2013 Assembly Bill 539 (LRB -2859)

An Act to amend 346.215 and 347.25 (1) of the statutes; relating to: emergency vehicles operated as escorts for vehicle processions.

2013

12-06.	A.	Introduced by Representatives **Kleefisch**, **Tittl**, **Bies**, **Zepnick** and **Ohnstad**; cosponsored by Senator **Lehman**.	489
12-06.	A.	Read first time and referred to Committee on Transportation	489

2014

01-15.	A.	Public hearing held	
02-04.	A.	Executive action taken	
02-07.	A.	Report passage recommended by Committee on Transportation, Ayes 14, Noes 1	592
02-07.	A.	Referred to Committee on Rules	592
02-13.	A.	Placed on calendar 2-18-2014 by Committee on Rules	
02-18.	A.	Representative Barca added as a coauthor	656
02-18.	A.	Read a second time	655
02-18.	A.	Ordered to a third reading	655
02-18.	A.	Rules suspended	655
02-18.	A.	Read a third time and **passed**	655
02-18.	A.	Ordered immediately messaged	656
02-19.	S.	Received from Assembly	694
02-19.	S.	Read first time and referred to committee on Transportation, Public Safety, and Veterans and Military Affairs	696
03-18.	S.	Public hearing held	
03-18.	S.	Executive action taken	
03-18.	S.	Report concurrence recommended by Committee on Transportation, Public Safety, and Veterans and Military Affairs, Ayes 5, Noes 0	784
03-18.	S.	Available for scheduling	
03-31.	S.	Placed on calendar 4-1-2014 pursuant to Senate Rule 18(1)	822
04-01.	S.	Read a second time	
04-01.	S.	Ordered to a third reading	
04-01.	S.	Rules suspended	
04-01.	S.	Read a third time and **concurred in**	
04-01.	S.	Ordered immediately messaged	
04-02.	A.	Received from Senate concurred in	

2013
ENROLLED BILL

13en A **B-** 539

ADOPTED DOCUMENTS:

☒ **Orig** ☐ **Engr** ___ **SubAmdt** ___ **13-** 2859 / 1

Amendments to above (if none, write "NONE"): None

Corrections – show date (if none, write "NONE"): None

Topic Rel

4-3-14
Date

Enrolling Drafter

State of Wisconsin
2013 - 2014 LEGISLATURE

LRB-2859/1
ARG:eev:rs

2013 ASSEMBLY BILL 539

December 6, 2013 – Introduced by Representatives KLEEFISCH, TITTL, BIES, ZEPNICK and OHNSTAD, cosponsored by Senator LEHMAN. Referred to Committee on Transportation.

1 AN ACT *to amend* 346.215 and 347.25 (1) of the statutes; **relating to:** emergency
2 vehicles operated as escorts for vehicle processions.

Analysis by the Legislative Reference Bureau

Current law generally exempts the operator of an authorized emergency vehicle from traffic restrictions relating to speed and traffic signals only if the vehicle is responding to an emergency call or in pursuit of an actual or suspected violator of the law and if the vehicle's warning lights and siren are activated. However, police vehicles may, with warning lights activated, escort another vehicle or procession of vehicles. With each escorted vehicle or vehicle procession, there must be at least one police vehicle escort in the lead and at least one police vehicle escort at the rear of the vehicle or procession. The escorting police vehicles and escorted vehicles are not required to stop at red traffic signals or stop signs but must obey all other traffic laws. These privileges apply to the operator of a police vehicle only if the law enforcement agency employing the operator has provided written guidelines for its officers and employees regarding the escorting of vehicles. The escorting police vehicles and escorted vehicles must yield the right-of-way to any other authorized emergency vehicle with its siren activated. All other vehicles must yield the right-of-way to the escorting police vehicles and escorted vehicles and may not drive between them.

This bill allows certain other authorized emergency vehicles, including fire department vehicles and ambulances, to escort other vehicles or vehicle processions,

with warning lights activated, in the same manner, and subject to the same privileges and limitations, as police vehicles under current law.

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

1 **SECTION 1.** 346.215 of the statutes is amended to read:

2 **346.215 ~~Police~~ Emergency vehicles operated as escorts and**
3 **rights–of–way related to escorted vehicles. (1)** In this section, ~~"police~~
4 "emergency vehicle" means an authorized emergency vehicle as defined in s. 340.01
5 (3) (a), (c), (dm), (e), (f), (g), (h), or (i).

6 **(2)** (a) Except as provided in par. (b), and notwithstanding s. 346.03 (1) and (4),
7 the operator of ~~a police~~ an emergency vehicle escorting any vehicle or procession of
8 vehicles may exercise the privileges specified in s. 346.03 (2) (b) if the operator of the
9 ~~police~~ emergency vehicle is giving visual signal as described in s. 346.03 (3). The
10 operator of the ~~police~~ emergency vehicle under this subsection is not required to give
11 an audible signal as described in s. 346.03 (3). This subsection applies only if the
12 vehicle, or in the case of a procession of vehicles the entire procession, is escorted by
13 at least 2 ~~police~~ emergency vehicles, at least one of which is leading the vehicle or
14 procession of vehicles and at least one of which is at the rear of the vehicle or
15 procession of vehicles, and only if the requirement under sub. (4) is satisfied.
16 Notwithstanding ss. 346.18 (3), 346.37 (1) (c) 1., and 346.46 (1) and (2), any operator
17 of a vehicle being escorted under this subsection may accompany these ~~police~~
18 emergency vehicles as they proceed past any red or stop signal or stop sign in
19 accordance with the privileges specified in this subsection.

20 (b) The operator of ~~a police~~ an emergency vehicle escorting a vehicle or
21 procession of vehicles, and the operator of any vehicle being escorted, shall yield the

right–of–way in accordance with s. 346.19 upon the approach of an authorized emergency vehicle giving an audible signal by siren.

(3) Except as provided in sub. (2) (b), the operator of a vehicle other than an escorted vehicle or escorting ~~police~~ emergency vehicle shall yield the right–of–way at an intersection to an escorted vehicle or escorting ~~police~~ emergency vehicle and shall not, except when authorized to do so by a traffic officer, drive between these escorting and escorted vehicles.

(4) The privileges specified in sub. (2) (a) do not apply to the operator of ~~a police~~ an emergency vehicle unless, prior to escorting any vehicle as provided under sub. (2) (a), the ~~law enforcement agency employing~~ employer of the operator of the ~~police~~ emergency vehicle has provided written guidelines for its ~~officers and~~ employees regarding the escorting of vehicles under this section.

SECTION 2. 347.25 (1) of the statutes, as affected by 2013 Wisconsin Act .... (Assembly Bill 280), is amended to read:

347.25 **(1)** Except as provided in subs. (1m) (a), (1n), (1r), and (1s), an authorized emergency vehicle may be equipped with one or more flashing, oscillating, or rotating red lights, except that ambulances, fire department equipment, privately owned motor vehicles under s. 340.01 (3) (d), (dg), or (dm) being used by personnel of a full–time or part–time fire department, by members of a volunteer fire department or rescue squad, or by an organ procurement organization or any person under an agreement with an organ procurement organization, and privately owned motor vehicles under s. 340.01 (3) (dh) being used to transport or pick up medical devices or equipment, may be equipped with red or red and white lights, and shall be so equipped when the operator thereof is exercising the privileges granted by s. 346.03 or 346.215 (2) (a). The lights shall be so designed and mounted

as to be plainly visible and understandable from a distance of 500 feet both during normal sunlight and during hours of darkness. No operator of an authorized emergency vehicle may use the warning lights except when responding to an emergency call or when in pursuit of an actual or suspected violator of the law, when responding to but not upon returning from a fire alarm, when transporting an organ for human transplantation, when transporting medical personnel for the purpose of performing human organ harvesting or transplantation immediately after the transportation, ~~or~~ when necessarily parked in a position which is likely to be hazardous to traffic, or as authorized under s. 346.215 (2) (a).

SECTION 3. Initial applicability.

(1) This act first applies to vehicles operated on the effective date of this subsection.

(END)