



**State of Wisconsin
1999 - 2000 LEGISLATURE**

LRB-0909/1
PEN:kmg:hmh

1999 ASSEMBLY BILL 35

January 14, 1999 – Introduced by Representatives AINSWORTH, HASENOHRL, BOYLE, FREESE, GARD, GUNDERSON, HUTCHISON, KREIBICH, KREUSER, LASSA, J. LEHMAN, M. LEHMAN, MUSSER, NASS, OURADA, OWENS, PLOUFF, RYBA, SPILLNER, STONE, TURNER and ZIEGELBAUER, cosponsored by Senators PLACHE, BRESKE, CLAUSING, DRZEWIECKI, MOEN, ROESSLER, SCHULTZ and WIRCH. Referred to Committee on Highway Safety.

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 \$20 nor more than \$40 for a first conviction, and not less than \$50 nor more than \$100 for a second or subsequent conviction within one year of the first conviction. There is no similar prohibition applicable to following behind 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 more than 35 miles per hour. The bill contains an exception to allow a person to pass a snowplow that is removing or treating snow or ice. 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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SECTION 1

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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 more
6 than 35 miles per hour. This subsection does not apply when overtaking and passing
7 a snowplow, but the fact that the operator of any vehicle upon a highway having a
8 posted speed limit of more than 35 miles per hour follows the snowplow more closely
9 than 200 feet for one mile or more or follows more closely than 200 feet when the
10 snowplow is moving at the maximum speed limit is prima facie evidence that the
11 operator of such following vehicle is violating this subsection.

(END)