

2019 DRAFTING REQUEST

Bill

For: **Tod Ohnstad (608) 266-0455** Drafter: **zwyatt**
 By: **Matt** Secondary Drafters:
 Date: **6/21/2019** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email: **Rep.Ohnstad@legis.wisconsin.gov**
 Carbon copy (CC) to: **zachary.wyatt@legis.wisconsin.gov**
eric.mueller@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Warning lamps on community service officer vehicles

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	zwyatt 6/24/2019	ccarmich 6/24/2019			
/P1	zwyatt 7/18/2019	ccarmich 7/22/2019	mbarman 6/24/2019		
/P2			dwalker 7/22/2019		
/1			dwalker 11/1/2019	dwalker 11/1/2019	

- Per EDW

FE Sent For:

NOT Needed

<END>

Wyatt, Zachary

From: Egerer, Matt
Sent: Thursday, June 20, 2019 12:09 PM
To: Wyatt, Zachary
Subject: RE: Red Lights for Community Service Officers

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you Zach.

1. We will need to define CSO. If you want to provide a definition, that is fine. Otherwise, I can take a crack at it.

Feel free to draft a definition and we can ensure it meets the need.

2. Are the vehicles driven by CSOs privately owned or are they municipal/county vehicles?

We would like to actually be rather restrictive here – limited to municipally owned (or leased), marked vehicles, and licensed with the official (star) plates.

3. When you say you want to leave it up to the local government whether to allow it, are you envisioning an ordinance requirement? If not, I will simply add these vehicles to the list of vehicles authorized to use special warning lamps. It's not a requirement, so it would already be up to the local agency whether to go that route.

Yes, lets add it to the authorization as suggested. We just didn't want local gov'ts to be forced to make this change if they weren't interested.

From: Wyatt, Zachary <Zachary.Wyatt@legis.wisconsin.gov>
Sent: Thursday, June 20, 2019 10:44 AM
To: Egerer, Matt <Matt.Egerer@legis.wisconsin.gov>
Subject: FW: Red Lights for Community Service Officers

Matt,

1. We will need to define CSO. If you want to provide a definition, that is fine. Otherwise, I can take a crack at it.
2. Are the vehicles driven by CSOs privately owned or are they municipal/county vehicles?
3. When you say you want to leave it up to the local government whether to allow it, are you envisioning an ordinance requirement? If not, I will simply add these vehicles to the list of vehicles authorized to use special warning lamps. It's not a requirement, so it would already be up to the local agency whether to go that route.

Thanks,

Zachary D. Wyatt

Legislative Attorney

Wisconsin Legislative Reference Bureau

zachary.wyatt@legis.wisconsin.gov

608.504.5843

The information contained in this communication may be confidential and protected by the attorney-client privilege.

From: Mueller, Eric <Eric.Mueller@legis.wisconsin.gov>
Sent: Thursday, June 20, 2019 9:50 AM
To: Wyatt, Zachary <Zachary.Wyatt@legis.wisconsin.gov>
Subject: FW: Red Lights for Community Service Officers

Eric Mueller
Attorney, Legislative Reference Bureau
Phone: (608)261-7032
eric.mueller@legis.wisconsin.gov

From: Egerer, Matt <Matt.Egerer@legis.wisconsin.gov>
Sent: Wednesday, June 19, 2019 3:54 PM
To: Mueller, Eric <Eric.Mueller@legis.wisconsin.gov>; Shovers, Marc <Marc.Shovers@legis.wisconsin.gov>
Subject: Red Lights for Community Service Officers

Eric and/or Marc,

This draft is for whoever is most appropriate (contacting under the "local government" website tab). Rep. Ohnstad would like to request a bill draft that would allow for a police "community service officer (CSO)" vehicles to use red lights on top of the car and/or otherwise as is standard with similar vehicles.

CSOs, at least in communities such as Kenosha, are not sworn officers (and thus cannot use blue lights), but they often use their vehicles to spell squad cars that are doing traffic enforcement, or for other pseudo-police activities in place of sworn officers.

We can help further define CSOs if there are questions or they aren't otherwise described in statute.

We want to leave this decision of whether to change lighting patterns up to the local government that oversees the law enforcement agency, but we wanted to provide this option.

Matt Egerer
Office of Representative Tod Ohnstad
Wisconsin State Representative
608.266.0455



nr 6/24/2019
out 6/26/2019

LRB-3571(?) /PI
ZDW:edc

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SIA
x-ref
slc

gc

1 **AN ACT ...; relating to:** warning lamps on community service officer vehicles.

Analysis by the Legislative Reference Bureau

This bill provides that a publicly owned or leased vehicle that is displaying public official registration plates, is marked as a community service officer vehicle, and is being operated in the course of official business by a community service officer may be equipped with one or more flashing, oscillating, or rotating red lights. The bill defines "community service officer" as an individual who is not a sworn law enforcement officer and who supports basic law enforcement operations in an official capacity. Under current law, an authorized emergency vehicle may be equipped with one or more flashing, oscillating, or rotating red light^s.

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

2 **SECTION 1.** 347.25 (1w) of the statutes is created to read:

3 347.25 (1w) (a) In this subsection, "community service officer" means an
4 individual who is not a sworn law enforcement officer and who supports basic law
5 enforcement operations in an official capacity.

6 (b) Publicly owned or leased vehicles registered under s. 341.26 (2m) (am) that
7 are displaying registration plates with the word "Official" and a star symbol, marked

1 as community service officer vehicles, and being operated in the course of official
2 business by a community service officer may be equipped with one or more flashing,
3 oscillating, or rotating red lights.

4 (END)

Wyatt, Zachary

From: Egerer, Matt
Sent: Wednesday, July 17, 2019 3:15 PM
To: Wyatt, Zachary
Subject: LRB 3571 - Red Lights

Rep. Ohnstad would like to make a modification to LRB 3571 that would restrict the circumstances when the red lights can be used.

We would like to restrict the use to when a CSO vehicle is stationary and being used to direct traffic or alert drivers to a hazard or emergency situation.

Matt Egerer
Office of Representative Tod Ohnstad
Wisconsin State Representative
608.266.0455



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT *to create* 347.25 (1w) of the statutes; **relating to:** warning lamps on
2 community service officer vehicles.

Analysis by the Legislative Reference Bureau

This bill provides that a publicly owned or leased vehicle that is displaying public official registration plates, is marked as a community service officer vehicle, and is being operated in the course of official business by a community service officer^{training} may be equipped with one or more flashing, oscillating, or rotating red lights. The bill defines "community service officer" as an individual who is not a sworn law enforcement officer and who supports basic law enforcement operations in an official capacity. Under current law, an authorized emergency vehicle may be equipped with one or more flashing, oscillating, or rotating red lights.

that may be used only when the vehicle is stationary and being used to direct traffic or alert motorists
The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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6 enforcement operations in an official capacity.

1 (b) Publicly owned or leased vehicles registered under s. 341.26 (2m) (am) that
2 are displaying registration plates with the word "Official" and a star symbol, marked
3 as community service officer vehicles, and being operated in the course of official
4 business by a community service officer may be equipped with one or more flashing,
5 oscillating, or rotating red ^{warning} lights.

6

(END)

*No operator of a community service officer vehicle
may use the warning lights except when the
vehicle is stationary and being used to direct
traffic or alert motorists to a hazard
or emergency situation.*



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-3571/P2
ZDW:cdc

1

No
changes

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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2 community service officer vehicles.

Analysis by the Legislative Reference Bureau

This bill provides that a publicly owned or leased vehicle that is displaying public official registration plates, is marked as a community service officer vehicle, and is being operated in the course of official business by a community service officer may be equipped with one or more flashing, oscillating, or rotating red warning lights that may be used only when the vehicle is stationary and being used to direct traffic or alert motorists. The bill defines “community service officer” as an individual who is not a sworn law enforcement officer and who supports basic law enforcement operations in an official capacity. Under current law, an authorized emergency vehicle may be equipped with one or more flashing, oscillating, or rotating red lights.

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

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2 are displaying registration plates with the word "Official" and a star symbol, marked
3 as community service officer vehicles, and being operated in the course of official
4 business by a community service officer may be equipped with one or more flashing,
5 oscillating, or rotating red warning lights. No operator of a community service officer
6 vehicle may use the warning lights except when the vehicle is stationary and being
7 used to direct traffic or alert motorists to a hazard or emergency situation.

8 (END)

Walker, Dan

From: LRB.Legal
To: Rep.Ohnstad@legis.wisconsin.gov
Subject: Draft review: LRB -3571/1
Attachments: 19-3571/1

State of Wisconsin - Legislative Reference Bureau
One East Main Street - Suite 200 - Madison

The attached draft was prepared at your request. Please review it carefully to ensure that it satisfies your intent. If you have any questions concerning the draft or would like to have it redrafted, please contact Zachary Wyatt, Legislative Attorney, at (608) 504-5843, at zachary.wyatt@legis.wisconsin.gov, or at One East Main Street, Suite 200.

We will jacket this draft for introduction in the Assembly.

If a jacket is needed immediately, please let us know in your response e-mail so we know to immediately jacket the proposal for you.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will submit a request to DOA when the draft is introduced. You may obtain a fiscal estimate on the draft prior to introduction by contacting our program assistants at LRB.Legal@legis.wisconsin.gov or at (608) 266-3561. If you requested a fiscal estimate on an earlier version of this draft and would like to obtain a fiscal estimate on the current version before it is introduced, you will need to request a revised fiscal estimate from our program assistants.

Please call our program assistants at (608) 266-3561 if you have any questions regarding this email.