1995 ASSEMBLY BILL 905

February 21, 1996 – Introduced by Representatives Krusick, Freese, Silbaugh, Olsen and Schneiders, cosponsored by Senators Buettner, Grobschmidt, Burke and Rude. Referred to Committee on Highways and Transportation.

- 1 AN ACT to amend 346.49 (1) (a); and to create 346.49 (1) (am) of the statutes;
- 2 **relating to:** vehicles stopping at railroad crossings and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, when the operator of a vehicle approaches an official stop sign at a railroad crossing, the operator must stop at least 10 feet but not more than 30 feet from the nearest rail before proceeding on or over the railroad crossing. A person who fails to stop may be required to forfeit not less than \$20 nor more than \$40 or, for a 2nd or subsequent violation within a year, not less than \$50 nor more than \$100.

This bill increases these forfeiture amounts to not less than \$100 nor more than \$200 for a first violation or, for a 2nd or subsequent violation within a year, not less than \$250 nor more than \$500.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

- **Section 1.** 346.49 (1) (a) of the statutes is amended to read:
- 4 346.49 (1) (a) Unless otherwise provided in par. (b) or (c), any person violating
- 5 s. 346.46 (1), (2m) or (4) or 346.47 may be required to forfeit not less than \$20 nor
- 6 more than \$40 for the first offense and not less than \$50 nor more than \$100 for the
- 7 2nd or subsequent conviction within a year.

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SECTION 2. 346.49 (1) (am) of the statutes is created to read:
346.49 (1) (am) Unless otherwise provided in par. (b), any person violating s.
346.46 (3) may be required to forfeit not less than \$100 nor more than \$200 for the
first offense and not less than \$250 nor more than \$500 for the 2nd or subsequent
conviction within a year.
Section 3. Initial applicability.
(1) This act first applies to offenses committed on the effective date of this
subsection, but does not preclude the counting of other convictions as prior
convictions for purposes of sentencing a person or suspending or revoking a person's
operating privilege.

(END)