

1335 EMERGING FROM A PRIVATE DRIVEWAY OR OTHER NONHIGHWAY ACCESS

A safety statute requires that the driver of a vehicle (emerging from an alley) about to cross or enter a highway from any point of access other than another highway shall stop the vehicle immediately prior to moving on to the sidewalk or on to the sidewalk area extending across the path of the vehicle and shall yield the right of way to any pedestrian and upon crossing or entering the roadway shall yield the right of way to all vehicles approaching on the roadway.

(Unless a traffic control officer or official traffic control device otherwise directs or permits, the driver of a vehicle about to cross or enter a highway from a point of access other than another highway is required to stop.)

COMMENT

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

Wis. Stat. § 346.47.

(The statute also provides that the driver of a vehicle on an alley shall stop the vehicle immediately before crossing or entering an intersecting alley, whether or not the intersecting alley crosses the alley on which the vehicle is being driven. Wis. Stat. § 346.47(2).)

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