



1995 ASSEMBLY BILL 485

July 12, 1995 - Introduced by Representatives HASENOHRL, LEHMAN, SERATTI, RYBA, BALDUS, TURNER and HAHN, cosponsored by Senator SHIBILSKI. Referred to Committee on Highways and Transportation.

1 **AN ACT to amend** 345.05 (1) (bm); and **to create** 340.01 (58m) and 346.915 of the
2 statutes; **relating to:** following snowplows and municipal liability for damages
3 caused by the operation of 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 2nd or subsequent conviction within a year of the first conviction. There is no similar prohibition applicable to following snowplows.

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

Also under current law, a person suffering damage caused by the negligent operation of a motor vehicle that is owned and operated by a political subdivision of this state may file a claim for damages against that political subdivision. Under this bill, a political subdivision is not liable for damages caused by the negligent operation of a snowplow if the damage occurred while the snowplow was engaged in the removal and treatment of snow or ice.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

