2007 ASSEMBLY BILL 26

January 24, 2007 - Introduced by Representatives GOTTlieB, OTT, ALBERS, BALLweg, BERCEAU, BLACK, FIELDS, GUNDERSON, HINES, HRAYCHUCK, LOTHIAN, MONTGOMERY, MUSSER, POPE-ROBERTS, TOWNSEND and MURSAU, cosponsored by Senators LASSA, OLESEN, ROESSLER and SCHULTZ. Referred to Committee on Education.

AN ACT to amend 346.49 (1) (a) and 346.49 (1) (c); and to create 346.49 (1) (am) of the statutes; relating to: liability for disobeying school crossing guards and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a driver who disobeys an adult school crossing guard is liable for a forfeiture of not less than $20 nor more than $40 for the first offense and not less than $50 nor more than $100 for the second and subsequent offenses. This bill increases the penalty for failing to obey an adult school crossing guard to a forfeiture of not less than $30 nor more than $300.

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

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

SECTION 1. 346.49 (1) (a) of the statutes is amended to read:

346.49 (1) (a) Unless otherwise provided in par. (b) or (c), any person violating s. 346.46 (1), (2m) or (4) or 346.47 may be required to forfeit not less than $20 nor
more than $40 for the first offense and not less than $50 nor more than $100 for the 2nd or subsequent conviction within a year.

**SECTION 2.** 346.49 (1) (am) of the statutes is created to read:

346.49 (1) (am) Unless otherwise provide in par. (b) or (c), any person violating s. 346.46 (2m) may be required to forfeit not less than $30 nor more than $300.

**SECTION 3.** 346.49 (1) (c) of the statutes is amended to read:

346.49 (1) (c) If an operator of a vehicle violates s. 346.46 (1) where persons engaged in work in a highway maintenance or construction area or in a utility work area are at risk from traffic, any applicable minimum and maximum forfeiture specified in par. (a) or (am) for the violation shall be doubled.

**SECTION 4. Initial applicability.**

(1) This act first applies to violations of s. 346.46 (2m) occurring on the effective date of this act.