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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 to any legislator: **NO**

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Transportation - traffic laws**

Extra Copies:

**Topic:**

following snowplows

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	nilsepe 11/17/98	gilfokm 11/17/98		_____			
/1			hhagen 11/18/98	_____	lrb-docadmin 11/18/98	lrb-docadmin 11/20/98	

FE Sent For:

*Not Needed*

<END>

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Vertical lines and markings, possibly representing a list or a column of data.

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1?	nilsepe	1-11-17	11/18	11/15 11/18			

FE Sent For:

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# John Ainsworth

**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

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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.



District:  
W6382 Waukechon Road  
Shawano, Wisconsin 54166  
(715) 526-3810

Toll-Free: (888) 529-0006  
E-mail: [Rep.Ainsworth@legis.state.wi.us](mailto:Rep.Ainsworth@legis.state.wi.us)  
 Printed on recycled paper

Office:  
P.O. Box 8952, State Capitol  
Madison, Wisconsin 53708-8952  
(608) 266-3097 • Fax: (608) 282-3606



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# 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.

1 **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:***

2 **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

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**ASSEMBLY BILL 78**

**SECTION 1**

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

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

7 (END)

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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 SHIBELSKI, BRESKE and SCHULTZ. Referred to Committee on Highways and Transportation.

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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 2nd or subsequent conviction within one year of the first conviction. There is no similar prohibition applicable to follow snowplows.

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

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

3

346.915 Following snowplow. (1) In this section, "snowplow" means a

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vehicle that is operated by a person employed by or on behalf of an authority in charge.

Not The bill contains an exception to allow a person to pass a snowplow that is removing or treating snow or ice.

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**ASSEMBLY BILL 78**

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

4 (2) The operator of any vehicle that is not a snowplow may not follow a  
5 snowplow closer than 200 feet upon any highway having a posted speed limit of ~~40~~  
6 ~~miles per hour or more~~

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ASSEMBLY AMENDMENT 1,  
TO 1997 ASSEMBLY BILL 78

insert  
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August 28, 1997 - Offered by COMMITTEE 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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Nov. 17, 1998

-0909/16n

Rep. Ainsworth:

This bill is identical to 1997

Assembly Bill 78, as affected by 1997

Assembly Amendment 1.

-PEN

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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:** 11/18/98

To: Representative Ainsworth

**Relating to LRB drafting number:** LRB-0909

**Topic**

following snowplows

**Subject(s)**

Transportation - traffic laws

1. **JACKET** the draft for introduction \_\_\_\_\_



in the Senate or the Assembly  (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached \_\_\_\_\_

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction \_\_\_\_\_

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Paul E. Nilsen, Legislative Attorney  
Telephone: (608) 261-6926

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