

State of Wisconsin



2013 Assembly Bill 539

Date of enactment: April 16, 2014
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2013 WISCONSIN ACT 313

AN ACT *to amend* 346.215 and 347.25 (1) of the statutes; **relating to:** emergency vehicles operated as escorts for vehicle processions.

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

SECTION 1. 346.215 of the statutes is amended to read:

346.215 Police Emergency vehicles operated as escorts and rights-of-way related to escorted vehicles. (1) In this section, "~~police~~ emergency vehicle" means an authorized emergency vehicle as defined in s. 340.01 (3) (a), ~~(c), (dm), (e), (f), (g), (h), or (i).~~

(2) (a) Except as provided in par. (b), and notwithstanding s. 346.03 (1) and (4), the operator of ~~a police~~ an emergency vehicle escorting any vehicle or procession of vehicles may exercise the privileges specified in s. 346.03 (2) (b) if the operator of the ~~police~~ emergency vehicle is giving visual signal as described in s. 346.03 (3). The operator of the ~~police~~ emergency vehicle under this subsection is not required to give an audible signal as described in s. 346.03 (3). This subsection applies only if the vehicle, or in the case of a procession of vehicles the entire procession, is escorted by at least 2 ~~police~~ emergency vehicles, at least one of which is leading the vehicle or procession of vehicles and at least one of which is at the rear of the vehicle or procession of vehicles, and only if the requirement under sub. (4) is satisfied. Notwithstanding ss. 346.18 (3), 346.37 (1) (c) 1., and 346.46

(1) and (2), any operator of a vehicle being escorted under this subsection may accompany these ~~police~~ emergency vehicles as they proceed past any red or stop signal or stop sign in accordance with the privileges specified in this subsection.

(b) The operator of ~~a police~~ an emergency vehicle escorting a vehicle or procession of vehicles, and the operator of any vehicle being escorted, shall yield the right-of-way in accordance with s. 346.19 upon the approach of an authorized emergency vehicle giving an audible signal by siren.

(3) Except as provided in sub. (2) (b), the operator of a vehicle other than an escorted vehicle or escorting ~~police~~ emergency vehicle shall yield the right-of-way at an intersection to an escorted vehicle or escorting ~~police~~ emergency vehicle and shall not, except when authorized to do so by a traffic officer, drive between these escorting and escorted vehicles.

(4) The privileges specified in sub. (2) (a) do not apply to the operator of ~~a police~~ an emergency vehicle unless, prior to escorting any vehicle as provided under sub. (2) (a), the ~~law enforcement agency employing employer of~~ the operator of the ~~police~~ emergency vehicle has provided written guidelines for its ~~officers and~~ employees regarding the escorting of vehicles under this section.

* Section 991.11, WISCONSIN STATUTES: 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."

SECTION 2. 347.25 (1) of the statutes, as affected by 2013 Wisconsin Act (Assembly Bill 280), is amended to read:

347.25 (1) Except as provided in subs. (1m) (a), (1n), (1r), and (1s), an authorized emergency vehicle may be equipped with one or more flashing, oscillating, or rotating red lights, except that ambulances, fire department equipment, privately owned motor vehicles under s. 340.01 (3) (d), (dg), or (dm) being used by personnel of a full-time or part-time fire department, by members of a volunteer fire department or rescue squad, or by an organ procurement organization or any person under an agreement with an organ procurement organization, and privately owned motor vehicles under s. 340.01 (3) (dh) being used to transport or pick up medical devices or equipment, may be equipped with red or red and white lights, and shall be so equipped when the operator thereof is exercising the privileges granted by s. 346.03 or

346.215 (2) (a). The lights shall be so designed and mounted as to be plainly visible and understandable from a distance of 500 feet both during normal sunlight and during hours of darkness. No operator of an authorized emergency vehicle may use the warning lights except when responding to an emergency call or when in pursuit of an actual or suspected violator of the law, when responding to but not upon returning from a fire alarm, when transporting an organ for human transplantation, when transporting medical personnel for the purpose of performing human organ harvesting or transplantation immediately after the transportation, ~~or~~ when necessarily parked in a position which is likely to be hazardous to traffic, or as authorized under s. 346.215 (2) (a).

SECTION 3. Initial applicability.

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