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**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASAI-AB35)**

Received: 02124199

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **John Steinbrink (608) 266-0455**

By/Representing: **Geoff Gaston**

This file may be shown to any legislator: NO

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Transportation - miscellaneous**

Extra Copies:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Immunity from liability for 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>Reauired</u>
/?	nilsepe 02/24/99	ygeller 02/24/99		_____			
/1			martykr 02/24/99	_____	lrb-docadmin 02124199	lrb-docadmin 02/24/99	

FE Sent For:

<END>

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**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA<sup>1</sup> / LRBs<sup>1</sup> 0003/20-AB35)**

Received: **02/24/99**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **John Steinbrink (608) 266-0455**

By/Representing: **Geoff Gaston**

This file may be shown to any legislator: NO

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Subject: **Transportation - miscellaneous**

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**Pre Topic:**

No specific pre topic given

**Topic:**

Immunity from liability for 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		<i>Jm 2/24</i>	<i>Qs 2/24</i>			

FE Sent For:

<END>

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**Nilsen, Paul**

90109/1

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**From:** LRB.Legal  
**Sent:** Tuesday, February 23, 1999 9:37 AM  
**To:** Nilsen, Paul  
**Subject:** FW: Draft request

-----Original Message-----

**From:** Gaston, Geoff  
**Sent:** Friday, February 19, 1999 1:54 PM  
**To:** LRB.Legal  
**Subject:** Draft request

Reps. Steinbrink & Kreuser would like to have LRB-2087/I redrafted as an amendment to ASA 1 to AB 35, omitting the references in 2087 which refer to creation of 346.915 (already accomplished by ab35 and asa1)

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2/23/99

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1999

Date (time) needed

SOON

LRB a 0109 11

AMENDMENT

PEN: jlg:

See form AMENDMENTS - COMPONENTS & ITEMS.

WFO - request Fix sheet

S (A) AMENDMENT

inserts

d-note

TO S A AMENDMENT (LRBa 1)

TO S (A) SUBSTITUTE AMENDMENT (LRBs 0003 NY)

TO 1999 SB SJR SR (A) AJR AR 35 (LRB-)

At the locations indicated, amend the substitute amendment as follows: (fill ONLY if "engrossed . . . ." or "as shown by . . . .")

#. Page . . . , line . . . : after "snowplows" insert "and liability for damages caused by the operation of a snowplow".

#. Page . . . , line . . . : before that line insert:

insert 1-2

#. Page . . . , line . . . : delete the material beginning with "In this" and ending with "The" on line 8 and substitute "The".

#. Page . . . , line . . . : delete (2)

#. Page . . . , line . . . : delete ", as described in s.b. (1), "

#. Page 2, line 6: after that line insert:

insert 2-6

(END)



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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

111

**BILL**

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:*

1 ~~¶~~ " SECTION <sup>1.</sup> 340.01 (58m) of the statutes is created to read:

2 340.01 (58m) "Snowplow" means a vehicle that is operated by a person  
3 employed by or on behalf of an authority in charge of the maintenance of a highway  
4 to perform highway winter maintenance snow and ice removal, including plowing,  
5 salting and sanding, during either a storm or cleanup following a storm.

insert  
1-2

6 SECTION <sup>2.</sup> 345.05 (1) (bm) of the statutes is amended to read:

7 345.05 (1) (bm) "Motor vehicle" does not include a vehicle that is exempt from  
8 registration under s. 341.05 or a snowplow.

9 SECTION <sup>3.</sup> 345.05 (6) of the statutes is created to read:

10 345.05 (6) The exemption granted to the operator of a snowplow by this section  
11 does not relieve ~~him~~ <sup>that</sup> operator from the duty to drive or ride with due regard under  
12 the circumstances for the safety of all persons nor does it protect such operator from  
13 the consequences of his or her reckless disregard for the safety of others. //

14 SECTION 4. 346.915 of the statutes is created to read:  
15 **346.915 Following snowplow.** The operator of any vehicle that is not a  
16 snowplow may not follow a snowplow closer than 200 feet upon any highway.

17 ~~¶~~ SECTION <sup>5.</sup> 893.80 (6m) of the statutes is created to read:

18 893.80 (6m) A municipality, as defined in s. 345.05 (1) (c), its officers, officials,  
19 agents or employees shall not be liable for any claim for damages to person or property  
20 arising out of the operation of a snowplow, as defined in s. 340.01 (58m).

insert  
2-6

21 SECTION <sup>6.</sup> Initial applicability.

#. Page 1, line 2 = delete "SECTION 1a" and substitute "SECTION 1ta".

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**BILL**

*insert  
2-6  
(cont)*

1 (1) LOCAL GOVERNMENT LIABILITY FOR SNOW PLOW OPERATION. The treatment of  
2 sections 345.05 (1) (bm) and (6) and 346.915 of the statutes first applies to snowplows  
3 operated on the effective date of this subsection. // ✓

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~~END~~

*(end insert)*

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**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBa0109/?dn  
...PEN.....

February 24, 1999

Representative Steinbrink:

This amendment may be considered nongermane nongermane under Assembly Rule 54 (1) because it relates to a different subject or is intended to accomplish a different purpose than that of 1999 Assembly Bill 35 or because, if adopted and passed, this amendment would require a relating clause for 1999 Assembly Bill 35 that is substantially different from the proposal's original relating clause or because this amendment would totally alter the nature of the proposal.

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

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**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBa0109/1dn  
PEN:jlg:km

February 24, 1999

Representative Steinbrink:

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



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