ASSEMBLY AMENDMENT 1, TO ASSEMBLY SUBSTITUTE AMENDMENT 1, TO 1999 ASSEMBLY BILL 35

March 3, 1999 – Offered by Representatives Steinbrink, Kreuser and Porter.

- 1 At the locations indicated, amend the substitute amendment as follows:
- Page 1, line 1: after "snowplows" insert "and liability for damages caused
 by the operation of a snowplow".
 - **2.** Page 1, line 2: before that line insert:

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- **SECTION 1d.** 340.01 (58m) of the statutes is created to read:
 - 340.01 **(58m)** "Snowplow" means a vehicle that is operated by a person employed by or on behalf of an authority in charge of the maintenance of a highway to perform highway winter maintenance snow and ice removal, including plowing, salting and sanding, during either a storm or cleanup following a storm.
- **SECTION 1h.** 345.05 (1) (bm) of the statutes is amended to read:
- 11 345.05 **(1)** (bm) "Motor vehicle" does not include a vehicle that is exempt from registration under s. 341.05 <u>or a snowplow.</u>

1	SECTION 1p. 345.05 (6) of the statutes is created to read:
2	345.05 (6) The exemption granted to the operator of a snowplow by this section
3	does not relieve that operator from the duty to drive or ride with due regard under
4	the circumstances for the safety of all persons nor does it protect such operator from
5	the consequences of his or her reckless disregard for the safety of others.".
6	3. Page 1, line 2: delete "Section 1" and substitute "Section 1t".
7	$oldsymbol{4.}$ Page 1, line 3: delete the material beginning with "(1) In this" and ending
8	with "(2) The" on line 8 and substitute "The".
9	5. Page 1, line 11: delete ", as described in sub. (1),".
10	6. Page 2, line 6: after that line insert:
11	"Section 2. 893.80 (6m) of the statutes is created to read:
12	893.80 (6m) A municipality, as defined in s. 345.05 (1) (c), its officers, officials
13	agents or employes shall not be liable for any claim for damages to person or property
14	arising out of the operation of a snowplow, as defined in s. 340.01 (58m).
15	SECTION 3. Initial applicability.
16	(1) Local governmental liability for snowplow operation. The treatment of
17	sections 345.05 (1) (bm) and (6) and 346.915 of the statutes first applies to snowplows

(END)

operated on the effective date of this subsection.".

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