

State of Wisconsin



1995 Assembly Bill 233

Date of enactment: **August 9, 1995**
Date of publication*: **August 23, 1995**

1995 WISCONSIN ACT 36

AN ACT *to amend* 340.01 (3) (a), 346.03 (3), 346.03 (4) (intro.) and 346.03 (5); and *to create* 346.03 (4m) of the statutes; **relating to:** modifying the definition of authorized emergency vehicle to include bicycles being operated by law enforcement officers.

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

SECTION 1. 340.01 (3) (a) of the statutes is amended to read:

340.01 (3) (a) Police vehicles, whether publicly or privately owned; Police vehicles include bicycles being operated by law enforcement officers.

SECTION 2. 346.03 (3) of the statutes is amended to read:

346.03 (3) The exemption granted the operator of an authorized emergency vehicle by sub. (2) (a) applies only when the operator of the vehicle is giving visual signal by means of at least one flashing, oscillating or rotating red light except that the visual signal given by a police vehicle may be by means of a blue light and a red light which are flashing, oscillating or rotating, except as otherwise provided in sub. (4m). The exemptions granted by sub. (2) (b), (c) and (d) apply only when the operator of the emergency vehicle is giving both such visual signal and also an audible signal by means of a siren or exhaust whistle, except as otherwise provided in sub. (4) or (4m).

SECTION 3. 346.03 (4) (intro.) of the statutes is amended to read:

346.03 (4) (intro.) ~~A~~ Except as provided in sub. (4m), a law enforcement officer operating a police vehicle shall otherwise comply with the requirements of sub. (3) relative to the giving of audible and visual signals but may exceed the speed limit without giving audible and visual signal under the following circumstances:

SECTION 4. 346.03 (4m) of the statutes is created to read:

346.03 (4m) A law enforcement officer operating a police vehicle that is a bicycle is not required to comply with the requirements of sub. (3) relative to the giving of audible and visual signals.

SECTION 5. 346.03 (5) of the statutes is amended to read:

346.03 (5) The exemptions granted the operator of an authorized emergency vehicle by this section do not relieve such operator from the duty to drive or ride with due regard under the circumstances for the safety of all persons nor do they protect such operator from the consequences of his or her reckless disregard for the safety of others.

* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].