

1999 DRAFTING REQUEST

Bill

Received: 10/7/98

Received By: nilsepe

Wanted: As time permits

Identical to LRB: 97-2846/P1

For: Administration-Budget

By/Representing: Grinde

This file may be shown to any legislator: NO

Drafter: nilsepe

May Contact:

Alt. Drafters:

Subject: Transportation - traffic laws

Extra Copies:

Topic:

DOA:.....Grinde - Snowmobiles as authorized emergency vehicles

Instructions:

See Attached

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>
/?	nilsepe 10/7/98	gilfokm 10/19/98		_____			
/P1	nilsepe 12/23/98	gilfokm 01/4/99	jfrantze 10/19/98	_____	lrb_docadmin 10/19/98		
/P2			martykr 01/5/99	_____	lrb_docadmin 01/5/99		

FE Sent For:

<END>

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/?	nilsepe 10/7/98	gilfokm 10/19/98		_____			
/P1		102-1-4-99 KMG	jfrantze 10/19/98	_____	lrb_docadmin 10/19/98		

FE Sent For:

Handwritten signatures and initials:
KMG, jfrantze, lrb_docadmin, and other illegible marks.

<END>

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Bill

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Wanted: As time permits

Identical to LRB: 97-2846/P1

For: Administration-Budget

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May Contact:

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Instructions:

See Attached

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1?	nilsepe		6/10/19	6/10/19			

FE Sent For:

<END>

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2846/P1dn

TNF:jlg:lp

Monday, August 17, 1998

Please review this draft carefully to ensure it is consistent with your intent. In particular, please note the following:

1. I included "all-terrain vehicles" in the amended text of s. 340.01 (3) (b), stats., although it appears to already fall within the definition of a "vehicle". See s. 340.01 (74), stats. *Add Park rangers & forest rangers (See 23.11(4))*

2. Under s. 346.03 (3), stats., authorized emergency vehicles are required in most circumstances to give visual *and* audible signals. Do you want to provide any exemption with respect to these requirements for snowmobiles or all-terrain vehicles? See, for example, s. 346.03 (4m), stats.

-yes

Timothy N. Fast
Senior Legislative Attorney
266-9739

*Mike Lutz
DNR atty.
7-7456*

Kirsten Grude - DoA Analyst 6-7973

Eric Thompson - DoA budget analyst

-2846

1. snomos can't be auth. emerg. veh. 340.01(3)(f)

340.01(3)(b)

Authorize snomos operated by park rangers & fire rangers
having law enforcement credentials to be auth.
emergency vehicles

2. Yes - no snomos & ATVs equipped
w/ siren or lights.

CR: 340.01(3)(b)

~~Ranger
Park & Forestry
Law enforcement credentials.
operating snomobiles~~

99-0504/P1
7 NF & PEN:rt:

~~FOR 1997-99 BUDGET - NOT READY FOR INTRODUCTION~~

1999-01 Budget

DOA: Gründe. _____

D-note

Keep Amnicolon

no cat

...

1 AN ACT ~~to amend 340.01 (3) (b), 346.02 (10) and 346.02 (11) of the statutes~~

2 relating to: modifying the definition of authorized emergency vehicle to

3 include ^{certain} snowmobiles and all-terrain vehicles ~~which~~ operated by ~~conservation~~

4 ~~wardens~~ authorized department of natural resources employees.

Arch-head
Arch-56

TRANSPORTATION
Other Transportation
Analysis by the Legislative Reference Bureau

Under current law, the operator of an authorized emergency vehicle is exempt from certain traffic regulations, including stopping, directional and speed restrictions, when responding to an emergency call, when in pursuit of an actual or suspected violator of the law or when responding to a fire alarm. This exemption applies only when the operator is driving with due regard under the circumstances for the safety of all persons and, in most circumstances, is giving visual and audible signals. Conservation wardens' vehicles, whether publicly or privately owned, are authorized emergency vehicles.

This bill specifies that snowmobiles and all-terrain vehicles ~~which~~ operated by conservation wardens are authorized emergency vehicles. The exemption from certain traffic regulations applies only when the conservation warden ^{operating the} snowmobile or all-terrain vehicle is exercising due regard under the circumstances for the safety of all persons and the conservation warden ^{is giving visual and} audible signals.

or DNR employee

or DNR employee

or

operated by department of natural resources (DNR) employees appointed to exercise DNR's law enforcement authority on state lands and

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:

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

2 340.01 (3) (b) Conservation wardens' vehicles or foresters' trucks, whether
3 publicly or privately owned; ~~Conservation wardens' vehicles include snowmobiles,~~
4 ~~and~~ all-terrain vehicles being operated by conservation wardens.

5 SECTION 2. 346.02 (10) of the statutes is amended to read:

6 346.02 (10) APPLICABILITY TO SNOWMOBILES. The operator of a snowmobile upon
7 a roadway shall in addition to the provisions of ch. 350 be subject to ss. 346.04,
8 346.06, 346.11, 346.14 (1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33,
9 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50 (1) (b), 346.51,
10 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92 (1) and
11 346.94 (1) and (9) and, if the snowmobile is an authorized emergency vehicle, be
12 subject to s. 346.03.

13 SECTION 3. 346.02 (11) of the statutes is amended to read:

14 346.02 (11) APPLICABILITY TO ALL-TERRAIN VEHICLES. The operator of an
15 all-terrain vehicle on a roadway is subject to ss. 346.04, 346.06, 346.11, 346.14 (1),
16 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39,
17 346.40, 346.44, 346.46, 346.47, 346.48, 346.50 (1) (b), 346.51, 346.52, 346.53, 346.54,
18 346.55, 346.71, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92 (1) and 346.94 (1) and
19 (9) but is not and, if the all-terrain vehicle is an authorized emergency vehicle, is

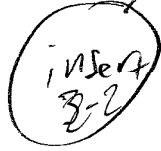
7/28/98
2-1
Prop of Stats.



1 subject to s. 346.03. but no operator of an all-terrain vehicle is subject to any other
2 provision of this chapter.

3

(END)



insert
3-2

insert

24

Sec. #, CR; 340.01 (3) (bm)

340.01 (3) (bm) Snowmobiles operated by
an employe of the department of natural
resources who is authorized to exercise
the authority of the department of
natural resources under S. 23.11 (4).

(end insert)

1 346.55, 346.71, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92 (1) and 346.94 (1) and
2 (9) but is not and, if the all-terrain vehicle is an authorized emergency vehicle, is
3 subject to s. 346.03, but no operator of an all-terrain vehicle is subject to any other
4 provision of this chapter.

5 **SECTION 5.** 346.03 (3) of the statutes is amended to read:

6 346.03 (3) The exemption granted the operator of an authorized emergency
7 vehicle by sub. (2) (a) applies only when the operator of the vehicle is giving visual
8 signal by means of at least one flashing, oscillating or rotating red light except that
9 the visual signal given by a police vehicle may be by means of a blue light and a red
10 light which are flashing, oscillating or rotating, except as otherwise provided in sub.
11 (4m) (a). The exemptions granted by sub. (2) (b), (c) and (d) apply only when the
12 operator of the emergency vehicle is giving both such visual signal and also an
13 audible signal by means of a siren or exhaust whistle, except as otherwise provided
14 in sub. (4) or (4m).

15 **SECTION 6.** 346.03 (4m) of the statutes is renumbered 346.03 (4m) (a).

16 **SECTION 7.** 346.03 (4m) (b) of the statutes is created to read:

17 346.03 (4m) (b) The exemptions granted by sub. (2) (b), (c) and (d) apply to

18 1. A snowmobile operated by an employe of the department of natural resources
19 who is authorized to exercise the authority of the department of natural resources
20 under s. 23.11 (4) a vehicle that is giving a visual signal or an audible signal, or both,
21 in the manner described in sub. (3), if the vehicle is any of the following:

22 2. An all-terrain vehicle operated by a conservation warden.

23 (END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0504/P1dn

PEN_{PK}...

The changes to s. 346.03 (4m) consider snowmobiles operated by DNR employees who have DNR's law enforcement authority to be "authorized emergency vehicles" when operated on state-owned lands and other property under DNR's supervision, management and control. See s. 23.11 (4), stats.

Paul E. Nilsen
Legislative Attorney
261-6926

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0504/P1dn
PEN:rtjf

October 19, 1998

The changes to s. 346.03 (4m) consider snowmobiles operated by DNR employes who have DNR's law enforcement authority to be "authorized emergency vehicles" when operated on state-owned lands and other property under DNR's supervision, management and control. See s. 23.11 (4), stats.

Paul E. Nilsen
Legislative Attorney
261-6926

Nilsen, Paul

From: Grinde, Kirsten [kirsten.grinde@doa.state.wi.us]
Sent: Wednesday, December 23, 1998 3:13 PM
To: Nilsen, Paul
Subject: LRB 0504/P1

Paul,

I'm not sure if DNR contacted you with a language change that they want relating to LRB 0504/P1, so I'm passing it on now:

-- modify s. 340.01(3)(b) to include snowmobiles as conservation warden vehicles, in addition to ATVs. [Page 2, lines 3-4]

This is requested because conservation wardens have authority under ss. 23.10 and 29.05 in addition to s. 23.11, but park and forest rangers only have authority under 23.11.

-- modify Section 7 [346.03(4m)] as needed to reflect the above change.

Let me know if you have any questions.

Thanks,

Kirsten Grinde
6-7973

196, 198

Nilsen, Paul

From: Grinde, Kirsten [kirsten.grinde@doa.state.wi.us]
Sent: Wednesday, December 30, 1998 12:39 PM
To: 'LutzM@mail01.dnr.state.wi.us'; Nilsen, Paul
Cc: DranzB@mail01.dnr.state.wi.us
Subject: RE: LRB 0504/P1

Mike and Paul,

Could you discuss this and iron out an approach that you can both agree to?
I can see both sides and am unsure as to how much of a problem this could be.

Let me know what is decided and feel free to contact me with any questions.

Thanks,

Kirsten

> -----Original Message-----

> From: LutzM@mail01.dnr.state.wi.us [SMTP:LutzM@mail01.dnr.state.wi.us]
> Sent: Wednesday, December 30, 1998 10:22 AM
> To: DranzB@mail01.dnr.state.wi.us; kirsten.grinde@doa.state.wi.us
> Subject: RE: LRB 0504/P1

>
> My concern is that the authority granted to a warden under 23.11, Stats is
> ONLY for state owned lands. A warden is only using that authority when on
> state owned lands. I realize that I'm probably the only person who will
> ever worry about this, but the argument is there. Kirsten, would you like
> me to give Paul a call. I may be missing something that he can explain.

>
> > -----
> > From: Grinde, Kirsten[SMTP:kirsten.grinde@doa.state.wi.us]
> > Sent: Tuesday, December 29, 1998 4:55 PM
> > To: Lutz, Michael; Dranzik, Brian R
> > Subject: FW: LRB 0504/P1

> >
> > I contacted Paul Nilsen about the change you suggested in your November
> > 20,
> > 1998 e-mail message (from Mike to Brian). The message related to
> > whether
> > an
> > argument could be raised that, under the current drafting language,
> > wardens
> > would not have authority to operate snowmobiles as enforcement vehicles
> > off
> > of state property.

> >
> > As indicated in his response below, Paul does not think that there would
> > be
> > a problem. Please let me know if you want to pursue having the change
> > (adding snowmobiles to s. 340.01(3)(b)) made.

> >
> > Kirsten

> > > -----Original Message-----

> > > From: Nilsen, Paul [SMTP:Paul.Nilsen@legis.state.wi.us]
> > > Sent: Tuesday, December 29, 1998 3:34 PM
> > > To: 'Grinde, Kirsten'
> > > Subject: RE: LRB 0504/P1

>>>
>>> Kirsten:
>>> I still think it's unnecessary to make the change requested on 12/23
>>> (add "snowmobiles" to "conservation warden vehicles"). Regardless of
>> where
>>> a
>>> conservation warden may be acting, whether on or off state-owned land,
> a
>>> snowmobile operated by a conservation warden is still "operated by an
>>> employee of the department of natural resources who is authorized to
>>> exercise the authority of the department of natural resources under s.
>>> 23.11
>>> (4)" within the meaning of proposed s. 340.01 (3) (bm). That makes
> such
>> a
>>> snowmobile an "authorized emergency vehicle". The draft already does
>> what
>>> you want it to do.
>>> Paul E. Nilsen
>>> Legislative Attorney
>>> State of Wisconsin
>>> (608) 261-6926
>>>
>>> -----Original Message-----
>>> From: Grinde, Kirsten [mailto:kirsten.grinde@doa.state.wi.us]
>>> Sent: Sunday, December 27, 1998 7:58 PM
>>> To: Nilsen, Paul
>>> Subject: LRB 0504/P1
>>>
>>>
>>> Paul,
>>>
>>> The reason DNR and I suggested the change is because conservation
>> wardens,
>>> unlike forest and park rangers, may act off of state-owned land, under
>> s.
>>> 29.921 (new stat reference). Conservation wardens often provide
> back-up
>>> services to sheriff departments (esp. in the northern counties) and
> need
>>> to
>>> have the authority to use snowmobiles as enforcement vehicles off of
>>> DNR-owned lands.
>>>
>>> Let me know if you have any further questions.
>>>
>>> Thanks,
>>>
>>> Kirsten
>>

Handwritten signature

2kg
1p2

DOA:.....Grinde - Snowmobiles as authorized emergency vehicles

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

6-note

*Don't fly
Car.*

1 AN ACT ...; relating to: modifying the definition of authorized emergency vehicle
2 to include certain snowmobiles and all-terrain vehicles operated by authorized
3 department of natural resources employees.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

OTHER TRANSPORTATION

Under current law, the operator of an authorized emergency vehicle is exempt from certain traffic regulations, including stopping, directional and speed restrictions, when responding to an emergency call, when in pursuit of an actual or suspected violator of the law or when responding to a fire alarm. This exemption applies only when the operator is driving with due regard under the circumstances for the safety of all persons and, in most circumstances, is giving visual and audible signals. Conservation wardens' vehicles, whether publicly or privately owned, are authorized emergency vehicles.

This bill specifies that snowmobiles operated by department of natural resources (DNR) employees appointed to exercise DNR's law enforcement authority on state lands and all-terrain vehicles operated by conservation wardens are authorized emergency vehicles. The exemption from certain traffic regulations applies only when the conservation warden or DNR employe operating the snowmobile or all-terrain vehicle is exercising due regard under the circumstances

on state lands
that
and snowmobiles
on or off state lands,

for the safety of all persons and the conservation warden or DNR employe is giving visual or audible signals.

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

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

2 340.01 (3) (b) Conservation wardens' vehicles or foresters' trucks, whether
3 publicly or privately owned; Conservation wardens' vehicles include all-terrain
4 vehicles ^{and snowmobiles} being operated by conservation wardens.

5 SECTION 2. 340.01 (3) (bm) of the statutes is created to read:

6 340.01 (3) (bm) Snowmobiles[✓] operated by an employe of the department of
7 natural resources who is authorized to exercise the authority of the department of
8 natural resources under s. 23.11 (4).

9 SECTION 3. 346.02 (10) of the statutes is amended to read:

10 346.02 (10) APPLICABILITY TO SNOWMOBILES. The operator of a snowmobile upon
11 a roadway shall in addition to the provisions of ch. 350 be subject to ss. 346.04,
12 346.06, 346.11, 346.14 (1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33,
13 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50 (1) (b), 346.51,
14 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92 (1) and
15 346.94 (1) and (9) and, if the snowmobile is an authorized emergency vehicle, be
16 subject to s. 346.03.

17 SECTION 4. 346.02 (11) of the statutes is amended to read:

18 346.02 (11) APPLICABILITY TO ALL-TERRAIN VEHICLES. The operator of an
19 all-terrain vehicle on a roadway is subject to ss. 346.04, 346.06, 346.11, 346.14 (1),
20 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39,
1 346.40, 346.44, 346.46, 346.47, 346.48, 346.50 (1) (b), 346.51, 346.52, 346.53, 346.54,

~~NOTE~~ NOTE: This draft must be reconciled with LRB-1442
which creates a department of state parks, if both drafts are included in
the compiled bill.

2 346.55, 346.71, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92 (1) and 346.94 (1) and
3 (9) ~~but is not~~ and, if the all-terrain vehicle is an authorized emergency vehicle, is
4 subject to s. 346.03, but no operator of an all-terrain vehicle is subject to any other
5 provision of this chapter.

6 SECTION 5. 346.03 (3) of the statutes is amended to read:

7 346.03 (3) The exemption granted the operator of an authorized emergency
8 vehicle by sub. (2) (a) applies only when the operator of the vehicle is giving visual
9 signal by means of at least one flashing, oscillating or rotating red light except that
10 the visual signal given by a police vehicle may be by means of a blue light and a red
11 light which are flashing, oscillating or rotating, except as otherwise provided in sub.
12 (4m) (a). The exemptions granted by sub. (2) (b), (c) and (d) apply only when the
13 operator of the emergency vehicle is giving both such visual signal and also an
14 audible signal by means of a siren or exhaust whistle, except as otherwise provided
15 in sub. (4) or (4m).

16 SECTION 6. 346.03 (4m) of the statutes is renumbered 346.03 (4m) (a).

17 SECTION 7. 346.03 (4m) (b) of the statutes is created to read:

18 346.03 (4m) (b) The exemptions granted by sub. (2) (b), (c) and (d) apply to a
19 vehicle that is giving a visual signal or an audible signal, or both, in the manner
20 described in sub. (3), if the vehicle is any of the following:

21 1. A snowmobile operated by an employe of the department of natural resources
22 who is authorized to exercise the authority of the department of natural resources
23 under s. 23.11 (4).

24 2. An all-terrain vehicle ^{for snowmobile} operated by a conservation warden.

(END)

-0509/

Kirsten Grinde:

As ^{requested,} required, I added "snowmobiles" to
s. 340.01 (3) (b) to make clear that
snowmobiles operated by conservation
wardens will be considered "authorized
emergency vehicles" even when
operated ^{off} ~~off~~ ^{of} ~~of~~ state-owned land
(where the conservation warden has ^{no} ~~no~~ arrest
~~or~~ authority). ^{ok?}
"

~~the state~~

-FEN

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0504/P2dn
PEN:rt&kg:km

January 5, 1999

Kirsten Grinde:

As requested, I added "snowmobiles" to s. 340.01 (3) (b) to make clear that snowmobiles operated by conservation wardens will be considered "authorized emergency vehicles" even when operated off of state-owned land (where the conservation warden has no arrest authority). OK?

Paul E. Nilsen
Legislative Attorney
261-6926



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0504/P2
TNF&PEN:rt&kg:km

DOA:.....Grinde – Snowmobiles as authorized emergency vehicles
FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

- 1 **AN ACT ...; relating to:** modifying the definition of authorized emergency vehicle
2 to include certain snowmobiles and all-terrain vehicles operated by authorized
3 department of natural resources employes.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

OTHER TRANSPORTATION

Under current law, the operator of an authorized emergency vehicle is exempt from certain traffic regulations, including stopping, directional and speed restrictions, when responding to an emergency call, when in pursuit of an actual or suspected violator of the law or when responding to a fire alarm. This exemption applies only when the operator is driving with due regard under the circumstances for the safety of all persons and, in most circumstances, is giving visual and audible signals. Conservation wardens' vehicles, whether publicly or privately owned, are authorized emergency vehicles.

This bill specifies that snowmobiles operated on state lands by department of natural resources (DNR) employes appointed to exercise DNR's law enforcement authority on state lands and that all-terrain vehicles and snowmobiles operated by conservation wardens, on or off state lands, are authorized emergency vehicles. The exemption from certain traffic regulations applies only when the conservation warden or DNR employe operating the snowmobile or all-terrain vehicle is

exercising due regard under the circumstances for the safety of all persons and the conservation warden or DNR employe is giving visual or audible signals.

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

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

2 340.01 (3) (b) Conservation wardens' vehicles or foresters' trucks, whether
3 publicly or privately owned; Conservation wardens' vehicles include all-terrain
4 vehicles and snowmobiles being operated by conservation wardens.

5 **SECTION 2.** 340.01 (3) (bm) of the statutes is created to read:

6 340.01 (3) (bm) Snowmobiles operated by an employe of the department of
7 natural resources who is authorized to exercise the authority of the department of
8 natural resources under s. 23.11 (4).

 ****NOTE: This draft must be reconciled with LRB-1442, which creates a
department of state parks, if both drafts are included in the compiled bill.

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11 a roadway shall in addition to the provisions of ch. 350 be subject to ss. 346.04,
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13 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50 (1) (b), 346.51,
14 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92 (1) and
15 346.94 (1) and (9) and, if the snowmobile is an authorized emergency vehicle, be
16 subject to s. 346.03.

17 **SECTION 4.** 346.02 (11) of the statutes is amended to read:

18 346.02 (11) APPLICABILITY TO ALL-TERRAIN VEHICLES. The operator of an
19 all-terrain vehicle on a roadway is subject to ss. 346.04, 346.06, 346.11, 346.14 (1),
20 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39,

1 346.40, 346.44, 346.46, 346.47, 346.48, 346.50 (1) (b), 346.51, 346.52, 346.53, 346.54,
2 346.55, 346.71, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92 (1) and 346.94 (1) and
3 (9) ~~but is not~~ and, if the all-terrain vehicle is an authorized emergency vehicle, is
4 subject to s. 346.03, but no operator of an all-terrain vehicle is subject to any other
5 provision of this chapter.

6 **SECTION 5.** 346.03 (3) of the statutes is amended to read:

7 346.03 (3) The exemption granted the operator of an authorized emergency
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9 signal by means of at least one flashing, oscillating or rotating red light except that
10 the visual signal given by a police vehicle may be by means of a blue light and a red
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12 (4m) (a). The exemptions granted by sub. (2) (b), (c) and (d) apply only when the
13 operator of the emergency vehicle is giving both such visual signal and also an
14 audible signal by means of a siren or exhaust whistle, except as otherwise provided
15 in sub. (4) or (4m).

16 **SECTION 6.** 346.03 (4m) of the statutes is renumbered 346.03 (4m) (a).

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18 346.03 (4m) (b) The exemptions granted by sub. (2) (b), (c) and (d) apply to a
19 vehicle that is giving a visual signal or an audible signal, or both, in the manner
20 described in sub. (3), if the vehicle is any of the following:

21 1. A snowmobile operated by an employe of the department of natural resources
22 who is authorized to exercise the authority of the department of natural resources
23 under s. 23.11 (4).

24 2. An all-terrain vehicle or snowmobile operated by a conservation warden.

25 (END)

NOTE TO DRAFTING FILE for LRB-0504:

Per the drafter, this draft has been redrafted to a “/1” as no problems remain in the draft that require resolution before introduction of the budget bill. There are no changes between the “/PX” and the “/1.”

DOA:.....Grinde - Snowmobiles as authorized emergency vehicles

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** modifying the definition of authorized emergency vehicle
2 to include certain snowmobiles and all-terrain vehicles operated by authorized
3 department of natural resources employees.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

OTHER TRANSPORTATION

Under current law, the operator of an authorized emergency vehicle is exempt from certain traffic regulations, including stopping, directional and speed restrictions, when responding to an emergency call, when in pursuit of an actual or suspected violator of the law or when responding to a fire alarm. This exemption applies only when the operator is driving with due regard under the circumstances for the safety of all persons and, in most circumstances, is giving visual and audible signals. Conservation wardens' vehicles, whether publicly or privately owned, are authorized emergency vehicles.

This bill specifies that snowmobiles operated on state lands by department of natural resources (DNR) employees appointed to exercise DNR's law enforcement authority on state lands and that all-terrain vehicles and snowmobiles operated by conservation wardens, on or off state lands, are authorized emergency vehicles. The exemption from certain traffic regulations applies only when the conservation warden or DNR employe operating the snowmobile or all-terrain vehicle is

exercising due regard under the circumstances for the safety of all persons and the conservation warden or DNR employe is giving visual or audible signals.

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

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

2 340.01 (3) (b) Conservation wardens' vehicles or foresters' trucks, whether
3 publicly or privately owned; Conservation wardens' vehicles include all-terrain
4 vehicles and snowmobiles being operated by conservation wardens.

5 **SECTION 2.** 340.01 (3) (bm) of the statutes is created to read:

6 340.01 (3) (bm) Snowmobiles operated by an employe of the department of
7 natural resources who is authorized to exercise the authority of the department of
8 natural resources under s. 23.11 (4).

 ****NOTE: This draft must be reconciled with LRB-1442, which creates a
department of state parks, if both drafts are included in the compiled bill.

9 **SECTION 3.** 346.02 (10) of the statutes is amended to read:

10 346.02 (10) APPLICABILITY TO SNOWMOBILES. The operator of a snowmobile upon
11 a roadway shall in addition to the provisions of ch. 350 be subject to ss. 346.04,
12 346.06, 346.11, 346.14 (1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33,
13 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50 (1) (b), 346.51,
14 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92 (1) and
15 346.94 (1) and (9) and, if the snowmobile is an authorized emergency vehicle, be
16 subject to s. 346.03.

17 **SECTION 4.** 346.02 (11) of the statutes is amended to read:

18 346.02 (11) APPLICABILITY TO ALL-TERRAIN VEHICLES. The operator of an
19 all-terrain vehicle on a roadway is subject to ss. 346.04, 346.06, 346.11, 346.14 (1),
20 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39,

1 346.40, 346.44, 346.46, 346.47, 346.48, 346.50 (1) (b), 346.51, 346.52, 346.53, 346.54,
2 346.55, 346.71, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92 (1) and 346.94 (1) and
3 (9) ~~but is not and, if the all-terrain vehicle is an authorized emergency vehicle, is~~
4 subject to s. 346.03, but no operator of an all-terrain vehicle is subject to any other
5 provision of this chapter.

6 **SECTION 5.** 346.03 (3) of the statutes is amended to read:

7 346.03 (3) The exemption granted the operator of an authorized emergency
8 vehicle by sub. (2) (a) applies only when the operator of the vehicle is giving visual
9 signal by means of at least one flashing, oscillating or rotating red light except that
10 the visual signal given by a police vehicle may be by means of a blue light and a red
11 light which are flashing, oscillating or rotating, except as otherwise provided in sub.
12 (4m) (a). The exemptions granted by sub. (2) (b), (c) and (d) apply only when the
13 operator of the emergency vehicle is giving both such visual signal and also an
14 audible signal by means of a siren or exhaust whistle, except as otherwise provided
15 in sub. (4) or (4m).

16 **SECTION 6.** 346.03 (4m) of the statutes is renumbered 346.03 (4m) (a).

17 **SECTION 7.** 346.03 (4m) (b) of the statutes is created to read:

18 346.03 (4m) (b) The exemptions granted by sub. (2) (b), (c) and (d) apply to a
19 vehicle that is giving a visual signal or an audible signal, or both, in the manner
20 described in sub. (3), if the vehicle is any of the following:

21 1. A snowmobile operated by an employe of the department of natural resources
22 who is authorized to exercise the authority of the department of natural resources
23 under s. 23.11 (4).

24 2. An all-terrain vehicle or snowmobile operated by a conservation warden.

25 (END)