield the right-of-way to pedestrians at an uncontrolled intersection or when in a marked or unmarked crosswalk. Motorists shall yield to bicyclists riding in a crosswalk in a manner consistent with the safe use of the crosswalk by pedestrians.

Passing Clearances

- Motor vehicles must allow at least three feet of clearance when passing a bicycle on the roadway and maintain the clearance until safely past.
- Bicyclists must also allow at least three feet of clearance when passing a standing or moving motor vehicle.

Riding Two Abreast

- Bicyclists may ride two abreast if such operation does not impede the normal movement of traffic. If riding on a two-lane road, the bicyclists both have to use a single lane.

Use of Sidewalks

- Bicyclists may ride on sidewalks, where permitted by local

governments, but must yield the right-of-way to pedestrians and give an audible warning when passing pedestrians traveling in the same direction.

- At intersections and other sidewalk crossings (alleys, driveways), a bicyclist on the sidewalk has the same rights and duties as a pedestrian.

Use of Off-street Paths

- Off-street paths are generally two-way, multi-use facilities open to bicyclists, pedestrians, in-line skaters, wheelchairs, and other non-motorized users. While there are no set laws or rules regarding right-of-way, it is generally accepted that applicable “rules of the road” apply and that faster traffic on a path yields to slower traffic.
- Intersections of bicycle paths and streets are generally treated the same as the intersection of two streets; however, bicyclists should still use caution when crossing a street.

Bicycling at Night

- Bicycling at night requires at least a white front light visible to others 500 feet away and a red rear reflector or light visible to others 50-500 feet away.

Regulatory Authority of Local Governments

State Statutes allow local governments to designate bicycle ways, including bicycle paths, bicycle lanes, and bicycle routes. Local governments may also prohibit bicycle use on roads under their jurisdiction, provided a public hearing is held and an ordinance is adopted.

Wisconsin State Statutes Governing Pedestrians

Pedestrian rights and duties are codified under Wisconsin Statute Chapter 346, *Rules of the Road*. At the time of this writing, no federal laws governing motorist behavior when pedestrians are present or regarding pedestrian rights and responsibilities exist; therefore, reinforcing the governance by state statute. Although Wisconsin State Statutes do govern the behavior and treatment of pedestrians, including pedestrian responsibilities, these statutes do not set forth requirements for how or when local governments provide sidewalks.

Pedestrian Rights and Duties

Wisconsin statutes require motorists to yield the right-of-way to a pedestrian in three general situations:

1. *Sidewalks*. Pedestrians have the right-of-way on a sidewalk. This means motorists must yield the right-of-way to pedestrians such as when vehicles are pulling into or out of a driveway or crossing a sidewalk.
2. *“Uncontrolled” Intersections and Unmarked Crosswalks*. Pedestrians have the right-of-way when crossing at an uncontrolled intersection and/or an unmarked crosswalk. These intersections and crosswalks are defined as those where there is no traffic signal, stop sign or traffic officer.

If a pedestrian is crossing in an unmarked crosswalk, motorists must yield the right-of-way to the pedestrian. However, pedestrians are prohibited from suddenly leaving a curb or other place of safety and walking or running into the path of a vehicle that is so close that it will be difficult for the motorist to yield.

3. *“Controlled” Intersections and Marked Crosswalks*. Pedestrians have the right-of-way when crossing at a controlled intersection and/or in a marked crosswalk. These intersections and crosswalks are defined as those where a traffic signal, stop sign, or a traffic officer controls traffic. However, a pedestrian must obey the following rules:

- If pedestrian control signals (e.g., walk/don't walk) are present, a pedestrian has the right-of-way *only* when facing a “walk” signal. Pedestrians are prohibited from starting to cross the road on a “don't walk” signal. However, if the pedestrian started to cross the road on a “walk” signal and the signal switched to “don't walk” before the pedestrian finishes crossing the road, the pedestrian should continue crossing to a sidewalk or safety zone.

- If pedestrian control signals are not present, a pedestrian may cross the roadway within any marked or unmarked crosswalk when:
1. Facing a green signal (in this instance, the pedestrian has the right-of-way), and
 2. Facing a green arrow or red signal *only if* they can do so safely and without interference to traffic (in this instance, the pedestrian must yield the right-of-way to traffic).

Pedestrians must yield the right-of-way to motor vehicles when crossing a road at a place other than a crosswalk.

Additionally, pedestrians traveling along a highway with no sidewalks are to travel along the left side of the highway (so the pedestrian walks facing oncoming traffic). As noted earlier, when a motor vehicle approaches, the pedestrian is to move, if practicable, to the extreme outer limit of the traveled portion of the highway.

Motorist Special Responsibilities

Motorists have special responsibilities when encountering specific pedestrian situations. When motorists see a pedestrian who appears blind, with a “white cane” or a seeing-eye dog, they must stop

their vehicles before approaching closer than ten feet to the pedestrian and take the necessary precautions to avoid the pedestrian. This law applies even if the blind pedestrian is in violation of pedestrian laws.

State statutes also impose other special responsibilities for motorists approaching school buses and in school zones. Motorists are required to stop for school buses displaying flashing red lights. An exception granted to motorists on divided highways that are driving in the opposite direction exists, allowing the continuance of motor vehicle traffic.

In school zones, motorists are required to follow the direction of crossing guards and to slow their speed if children are present. State law mandates a 15 mile-per-hour (m.p.h.) speed limit in school zones and school crossings when children are present. However, state law allows municipal adoption of a 20 m.p.h. speed limit in school zones but they must post this higher speed limit. It is the motorists’ responsibility to reduce their speed to 15 m.p.h. if no speed limit is posted in a school zone. A 15 m.p.h. speed limit is also mandated when a motorist passes a safety zone occupied by pedestrians and at which a public passenger vehicle, such as a bus, has stopped for the purpose of receiving or discharging passengers.

Source: Wisconsin Pedestrian Policy Plan 2020

Wisconsin Pedestrian Laws

The statutes in this material have been generated from the 2001-2002 Wisconsin Statutes, but may not be an exact duplication. Please refer to the Wisconsin Statutes for the official text.

Legal definitions:

340.01(10)

(10) "Crosswalk" means either of the following, except where signs have been erected by local authorities indicating no crossing:

- (a) *Marked crosswalk.* Any portion of a highway clearly indicated for pedestrian crossing by signs, lines or other markings on the surface; or
- (b) *Unmarked crosswalk.* In the absence of signs, lines or markings, that part of a roadway, at an intersection, which is included within the transverse lines which would be formed on such roadway by connecting the corresponding lateral lines of the sidewalks on opposite sides of such roadway or, in the absence of a corresponding sidewalk on one side of the roadway, that part of such roadway which is included within the extension of the lateral lines of the existing sidewalk across such roadway at right angles to the center line thereof, except in no case does an unmarked crosswalk include any part of the intersection and in no case is there an unmarked crosswalk across a street at an intersection of such street with an alley.

340.01(43)

(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 personal assistive mobility device.

340.01(43g)

(43g) "Person with a disability that limits or impairs the ability to walk" means any person with a disability as defined by the federal Americans with disabilities act of 1990, 42 USC 12101 et seq., so far as applicable, or any person who meets any of the following conditions:

- (a) Cannot walk 200 feet or more without stopping to rest.
- (b) Cannot walk without the use of, or assistance from, another person or a brace, cane, crutch, prosthetic device, wheelchair or other assistive device.
- (c) Is restricted by lung disease to the extent that forced expiratory volume for one second when measured by spirometry is less than one liter or the arterial oxygen tension is less than 60 millimeters of mercury on room air at rest.
- (d) Uses portable oxygen.
- (e) Has a cardiac condition to the extent that functional limitations are classified in severity as class III or IV, according to standards accepted by the American Heart Association on May 3, 1988.
- (f) Is severely limited in the ability to walk due to an arthritic, neurological or orthopedic condition.
- (g) Has a degree of disability equal to that specified in pars. (a) to (f).

340.01(43m)

(43m) "Play vehicle":

- (a) Means a coaster, skate board, roller skates, sled, toboggan, unicycle or toy vehicle upon which a person may ride.
- (b) Does not include in-line skates.

340.01(55)

(55) "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians, including those about to board or alighting from public conveyances, and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

340.01(58)

(58) "Sidewalk" means that portion of a highway between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, constructed for use of pedestrians.