

CHAPTER 610.

AN ACT to renumber 85.92 to be 85.92 (2); to amend 85.91 (2) and 85.92 (2) as renumbered; to create 85.92 (1) of the statutes, relating to motor vehicles stopping at railroad-highway grade crossings.

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

SECTION 1. 85.91 (2) of the statutes is amended to read:

85.91 (2) Any person violating any of the provisions of section 85.14 (2), section 85.15 (1), (2) and (3), section 85.16 (3) to (7) and (9), (10), (11) and (12), section 85.18 (7), section 85.19 (1), (5) and (9), sections 85.20, 85.24, 85.29, 85.30 and 85.32, section 85.34 (3), sections 85.36 to 85.38, section 85.39 (3), section 85.40 (1) (a) and (b) and (2) (c), section 85.41 (2), sections 85.45, 85.47, 85.48, 85.49, 85.51, 85.52, 85.54 to 85.60 and 85.62 * * *, section 85.67 (1) and section 85.92 (1) shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not to exceed \$25 for the first offense and for the second or each subsequent conviction within one year thereafter, by a fine not to exceed \$100 or by imprisonment in the county or municipal jail for not more than 30 days or by both such fine and imprisonment.

SECTION 2. 85.92 of the statutes is renumbered 85.92 (2) and amended to read:

85.92 (2) Any person operating any motor vehicle described in sections 40.34 and 194.01 or a vehicle carrying inflammable liquids in quantities over 100 gallons who shall * * * drive any such vehicle on or across a grade crossing with the main line tracks of any railroad or interurban railway company, * * * whether or not such crossing is protected by crossing * * * protective devices or by flagmen, without coming to a full stop at a distance from such tracks of at least 20 and not more than 40 feet, shall be * * * fined not less than \$10 nor more than \$100 * * *, or * * * imprisoned * * * not less than 10 nor more than 90 days, or * * * both. * * * The provisions of this section * * * do not apply to crossings with interurban railroad tracks which are laid on or along public streets within the corporate limits of any incorporated city or village. The school board or public service commission may refuse to accept the bond of any person who has been convicted of a violation of the provisions of this section, and may cancel any such bond theretofore issued if it believes that the safety of the public requires such action.

SECTION 3. 85.92 (1) of the statutes is created to read:

85.92 STOP AT RAILROAD CROSSING. (1) No operator of a vehicle shall drive on or across a grade crossing with the main line tracks of any railroad or interurban railroad while any peace officer or railroad employe signals to stop; or while any warning device signals to stop, except that in the latter case if after stop and investigation he finds that no train or car is approaching he may proceed. The provisions of this section do not apply to crossings with interurban railroad tracks which are laid on or along public streets within the corporate limits of any incorporated city or village.

Approved August 3, 1949.
