

2005 Assembly Bill 934

Date of enactment: **April 10, 2006**  
Date of publication\*: **April 20, 2006**

## 2005 WISCONSIN ACT 308

AN ACT *to repeal* 30.62 (2) (i); *to amend* 30.64 (1), 30.64 (2), 30.68 (7) and 30.68 (11); and *to create* 30.50 (9b) of the statutes; **relating to:** operation of patrol boats during an emergency or when in pursuit of a suspect.

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

**SECTION 1.** 30.50 (9b) of the statutes is created to read:

30.50 (9b) "Patrol boat" means a boat authorized by this state or by a local governmental unit for the purpose of law enforcement, search and rescue, fire fighting, emergency response, or water safety operations, including a water safety patrol unit.

**SECTION 2.** 30.62 (2) (i) of the statutes is repealed.

**SECTION 3.** 30.64 (1) of the statutes is amended to read:

30.64 (1) The operator of a ~~duly authorized~~ patrol boat, when responding to an emergency call or when in pursuit of an actual or suspected violator of the law, need not comply with ~~state law or local this subchapter or ordinances fixing maximum speed limits under s. 30.77~~ when a siren is being sounded or emergency light is activated or, if the patrol boat is equipped with a siren and an emergency light, when both the siren and emergency light are activated, and if due regard is given to the safety of other persons in the vicinity. If a an emergency light is used ~~in conjunction with a siren,~~ it shall be the ~~oscillating or flashing type and be fitted with a blue lens of a type and design specified under 33 CFR 88.11 or 88.12.~~

**SECTION 4.** 30.64 (2) of the statutes is amended to read:

30.64 (2) Upon the approach of a ~~duly authorized~~ patrol boat giving an audio or visual signal the operator of a boat shall reduce the boat speed to ~~that speed necessary to maintain steerage control~~ slow-no-wake and yield the right-of-way to the patrol boat until it has passed.

**SECTION 5.** 30.68 (7) of the statutes is amended to read:

30.68 (7) RESTRICTED AREAS. No person shall operate a boat within a water area which has been clearly marked by buoys or some other distinguishing device as a bathing or swimming area; nor operate a boat in restricted use areas contrary to regulatory notice pursuant to s. 30.74 (2). ~~This subsection does not apply in the case of an emergency, or to patrol or rescue craft.~~

**SECTION 6.** 30.68 (11) of the statutes is amended to read:

30.68 (11) UNNECESSARILY SOUNDING WHISTLES. No person shall unnecessarily sound a horn, whistle or other sound-producing device on any boat while at anchor or under way. The use of a siren on any boat except duly authorized a patrol boats boat on patrol or rescue duty is prohibited.

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\* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].