

1977 Assembly Bill 576

Date published: June 6, 1978

CHAPTER 425, Laws of 1977

AN ACT to amend 347.06 (1); and to create 29.05 (3) and 347.06 (4) of the statutes, relating to permitting wardens to operate department vehicles without headlights at night for law enforcement.

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

SECTION 1. 29.05 (3) of the statutes is created to read:

29.05 (3) DRIVING WITHOUT HEADLIGHTS. In the performance of their law enforcement duties under this chapter, duly authorized wardens may operate vehicles owned or leased by the department upon a highway, other than an interstate, a state trunk highway or any highway within the limits of any incorporated area, during hours of darkness without lighted headlamps, tail lamps or clearance lamps, contrary to s. 347.06, if such driving will aid in the accomplishment of a lawful arrest for violation of this chapter or rules promulgated under this chapter or in ascertaining whether a violation of this chapter or rules promulgated under this chapter has been or is about to be committed. The state shall be liable for any accidents or injuries caused by any warden operating a motor vehicle under this subsection.

SECTION 2. 347.06 (1) of the statutes is amended to read:

347.06 (1) Except as provided in sub. ~~subs.~~ (2) and (4), no person shall may operate a vehicle upon a highway during hours of darkness unless all headlamps, tail lamps and clearance lamps with which such vehicle is required to be equipped are lighted. Parking lamps as defined in s. 347.27 shall not be used for this purpose.

SECTION 3. 347.06 (4) of the statutes is created to read:

347.06 (4) A duly authorized warden, as defined in s. 24.01 (11), may operate a vehicle owned or leased by the department upon a highway during hours of darkness without lighted headlamps, tail lamps or clearance lamps in the performance of the warden's duties under s. 29.05 (3).
