

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

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April 18, 2001

Please review this draft carefully to ensure that it is consistent with your intent.

Please note that this amendment creates a subjective, "actual knowledge" requirement and eliminates the option of an objective, "reasonable person" standard. As noted earlier, the "should have known" language provided an objective, "reasonable person" standard which is, generally, easier to prove than the subjective "actual knowledge" requirement.

Finally, this amendment also amends s. 346.67 (2), stats., to clarify that any stop required under proposed s. 346.67 (1m) must also not unduly obstruct traffic.

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