

2005 ASSEMBLY BILL 365

1 **AN ACT** *to renumber* 347.255 (2); *to renumber and amend* 347.255 (title),
2 347.255 (1) and 347.255 (3); *to amend* 347.50 (1); and *to create* 347.385 (1m),
3 347.385 (5) and 347.50 (1m) of the statutes; **relating to:** traffic control signal
4 emergency preemption devices, and providing a penalty.

Analysis by the Legislative Reference Bureau

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

5 **SECTION 1.** 347.255 (title) of the statutes is renumbered 347.385 (title) and
6 amended to read:

7 **347.385 (title) Auxiliary lamps on emergency vehicles used to activate;**
8 **traffic control signal emergency preemption devices.**

9 **SECTION 2.** 347.255 (1) of the statutes is renumbered 347.385 (2m) and
10 amended to read:

ASSEMBLY BILL 365**SECTION 2**

1 347.385 **(2m)** An authorized emergency vehicle ~~described in s. 340.01 (3) (a),~~
2 ~~(c), (g) or (i)~~ may be equipped and operated with lamps designed and used solely, or
3 with any other transmitter designed and used, to activate ~~official traffic control~~
4 ~~signal~~ emergency preemption devices.

5 **SECTION 3.** 347.255 (2) of the statutes is renumbered 347.385 (3m).

6 **SECTION 4.** 347.255 (3) of the statutes is renumbered 347.385 (4) and amended
7 to read:

8 347.385 **(4)** No operator of an authorized emergency vehicle may use such a
9 transmitter, including lamps under sub. (2m), except when responding to an
10 emergency call, when pursuing an actual or suspected violator of the law, or when
11 responding to, but not when returning from, a fire alarm.

12 **SECTION 5.** 347.385 (1m) of the statutes is created to read:

13 347.385 **(1m)** In this section:

14 (a) “Authorized emergency vehicle” means an authorized emergency vehicle as
15 defined in s. 340.01 (3) (a), (c), (g), or (i).

16 (b) “Emergency preemption device” means a device, located on or within a
17 traffic control signal, that is designed to receive an electronic, radio, light, or sound
18 transmission from an approaching vehicle that alters the normal sequence of the
19 traffic control signal to provide or maintain a green signal for the vehicle to proceed
20 through the intersection.

21 (c) “Transmitter” means a device that emits a signal for the purpose of
22 activating an emergency preemption device.

23 **SECTION 6.** 347.385 (5) of the statutes is created to read:

24 347.385 **(5)** (a) No person may operate upon a highway a motor vehicle, other
25 than an authorized emergency vehicle, that is equipped with a transmitter or in

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1 which a transmitter is located. This subsection does not apply to a motor carrier or
2 person in the business of selling transmitters to authorized users who transports a
3 transmitter in original, unopened packaging or in an inoperative condition in an
4 enclosed storage compartment of the vehicle.

5 (b) No person may sell a transmitter except for use for authorized purposes as
6 described in sub. (2m).

7 **SECTION 7.** 347.50 (1) of the statutes is amended to read:

8 347.50 (1) Any person violating ss. 347.35 to 347.49, except s. 347.385 (5), s.
9 347.413 (1) or s. 347.415 (1m), (2) and (3) to (5) or s. 347.417 (1) or s. 347.475 or s.
10 347.48 (2m) or (4) (a) or s. 347.489, may be required to forfeit not less than \$10 nor
11 more than \$200.

12 **SECTION 8.** 347.50 (1m) of the statutes is created to read:

13 347.50 (1m) Any person violating s. 347.385 (5) may be fined not more than
14 \$10,000 or imprisoned for not more than one year in the county jail, or both, for each
15 violation.

16 (END)