

11/20/98 3:05:26 PM
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1999 DRAFTING REQUEST

Bill

Received: 11/17/98				Received By: nilsepe			
Wanted: As time permits				Identical to LRB: 97-1444/1			
For: John Ainsworth (608) 266-3097				By/Representing:			
This file	may be shown	n to any legislat	or: NO		Drafter: nilsepe		
May Con	tact:				Alt. Drafters:		
Subject:	Transp	ortation - traff	ic laws		Extra Copies:		
Topic:							
following	snowplows						
Instructi	ons:						
See Attac	ched						
Drafting	History:						
Vers.	<u>Drafted</u>	Reviewed	<u>Typed</u>	<u>Proofed</u>	Submitted	<u>Jacketed</u>	Required
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1999 DRAFTING REQUEST

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Received: 11/17/98	Received By: nilsepe

Wanted: **As time permits** Identical to LRB: **97-1444/1**

For: **John Ainsworth (608) 266-3097** By/Representing:

This file may be shown to any legislator: **NO** Drafter: **nilsepe**

May Contact: Alt. Drafters:

Subject: Transportation - traffic laws Extra Copies:

Topic:

following snowplows

Instructions:

See Attached

Drafting History:

Vers.	Drafted	Reviewed	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Reauired</u>
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FE Sent For:

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State Representative • 6th Assembly District

Chair: Assembly Committee on Rural Affairs

MEMORANDUM

To: Paul Nilsen, Attorney

From: Representative John Ainsworth

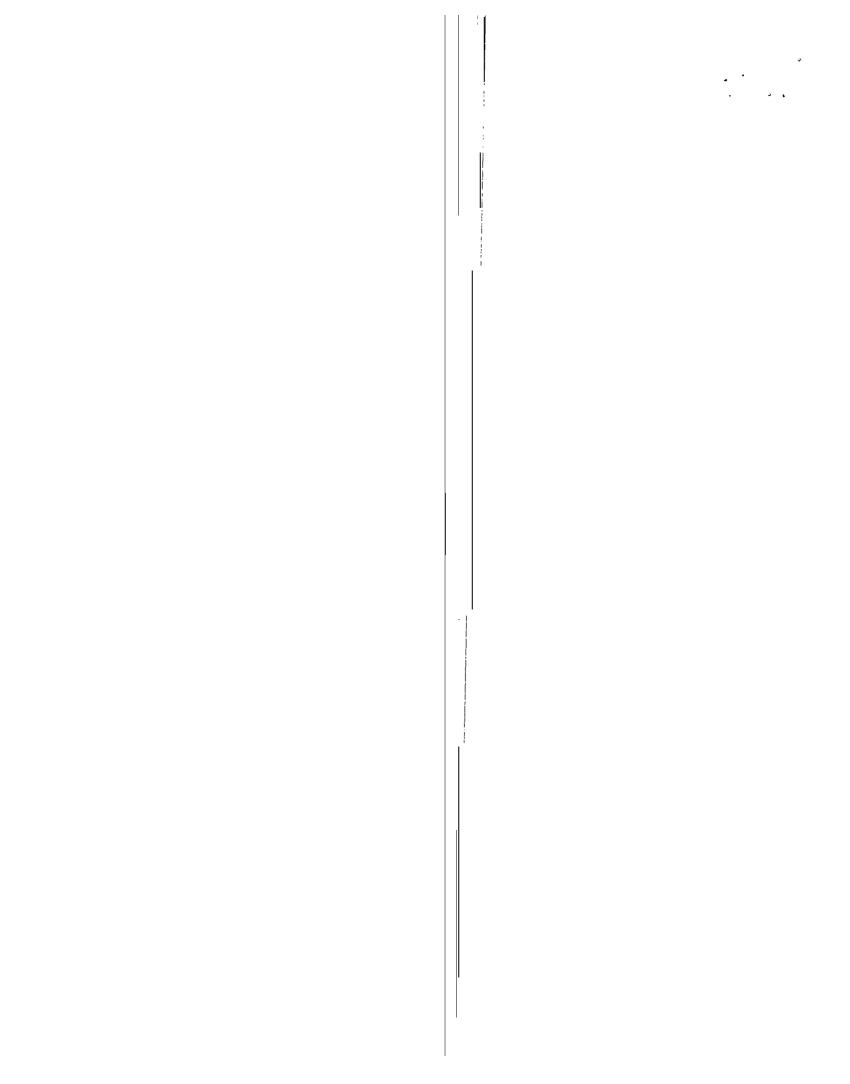
Date: November 17, 1998

Re: Following Snowplow Legislation

Please find enclosed a copy of 1997 Assembly Bill 78 as well as Assembly Amendment 1 to AB 78. This bill was originally introduced by Representative Hasenohrl, however we have mutually decided that I will reintroduce the proposal for the 1999-2000 Legislative Session. Therefore, I would like to request a draft of this proposal, as amended last session, for subsequent introduction.

Thank you in advance for your attention to this request. If you have any additional questions, do not hesitate to contact myself or Kristina Boardman at 266-3097.





1997 ASSEMBLY BILL 78

February 12, 1997 - Introduced by Representatives Hasenohrl, Freese, Ryba, Gronemus, Musser, Underheim, Turner, Goetsch, Ainsworth, Linton, Dobyns, Otte, Boyle, Seratti, Ward and Green, cosponsored by Senators Shibilski, Breske and Schultz. Referred to Committee on Highways and Transportation.

AN ACT to create 346.915 of the statutes; relating to: following snowplows.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, no person may drive a motor vehicle closer than 500 feet behind an authorized emergency vehicle, including a police car, fire truck or ambulance, that is responding to a call or alarm. A person violating this prohibition may be required to forfeit not less than \$26 nor more than \$40 for a first conviction, and not less than \$50 nor more than \$100 for a 2nd or subsequent conviction within one year of the first conviction. There is no similar prohibition applicable to follow snowplows.

This bill prohibits a person from driving a motor vehicle closer than 200 feet behind an official snowplow that is engaged in the removal or treatment of snow or ice upon a highway having a posted speed limit of 35 miles per hour or more. The penalty for a violation is identical to the penalty for following an emergency vehicle too closely.

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

Section 1. 346.915 of the statutes is created to read:

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- **346.915 Following snowplow. (1)** In this section, "snowplow" means a
- 4 vehicle that is operated by a person employed by, or on behalf of an authority in charge

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SECTION 1

. ASSEMBLY BILL 78

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of the maintenance of the highway to perform highway winter maintenance snow
and ice removal, including plowing, salting and sanding, during either a storm or
cleanup following a storm.

(2) The operator of any vehicle that is not a snowplow may not follow a snowplow closer than 200 feet upon any highway having a posted speed limit of 35 miles per hour or more.

7 (END)

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1997 – 1998 LEGISLATURE



1997 ASSEMBLY BILL 78

1999 Bill

D-note

February 12, 1997 – Introduced by Representatives Hasenohrl, Freese, Ryba, Gronemus, Musser, Underheim, Turner, Goetsch, Ainsworth, Linton, Dobyns, Otte, Boyle, Seratti, Ward and Green, cosponsored by Senators Shibilski, Breske and Schultz. Referred to Committee on Highways and Transportation.

AN ACT to create 346.915 of the statutes; relating to: following snowplows.

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Analysis by the Legislative Reference Bureau

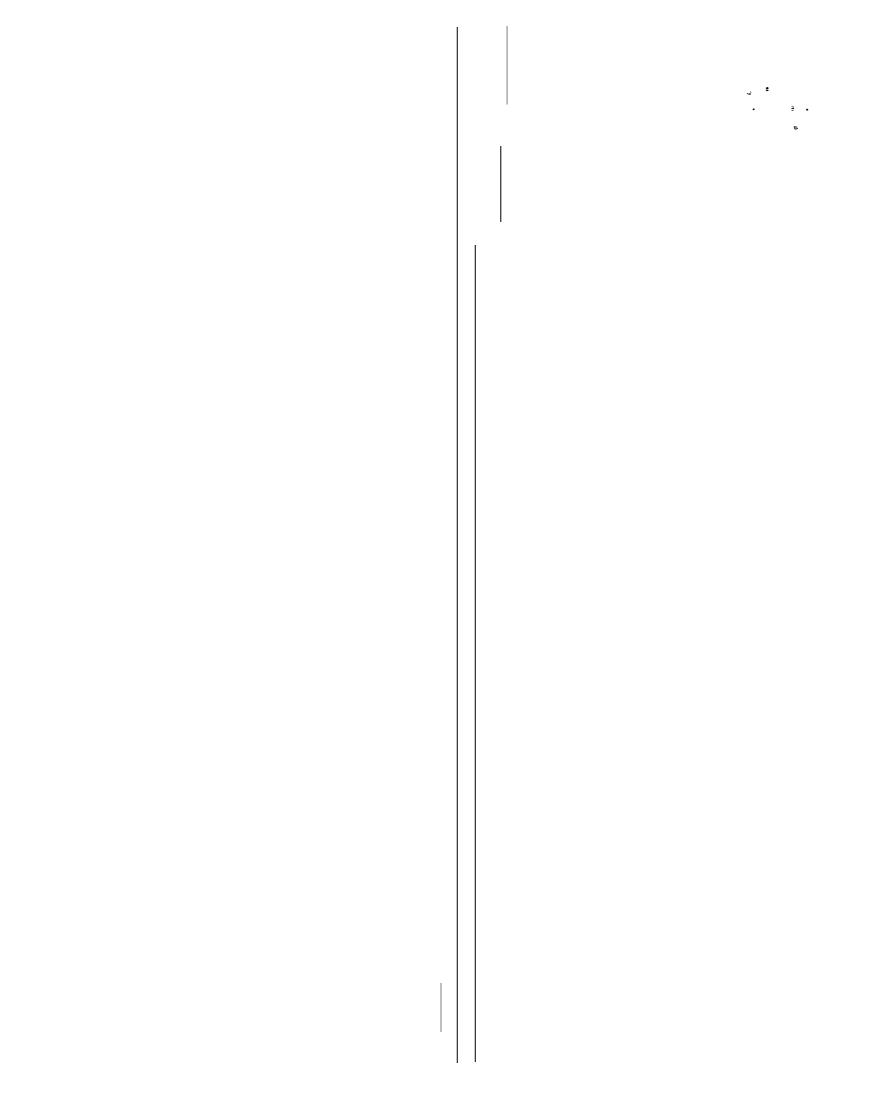
Under current law, with certain exceptions, no person may drive a motor vehicle closer than 500 feet behind an authorized emergency vehicle, including a police car, fire truck or ambulance, that is responding to a call or alarm. A person violating this prohibition may be required to forfeit not less than \$20 nor more than \$40 for a first conviction, and not less than \$50 nor more than \$100 for a first conviction within one year of the first conviction. There is no similar prohibition applicable to follow snowplows.

This bill prohibits a person from driving a motor vehicle closer than 200 feet behind an official snowplow that is engaged in the removal or treatment of snow or ice upon a highway having a posted speed limit of 35 miles per hour by reports. The penalty for a violation is identical to the penalty for following an emergency vehicle too closely.

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

- **SECTION 1.** 346.915 of the statutes is created to read:
- 3 346.915 Following snowplow. (1) In this section, "snowplow" means a
 4 vehicle that is operated by a person employed by or on behalf of an authority in charge,

a snowplaw that is removing or treating snow or ice,



ASSEMBLY BILL 78

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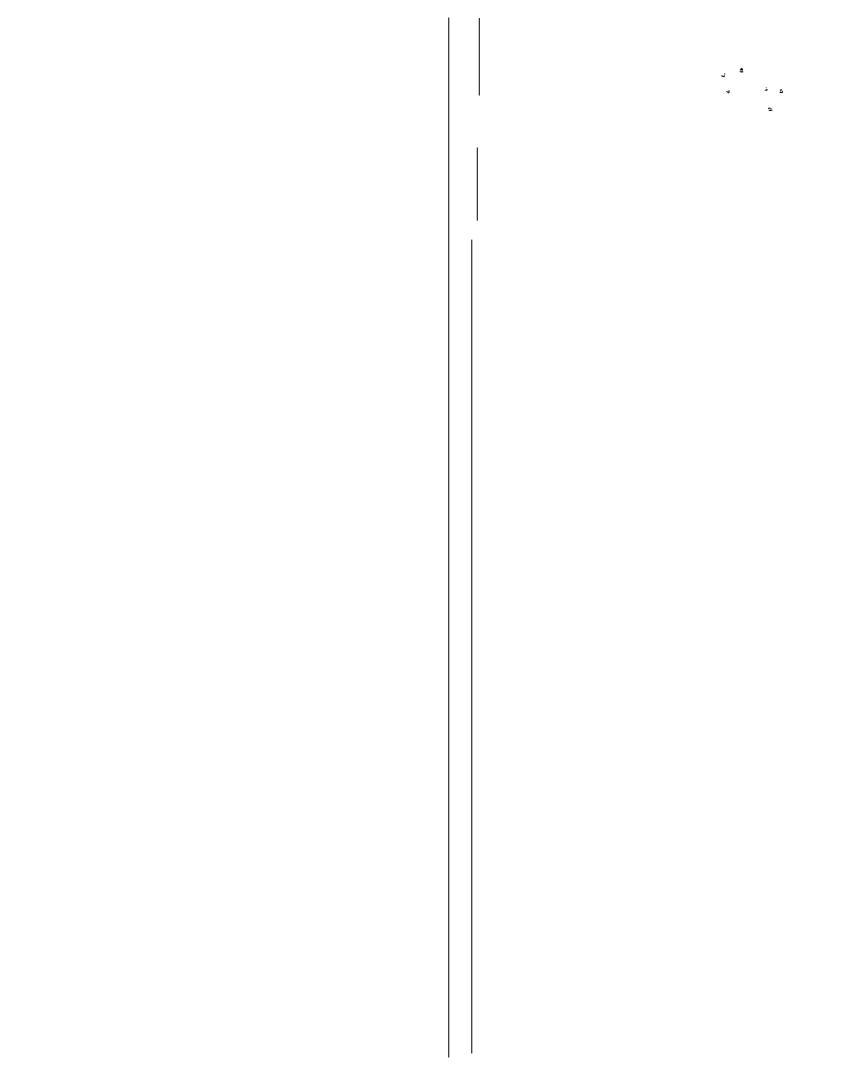
of the maintenance of the highway to perform highway winter maintenance snow
and ice removal, including plowing, salting and sanding, during either a storm or
cleanup following a storm.

(2) The operator of any vehicle that is not a snowplow may not follow a snowplow closer than 200 feet upon any highway having a posted speed limit of

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miles per bour or hours

(END)



1997 - 1998 LEGISLATURE

LRBa0753/1/ PEN:kaf:lp

ASSEMBLY AMENDMENT 1, TØ 1997 ASSEMBLY BILL 78



August 28, 1997 - Offered by COMMII-TEE ON HIGHWAYS AND TRANSPORTATION.

At the locations indicated, amend the bill as follows:

1. Page 2, line 5: delete "35" and substitute more than 35 miles per hour. This subsection does not apply when overtaking and passing a snowplow, but the fact that the operator of any vehicle upon a highway having a posted speed limit of more than 35 miles per hour follows the snowplow more closely than 200 feet for one mile or more or follows more closely than 200 feet when the snowplow is moving at the maximum speed limit is prima facie evidence that the operator of such following vehicle is violating this subsection.

2. Page 2, line 6. delete-that line.

(END)

(end insert)

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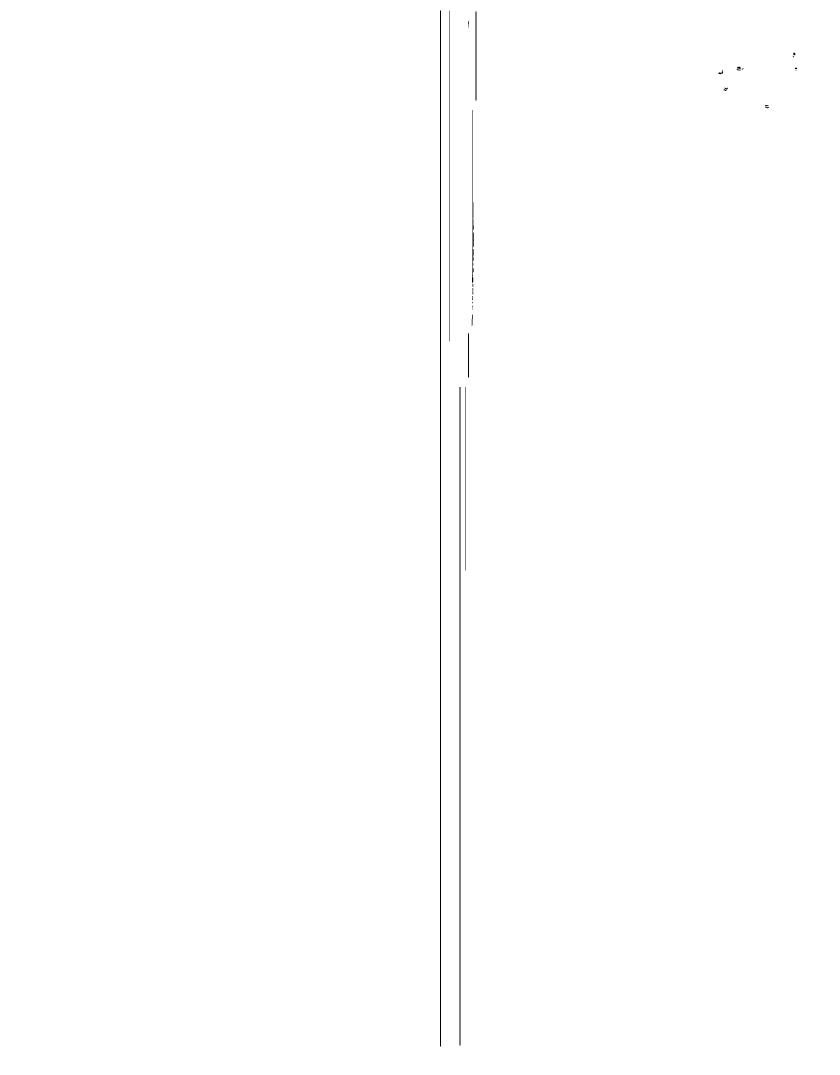
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Nov. I	7,1998		0909/12
Rep. Ainsworth; This bill	is identical	to 1997	
Assembly Bill 78,	as affected	by 1997	
Assembly Amendmen-	<u> </u>		
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-SUBMITTAL FORM

LEGISLATIVE REFERENCE BUREAU Legal Section Telephone: 266-3561 5th Floor, 100 N. Hamilton Street

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 1 1/18/98	To: Representative Ainsworth		
	Relating to LRB drafting number: LRB-0909		
Topic following snowplows			
<u>Subject(s)</u> Transportation - traffic laws	/ h		
1. JACKET the draft for introduction	John Pinsworth		
in the Senate or the Assembly	(check only one). Only the requester under whose name the		
drafting request is entered in the LRB's dr	rafting records may authorize the draft to be submitted. Please		
allow one day for the preparation of the re	equired copies.		
2. REDRAFT. See the changes indicated or	r attached		
A revised draft will be submitted for your	approval with changes incorporated.		
3. Obtain FISCAL ESTIMATE NOW, prid	or to introduction		
If the analysis indicates that a fiscal estimate	ate is required because the proposal makes an appropriation or		
increases or decreases existing appropriati	ions or state or general local government fiscal liability or		
revenues, you have the option to request the	he fiscal estimate prior to introduction. If you choose to		
introduce the proposal without the fiscal e	estimate, the fiscal estimate will be requested automatically upon		
introduction. It takes about 10 days to obta	ain a fiscal estimate. Requesting the fiscal estimate prior to		
introduction retains your flexibility for po-	ssible redrafting of the proposal.		
If you have any questions regarding the above	ve procedures, please call 266-3561. If you have any questions		
relating to the attached draft, please feel free	to call me.		
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Paul E. Nilsen, Legislative Attorney Telephone: (608) 26 1-6926

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