



2013 ASSEMBLY BILL 714

January 31, 2014 – Introduced by Representative RIPP, cosponsored by Senator PETROWSKI. Referred to Committee on Transportation.

1 **AN ACT to amend** 346.07 (3) and 346.59 (2) of the statutes; **relating to:** yielding
2 to an overtaking vehicle.

Analysis by the Legislative Reference Bureau

Current law requires the driver of a vehicle that is being passed on the left by another vehicle traveling in the same direction to give way to the right in favor of the overtaking vehicle upon hearing the driver of the overtaking vehicle give an audible signal that he or she intends to pass. The driver of the vehicle that is being passed may not increase his or her speed until the overtaking vehicle has completed its pass. However, current law does not require the driver of a passing vehicle to make an audible signal that he or she intends to pass. Current law also requires the operator of a vehicle moving at a speed so slow as to impede the normal and reasonable movement of traffic to, if practicable, yield the roadway to an overtaking vehicle whenever the operator of the overtaking vehicle gives audible warning.

This bill eliminates the reference to an audible signal or warning by the driver of an overtaking vehicle, so that the requirements on the driver of the vehicle being passed apply regardless of whether an audible signal or warning is made.

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

3 **SECTION 1.** 346.07 (3) of the statutes is amended to read:

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1 346.07 **(3)** Except when overtaking and passing on the right is permitted, the
2 operator of an overtaken vehicle shall give way to the right in favor of the overtaking
3 vehicle ~~on audible signal~~ and shall not increase the speed of the vehicle until
4 completely passed by the overtaking vehicle.

5 **SECTION 2.** 346.59 (2) of the statutes is amended to read:

6 346.59 **(2)** The operator of a vehicle moving at a speed so slow as to impede the
7 normal and reasonable movement of traffic shall, if practicable, yield the roadway
8 to an overtaking vehicle ~~whenever the operator of the overtaking vehicle gives~~
9 ~~audible warning with a warning device~~ and shall move at a reasonably increased
10 speed or yield the roadway to overtaking vehicles when directed to do so by a traffic
11 officer.

12

(END)