

## State Statutes

### 346.01 Words and phrases defined.

(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 scooter or an electric personal assistive mobility device.

### 346.24 Crossing at uncontrolled intersection or crosswalk.

(1) At an intersection or crosswalk where traffic is not controlled by traffic control signals or by a traffic officer, the operator of a vehicle shall yield the right-of-way to a pedestrian or personal delivery device, or to a person riding a bicycle, electric scooter, or electric personal assistive mobility device in a manner which is consistent with the safe use of the crosswalk by pedestrians, that is crossing the highway within a marked or unmarked crosswalk.

(2) No pedestrian, personal delivery device, bicyclist, or rider of an electric scooter or an electric personal assistive mobility device may suddenly leave, and no personal delivery device operator may allow a personal delivery device to suddenly leave, a curb or other place of safety and walk, run, or ride into the path of a vehicle which is so close that it is difficult for the operator of the vehicle to yield.

(3) Whenever any vehicle is stopped at an intersection or crosswalk to permit a pedestrian, personal delivery device, bicyclist, or rider of an electric scooter or an electric personal assistive mobility device to cross the roadway, the operator of any other vehicle approaching from the rear may not overtake and pass the stopped vehicle.

**History:** [1985 a. 69](#); [2001 a. 90](#); [2017 a. 13](#); [2019 a. 11](#).

In order for a motorist to have a duty to yield under this section, the pedestrian must be “crossing” within the crosswalk as provided under sub. (1) and not have entered in such a manner as to make it difficult for the motorist to yield as provided under sub. (2). The requirements under s. 346.23, however, are that the pedestrian be “crossing” or have “started to cross” on a “Walk” light. The burden on the motorist is more absolute under s. 346.23 than under this section. *Schoenauer v. Wendinger*, [49 Wis. 2d 415](#), [182 N.W.2d 441](#) (1971).

### 346.94 Miscellaneous prohibited or restricted acts.

(18s) ELECTRIC SCOOTERS ON ROADWAYS, SIDEWALKS, BICYCLE LANES, AND BICYCLE WAYS.

(a) Except as otherwise prohibited in this chapter, a person may operate an electric scooter upon any roadway, sidewalk, bicycle lane, or bicycle way that is under the jurisdiction of the department or that is open to operation of bicycles.

(b) A person may operate an electric scooter upon any roadway, sidewalk, bicycle lane, or bicycle way under the jurisdiction of a local authority, subject to any restrictions or prohibitions specified by municipal ordinance enacted under s. [349.237](#).

(c) No person may operate an electric scooter upon any roadway, sidewalk, bicycle lane, or bicycle way at a speed in excess of 15 miles per hour.

**349.237 Authority to regulate electric scooters.** The governing body of any municipality or county may, by ordinance, regulate the rental and operation of electric scooters in a manner consistent with the regulation of bicycles in the municipality or county, except that the governing body of any municipality or county may do any of following:

- (1) Restrict or prohibit the operation of electric scooters on any roadway under its jurisdiction having a speed limit of more than 25 miles per hour.
- (2) Restrict or prohibit the operation of electric scooters on any sidewalk or bicycle way under its jurisdiction.
- (3) Establish requirements for and limitations on the parking of electric scooters on roadways, sidewalks, bicycle lanes, or bicycle ways under its jurisdiction.
- (4) Restrict or prohibit the short-term commercial rental of electric scooters to the general public.