

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 2-21-01

BILL NO. SD 10

OR  
SUBJECT \_\_\_\_\_

Sen. Brian Burke

(NAME)

Rep. Kautfert

(Street Address or Route Number)

Milwaukee

(City and Zip Code)

3rd Sen. Dist

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms  
State Capitol - B35 South  
P.O.Box 7882  
Madison, WI 53707-7882

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 2/21/01

BILL NO. SB 10

OR  
SUBJECT \_\_\_\_\_

Rep. Brian Kautfert

(NAME)

State Capitol

(Street Address or Route Number)

22 W

(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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State Capitol - B35 South  
P.O.Box 7882  
Madison, WI 53707-7882

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 2/21/01

BILL NO. SB 10

OR  
SUBJECT Emergency Vehicles

Dennis Kruger

(NAME)

State Concord

(Street Address or Route Number)

Oregon, WI 53575

(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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Madison, WI 53707-7882

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 2/21/01

BILL NO. 10

OR

SUBJECT \_\_\_\_\_

(NAME) Timothy Pelzek

6680 N. Tenthava ave

(Street Address or Route Number)

Milw. WI 53209

(City and Zip Code)

(Representing) Milwaukee Fire Dept

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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Madison, WI 53707-7882

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 2.21.01

BILL NO. SB 10

OR

SUBJECT \_\_\_\_\_

(NAME) Marc Beutley

562 Grand Canyon, Madison

(City and Zip Code)

(Representing) WI Motor Carriers Assoc

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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Madison, WI 53707-7882

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 2/21/01

BILL NO. SB 10

OR

SUBJECT \_\_\_\_\_

(NAME) JOHN MERTEN SR

189 LEWIS

(City and Zip Code)

(Representing) MER + EN'S Journal

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms  
State Capitol - B35 South  
P.O. Box 7882  
Madison, WI 53707-7882

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 02/21/2009

BILL NO. SB-10  
OR

SUBJECT \_\_\_\_\_

(NAME) JEFF ROSKOPF

(Street Address or Route Number) 10164 N 9216 WATER ST

(City and Zip Code) MENDOTA FALLS 53051  
WISCONSIN

(Representing) ROSKOPF'S TOWLING & TOWINGS  
ASSOCIATION

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger **PROMPTLY**.

Senate Sergeant-At-Arms  
State Capitol - B35 South  
P.O.Box 7882  
Madison, WI 53707-7882

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: Feb 21/09

BILL NO. 10  
OR

SUBJECT \_\_\_\_\_

(NAME) Jean Rogers-velvet

(Street Address or Route Number) 2004 Riverside Dr

(City and Zip Code) Beloit WI 53511

(Representing) Deepest Service Inc

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger **PROMPTLY**.

Senate Sergeant-At-Arms  
State Capitol - B35 South  
P.O.Box 7882  
Madison, WI 53707-7882

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 2/21/09

BILL NO. SB 10  
OR

SUBJECT \_\_\_\_\_

(NAME) LORELEE BRUNNEN

(Street Address or Route Number) \_\_\_\_\_

(City and Zip Code) \_\_\_\_\_

(Representing) DOT STATE ATTOR

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger **PROMPTLY**.

Senate Sergeant-At-Arms  
State Capitol - B35 South  
P.O.Box 7882  
Madison, WI 53707-7882

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 2/21/01

BILL NO. SB 10

OR

SUBJECT \_\_\_\_\_

Ernie Statenfeld

(NAME)

2030 Exekson Drive

(Street Address or Route Number)

Madison, WI 53717

(City and Zip Code)

AAA Wisconsin

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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Senate Sergeant-At-Arms  
State Capitol - B35 South  
P.O. Box 7882  
Madison, WI 53707-7882

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 2/21/2001

BILL NO. 10

OR

SUBJECT \_\_\_\_\_

Manlynn Windschieg

(NAME)

6330 E. Lakeside St

(Street Address or Route Number)

MADISON, 53745

(City and Zip Code)

State Medical Society

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms  
State Capitol - B35 South  
P.O. Box 7882  
Madison, WI 53707-7882

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 2-21-01

BILL NO. S-10

OR

SUBJECT \_\_\_\_\_

Michael Miller

(NAME)

200 E. Veeps (City Hall)

(Street Address or Route Number)

Milwaukee, WI 53212

(City and Zip Code)

City of Milwaukee - D04

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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Senate Sergeant-At-Arms  
State Capitol - B35 South  
P.O. Box 7882  
Madison, WI 53707-7882

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 2-21-01

BILL NO. 10

OR  
SUBJECT METARIS APPROXIMATE

EMERGENCY VEHICLES

RICK LEONARD

(NAME)  
1525 DURAND AV

(Street Address or Route Number)  
RACINE WI, 53403

(City and Zip Code)  
FZORDS TOWNSHIP

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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Senate Sergeant-At-Arms  
State Capitol - B35 South  
P.O.Box 7882  
Madison, WI 53707-7882

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: 2/21/01

BILL NO. 10

OR  
SUBJECT Motorists Allow

down for emergency vehicle

MAN of BREAST

(NAME)  
1347 N. 6TH ST.

(Street Address or Route Number)  
MILWAUKEE, WI, 53212

(City and Zip Code)  
ROAD PARK TOWNSHIP

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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Senate Sergeant-At-Arms  
State Capitol - B35 South  
P.O.Box 7882  
Madison, WI 53707-7882

**SENATE HEARING SLIP**

(Please Print Plainly)

DATE: Feb 21, 01

BILL NO. 10

OR  
SUBJECT \_\_\_\_\_

\_\_\_\_\_

Duane E Regers Sr

(NAME)  
2204 Riverside Dr

(Street Address or Route Number)  
Beloit WI 53511

(City and Zip Code)  
Deveys Service

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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Senate Sergeant-At-Arms  
State Capitol - B35 South  
P.O.Box 7882  
Madison, WI 53707-7882



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**WISCONSIN LEGISLATIVE COUNCIL  
STAFF MEMORANDUM**

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**TO:** MEMBERS OF THE SENATE COMMITTEE ON INSURANCE, TOURISM, AND TRANSPORTATION

**FROM:** Joyce L. Kied, Senior Staff Attorney

**RE:** 2001 Senate Bill 10, Relating to Motorists Approaching Certain Authorized Emergency Vehicles or Tow Trucks Stopped Near a Highway, and Senate Amendment \_\_ (LRBa0258/2) to Senate Bill 10

**DATE:** February 20, 2001

2001 Senate Bill 10, relating to motorists approaching certain authorized emergency vehicles or tow trucks stopped near a highway, was introduced by Senator Burke, cosponsored by Representative Kaufert. It was referred to the Senate Committee on Insurance, Tourism, and Transportation which has scheduled a public hearing and possible executive session on the bill on February 21, 2001. This memorandum describes the bill and Senate Amendment \_\_ (LRBa0258/2) to the bill.

**2001 SENATE BILL 10**

Senate Bill 10 creates requirements for a motorist who is approaching a parked or stopped authorized emergency vehicle (such as a police, fire, ambulance, or conservation warden vehicle) or tow truck. These requirements apply if: (1) the emergency vehicle or tow truck is parked or stopped on or within 12 feet of a roadway; and (2) the emergency vehicle is using emergency flashing lights or the tow truck is flashing red lights. The motorist must proceed with due regard for other traffic and must do one of the following:

- If the roadway has at least two lanes for traffic proceeding in the same direction as the motorist *and* if the motorist may change lanes safely and without interfering with traffic, the motorist must move into a lane that is not nearest the emergency vehicle or tow truck and must travel in that lane until passing the emergency vehicle or tow truck.
- If the roadway has only one lane for traffic proceeding in the same direction as the motorist or if there are at least two such lanes but the motorist cannot change lanes safely or without interfering with other traffic, the motorist must slow until passing the emergency vehicle or tow truck.

Violation of this requirement may result in a forfeiture of not less than \$30 nor more than \$300. The bill also requires a court to suspend the violator's operating privilege for specified periods of time. The periods of suspension depend on whether the violation resulted in damage to another's property, bodily injury to another, or the death of another.

**SENATE AMENDMENT --- (LRBa0258/2)**

Senate Amendment \_\_ (LRBa0258/2) applies these requirements not only with respect to a parked or stopped authorized emergency vehicle or tow truck as discussed above, but also to any similarly parked or stopped *road machinery or motor vehicle used in highway construction or maintenance* that is lighted as provided in s. 347.23, Stats., that is, with a red warning light or amber floodlamps.

If you have any questions, please feel free to contact me at 266-3137.

JLK:wu:rv:tlu;ksm

## Piliouras, Elizabeth

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**From:** Brumund, Lorelee  
**Sent:** Tuesday, February 20, 2001 4:24 PM  
**To:** Piliouras, Elizabeth  
**Cc:** Maassen, Joe; Cook, Robert; Frazier, Carson; Huxtable, Sandra; Young, Robert  
**Subject:** 2001 SB 10

As per our telephone conversation earlier today, I have some *technical concerns* regarding the wording of the *Senate Amendment to SB 10* that is scheduled for a hearing tomorrow, Feb. 21, at the Senate Insurance, Tourism and Transportation Committee. I do not offer a position on the amendment, just some questions I discovered during my review.

The DOT/DSP will be offering testimony in support of the original SB 10, but will also be offering some technical concerns on the anticipated amendment:

- 1) The term "highway maintenance equipment" is not defined in statute, but "road machinery" is defined in ss.340.01(52). You may want to review the equipment and machinery included in the definition of "road machinery" and see if it better describes the intent of the amendment.
- 2) Reference to the lighting requirements in ss.347.23 indicate that the "road machinery or motor vehicle used in highway construction or maintenance" is lighted only "*during hours of darkness*". I anticipate this is not the intent of the amendment, and it would be inconsistent with the lighting requirements of the authorized emergency vehicles and the tow trucks found elsewhere in the original bill.
- 3) Perhaps a better reference to required lighting for road machinery can be found in ss.347.26(7). However, be aware that a strict interpretation of that reference is that the lighting requirement is only for those vehicles *owned* by "the department or county or municipal highway department", and would not necessarily include those privately owned vehicles subcontracted by the governmental agency.
- 4) Ss.340.01(22e) already defines a "highway maintenance or construction area" including the specific signs that must be placed to identify that area to motorists. This definition is used to clarify the zones in which fines are doubled for speeders, and for zones in which workers are present and speeds are reduced by authorized signs. The amendment may want to exempt these work zones from the motorist requirement to either slow down or move into another lane if road machinery is included in the original proposal. These would be conflicting and redundant requirements for the motorist.
- 5) Be aware that there are also "utility work areas" as defined in ss.340.01(73m) and lighting requirements for utility vehicles as found in ss.347.26(9) & (11).

Please contact me if you have questions or comments.

Amendment  
redrafted 2.21.01  
DOT okay



Executive Director  
Casey Perry  
caseyperry@juno.com



**Wisconsin Troopers' Association, Inc.**  
2099 Ironwood Dr, Green Bay, WI 54304  
1-800-232-1392

President  
Steven Williams  
srwilliams@centurytel.net

TO: Chairman Roger Breske and Committee Members  
Senate Committee on Insurance, Tourism & Transportation  
FR: Casey Perry, Executive Director  
DA: February 21, 2001  
RE: Senate Bill 10 - motorists moving to left lane OR reducing speed when  
approaching emergency vehicles stopped near a highway

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On behalf of the Wisconsin State Troopers' Association, I urge you to support an important legislative proposal that will help protect the safety of Wisconsin's law enforcement officers and other emergency personnel. Senate Bill 10, authored by Senator Brian Burke and Representative Dean Kaufert, requires motorists to move to the unoccupied lane or slow down when approaching an emergency vehicle or tow truck with flashing lights along a highway. The forfeiture for such a violation would be not less than \$30, nor more than \$300. However, a court would be required to suspend an individual's operating privileges if the violation results in property damage, injury, or death.

Last session, this piece of legislation was unanimously recommended by the Senate Committee on Insurance, Tourism, Transportation & Corrections and the Assembly Committee on Highway Safety. It passed the Senate on a voice vote. It's companion bill in the Assembly also passed on a voice vote. Unfortunately, neither house took up the other's bill, and it died. Please help us ensure that does not happen again.

Wisconsin's law enforcement officers and emergency personnel serve to protect our citizens and promote public safety. Accordingly, our jobs require us to accept greater risk and danger. Specifically relating to this legislation, in the past 10 years, two of our state patrol officers were struck and killed by a vehicle while parked along side a roadway. According to the State Patrol's records, from 1994-1998, 60 officers were struck while parked along side a roadway while on duty. These incidents are nothing short of senseless tragedies. This legislation offers us an opportunity to do better.

I would like to share with you a personal experience that relates directly to the importance of this legislation. On September 17<sup>th</sup>, 1995, I was directing traffic on I 43 after a Packer game. I was struck by a vehicle attempting to pass other cars by moving into the lane where I was directing traffic (despite my squad car's presence and flashing lights). My arm and shoulder were seriously injured. At the time, I was unsure whether or not the disability would end my career. To this day I feel very fortunate, because the damage could have been far worse.

In addition to the personal impact, a significant cost accompanies such accidents. My medical bills alone totaled \$10,670, lost wages totaled \$5124, and permanent partial disability totaled \$4100.

Senate Bill 10 would help to prevent the careless, reckless behavior that results in such tragedies. Both Indiana and Ohio have passed similar legislation. It is my hope that Wisconsin will also embrace a leadership role on this very important roadside safety issue. Please support Senate Bill 10. Thank you for your time and attention.



Proud Member of the National Troopers Coalition



# WISCONSIN TOWING ASSOCIATION

Division of Wisconsin Motor Carriers Association

562 Grand Canyon Drive - P.O. Box 44849 - Madison, WI 53744-4849  
Phone: 608 / 833-8200 Fax: 608 / 833-2875

February 21, 2001

**To: Members**  
**Senate Committee on Insurance, Tourism, Transportation & Corrections**

**Subject: Senate Bill 10 – related to motorists approaching certain authorized emergency vehicles and tow trucks stopped near a highway and providing penalty**

On behalf of the members of the Wisconsin Towing Association, a Division of the Wisconsin Motor Carriers Association, I wish to offer the following comments on Senate Bill 10.

We commend the author of this bill for recognizing the problem that exists in insuring the safety of operators of emergency vehicles and tow trucks while they perform their duties and jobs on behalf of the motoring public.

Our member tow truck operators and their driver employees regularly experience "close calls" and unfortunately in some instances have been struck by motorists passing too close to them while they are providing service to wrecked or disabled vehicles on the shoulder of the road. One would think common sense and simple courtesy would prevail when motorists see an emergency vehicle or tow truck with its warning lamps operating assisting another vehicle on the roadside. Unfortunately, this is often not the case. They do not slow down, and they do not move to the lane furthest from the activity on the shoulder of the road. This situation puts our members in serious jeopardy, as they must often work with their backs to approaching traffic.

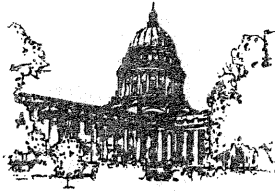
We feel the passage of SB-10 would be a good start to the resolving this serious safety issue for the members of our industry. Enactment along with a concerted educational effort of the motoring public as to the provisions of this legislation will prevent needless injuries and possibly save lives.

Given the safety considerations at hand, we don't think it is burdensome to require motorists to slow down and move over, if they are able to do so, when they see an emergency vehicle or tow truck working on the side of the road.

Thank you for considering my comments on Senate Bill 10, and I would be pleased to answer any questions that members of the committee may have.

Sincerely,

Marc S. Bentley  
Director of Governmental Relations



# **DEAN R. KAUFERT**

**WISCONSIN STATE REPRESENTATIVE**

**Senate Committee On Insurance, Tourism, and Transportation**

**February 21, 2001**

**10:00 am, 201-South East**

**Talking Points SB 10 by Rep. Dean Kaufert**

**Major Points of SB 10 include:**

- Provide penalty against those who cause an accident due to careless driving.
- Heighten public awareness of dangers on road and their responsibility to prevent accidents by driving defensively.
- Legislation brought forward by the Wisconsin Troopers Association.
- Bill requires any motorist approaching an emergency vehicle with its emergency lights on to move into a lane (traffic permitting) farthest from the emergency vehicle(s).
- Minimum fine of \$30.00 Maximum of \$300.00

**Member, Joint Committee on Finance**

P.O. Box 8952 • State Capitol • Madison, WI 53708-8952 • Telephone: (608) 266-5719  
Toll-Free Legislative Hotline: (800) 362-9472 • Rep.Kaufert@legis.state.wi.us

Printed on recycled paper with soy based ink.

- Currently, there is no recourse of action for those who do not change lanes when approaching an emergency vehicle or tow truck and in turn cause an accident.
- Similar legislation has been introduced at the national level by Ohio Congressman Tony Hall (D- Ohio's Third Congressional District).
- It is my hope that the committee will move this legislation forward, because of past accidents that show the need for this kind of legislation. There is a real and urgent safety need for those who protect and assist WI citizens every day on Wisconsin's highways.
- Senator Burke and myself proposed this same legislation last year and there has been no opposition.
- Thank you for your attention to this simple, but important legislation.

# Vote Record

## Senate - Committee on Insurance, Tourism, and Transportation

Date: 2/21/01  
 Moved by: Grobschmidt      Seconded by: Baumgart  
 Clearinghouse Rule: \_\_\_\_\_  
 Appointment: \_\_\_\_\_  
 Other: \_\_\_\_\_

AB: \_\_\_\_\_ SB: 10  
 AJR: \_\_\_\_\_ SJR: \_\_\_\_\_  
 AR: \_\_\_\_\_ SR: \_\_\_\_\_

A/S Amdt: 1  
 A/S Amdt: \_\_\_\_\_ to A/S Amdt: \_\_\_\_\_  
 A/S Sub Amdt: \_\_\_\_\_  
 A/S Amdt: \_\_\_\_\_ to A/S Sub Amdt: \_\_\_\_\_  
 A/S Amdt: \_\_\_\_\_ to A/S Amdt: \_\_\_\_\_ to A/S Sub Amdt: \_\_\_\_\_

Be recommended for:

- Passage
- Introduction
- Adoption
- Rejection

- Indefinite Postponement
- Tabling
- Concurrence
- Nonconcurrence
- Confirmation

### Committee Member

Sen. Roger Breske, Chair  
 Sen. Richard Grobschmidt  
 Sen. Jim Baumgart  
 Sen. Alan Lasee  
 Sen. Margaret Farrow

	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Sen. Roger Breske, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Richard Grobschmidt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Jim Baumgart	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Alan Lasee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Margaret Farrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 5      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_

Motion Carried

Motion Failed

# Vote Record

## Senate - Committee on Insurance, Tourism, and Transportation

Date:

2/21/01

Moved by:

Grobschmidt

Seconded by:

Baumgart

Clearinghouse Rule:

AB:

SB:

10

Appointment:

AJR:

SJR:

Other:

AR:

SR:

A/S Amdt:

A/S Amdt:

to A/S Amdt:

A/S Sub Amdt:

A/S Amdt:

to A/S Sub Amdt:

A/S Amdt:

to A/S Amdt:

to A/S Sub Amdt:

Be recommended for:

Passage

Introduction

Adoption

Rejection

Indefinite Postponement

Tabling

Concurrence

Nonconcurrence

Confirmation

### Committee Member

Sen. Roger Breske, Chair

Sen. Richard Grobschmidt

Sen. Jim Baumgart

Sen. Alan Lasee

Sen. Margaret Farrow

Aye

No

Absent

Not Voting

Totals:

5

Motion Carried

Motion Failed