



1995 ASSEMBLY BILL 689

November 21, 1995 - Introduced by Representatives SCHNEIDER, DOBYNS, HAHN, HUEBSCH, OTTE, RYBA and ZIEGELBAUER, cosponsored by Senator DARLING, by request of Lieutenant Dave Laude, Wood County Sheriff's Department. Referred to Committee on Highways and Transportation.

- 1 **AN ACT to amend** 346.04 (3) of the statutes; **relating to:** fleeing a traffic officer
2 after receiving a visual or audible signal from a police vehicle.

Analysis by the Legislative Reference Bureau

Under current law, the operator of a vehicle who knowingly flees or attempts to elude a traffic officer after receiving a visual or audible signal from either the officer or a marked police vehicle must be fined not less than \$300 nor more than \$2,000 and may be imprisoned for not more than 2 years. If the violation results in bodily harm to another or causes damage to the property of another, the minimum fine is increased to \$500. If the violation results in great bodily harm to another, the minimum fine is increased to \$600. If the violation results in the death of another, the fine is the same as for a violation that results in great bodily harm to another, but the maximum term of imprisonment is increased to 5 years.

Current law also imposes upon the owner of a vehicle liability for fleeing a traffic officer under certain circumstances. If the operator of a vehicle who has been given an audible or visual signal by a traffic officer flees, the officer may pursue the fleeing vehicle or, within 72 hours, prepare a traffic citation for the violation. Any traffic officer employed by the issuing authority may serve it upon the owner of the vehicle.

A forfeiture of not less than \$300 nor more than \$1,000 shall be imposed upon the owner of a vehicle that is used to flee a traffic officer. The vehicle owner's operating privilege may not be suspended or revoked, and no demerit points may be recorded against the owner's operating record.

This bill provides that the violation of fleeing a traffic officer also applies to knowingly fleeing or attempting to elude a traffic officer after receiving a visual or audible signal from an unmarked police vehicle.

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

