

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-SB349)**

Received: 03/29/2000

Received By: nilsepe

Wanted: As time permits

Identical to LRB:

For: Scott Suder (608) 267-0280

By/Representing: Ann

This file may be shown to any legislator: NO

Drafter: nilsepe

May Contact:

Alt. Drafters:

Subject: **Transportation - traffic laws**

Extra Copies: **TNF**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Penalties for traffic violations in emergency response zones

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**Instructions:**

Draft 99AB929 a

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

<END>

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Thurs. 9 AM

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**1999 ASSEMBLY BILL 929**

AA-58349

At the locations indicated, amend the bill as follows:

March 28, 2000 - Introduced by Representatives SUDER, AINSWORTH, GUNDERSON, MUSSER, RYBA, STONE and VRAKAS, cosponsored by Senators FITZGERALD and ROESSLER. Referred to Committee on Highway Safety.

#. Page 1, line 3: after "highway" insert "by"

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- 5

**AN ACT to renumber and amend 346.01 (2); to amend 346.17 (5), 346.22 (1) (b), 346.43 (1) (b) 3., 346.49 (1) (c), 346.60 (3m) (a), 346.65 (5m) and 349.06 (3); and to create 346.01 (2) (em) of the statutes; relating to penalties for certain traffic offenses committed where persons working in emergency response zones are at risk from traffic and providing a penalty**

**Analysis by the Legislative Reference Bureau**

Under current law, the amount of any applicable minimum and maximum fine or forfeiture is doubled for specified traffic violations committed where persons working in a highway maintenance or construction area or utility work area are at risk from traffic. These traffic violations include failing to follow certain traffic signs and signals, failing to follow certain orders of traffic officers, exceeding certain maximum speed limits and driving recklessly.

This bill doubles the amount of any applicable minimum and maximum fine or forfeiture for committing one of those specified traffic violations where persons working on or near an authorized emergency vehicle that is stopped in a highway right-of-way are at risk from traffic.

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

ASSEMBLY BILL 929

#. Page 2, line 9: after that line insert:

1 "SECTION 16 346.01 (2) of the statutes is renumbered 346.01 (2) (intro.) and  
2 amended to read: 1m ← (B)

3 346.01 (2) (intro.) In this chapter, notwithstanding:

4 (o) Notwithstanding s. 340.01 (42), "owner" means, with respect to a vehicle  
5 that is registered, or is required to be registered, by a lessee of the vehicle under ch.  
6 341, the lessee of the vehicle for purposes of vehicle owner liability under ss. 346.175,  
7 346.195, 346.205, 346.457, 346.465, 346.485, 346.505 (3) and 346.945.

8 SECTION 26 346.01 (2) (em) of the statutes is created to read: 1r ← (B)

9 346.01 (2) (em) "Emergency response zone" means the entire area of roadway  
10 beginning 500 feet from an authorized emergency vehicle that is stopped on a  
11 highway and ending where traffic may return to its normal flow without impeding  
12 work on or around the authorized emergency vehicle. "

#. Page 3, line 22: after that line insert:

13 "SECTION 35 346.17 (5) of the statutes is amended to read: 4dd ← (B)

14 346.17 (5) If an operator of a vehicle violates s. 346.04 (1) or (2) where persons  
15 engaged in work in a highway maintenance or construction area, in an emergency  
16 response zone or in a utility work area are at risk from traffic, any applicable  
17 minimum and maximum forfeiture specified in sub. (1) for the violation shall be  
18 doubled.

19 SECTION 46 346.22 (1) (b) of the statutes is amended to read: 4dh ← (B)

20 346.22 (1) (b) If an operator of a vehicle violates s. 346.18 (6) where persons  
21 engaged in work in a highway maintenance or construction area, in an emergency  
22 response zone or in a utility work area are at risk from traffic, any applicable  
23 minimum and maximum forfeiture specified in par. (a) for the violation shall be  
24 doubled.

25 SECTION 56 346.43 (1) (b) 3. of the statutes is amended to read: 4dp ← (B)

1           346.43 (1) (b) 3. If an operator of a vehicle violates s. 346.37 or 346.39 where  
2 persons engaged in work in a highway maintenance or construction area, in an  
3 emergency response zone or in a utility work area are at risk from traffic, any  
4 applicable minimum and maximum forfeiture specified in subd. 1. for the violation  
5 shall be doubled.

6           SECTION <sup>4dt ← (B)</sup> 346.49 (1) (c) of the statutes is amended to read:

7           346.49 (1) (c) If an operator of a vehicle violates s. 346.46 (1) where persons  
8 engaged in work in a highway maintenance or construction area, in an emergency  
9 response zone or in a utility work area are at risk from traffic, any applicable  
10 minimum and maximum forfeiture specified in par. (a) for the violation shall be  
11 doubled.

12           SECTION <sup>4hd ← (B)</sup> 346.60 (3m) (a) of the statutes is amended to read:

13           346.60 (3m) (a) If an operator of a vehicle violates s. 346.57 (2), (3), (4) (d) to  
14 (h) or (5) where persons engaged in work in a highway maintenance or construction  
15 area, in an emergency response zone or in a utility work area are at risk from traffic,  
16 any applicable minimum and maximum forfeiture specified in sub. (2) or (3) for the  
17 violation shall be doubled.

18           SECTION <sup>4hh ← (B)</sup> 346.65 (5m) of the statutes is amended to read:

19           346.65 (5m) If an operator of a vehicle violates s. 346.62 (2) to (4) where persons  
20 engaged in work in a highway maintenance or construction area, in an emergency  
21 response zone or in a utility work area are at risk from traffic, any applicable  
22 minimum and maximum forfeiture or fine specified in sub. (1), (3), (4m) or (5) for the  
23 violation shall be doubled.

24           SECTION <sup>4hp ← (B)</sup> 349.06 (3) of the statutes is amended to read:

as affected by  
1999 Wisconsin Act  
... (Senate Bill  
146)

ASSEMBLY BILL 929

SECTION 9

1           349.06 (3) If an operator of a vehicle violates a local ordinance in strict  
 2 conformity with s. 346.04 (1) or (2), 346.18 (6), 346.27, 346.37, 346.39, 346.46 (1),  
 3 346.57 (2), (3), (4) (d) to (h) or (5) or 346.62 (2) where persons engaged in work in a  
 4 highway maintenance or construction area, in an emergency response zone, as  
 5 defined in s. 346.01 (2) (em), or in a utility work area are at risk from traffic, any  
 6 applicable minimum and maximum forfeiture for the violation shall be doubled.”

7 ~~Section 9.01 (1) This act takes effect on the first day of the 4th month beginning after~~  
 8 ~~publication.~~  
 9 subsection.

10 ¶ SECTION 9.01 Effective date. <sup>(PLAIN)</sup> This act takes effect on the day  
 11 after publication, except as follows:  
 12 ¶ (1) This act takes effect on the first day of the 4th month beginning after  
 13 publication.”

(END)

#. Page 4, line 1: delete “This act” and substitute “The  
 treatment of sections 343.30 (10)<sup>letter “o”</sup>, 346.05 (3), 346.072  
 and 346.17 (2) of the statutes”.

#. Page 4, line 2: after that line insert:

~~(1)~~ The treatment of sections ~~346.21 (2)~~, 346.17 (5), 346.22 (1) (b), 346.43 (1)  
 (b) 3, 346.49 (1) (c), 346.60 (3m) (a), 346.65 (5m) <sup>and</sup> 349.06 (3)  
 of the statutes, and the creation of section 346.01 (2) (em)  
 of the statutes

the renumbering and amendment of section 346.01 (2)  
 of the statutes