

State of Wisconsin



2025 Assembly Bill 409

Date of enactment:
Date of publication*:

2025 WISCONSIN ACT

AN ACT *to renumber* 346.072 (1g) (a) to (d); *to amend* 346.072 (title), 346.072 (1g) (intro.) and 346.072 (1m); *to create* 346.072 (1g) (am) of the statutes; **relating to:** passing certain vehicles stopped on or near a highway and providing a penalty.

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

SECTION 1. 346.072 (title) of the statutes is amended to read:

346.072 (title) **Passing certain stopped ~~emergency or roadside service~~ vehicles.**

SECTION 2. 346.072 (1g) (intro.) of the statutes is amended to read:

346.072 (1g) (intro.) In this section, ~~“emergency;~~
(bm) Emergency or roadside service vehicle” means any of the following:

SECTION 3. 346.072 (1g) (a) to (d) of the statutes are renumbered 346.072 (1g) (bm) 1. to 4.

SECTION 4. 346.072 (1g) (am) of the statutes is created to read:

346.072 (1g) (am) “Disabled vehicle” means a motor vehicle that is stopped and to which any of the following apply:

1. The motor vehicle is displaying warning or hazard lights.
2. Emergency flares or other emergency warning devices are placed near the motor vehicle.
3. One or more persons are attending the motor vehicle and visible to passing motorists.

SECTION 5. 346.072 (1m) of the statutes is amended to read:

346.072 (1m) If an emergency or roadside service vehicle or a disabled vehicle is parked or standing on or within 12 feet of a roadway, the operator of a motor vehicle approaching the emergency or roadside service vehicle or disabled vehicle shall proceed with due regard for all other traffic and shall do either of the following:

(a) Move the motor vehicle into a lane that is not the lane nearest the parked or standing emergency or roadside service vehicle or disabled vehicle and continue traveling in that lane until safely clear of the emergency or roadside service vehicle or disabled vehicle. This paragraph applies only if the roadway has at least two lanes for traffic proceeding in the direction of the approaching motor vehicle and if the approaching motor vehicle may change lanes safely and without interfering with any vehicular traffic.

(b) Slow the motor vehicle, maintaining a safe speed for traffic conditions, and operate the motor vehicle at a reduced speed until completely past the emergency or roadside service vehicle or disabled vehicle. This paragraph applies only if the roadway has only one lane for traffic proceeding in the direction of the approaching motor vehicle or if the approaching motor vehicle may not change lanes safely and without interfering with any vehicular traffic.

* 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.”