

## CHAPTER 340 to 348

### TRAFFIC

**340.0001(1) STATE TRAFFIC LAWS ADOPTED.** Except as otherwise specifically provided in this Code, the statutory provisions in Chs. 340 to 348, Wis. Stats., describing and defining regulations with respect to vehicles and traffic, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are adopted and by reference made a part of this Code as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this Code. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this Code in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the State. Sections of the Wisconsin Statutes adopted herein shall have the same number in this code and may be so cited.

(2) Sections of Chapters 340 through 348 adopted by reference shall include but not be limited to the following:

340.01	Words and phrases defined
341.04	Penalty for operating unregistered vehicles, etc.
341.11(4)	Display of registration plates
341.15	Display of registration plates
341.16(4)	Issuance of duplicate plates
341.42(4)(5)	Reciprocity permits
341.51(5)	Dealer Registration
341.55	Penalty for misuse of plates
341.57(3)	Registration of finance companies and banks
341.61	Improper use of evidence of registration
341.62	False evidence of registration
341.63	When registration is to be suspended
342.05(4)	Certificate of title required
342.15(5)(6)(7)	Transfer of interest in vehicle
342.23	Secured party's and owner's duties
342.30, 342.31, 342.32, 342.34	Anti-theft and anti-fraud provisions
342.40	Vehicle abandonment
343.01	Words and phrases defined
343.05	Operators to be licensed; Exceptions
343.305	Implied consent
343.35	Surrender of licenses upon cancellation, revocation or suspension
343.45 through 343.46	Unlawful practices relative to licenses
343.60 through 343.72	Licensing of driver schools and instructions
343.73	Penalty for violation of Sections 343.60 through 343.72
344.01	Words and phrases defined
344.45 through 344.47	Penalties for violation of chapter
344.51	Financial responsibility for domestic rented vehicles
345.01	Words and phrases defined
345.20 through 345.53	General provisions in traffic forfeiture actions

345.55	Traffic officers not to profit from arrests
346.01	Words and phrases defined
346.02	Applicability of chapter
346.03	Applicability of rules of the road to authorized emergency vehicles
346.04, 346.05-346.16	Driving meeting, overtaking and passing
346.17	Penalty for violating Sections 346.04 through 346.16
346.18 through 346.21	Right of way
346.22	Penalty for violating Sections 346.18 through 346.21
346.23 through 346.29	Drivers and pedestrians
346.30	Penalty for violating Sections 346.23 through 346.29
346.31 through 346.35	Turning and stopping and required signals
346.36	Penalty for violating Sections 346.31 through 346.35
346.37 through 346.42	Traffic signs, signals and markings
346.43	Penalty for violating Sections 346.37 through 346.42
346.44 through 346.48	Required stops
346.49	Penalty for violating Sections 346.44 through 346.48
346.50 through 346.55	Restrictions on stopping and parking
346.56	Penalty for violating sections above in Section 340.0009
346.57 through 346.595	Speed restrictions
346.60	Penalty for violating Sections 346.57 through 346.595
346.61	Applicability of sections relating to reckless and drunken driving
346.62	Reckless driving - first offense in 4 years
346.63	Operating under influence of intoxicant - first offense in 5 years
346.64	Employment of drunken operators - first offense in a year
346.65 (1) and (2)	Penalty for violating Sections 346.62 through 346.64
346.66	Applicability of sections relating to accident and accident reporting
346.67	Duty upon striking person or attended or occupied vehicle
346.68 and 346.69	Duty upon striking unattended vehicle - upon striking property on or adjacent on highway - first offense within a year
346.70 through 346.73	Duty to report accident, etc.
346.74	Penalty for violating Sections 346.67 through 346.73
346.77 through 346.81	Bicycles and play vehicles
346.82	Penalty for violating Sections 346.77 through 346.81
346.87 through 346.94	Miscellaneous rules
346.95	Penalty for violating Sections 346.87 through 346.94
347.01 through 347.05	General provisions
347.06 through 347.29	Lighting equipment
347.30	Penalty for violating lighting equipment requirements
347.35 through 347.49	Other equipments
347.50	Penalty for violating Sections 347.35 through 347.49
348.01 through 348.02	Size, weight, load - General Provisions
348.05 through 348.10	Size and load
348.11	Penalty for violating size and load limitations
348.15 through 348.20	Weight
348.21	Penalty for violating weight limitations
348.25 through 348.27	Permits
348.28	Permits to be carried - Penalty

**340.0002 OTHER STATE LAWS ADOPTED BY REFERENCE.** There are also hereby adopted by reference the following sections of the Wisconsin Statutes but the prosecution of such offenses under this chapter shall be as provided in Chapters 340 through 348 of the Wisconsin Statutes and the penalty for violation thereof shall be limited to a forfeiture as provided in Section 340.0009 of this chapter:

941.01 (1)	Negligent operation of vehicle off highway
935	Drinking in motor vehicles on highway

**340.0003 SPEED LIMITS.** When signs are erected giving notice thereof in accordance with law, no person shall drive a vehicle in excess of the speed limits set forth in Schedule A attached hereto and made a part thereof.

**340.0004 SPEEDOMETER CALIBRATIONS.** Every 60 days the Brown County Traffic Department shall calibrate their police car speedometers and shall keep official records of such calibrations.

**340.0005 STOP SIGNS AT THE GOLF COURSE ENTRANCE.** It being deemed necessary for the public safety and pursuant to the authority granted by Section 349.085 of the Wisconsin Statutes, official stop signs of the size and type prescribed in Section 349.08 of the Wisconsin Statutes shall be installed on the entrance road leading from County Trunk Highway "J" to the Brown County Golf Course Parking Lot in the Town of Hobart at both approaches to the public traveled railroad grade crossing of the Green Bay and Western Railroad track.

A driver of a vehicle shall stop as required by law when approaching such stop sign.

**340.0006 PARKING, COUNTY PARKING LOTS.** (1) The Superintendent of Buildings and Grounds, at the direction of the County Executive is hereby directed to mark off individual parking spaces on the Court House Square and other county owned or leased parking lots, to be designated by lines painted or durably marked on the surface of the parking area. At each space so marked off, it shall be unlawful to park a vehicle so that the vehicle shall not be entirely within the limits of the space so designated.

(2) All parking spaces so designated shall be used only for paid monthly parking except that 5 spaces on the Court House Square shall be reserved exclusively for the Sheriff vehicles and so designated by proper signs.

(3) The Personnel office shall be responsible for assigning County parking spaces to those who are authorized to utilize them and shall keep records of parking space assignments and shall keep and maintain the parking space waiting list. The County Superintendent of Buildings & Grounds shall be responsible for maintaining the County parking lots, whether owned or leased, to include striping, snowplowing, black topping and other similar maintenance functions.

(4) The parking fee required shall be paid in advance on or before the first of each month to the County Treasurer, or shall be deducted as a payroll deduction for Brown County

employees. Any person not paying the required parking fee by the tenth of the month will forfeit the right to the parking space.

(5) The operator of any vehicle who has a designated monthly parking space shall not park his/her vehicle in any parking space on any County owned or leased parking lot other than in his/her designated parking space, without the prior written approval of the Personnel Director.

(6) The operator of any vehicle who does not have a designated monthly parking space shall not park such vehicle in any County owned or leased parking lot:

- (a) So as to obstruct other vehicles legally parked;
- (b) On any of the sidewalk or any lawn area;
- (c) In any area not designated and reserved for public parking.

(7) All available spaces reserved for monthly parking shall be allocated by the Personnel Director or his designee, taking into consideration those employees who are required to use a car in the performance of their work.

(8) No parking spaces on the Courthouse Square and other County owned or leased parking lots which are assigned to County employees shall be sublet by those assigned employees.

(9) Other rules and regulations for the supervision and operation of parking on such parking lots may be made by the Executive Committee, and any violation of the rules and regulations so made and posted shall be considered a violation of this section.

(10) The Brown County Sheriff Department is charged with the enforcement of this section.

(11) Any person who shall violate any of the provisions of this section may be required to forfeit not less than \$5 nor more than \$25, together with the costs of prosecution, and in the default of the payment of the forfeiture and costs of prosecution, shall be imprisoned in the County Jail until the forfeiture and costs are paid, but not exceeding 15 days.

**340.0007 PARKING AT BROWN COUNTY LIBRARY.** (1) The Brown County Library Director is hereby authorized and directed to mark off individual parking spaces on the parking area adjacent to the Brown County Library, to be designated by lines painted or durably marked on the surface of the parking area. At each space so marked off, it shall be unlawful to park a vehicle so that the vehicle shall not be entirely within the limits of the space so designated.

(2) Two spaces so designated shall be reserved exclusively for the use of the physically handicapped. The spaces shall be designated by proper signs, and it shall be unlawful for the operator of any vehicle to park such vehicle in said spaces unless the operator is physically handicapped.

Seven spaces so designated shall be reserved exclusively for the use of the Brown County Library staff members who shall pay a monthly rental for the same. The spaces shall

be designated by proper signs, and it shall be unlawful for the operator of any vehicle to park such vehicle in said spaces unless that operator is a Brown County Library staff member.

(3) Operation of Parking Meters. Except in emergency periods determined by the Director of the Brown County Library or in compliance with the directions of a police officer or traffic control sign or signal, when any vehicle is parked in any parking space alongside or next to which a parking meter is located, the operator of such vehicle, after the deposit of the proper coins, shall also set in operation the timing mechanism on such meter in accordance with directions properly appearing thereon; and failure to deposit such proper coin or to set the timing mechanism in operation when so required shall constitute a violation of this section. Upon the deposit of such coins and the setting in operation of the timing mechanism when so required, the parking space may be lawfully occupied by such vehicle during the period of time which has been prescribed for that part of the street in which such parking space is located; provided any person placing a vehicle in a parking meter space adjacent to a meter which indicates there is unused time on the meter shall not be required to deposit a coin so long as his occupancy of such space does not exceed the indicated unused parking time. If such vehicle remains parked in any such parking space beyond the parking time limit set for such space and if the meter indicates such illegal parking, then such vehicle shall be considered as parking overtime and beyond the period of legal parking time; and such parking shall be deemed a violation of this section.

This section applies to the parking lot area owned by Brown County and located generally to the north and east of the Brown County Library building. The parking or standing of a vehicle in a designated space in a parking meter zone within said parking lot shall be lawful for a period of up to 60 minutes, at the minimum rate as determined by the Green Bay Parking Utility and the Brown County Library, and as so designated on the parking meter itself. Parking beyond the designated parking limit shall be a violation of this chapter.

(4) It shall be unlawful for the operator of any vehicle to park such vehicle in any of the following places:

- (a) So as to obstruct other vehicles legally parked;
- (b) On any of the sidewalks;
- (c) On any portion of the lawn;
- (d) In any other area not designated and marked for parking.

(5) Other rules and regulations for the supervision and operating of parking on the parking area adjacent to the Brown County Library may be made by the County Library Board of Directors, and any violation of the rules and regulations so made and posted shall be considered a violation of this section.

(6) This section may be enforced by municipal or uniform traffic citations, or by long form Summons and Complaint, issued by those persons delegated such authority by either Brown County or the City of Green Bay.

(7) The Brown County Library Board is hereby granted the authority to determine the effective hours and days of the various parking restrictions that are established by this section.

(8) Violations. No person shall:

(a) Cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked overtime or beyond the period of legal parking time established for any parking meter zone as herein described or deposit in any parking meter any coin for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone.

(b) Occupy by further deposits of coins a parking meter zone beyond the time permitted. Parked vehicles shall be removed promptly by the operator on the expiration of the parking period as provided for by city parking ordinances.

(c) Permit any vehicle to remain or be placed in any parking space adjacent to any parking meter while such meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period prescribed for such parking space.

(d) Park any vehicle across any line or marking of a parking meter space or in such position that the vehicle is not entirely within the area designated by such lines or markings.

(e) Deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this section.

(f) Deposit or cause to be deposited in any parking meter any slug, device, metal substance or other substitute for lawful coins.

(9) Any person who shall violate any of the provisions of this section may be required to forfeit the same amount that would be required to be forfeited under the City of Green Bay Traffic Code, Penalty Section, Section 29.10 of the code of ordinances of the City of Green Bay, and in the default of the payment of the forfeiture and costs of prosecution shall be imprisoned in the County Jail until said forfeiture and costs are paid, but not exceeding 15 days.

**340.0008 TRAFFIC SAFETY COMMISSION.** (1) Commission Created. There is hereby created a Brown County Traffic Safety Commission consisting of the State Highway Engineer or his/her designated representative, the County Highway Commissioner, the Chief of the State Patrol or his/her designated representative, the County Sheriff or his/her designated representative, the State Highway Safety Coordinator or his/her designated representative and a representative appointed by the County Executive for a three-year term and subject to the confirmation of the County Board from each of the disciplines of education, medicine and law.

The Chairperson of the commission shall be elected annually by the commission members and all commission members shall serve without compensation.

(2) Meetings. The commission shall meet at least quarterly to review traffic accident data from the county. Upon each review, the commission shall make written recommendations for any corrective actions it deems appropriate to the County Board Transportation Committee, the Public Safety Committee, and to any other appropriate branch of local government.

The commission shall appoint a secretary to keep a record of attendance, minutes and all official proceedings.

The commission shall file a report on each meeting with the Division of Highway Safety Coordination.

(3) Responsibilities and Duties. The commission shall have the following responsibilities and duties in addition to those enumerated above:

(a) To secure voluntary coordination and reinforcement of highway safety activities conducted by the political subdivisions of the county in the following functional areas:

1. Driver education
2. Codes, laws and ordinances
3. Traffic Courts
4. Alcohol in relation to traffic safety
5. Identification and surveillance of accident locations.
6. Traffic records
7. Emergency medical services
8. Highway design, construction and maintenance
9. Traffic control devices
10. Pedestrian safety
11. Police traffic services
12. Debris hazard control and cleanup
13. School bus safety

(b) To review and develop a written statement of highway safety needs in the aforementioned functional areas and develop immediate priorities and long-range goals for highway safety improvement.

(c) To advise the County Board and its various committees on highway safety matters.

(d) To maintain liaison with highway safety programs carried on by local governmental units and related state functions conducted in the county.

(e) To act as an advisory body to the County Highway Safety Coordinator for the purpose of developing local actions necessary to implement projects under the Federal Highway Safety Act.

(f) To cooperate with nonofficial organizations and groups in developing and conducting public information programs directed toward highway safety improvements.

(g) To develop procedures for periodic review of local highway safety improvement programs.

(h) To perform such other duties as may be delegated to it by the County Board.

(4) Committees and Study Groups. The commission may establish special study groups or subcommittees necessary to meeting its responsibilities.

**340.0009 PENALTY.** The penalty for violation of any provision of this chapter shall be a forfeiture as hereinafter provided together with the cost of prosecution imposed as provided in Sections 345.20 through 345.53, Wisconsin Statutes.

(1) State Forfeiture Statutes. Any forfeiture for violation of the State Statutes adopted by reference in 340.0001 (l) of this chapter shall conform to the forfeiture permitted to be imposed for violation of such statutes as set forth in the Uniform Deposit and Misdemeanor Bail Schedule of the Wisconsin Judicial Conference, including any variations or increases for subsequent offenses, which schedule is adopted by reference.

(2) Miscellaneous Offenses. The forfeiture for violation of Section 941.01 (l), Wisconsin Statutes, as adopted by Section 340.0002 of this chapter shall be not more than \$200. The forfeiture for violation of Section 346.935 Wisconsin Statutes, as adopted by Section 340.0002 of this chapter shall be not more than \$100.

(3) Violating Sections 346.50 to 346.55. (a) Any person violating any provision of Sections 346.52 to or 346.55 (3) may be required to forfeit not less than \$5 nor more than \$40 for the first offense, and not less than \$50 nor more than \$100 for the second offense within a year, together with the costs of prosecution, and in default of the payment of the forfeiture and the costs of prosecution, shall be imprisoned in the County Jail until the forfeiture and costs are paid, but not exceeding 30 days.

(b) Any person violating any provision of Sections 346.51 or 346.55 (1) or (2) may be required to forfeit not less than \$5 nor more than \$200, together with the costs of prosecution, and in default of the payment of the forfeiture and the costs of prosecution, shall be imprisoned in the County Jail until the forfeiture and costs are paid, but not exceeding 30 days.

(c) Any person violating any provisions of Secs. 346.50, 346.503 or 346.505 may be required to forfeit not less than \$20 nor more than \$100, together with the cost of prosecution for the first offense, and not less than \$50 nor more than \$200 for the second offense within a year, together with the cost of prosecution, and upon failure of payment of the forfeiture and cost of prosecution, shall be imprisoned in the County jail until the forfeiture and costs are paid, but not exceeding 30 days.

**340.0010 ENFORCEMENT.** This chapter shall be enforced in accordance with the provisions of Sections 345.20 through 345.53 and Chapter 299 of the Wisconsin Statutes.

**340.0011 DISORDERLY CONDUCT WITH A MOTOR VEHICLE.** (1) Conduct Prohibited. No person shall, within the County of Brown, by or through the use of any motor vehicle, including, but not limited to, an automobile, truck, motorcycle, minibike, or snowmobile, cause or provoke disorderly conduct with a motor vehicle.

(2) Definition. Disorderly conduct with a motor vehicle shall mean, while operating or in control of a motor vehicle, to engage in conduct or activities which are violent, unreasonably loud, dangerous to persons or property, or otherwise against the public peace, welfare, and safety, including but not limited to unnecessary, deliberate, or intentional spinning of the wheels, squealing of the tires, revving or racing of the engine, blowing of the horn, causing the engine to backfire, or causing the vehicle, while commencing to move or while in motion, to raise one or more wheels off the ground. Specifically excluded from this definition are legitimate, scheduled racing events.

(3) Penalty. Any person found guilty of violating this section, or any part thereof, may be required to forfeit not less than \$10 nor more than \$200, and the cost of prosecution, for the first offense, and not less than \$50 nor more than \$300, and the cost of prosecution, for the second or subsequent violation within two years, and upon failure to pay said forfeiture, and the costs, may be confined in the County Jail for a period not to exceed 10 days for the first offense and 30 days for the second offense, or until the payment of said forfeiture and costs is made.

**340.0012 REGULATING THE PARKING OF VEHICLES WITH RESPECT TO COUNTY TRUNK HIGHWAYS.** (1) No person shall park a vehicle with respect to a Brown County trunk highway where an official traffic sign or marker has been placed or erected to indicate that parking is prohibited, limited or otherwise restricted.

(2) Penalty and Enforcement. The penalty and enforcement provisions set forth in Sections 340.0009 and 340.0010 shall govern any violation of this section.