



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2017 Senate Bill 574**

**Senate Amendment 1**

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### CURRENT LAW

Current law<sup>1</sup> prohibits a vehicle operator having received a visual or audible signal to stop his or her vehicle from a traffic officer or **marked police vehicle** from doing either of the following:

- Knowingly resisting the officer by failing to stop his or her vehicle as promptly as safety reasonably permits.
- Knowingly fleeing or attempting to elude any officer by willful or wanton disregard of such signal so as to interfere with or endanger the operation of the police vehicle the officer or other vehicle or pedestrians. The operator is also prohibited from increasing the speed of the operator's vehicle or extinguishing the lights of the vehicle in an attempt to elude or flee.

### 2017 SENATE BILL 574

Senate Bill 574 replaces reference to "marked police vehicle" with "an **authorized emergency vehicle**<sup>2</sup> that the operator knows or should reasonably know if being operated by a law enforcement officer."

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<sup>1</sup> Current law also generally requires a vehicle operator to yield the right-of-way to any approaching authorized emergency vehicle giving audible signal by siren. [s. 346.19, Stats.]

<sup>2</sup> "Authorized emergency vehicle" is defined in s. 340.01 (3), Stats., and includes numerous vehicle types (e.g., police vehicles operated by law enforcement officers).

## **SENATE AMENDMENT 1**

Senate Amendment 1 replaces reference to “marked police vehicle” with a different reference than what is used in the bill. Specifically, Senate Amendment 1 replaces this reference with “**marked or unmarked police vehicle** that the operator knows or should reasonably know if being operated by a law enforcement officer.”

## **BILL HISTORY**

Senator Wanggaard offered Senate Amendment 1 on January 5, 2018. The Senate Committee on Judiciary and Public Safety voted on January 16, 2018 to recommend adoption of Senate Amendment 1 and passage of Senate Bill 574, as amended, on votes of Ayes, 5; Noes, 0.

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