

the physical disability

FILE

information for and about people with physical disabilities

When “Walk Your Vehicle” Makes Sense

What has wheels and a motor, and carries human passengers.... but isn't a motor vehicle? The answer we're looking for is: wheelchairs and scooters used by people with physical disabilities.

In the eyes of the law, neither is considered a motor vehicle. Instead, the laws established for pedestrians on foot also apply to people with physical disabilities who use motorized wheelchairs or scooters. People using manual wheelchairs also are considered pedestrians.

Section 340.01(43) of the Wisconsin statutes defines a pedestrian as:

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 person with a physical disability.

This statute came about because law enforcement was not sure what laws applied to people with physical disabilities using wheelchairs and scooters on a roadway.

How does this definition affect wheelchair and scooter users? First, they are expected to cross intersections at designated crosswalks and to comply with traffic or crosswalk lights—just like other pedestrians. When no crosswalk is available, they must yield right of way to all vehicles on the road before crossing—just like other pedestrians.

Second, state statute establishes rules for pedestrians when they travel on a roadway.

346.28 (1) Any pedestrian traveling along and upon a highway other than upon a sidewalk shall travel on and along the left side of the highway and upon meeting a vehicle shall, if practicable, move to the extreme outer limit of the traveled portion of the highway.

The laws pertaining to pedestrians and their safety can be found on the web site of the Wisconsin Department of Transportation at: <http://www.dot.wisconsin.gov/safety/motorist/pedestrians/>.

FILE #28: May 2002, revised April 2013. This edition was updated by Dan C Johnson. Alternative format versions are available. Write us at: PO Box 7851, Madison, WI 53707-7851. E-mail us at: Dan.Johnson@dhs.Wisconsin.gov Wisconsin Coordinator of Resources for Persons with Physical Disabilities—Department of Health Services, Division of Long-Term Care, Bureau of Aging & Disability Resources. Visit our web site at www.dhs.wisconsin.gov/disabilities.