



2013 ASSEMBLY BILL 159

April 15, 2013 – Introduced by Representatives JAGLER, MURTHA, STONE, KOOYENGA, PETERSEN, TRANEL, A. OTT, PETRYK, SPIROS, T. LARSON, RIPP, BORN, KLEEFISCH, HESSELBEIN, BARNES, WILLIAMS, BIES, THIESFELDT, ZEPNICK, KAHL, BERNIER, KESTELL, CZAJA, HEBL, LEMAHIEU and OHNSTAD, cosponsored by Senators FARROW and HANSEN. Referred to Committee on Criminal Justice.

1 **AN ACT to amend** 346.57 (3), 346.60 (3m) (a), 346.65 (5m) and 349.06 (3); and **to**
2 **create** 340.01 (55u) of the statutes; **relating to:** penalties for certain traffic
3 offenses committed while sanitation workers are at risk from traffic and
4 providing a penalty.

Analysis by the Legislative Reference Bureau

Current law requires that the minimum and maximum forfeitures and fines for violations of certain state and local traffic laws be doubled under specified circumstances. Among these, a speeding violation or a reckless driving violation committed in a highway maintenance or construction area or in a utility work area is subject to doubling of the forfeiture or fine.

This bill doubles the minimum and maximum forfeitures for certain speeding violations and the minimum and maximum forfeitures or fines for reckless driving violations committed where sanitation workers are at risk from traffic and the driver knows or should know that sanitation workers are present.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

ASSEMBLY BILL 159

For further information see the *state and local* 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:

1 **SECTION 1.** 340.01 (55u) of the statutes is created to read:

2 340.01 (**55u**) “Sanitation worker” means an individual engaged in the
3 collection and transport of solid waste and recyclables.

4 **SECTION 2.** 346.57 (3) of the statutes is amended to read:

5 346.57 (**3**) CONDITIONS REQUIRING REDUCED SPEED. The operator of every vehicle
6 shall, consistent with the requirements of sub. (2), drive at an appropriate reduced
7 speed when approaching and crossing an intersection or railway grade crossing,
8 when approaching and going around a curve, when approaching a hillcrest, when
9 traveling upon any narrow or winding roadway, when passing school children,
10 highway construction or maintenance workers, sanitation workers, or other
11 pedestrians, and when special hazard exists with regard to other traffic or by reason
12 of weather or highway conditions.

13 **SECTION 3.** 346.60 (3m) (a) of the statutes is amended to read:

14 346.60 (**3m**) (a) If an operator of a vehicle violates s. 346.57 (2), (3), (4) (d) to
15 (h), or (5) where persons engaged in work in a highway maintenance or construction
16 area or in a utility work area are at risk from traffic or where sanitation workers are
17 at risk from traffic and the operator knows or should know that sanitation workers
18 are present, any applicable minimum and maximum forfeiture specified in sub. (2)
19 or (3) for the violation shall be doubled.

20 **SECTION 4.** 346.65 (5m) of the statutes is amended to read:

ASSEMBLY BILL 159

1 346.65 (5m) If an operator of a vehicle violates s. 346.62 (2) to (4) where persons
2 engaged in work in a highway maintenance or construction area or in a utility work
3 area are at risk from traffic or where sanitation workers are at risk from traffic and
4 the operator knows or should know that sanitation workers are present, any
5 applicable minimum and maximum forfeiture or fine specified in sub. (1), (3), (4m),
6 or (5) for the violation shall be doubled.

7 **SECTION 5.** 349.06 (3) of the statutes is amended to read:

8 349.06 (3) If an operator of a vehicle violates a local ordinance in strict
9 conformity with s. 346.04 (1) or (2), 346.18 (6), 346.27, 346.37, 346.39, 346.46 (1),
10 346.57 (2), (3), (4) (d) to (h), or (5), or 346.62 (2) where persons engaged in work in
11 a highway maintenance or construction area or in a utility work area are at risk from
12 traffic or violates a local ordinance in strict conformity with s. 346.57 (2), (3), (4) (d)
13 to (h), or (5) or 346.62 (2) where sanitation workers are at risk from traffic and the
14 operator knows or should know that sanitation workers are present, any applicable
15 minimum and maximum forfeiture for the violation shall be doubled.

16 **SECTION 6. Initial applicability.**

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

19

(END)