

1113 DUTY OF PRECEDING DRIVER: SLOWING OR STOPPING: SIGNALLING

The statutes provide that no person may stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal by brake lights or by hand to the driver of any vehicle immediately to the rear when there is opportunity to give a signal.

It is for you to determine whether (driver of the front car) indicated by proper signal (his) (her) intention to stop or suddenly decrease speed, and if not, then whether (driver of the front car) had an opportunity to do so.

COMMENT

The instruction and comment were originally published in 1966 and revised in 1992 and 2008. Editorial changes were made in 1992 to address gender references in the instruction.

Wis. Stat. §§ 346.34(2), 346.35.

A driver who gives a timely signal of stopping by means of brake lights is not required to give a hand signal in addition. Johnson v. McDermott, 38 Wis.2d 185, 190, 137 N.W.2d 107 (1968); St. Clair v. McDonnell, 32 Wis.2d 469, 476, 145 N.W.2d 773 (1966); Thompson v. Nee, 12 Wis.2d 326, 328, 107 N.W.2d 150 (1961); Tesch v. Wisconsin Pub. Serv. Corp., 2 Wis.2d 131, 137, 85 N.W.2d 762 (1957); Wodill v. Sullivan, 270 Wis. 591, 598, 72 N.W.2d 396 (1955).

The duty of lookout to the rear of the preceding driver is dealt with in Wis JI-Civil 1114.