

1325A STOP AT STOP SIGNS [ALTERNATE]

A safety statute provides that the driver of a vehicle must come to a full and complete stop before entering an intersection at which has been erected an official stop sign designating an artery for through traffic. (Highway) (Street), on which (name) was traveling at the time and place in question, was an arterial highway, and there was erected at the proper place on ____ an arterial stop sign, requiring drivers on that _____ to stop. The statute further provides that:

[Select one or more of the following items to complete this paragraph.]

- (a) If there is a clearly marked stop line, as there was at the stop line here, the driver must stop before crossing such line.
- (b) If there is no clearly marked stop line, which was the situation here, the driver shall, if there is a crosswalk, as there was here, stop before entering the crosswalk.
- (c) If there is neither a crosswalk nor a stop line at the intersection, which was the situation here, the driver, before entering the intersection, shall stop the vehicle at a point from which the driver can efficiently observe traffic on the intersecting roadway.

[I have previously defined for you the meaning of the word intersection.]

["Intersection" means the area embraced within the prolongation of the lateral boundary lines of two or more highways which join one another at an angle, whether or not one highway crosses the other.]

A "highway" is defined by statute as being every way or place, of whatever nature, open to the use of the public as a matter of right for the purposes of vehicular travel.

It is not sufficient that a driver before entering an arterial highway at which there is a (crosswalk) (marked stop line) stop at the (crosswalk) (marked stop line) only. If the driver cannot efficiently observe traffic on the arterial highway from that point, the driver must stop again, before entering the highway, at a point where the driver can efficiently observe traffic approaching on the arterial highway.

COMMENT

The instruction and comment were originally published in their present form in 1960. The instruction was revised in 1992 and 2008.

Wis. Stat. § 346.46. This statute is a safety statute. Totsky v. Riteway Bus Service, Inc., 233 Wis.2d 371, 607 N.W.2d 637 (2000).