

## 1999 DRAFTING REQUEST

**Assembly Substitute Amendment (ASA-AB35)**Received: **01/20/99**Received By: **nilsepe**Wanted: **As time permits**

Identical to LRB:

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: **TNF, ISR**

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**Topic:**

following snowplows

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**Instructions:**

See Attached

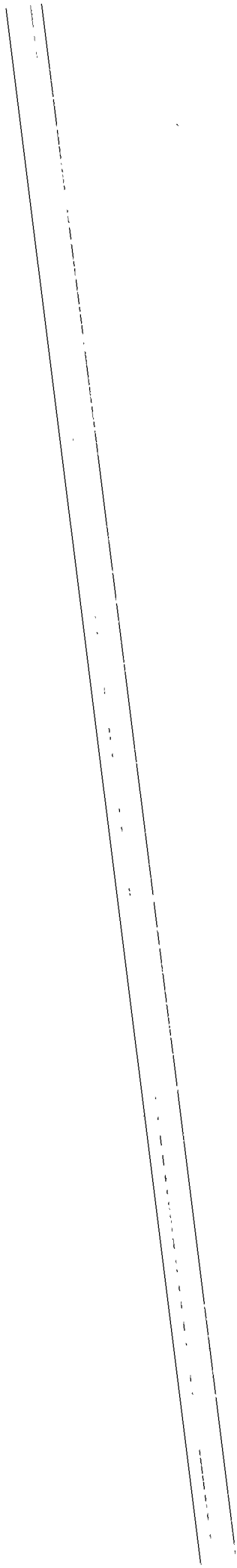
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**Drafting History:**

<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 02/3/99	gilfokm 02/3/99		_____			
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FE Sent For:

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I?	nilsepe	1-2-3-99 Kmg	J 2/3	J [Signature] 2/3	[Signature]		

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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: January 20, 1999

Re: Substitute Amendment Draft to A.B. 35

I would like to request a draft of a substitute amendment to A.B. 35, making the following changes:

99-0909

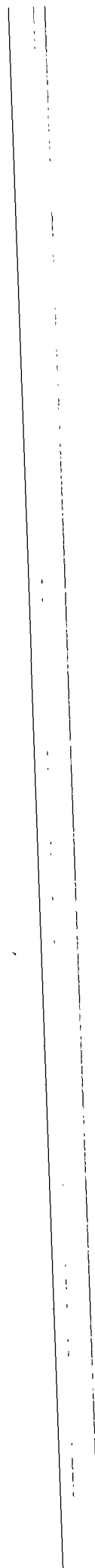
Page 2 - line 5:  
 snowplow **that is engaged in the activities described in sub. (I) and is using lamps described in s. 347.26(7)** closer than 200 feet. . . . .

Page 2 - line 6:  
 than 35 miles per hour. This subsection does not apply **when a snowplow has stopped on the highway** or when overtaking and passing. . . . .

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







Thurs. 2/4 4pm

50003/1

1999 ASSEMBLY BILL 35

ASA to AR 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, KOESSLER, SCHULTZ and WIRCH. Referred to Committee on Highway Safety.

Sen. Col.

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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**ASSEMBLY BILL 35**

**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.

and that is using lamps described in S. 347.26(7)

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)

that is engaged in highway  
winter maintenance snow and  
ice removal and that is  
using lamps described in  
S. 347.26(7)

This subsection does not  
apply to a snowplow that is  
stopped or standing in the  
highway.

; as described in sub. (1),

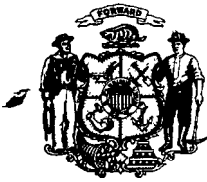
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State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBs0003/K  
PEN:kmg:jf

today Thurs.  
2/4/99

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**ASSEMBLY SUBSTITUTE AMENDMENT,  
TO 1999 ASSEMBLY BILL 35**

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

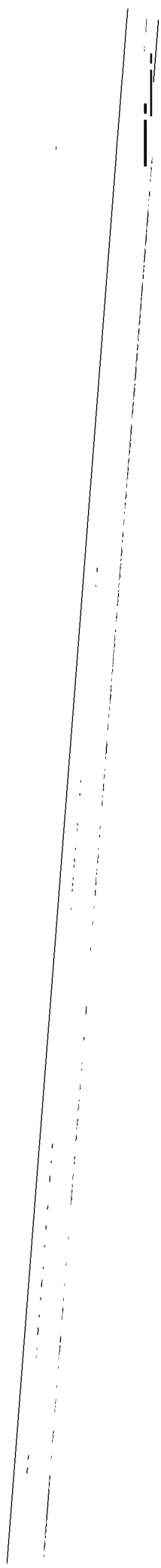
**The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:**

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  
5 of the maintenance of the highway to perform highway winter maintenance snow  
6 and ice removal, including plowing, salting and sanding, during either a storm or  
7 cleanup following a storm and that is using lamps described in s. 347.26 (7).

8 (2) The operator of any vehicle that is not a snowplow may not follow a  
9 snowplow ~~that~~ <sup>if the snowplow</sup> is engaged in highway winter maintenance snow and ice removal, as  
10 described in sub. (1), and ~~is~~ is using lamps described in s. 347.26 (7) closer than  
11 200 feet upon any highway having a posted speed limit of more than 35 miles per  
12 hour. This subsection does not apply when overtaking and passing a snowplow, but

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1 the fact that the operator of any vehicle upon a highway having a posted speed limit  
2 of more than 35 miles per hour follows the snowplow more closely than 200 feet for  
3 one mile or more or follows more closely than 200 feet when the snowplow is moving  
4 at the maximum speed limit is prima facie evidence that the operator of such  
5 following vehicle is violating this subsection. This subsection does not apply to a  
6 snowplow that is stopped or standing in the highway.

7 (END)



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