

State of Wisconsin



1997 Assembly Bill 786

Date of enactment: **June 12, 1998**
Date of publication*: **June 25, 1998**

1997 WISCONSIN ACT 277

AN ACT to amend 346.17 (5), 346.22 (1) (b), 346.43 (1) (b) 3., 346.49 (1) (c), 346.60 (3m), 346.65 (5m) and 349.06 (3); and to create 340.01 (73m) of the statutes; relating to: penalties for certain traffic offenses committed where persons working on a utility facility are at risk from traffic, granting rule-making authority and providing a penalty.

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

SECTION 1. 340.01 (73m) of the statutes is created to read:

340.01 (73m) "Utility work area" means the entire section of roadway between the first advance warning sign of work on a utility facility, as defined in s. 30.40 (19), or on a high-voltage transmission line, as defined in s. 30.40 (3r), and an "END UTILITY WORK" sign, where the signs are placed according to rules of the department, or, in the case of a moving vehicle engaged in work on such a utility facility or high-voltage transmission line, that section of roadway where traffic may return to its normal flow without impeding such work.

SECTION 2. 346.17 (5) of the statutes is amended to read:

346.17 (5) If an operator of a vehicle violates s. 346.04 (1) or (2) 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 sub. (1) for the violation shall be doubled.

SECTION 3. 346.22 (1) (b) of the statutes is amended to read:

346.22 (1) (b) If an operator of a vehicle violates s. 346.18 (6) 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) for the violation shall be doubled.

SECTION 4. 346.43 (1) (b) 3. of the statutes is amended to read:

346.43 (1) (b) 3. If an operator of a vehicle violates s. 346.37 or 346.39 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 subd. 1. for the violation shall be doubled.

SECTION 5. 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) for the violation shall be doubled.

SECTION 6. 346.60 (3m) of the statutes is amended to read:

346.60 (3m) If an operator of a vehicle violates s. 346.57 (2), (3), (4) (d) to (h) or (5) where persons engaged in work in a highway maintenance or construction area or in a utility work area are at risk from traffic, any

* Section 991.11, WISCONSIN STATUTES 1995-96: 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].

applicable minimum and maximum forfeiture specified in sub. (2) or (3) for the violation shall be doubled.

SECTION 7. 346.65 (5m) of the statutes is amended to read:

346.65 (5m) If an operator of a vehicle violates s. 346.62 (2) to (4) 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 or fine specified in sub. (1), (3) or (5) for the violation shall be doubled.

SECTION 8. 349.06 (3) of the statutes is amended to read:

349.06 (3) If an operator of a vehicle violates a local ordinance in strict conformity with s. 346.04 (1) or (2), 346.18 (6), 346.27, 346.37, 346.39, 346.46 (1), 346.57 (2), (3), (4) (d) to (h) or (5) or 346.62 (2) 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 for the violation shall be doubled.

SECTION 8m. Nonstatutory provisions.

(1) DEPARTMENT RULE MAKING. Not later than the first day of the 5th month beginning after publication, the department of transportation shall submit to the legislative council staff under section 227.15 (1) of the statutes rules in proposed form that specify the locations for placement of signs indicating the beginning and ending of a utility work area for purposes of section 340.01 (73m) of the statutes, as created by this act.

SECTION 9. Initial applicability.

(1) This act first applies to violations committed on the effective date of this subsection.

SECTION 10. Effective date.

(1) This act takes effect on the first day of the 4th month beginning after publication.
