

1193.5 FLASHING RED TRAFFIC CONTROL LIGHT

When a red traffic control light is illuminated with rapid intermittent flashes, operators of vehicles shall stop before entering the intersection at the nearest crosswalk or at a limit line if marked, or, if there is no crosswalk or limit line, then before entering the intersection; the right to proceed is subject to the rules applicable after making a stop at a stop sign.¹

[Here add appropriate parts of Wis JI-Civil 1325 Stop at Stop Signs.]

NOTES

1. Wis. Stat. § 346.39(1).

COMMENT

This instruction and comment were approved in 1977. The instruction was revised in 2008. This revision was approved by the Committee in September 2021.

Driver or Operator. This instruction applies to either an operator or a driver of a motor vehicle. If “driver” is more appropriate to the evidence, then substitute “driver” for “operator.”

Rights and duties of bicyclists. Different right-of-way standards apply depending on whether a bicyclist was using the roadway as any other vehicle or as a pedestrian upon a sidewalk or within a crosswalk. See Chernetski v. American Family Mutual Insurance Co., 183 Wis.2d 68, 515 N.W.2d 283 (1994) and Estate of Zhu v. Hodgson, 2021 WI App 10, 395 Wis.2d 768, 954 N.W.2d 748.

