

## 2003 SENATE BILL 281

October 15, 2003 – Introduced by Senators LEIBHAM, HARSDORF, ROESSLER and SCHULTZ, cosponsored by Representatives AINSWORTH, BIES, FRISKE, GARD, GRONEMUS, GUNDERSON, HAHN, HINES, HUBER, KERKMAN, LOTHIAN, MCCORMICK, MUSSER, NASS, OLSEN, OWENS, PETROWSKI, STONE, SUDER, VAN ROY and RHOADES. Referred to Committee on Transportation and Information Infrastructure.

1     **AN ACT** *to create* 84.02 (15) and 349.067 of the statutes; **relating to:** the  
2             installation of traffic control signals on highways and granting rule-making  
3             authority.

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### *Analysis by the Legislative Reference Bureau*

This bill requires the Department of Transportation (DOT), before installing a new traffic control signal on a state trunk highway within the corporate limits of any city, town, village, or county (political subdivision), to provide the political subdivision with an opportunity to request that the traffic control signal be equipped with an emergency preemption device and confirmation signal. An emergency preemption device is a device on a traffic control signal that permits an approaching police or fire department vehicle or ambulance (emergency vehicle) to alter the normal sequence of the signal to provide or maintain a green light for the emergency vehicle. A confirmation signal is a signal on the traffic control signal that notifies the approaching emergency vehicle that the traffic control signal sequence has in fact been preempted. If a political subdivision requests that DOT equip the traffic control signal with an emergency preemption device and confirmation signal and contributes 50% of the additional cost for the emergency preemption device and confirmation signal, DOT must equip the traffic control signal with an emergency preemption device and confirmation signal at the time of installation. DOT may, at its own expense, install a new traffic control signal equipped with an emergency preemption device and confirmation signal on a state trunk highway without providing notice to any political subdivision.

**SENATE BILL 281**

The bill also requires that every new traffic control signal installed on a highway that is equipped with an emergency preemption device also be equipped with a confirmation signal. The bill further requires every new traffic control signal installed on a highway that is not equipped with an emergency preemption device to include all electrical wiring that would be necessary to equip the traffic control signal with an emergency preemption device and confirmation signal.

Under the bill, DOT must promulgate rules to implement and administer the law.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 84.02 (15) of the statutes is created to read:

2           **84.02 (15)** TRAFFIC CONTROL SIGNAL EMERGENCY PREEMPTION DEVICES. (a) In this  
3 subsection:

4           1. “Additional cost” means the difference in cost between installation of a traffic  
5 control signal that is equipped with an emergency preemption device and  
6 confirmation signal and installation of a traffic control signal that is not so equipped,  
7 and includes the difference in incidental costs such as electrical wiring.

8           2. “Authorized emergency vehicle” has the meaning given in s. 340.01 (3) (a),  
9 (c), (g), or (i).

10          3. “Confirmation signal” means a white signal, located on or near a traffic  
11 control signal equipped with an emergency preemption device, that is designed to be  
12 visible to the operator of an approaching authorized emergency vehicle and that  
13 confirms to the operator that the emergency preemption device has received a  
14 transmission from the operator.

15          4. “Emergency preemption device” means an electrical device, located on or  
16 within a traffic control signal, that is designed to receive an electronic, radio, or sonic  
17 transmission from an approaching authorized emergency vehicle that alters the

**SENATE BILL 281**

1 normal sequence of the traffic control signal to provide or maintain a green signal for  
2 the authorized emergency vehicle to proceed through the intersection.

3 5. “Political subdivision” means a county, city, village, or town.

4 6. “Traffic control signal” means any electrical device by which traffic is  
5 alternately directed to stop and permitted to proceed by means of exhibiting different  
6 colored lights successively.

7 (b) Before the department installs a new traffic control signal on a state trunk  
8 highway within the corporate limits of any political subdivision, the department  
9 shall do all of the following:

10 1. Notify the political subdivision of the planned traffic control signal  
11 installation.

12 2. Notify the political subdivision of the additional cost of equipping the traffic  
13 control signal with an emergency preemption device and confirmation signal.

14 3. Provide the political subdivision with the opportunity to request that the  
15 traffic control signal be equipped with an emergency preemption device and  
16 confirmation signal.

17 (c) If any political subdivision requests under par. (b) 3. that the department  
18 equip the traffic control signal with an emergency preemption device and  
19 confirmation signal, and one or more political subdivisions contribute a total of 50%  
20 of the additional cost specified under par. (b) 2., the department shall equip the traffic  
21 control signal with an emergency preemption device and confirmation signal when  
22 the department installs the traffic control signal.

23 (d) Notwithstanding pars. (b) and (c), this subsection does not prohibit the  
24 department from installing on any state trunk highway, at the department’s  
25 expense, any traffic control signal equipped with an emergency preemption device

**SENATE BILL 281****SECTION 1**

1 and confirmation signal. The department may install a new traffic control signal  
2 equipped with an emergency preemption device and confirmation signal under this  
3 paragraph without providing notice and an opportunity to respond under par. (b) to  
4 any political subdivision. The department shall install a confirmation signal with  
5 every new emergency preemption device installed by the department under this  
6 paragraph.

7 (e) Any new traffic control signal installed by the department after the effective  
8 date of this paragraph .... [revisor inserts date], that is not equipped with an  
9 emergency preemption device shall include all electrical wiring necessary to equip  
10 the traffic control signal with an emergency preemption device and confirmation  
11 signal.

12 (f) The department shall promulgate rules to implement and administer this  
13 subsection. The rules shall include procedures and deadlines for the department's  
14 notification of political subdivisions, and for political subdivisions' requests and  
15 contributions to the department, under this subsection.

16 **SECTION 2.** 349.067 of the statutes is created to read:

17 **349.067 Traffic control signal emergency preemption devices. (1)**  
18 Notwithstanding s. 349.065, any traffic control signal installed by a local authority  
19 after the effective date of this subsection .... [revisor inserts date], that is equipped  
20 with an emergency preemption device, as defined in s. 84.02 (15) (a) 4., shall be  
21 installed with a confirmation signal, as defined in s. 84.02 (15) (a) 3.

22 **(2)** Notwithstanding s. 349.065, any new traffic control signal installed by a  
23 local authority after the effective date of this subsection .... [revisor inserts date], that  
24 is not equipped with an emergency preemption device shall include all electrical

**SENATE BILL 281**

1 wiring necessary to equip the traffic control signal with an emergency preemption  
2 device and confirmation signal.

3 **SECTION 3. Initial applicability.**

4 (1) This act first applies to traffic control signals that are installed on the  
5 effective date of this subsection.

6 **SECTION 4. Effective date.**

7 (1) This act takes effect on the first day of the 7th month beginning after  
8 publication.

9 (END)