

# State of Wisconsin



2005 Assembly Bill 365

Date of enactment: **March 23, 2006**

Date of publication\*: **April 6, 2006**

## 2005 WISCONSIN ACT 193

AN ACT *to renumber* 347.255 (2); *to renumber and amend* 347.255 (title), 347.255 (1) and 347.255 (3); *to amend* 347.50 (1); and *to create* 347.385 (1m), 347.385 (5) and 347.50 (1m) of the statutes; **relating to:** traffic control signal emergency preemption devices, and providing a penalty.

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

**SECTION 1.** 347.255 (title) of the statutes is renumbered 347.385 (title) and amended to read:

**347.385 (title) Auxiliary lamps on emergency vehicles used to activate traffic control signal emergency preemption devices.**

**SECTION 2.** 347.255 (1) of the statutes is renumbered 347.385 (2m) and amended to read:

347.385 (2m) An authorized emergency vehicle described in s. 340.01 (3) (a), (c), (g) or (i) may be equipped and operated with lamps designed and used solely, or with any other transmitter designed and used, to activate official traffic control signal emergency preemption devices.

**SECTION 3.** 347.255 (2) of the statutes is renumbered 347.385 (3m).

**SECTION 4.** 347.255 (3) of the statutes is renumbered 347.385 (4) and amended to read:

347.385 (4) No operator of an authorized emergency vehicle may use such a transmitter, including lamps under sub. (2m), except when responding to an emergency call, when pursuing an actual or suspected violator of the law, or when responding to, but not when returning from, a fire alarm.

**SECTION 5.** 347.385 (1m) of the statutes is created to read:

347.385 (1m) In this section:

(a) "Authorized emergency vehicle" means an authorized emergency vehicle as defined in s. 340.01 (3) (a), (c), (g), or (i).

(b) "Emergency preemption device" means a device, located on or within a traffic control signal, that is designed to receive an electronic, radio, light, or sound transmission from an approaching vehicle that alters the normal sequence of the traffic control signal to provide or maintain a green signal for the vehicle to proceed through the intersection.

(c) "Transmitter" means a device that emits a signal for the purpose of activating an emergency preemption device.

**SECTION 6.** 347.385 (5) of the statutes is created to read:

347.385 (5) (a) No person may operate upon a highway a motor vehicle, other than an authorized emergency vehicle, that is equipped with a transmitter or in which a transmitter is located. This subsection does not apply to a motor carrier or person in the business of selling transmitters to authorized users who transports a transmitter in original, unopened packaging or in an inoperative condition in an enclosed storage compartment of the vehicle.

\* 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].

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

**SECTION 7.** 347.50 (1) of the statutes is amended to read:

347.50 (1) Any person violating ss. 347.35 to 347.49, except s. ~~347.385 (5)~~, s. 347.413 (1) or s. 347.415 (1m), (2) and (3) to (5) or s. 347.417 (1) or s. 347.475 or s. 347.48 (2m) or (4) (a) or s. 347.489, may be required to

forfeit not less than \$10 nor more than \$200.

**SECTION 8.** 347.50 (1m) of the statutes is created to read:

347.50 (1m) Any person violating s. 347.385 (5) may be fined not more than \$10,000 or imprisoned for not more than one year in the county jail, or both, for each violation.

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