

**2005 DRAFTING REQUEST**

**Assembly Amendment (AA-AB365)**

Received: **09/06/2005**

Received By: **agary**

Wanted: **Soon**

Identical to LRB:

For: **Karl Van Roy (608) 266-0616**

By/Representing: **Eric Bott (aide)**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways  
Transportation - miscellaneous  
Transportation - traffic laws**

Extra Copies: **PJH**

Submit via email: **YES**

Requester's email: **Rep.VanRoy@legis.state.wi.us**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

covering sales of traffic control emergency preemption devices

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**Instructions:**

See Attached

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**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>
/?							
/1	agary 09/06/2005	lkunkel 09/06/2005	jfrantze 09/07/2005	_____	sbasford 09/07/2005	sbasford 09/07/2005	

FE Sent For:

<END>

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/?	agary	1/mk 9/6		<i>[Signature]</i> 9/7			

FE Sent For:

<END>

## Gary, Aaron

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**From:** Gary, Aaron  
**Sent:** Tuesday, September 06, 2005 2:01 PM  
**To:** Bott, Eric  
**Subject:** RE: Amendment Request for AB 365

Great, thanks. Aaron

Aaron R. Gary  
*Legislative Attorney*  
*Legislative Reference Bureau*  
608.261.6926 (voice)  
608.264.6948 (fax)  
aaron.gary@legis.state.wi.us

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**From:** Bott, Eric  
**Sent:** Tuesday, September 06, 2005 1:59 PM  
**To:** Gary, Aaron  
**Subject:** RE: Amendment Request for AB 365

Thanks for getting back to me Aaron. I hope that you are feeling better.

Let's go ahead and draft the amendment to cover sales like the federal law would. I think that the purchaser is already pretty well covered under the bill because they won't be able to operate the device.

Eric

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**From:** Gary, Aaron  
**Sent:** Tuesday, September 06, 2005 1:48 PM  
**To:** Bott, Eric  
**Subject:** RE: Amendment Request for AB 365

Eric,  
I was out of the office with the flu on Thursday and Friday. I have this mostly drafted. It will be LRBa0944. Do you want the amendment to cover only sales (as does the federal law) or do you want to cover both unauthorized purchases and sales? Thanks. Aaron

Aaron R. Gary  
*Legislative Attorney*  
*Legislative Reference Bureau*  
608.261.6926 (voice)  
608.264.6948 (fax)  
aaron.gary@legis.state.wi.us

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**From:** Bott, Eric  
**Sent:** Thursday, September 01, 2005 4:04 PM  
**To:** Gary, Aaron  
**Subject:** Amendment Request for AB 365

Aaron,

Rep. Van Roy would like to amend AB 365 to more closely match the MIRT law that is working through Congress. AB 365 prohibits the possession and use of MIRTs but not the sale. We would like an amendment that would prohibit the sale of MIRTs as well.

If it is at all possible, we would very much appreciate receiving the amendment by the end of the day Monday, in time to notice the committee before their Wed. exec on the bill.

I know that this is a last minute request and that this request may be impossible. If that is the case we will gladly receive the amendment ASAP.

Thank you very much for your time and dedication. Attached is the language in the federal bill in case you are interested. Please call me if you have any questions.

Eric Bott  
Office of Karl Van Roy  
State Representative  
90th Assembly District

(608) 266-0617  
eric.bott@legis.state.wi.us

<< File: fed. trans. bill.doc >>

H. R. 3

FULL TEXT OF BILLS

109th CONGRESS, 1ST SESSION  
IN THE SENATE OF THE UNITED STATES  
PLACED ON THE CALENDAR IN THE SENATE

H. R. 3

2005 H.R. 3; 109 H.R. 3; ♦ [Retrieve Bill Tracking Report](#)

**SYNOPSIS:**

A bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

**DATE OF INTRODUCTION:** February 09, 2005

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TAYLOR, GENE (D-MS)- Cosponsor  
WEINER, ANTHONY D (D-NY)- Cosponsor  
WESTMORELAND, LYNN A. (R-GA)- Cosponsor  
WU, DAVID (D-OR)- Cosponsor

**TEXT:**  
HR 3 PCS

109th CONGRESS

1st Session

H. R. 3

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IN THE SENATE OF THE UNITED STATES

March 20, 2005

Received

April 6, 2005

Read twice and placed on the calendar

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AN ACT

To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 2017. SAFE INTERSECTIONS.

(a) In General. Chapter 2 of title 18, United States Code, is amended by adding at the end the following:

"SEC. 39. **TRAFFIC SIGNAL PREEMPTION** TRANSMITTERS

"(a) Offenses.

"(1) Sale. A person who knowingly sells a **traffic signal preemption** transmitter in or affecting interstate or foreign commerce to a person who is not acting on behalf of a public agency or private corporation authorized by law to provide fire protection, law enforcement, emergency medical services, transit services, maintenance, or other services for a Federal, State, or local government entity, shall, notwithstanding section 3571(b) of title 18, United States Code, be fined according to this title, imprisoned not more than 1 year, or both.

"(2) Use. A person who makes unauthorized use of a **traffic signal preemption** transmitter in or affecting interstate or foreign commerce shall be fined according to this title, imprisoned not more than 6 months, or both.

"(b) Definitions. In this section, the following definitions apply:

"(1) **Traffic signal preemption** transmitter. The term '**traffic signal preemption** transmitter' means any mechanism that can change or alter a traffic signal's phase time or sequence.

"(2) Unauthorized use. The term 'unauthorized use' means use of a **traffic signal preemption** transmitter by a person who is not acting on behalf of a public agency or private corporation authorized by law to provide fire protection, law enforcement, emergency medical services, transit services, maintenance, or other services for a Federal, State, or local government entity. The term 'unauthorized use' does not apply to use of a **traffic signal preemption** transmitter for classroom or instructional purposes."

(b) Table of Sections. The table of sections for chapter 2 of title 18, United States Code, is amended by adding at the end the following:

"39. **Traffic signal preemption** transmitters."



lnk

in 9/6 ✓

Wanted  
by 9/7  
PM

**ASSEMBLY AMENDMENT ,**  
**TO 2005 ASSEMBLY BILL 365** ✓

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 3, line 11: after "(5)" insert "(a)". ✓

3 **2.** Page 3, line 16: after that line insert: ✓

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

6 (END)