



City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin
53202

Legislation Text

File #: 020454, Version: 1

020454
SUBSTITUTE 1

THE CHAIR

A substitute ordinance relating to rules of the road.

101-3-1 am

Section 101-3 of the code adopts, among other things, ch. 346 of the Wisconsin Statutes (1969) and all subsequent amendments thereto defining and describing regulations with respect to vehicles and traffic. In a decision and order of the United States District Court, Eastern District of Wisconsin, dated May 29, 2002, United States District Judge Lynn Adelman found s. 346.94(4), Wis. Stats., to be unconstitutional because it burdens the right of free speech. This ordinance specifically excludes s. 346.94(4), Wis. Stats., from s. 101-3-1 of the code.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 101-3-1 of the code is amended to read:

101-3. Rules of the Road .

1. CITY ADOPTS STATE RULE. The city of Milwaukee adopts ch. 346, Wis. Stats., 1969, and all subsequent amendments thereto, defining and describing regulations with respect to vehicles and traffic for which the penalty is a forfeiture only, including penalties to be imposed; except as provided in s. 101-34.>>Excluded from this general adoption of ch. 346, Wis. Stats., Wis. is s. 346.94(4), Wis. Stats.<< The city of Milwaukee also adopts s. 346.63(1), Wis. Stats., prohibiting driving or operating a motor vehicle while under the influence of an intoxicant or a controlled substance or a combination of an intoxicant and a controlled substance while that person has a blood alcohol concentration of 0.1% or more by weight of alcohol in that person's blood or 0.1 grams or more of alcohol in 210 liters of that person's breath.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFOCEABLE

Office of the City Attorney

Date: _____

RMK:Imb
City Attorney
6/12/2002
54495

LRB02333-2
TWM/cac
6/27/2002