

1985 Senate Bill 284

Date of enactment: November 20, 1985

Date of publication: November 26, 1985

1985 Wisconsin Act 82

AN ACT to renumber and amend 343.31 (3) (d) and 346.17 (3); and to create 343.31 (3) (d) 1 to 4, 346.03 (6) and 346.17 (3) (b) to (d) of the statutes, relating to high speed pursuit and emergency driving guidelines and penalties for eluding a traffic officer.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 343.31 (3) (d) of the statutes is renumbered 343.31 (3) (d) (intro.) and amended to read:

343.31 (3) (d) (intro.) Any person convicted of knowingly fleeing or attempting to elude a traffic officer shall have his or her operating privilege revoked ~~for 6 months.~~ as follows:

SECTION 2. 343.31 (3) (d) 1 to 4 of the statutes are created to read:

343.31 (3) (d) 1. If the offense did not result in bodily harm to another or damage to the property of another, for 6 months.

2. If the offense results in bodily harm to another or causes damage to the property of another, as provided in par. (a).

3. If the offense results in great bodily harm to another, for 2 years.

4. If the offense results in the death of another, for 5 years.

SECTION 2m. 346.03 (6) of the statutes is created to read:

346.03 (6) Every law enforcement agency which uses authorized emergency vehicles shall provide written guidelines for its officers and employes regarding exceeding speed limits when in pursuit of actual or suspected violators. The guidelines shall consider,

among other factors, road conditions, density of population, severity of crime and necessity of pursuit by vehicle. The guidelines are not subject to requirements for rules under ch. 227.

SECTION 3. 346.17 (3) of the statutes is renumbered 346.17 (3) (a) and amended to read:

346.17 (3) (a) ~~Any~~ Except as provided in par. (b), (c) or (d), any person violating s. 346.04 (3) shall be fined not less than \$300 nor more than \$2,000 and may be imprisoned for not more than one year in the county jail.

SECTION 4. 346.17 (3) (b) to (d) of the statutes are created to read:

346.17 (3) (b) If the violation results in bodily harm, as defined in s. 939.22 (4), to another, or causes damage to the property of another, as defined in s. 939.22 (28), the person shall be fined not less than \$500 nor more than \$2,000 and may be imprisoned for not more than one year in the county jail.

(c) If the violation results in great bodily harm, as defined in s. 939.22 (14), to another, the person shall be fined not less than \$600 nor more than \$10,000 and may be imprisoned for not more than 2 years.

(d) If the violation results in the death of another, the person shall be fined not less than \$600 nor more than \$10,000 and may be imprisoned for not more than 5 years.