



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2001 Senate Bill 10

Senate Substitute Amendment 1

Memo published: March 8, 2001

Contact: Joyce L. Kiel, Senior Staff Attorney (266-3137)

Senate Substitute Amendment 1 to 2001 Senate Bill 10 creates requirements for the operator of a motor vehicle (motorist) who is approaching certain vehicles or road machinery that are displaying certain lights while parked or stopped within 12 feet of a roadway. These provisions apply with respect to approaching a parked or stopped: (1) authorized emergency vehicle (such as a police, fire, ambulance, or conservation warden vehicle) that is using emergency flashing lights; (2) tow truck that is using flashing red lights; (3) road machinery or motor vehicle used in highway construction or maintenance that is displaying the lights specified in s. 347.23 (1) (a) or (b), Stats., that is, four red warning lights (one placed on each side of the front and each side of the rear of such machinery or vehicle) or two amber floodlamps (one placed on each side of such machinery or vehicle); or (4) Department of Transportation, county, or municipal vehicle that is using a flashing red or amber dome light or that is using two flashing red or amber lights (one placed on the front and one placed on the rear of the vehicle).

The approaching motorist must proceed with due regard for other traffic and must do one of the following:

- If the roadway has at least two lanes for traffic proceeding in the same direction as the motorist *and* if the motorist may change lanes safely and without interfering with traffic, the motorist must move into a lane that is not nearest the vehicle or machinery and must travel in that lane until passing the vehicle or machinery.
- If the roadway has only one lane for traffic proceeding in the same direction as the motorist or if there are at least two such lanes but the motorist cannot change lanes safely or without interfering with other traffic, the motorist must slow until passing the vehicle or machinery.

Violation of this requirement may result in a forfeiture of not less than \$30 nor more than \$300. The substitute amendment also requires a court to suspend the violator's operating privilege for specified periods of time. The periods of suspension depend on whether the violation resulted in damage to another's property, bodily injury to another, or the death of another.

On March 6, 2001, the Senate adopted Senate Substitute Amendment 1 on a voice vote and passed the bill, as amended, on a voice vote.

JLK:wu:tlu:rv:ksm;ksm;tlu