

Assembly Hearing Slip

(Please print plainly)

Date: 1-20-99

Bill No. AB 35

Or
Subject: _____

(Name) John Ainsworth

(Street Address or Route Number) _____

(City & Zip Code) _____

(Representing) _____

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 1-20-99

Bill No. AB-35

Or
Subject: _____

(Name) Scott Sharp

(Street Address or Route Number) 93C 13th Ave

(City & Zip Code) Union Grove 53182

(Representing) AFSCME Wisconsin 40

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:
Neither for nor against:

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Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 1-20-99

Bill No. AB 35

Or
Subject: Shaw Row

(Name) MARLENE MONTAGUE

(Street Address or Route Number) 835-36th Ave.

(City & Zip Code) LEWISIA Co. WI 53143

(Representing) Local 70

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: NOV 20 1999

Bill No. AB 200 - ? 35

Subject _____

(Name) Allison Kujawa

(Street Address or Route Number) 100 River Pine Suite 10

(City & Zip Code) Monroe WI 53716

(Representing) Wisconsin Counties Assoc.

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

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State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 1/20/99

Bill No. 35

Subject SNOW PLOW FOLLOWING

(Name) ROBERT H MAASS

(Street Address or Route Number) Box 696

(City & Zip Code) Rhinelanders, WI 54501

(Representing) WI CO. HURY ASSOC.

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

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State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 1-20-99

Bill No. AB 35

Subject Following Snow plow

(Name) Lt. Lyle T. Whitham

(Street Address or Route Number) 4902 Sheboygan Ave

(City & Zip Code) Madison 53707 7912

(Representing) WI's DOT Div. State Patrol

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

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Room 411 West
State Capitol
Madison, WI 53702

Information Only
Respond to question
if any.

Assembly Hearing Slip

(Please print plainly)

Date: 1/20/99

Bill No. AB 35

Subject _____

(Name) Patti Bustle

(Street Address or Route Number) 901 N. 9th Street

(City & Zip Code) Milwaukee, WI 53522

(Representing) Milwaukee County

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
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State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: Jan 30 / 99

Bill No. AB 35

Subject _____

(Name) Tom Hornitsch

(Street Address or Route Number) 44 E Mifflin

(City & Zip Code) Madison

(Representing) 20th Town Ass

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

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State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 1-20-99

Bill No. 35

Subject SNOW PLOW LEGISLATION

(Name) DAVID FOX

(Street Address or Route Number) 5307 - 3300 AVE.

(City & Zip Code) KENOSHA, WI. 53144

(Representing) KADAL 70

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

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State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 1-20-99
 Bill No. ARS-35
 Or Subject Snowplow Safety
 (Name) Sen. Kimberly Plache
 (Street Address or Route Number) 21614 17th St
 (City & Zip Code) PAELINE WI 53405
 (Representing) 21st Sen. District

- Speaking in favor:
 Speaking against:
 Registering in favor:
 Registering against:
 Speaking for information only:
 Neither for nor against:

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 State Capitol
 Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 1/29/99
 Bill No. ARS-35
 Or Subject Devin's Boyer
 (Name) 28033 Eads/15th
 (Street Address or Route Number) Madison WI 53717
 (City & Zip Code) WISCONSINE
 (Representing)

- Speaking in favor:
 Speaking against:
 Registering in favor:
 Registering against:
 Speaking for information only:
 Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
 Room 411 West
 State Capitol
 Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: Jan. 20, 1999
 Bill No. ARS35
 Or Subject Rep. Van Housen
 (Name) 70th
 (Street Address or Route Number)
 (City & Zip Code)
 (Representing)

- Speaking in favor:
 Speaking against:
 Registering in favor:
 Registering against:
 Speaking for information only:
 Neither for nor against:

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 State Capitol
 Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 1/20/99

Bill No. AB 35

Or
Subject _____

Rep Julie Lessa
(Name)

(Street Address or Route Number)

(City & Zip Code)

(Representing)

Speaking *In favor*:

Speaking *against*:

Registering *In favor*:

Registering *against*:

Speaking for *Information only*:

Neither for nor *against*:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 1-20-99

Bill No. ATB 35

Or
Subject _____

Rep. Jim Kreuzer
(Name)

(Street Address or Route Number)

(City & Zip Code)

(Representing)

Speaking *In favor*:

Speaking *against*:

Registering *In favor*:

Registering *against*:

Speaking for *Information only*:

Neither for nor *against*:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702



BILL SUMMARY

AB 35: Following Snowplows

Date: TBA

BACKGROUND

Under current law, no person may drive a motor vehicle closer than 500 feet behind an authorized emergency vehicle responding to a call or alarm. A person violating this provision is required to forfeit not less than \$20 nor more than \$40 for a first offense, and not less than \$50 nor more than \$100 for a second or subsequent offense. There is not a similar prohibition against following a snowplow.

SUMMARY OF AB 35 (AS AMENDED BY COMMITTEE)

Assembly Bill 35 prohibits a person from driving a motor vehicle closer than 200 feet behind a snowplow that is engaged in the removal of snow or ice, and is using flashing lamps as required by law, on a highway with a posted speed limit of 35 miles per hour or higher. This prohibition does not apply when a vehicle is overtaking and passing a snowplow that is engaged in the removal or treatment of snow or ice, nor does it apply when a snowplow is stopped or standing on the highway. It is considered *prima facie* evidence of violation of this provision if a vehicle follows within 200 feet of a snowplow for 1 mile or more, or while the snowplow is moving at the maximum speed allowable by law.

AMENDMENTS

Assembly Substitute Amendment 1 to Assembly Bill 35 provides that a snowplow must be using lamps as described in s. 347.26 (7) of Wisconsin Statutes for this provision to be in effect. It also states that the provision is not applicable when the snowplow is stopped or standing on a highway. [adopted 7-0].

FISCAL EFFECT

No fiscal estimate has been prepared for Assembly Bill 35.

PROS

1. Snowplow drivers have difficult jobs that are vital to public safety on the roads. Following a snowplow too closely is dangerous and can cause serious accidents. This bill will deter motorists from following snowplow too closely, and will encourage drivers to give snowplows enough room to operate safely.

2. If an accident between a motorist and a snowplow occurs, this provision can be used to more accurately determine who is at fault, and can help provide governmental units and companies that operate snowplows with a measure of security that they will not be sued for accidents caused by another motorist's failure to give a snowplow room to operate safely.

CONS

1. It may be difficult for drivers to judge whether or not they are following at least 200 feet behind a snowplow, and it may be difficult for law enforcement officers to determine whether or not a motorist is in compliance with this provision
2. Drivers should be allowed to use their common sense in determining what a safe following distance is, based on road and weather conditions.

SUPPORTERS

Representative John Ainsworth, author; Scott Sharp, AFSCME WI Council 40; Mark C. Montague, Kenosha County Highway - Local 70; Allison Kujawa, WI Counties Association; Robert H. Maass, WI County Highway Association; Patti Bustle, Milwaukee County; Tom Harnisch, WI Towns Association; Daniel Fox, Kenosha Local 70; Senator Kimberly Plache; Dennis Boyer, AFSCME; Representative Don Hasenohrl; Representative Julie Lassa; Representative Jim Kreuser.

OPPOSITION

No one testified or registered in opposition to Assembly Bill 35

HISTORY

Assembly Bill 35 was introduced on January 14, 1999, and referred to the Assembly Committee on Highway Safety the same day. A public hearing was held on January 20, 1997. At an Executive Session on February 17, 1999, the Committee voted 6-1 (Rep. Young voting no) to recommend AB 35, as amended, for passage.

CONTACT: Mike Prentiss, Office of Rep. Jeff Stone

CITY OF MILWAUKEE *Interdepartmental Correspondence*

FEB 3 1999

January 29, 1999

TO: Laurie Kuiper
Legislative Fiscal Manager, Intergovernmental Relations Division
Department of Administration

FROM: James C. Kaminski *[Signature]*
Commissioner of Public Works

SUBJ: Senate Bill 5 and Assembly Bill 35 Relating to: Snowplows

Unlike other emergency vehicles such as police cars, fire trucks, and ambulances that travel faster than posted speed limits while responding to a call or alarm, snow plows travel at considerably lower speeds in urban areas. Although Assembly Bill 35 contains an exception to allow a person to pass a snowplow that is removing or treating snow or ice, Senate Bill 5 does not. This omission could needlessly snarl heavy traffic on multi-lane city streets with speed limits in excess of 35 mph.

It is recommended that a passing provision be added to Senate Bill 5.

Because of the limited effect of these bills in the City of Milwaukee any enforcement revenues would be minimal.

CC: M. Schifalacqua
D. Lorbeske
W. Kappel

City Position on AB 35

support

*Patrick C. [Signature]
Director, Intergovernmental Relations*

Prentiss, Mike

From: Sharon Pettigrew [sharonp@midplains.net]
Sent: Tuesday, February 09, 1999 2:59 PM
To: Prentiss, Mike
Cc: Bloomfield, Sandra; Rep.Jensen; Sen.Plache; Rep.Ainsworth; Neuenfeldt, Phil; Lyons, Bob (via Council 40 Research Department)
Subject: AB 35, Snowplow Following Distance and Substitute Amendment

DATE: February 9, 1999
TO: Representative Jeff Stone, Chair, Assembly Highway Safety Committee
FROM: **Dennis Boyer, AFSCME Legislative Council 11**
RE: AB 35, Snowplow Following Distance and Substitute Amendment

It is our understanding that you have scheduled an executive session on the above-captioned matter for 2/17/99.

We appreciate the dispatch with which this matter is being handled. Naturally, the season and storms of the last two months keep this issue in the minds of our members. Your sensitivity to the direct testimony of snow removal equipment operators was gratifying.

The proposed substitute amendment (LRBS 0003) appears to address the concerns raised at the public hearing.

We, therefore, respectfully request that you act favorably upon AB 35 at the scheduled executive session.

Thank you for consideration of our request. Let me also restate our willingness to work with you on other highway safety matters.

Dennis Boyer
AFSCME Legislative Council 11
8033 Excelsior Drive, Suite A
Madison, WI 53717-1903
608-836-6666, ext. 107

xc: Sandra Bloomfield
Bob Lyons
Scott Sharp
Phil Neuenfeldt
Representative John Ainsworth
Senator Kim Plache
Representative Scott Jensen

Prentiss, Mike

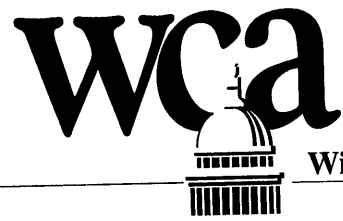
From: Salm, Don
Sent: Monday, February 08, 1999 9:59 AM
To: Rep.Stone
Subject: A. Substitute Amendment to 1999 AB 35 (LRBs0003/2)

Attn: Mike P.

I looked over the redrafted Sub. you sent me on AB 35 (following snowplows) and I also talked it over with Bill Ford. Bill indicated that the changes he suggested in the Sub. are accurately reflected in the Sub. Both Bill and I agree that the Sub (as with the Bill) may not be easily enforceable in real life situations (e.g., on urban streets, such as University Drive, where the speed limit is more than 35 MPH in some parts, does a car have to stay 200 feet behind a snowplow--and what happens if the plow stops at a stoplight and then starts up again on a green light----the cars behind it are surely going to be closer than 200 feet for quite awhile after the light turns green--are the cars supposed to wait until the plow gets 200 feet ahead before going through the green light?? Not likely, but that's what the law says). The law is workable, I suppose, if law enforcement officers use proper judgment in determining when to apply the law (that is, applying it in those circumstances that the Bill is really directed at). Bill and I really can't think of anything to improve the Bill (other than Bill's suggestions incorporated into the Sub)---it's kind of a "clumsy" law that will probably be OK if applied by the police in appropriate situations, but there is the potential for it to apply to situations such as the one described above. In short, if it needs to be passed, this Sub is about as good as we think it can get, but it has its problems in application. Hope this is helpful.

Don

Don L. Salm, Senior Staff Attorney
Wisconsin Legislative Council Staff
1 E. Main St., Suite 401
P.O. Box 2536
Madison, WI 53701-2536
E-mail: Don.Salm@legis.state.wi.us
Fax: 608-266-3830 Ph: 608-266-8540



Wisconsin Counties Association

MEMORANDUM

TO: The Honorable Members of the Assembly Committee on Highway Safety

FROM: Allison Kujawa, Legislative Associate

DATE: January 20, 1999

SUBJECT: Support for Assembly Bill 35

The Wisconsin Counties Association (WCA) strongly supports Assembly Bill 35 (AB 35). AB 35 will provide for safer roads during Wisconsin's winters. Currently, there is no law that requires drivers to travel a safe distance behind a snowplow. Requiring that no person can follow closer than 200 feet behind a snowplow that is in the act of plowing, will help avoid potential accidents that result when drivers follow too closely behind a snowplow and lose visibility in the cloud of spray that a snowplow kicks up.

AB 35 will allow counties to continue to do the difficult job of snow removal in adverse conditions during Wisconsin's winters without the concern that many drivers are following behind them at a dangerously close distance. Counties should not be in the position of being hesitant to send plows out on the road due to their potential liability.

County highway departments have the very difficult task of maintaining safe roads during Wisconsin's winters. AB 35 will provide counties and other municipalities with the proper latitude to effectively carry out this public service, as well as providing standards that will result in safer roads. For these reasons WCA respectfully requests your positive action on AB 35.

Thank you for considering our comments.

100 River Place, Suite 101 ♦ Monona, Wisconsin 53716-4016
608/224-5330 ♦ 800/922-1993 ♦ Fax: 608/224-5325

Mark M. Rogacki, Executive Director
Darla M. Hium, Deputy Director

Mark D. O'Connell, Legislative Director
Lynda L. Bradstreet, Administrative Director

Executive Director
Jan Steinbergs



Wisconsin Troopers' Association, Inc.

P.O. Box 769 • East Troy, WI 53120
1-800-232-1392

TO: Representative Jeff Stone, Chair
Assembly Committee on Highway Safety
FR: Casey Perry, President *Casey Perry*
Wisconsin Troopers Association
DA: January 20, 1999
RE: Assembly Bill 35 – Following a Snowplow

The Wisconsin Troopers Association supports 1999 Assembly Bill 35. This bill prohibits a person from driving a motor vehicle closer than 200 feet behind an official snowplow engaged in the removal or treatment of snow or ice on a highway with a speed limit of more than 35 miles per hour. It is a good bill that will help ensure public safety on Wisconsin's highways.

However, we would like to emphasize that a following distance of 200 feet is not adequate to address visibility problems that occur during the conditions under which the law would apply. We would like to suggest a more appropriate following distance of 500 feet.

When we consider stopping distance, it includes the distance for a driver to perceive, react, and bring his/her vehicle to a stop. The perception-response phase is based on 2.5 seconds, a well accepted value of time for highway design purposes. Considering wet roadways, according to the American Association of State Highway and Transportation Officials (AASHTO) Manual, an appropriate total stopping distance at 45 mph is 382.7 feet, at 55 mph that distance is 537.8 feet, and at 65 mph that distance is 724.0 feet. AASHTO suggests these distances may be longer for snow covered surfaces. For these reasons, we would recommend a following distance of 500 feet.



Proud Member of the National Troopers Coalition

Highway Department

Marquette County

328 Underwood Avenue
P.O. Box 398
Montello, Wisconsin 53949

Phone: (608) 297-9127
Fax: (608) 297-2250

December 6, 1999

Representative Jeff Stone
PO Box 8953
Madison WI 53708

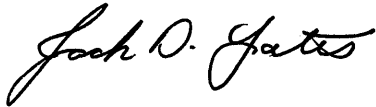
RE: SENATE BILL #5 and ASSEMBLY BILL #35

Representative Stone:

This letter is in regard to the above referenced Bills, pertaining to following distance behind County and State Snowplow Vehicles. I was wondering if you would consider differentiating County and State Snowplows by placing amber and blue rotating lights on roofs, similar to what the State Patrol does with red and blue lights. This is a concern to us because we have many non-municipal vehicles with amber roof lights, exactly like our County lights, and it's nearly impossible for the motoring public to differentiate what type of plow vehicle they are following. We think that having amber and blue lights, at least on State Highway Plow Vehicles, would aid the motoring public in distinguishing them from privately owned plow vehicles.

Sincerely,

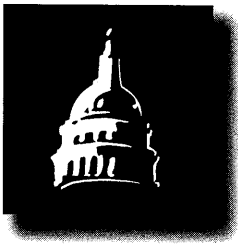
MARQUETTE COUNTY HIGHWAY DEPARTMENT



Jack D. Yates, Patrol Superintendent

JDY/blj

Cc Senator Robert Welch
Representative Joan Wade-Spillner



JEFF STONE

STATE REPRESENTATIVE
82ND DISTRICT

AGENDA

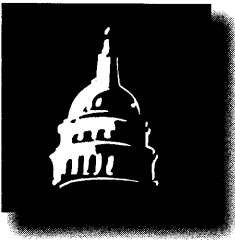
ASSEMBLY HIGHWAY SAFETY COMMITTEE

JANUARY 20, 1999

- I. Welcome and Introductions**
 - A. Committee Members**
 - B. Committee Clerk**
 - C. Legislative Council Staff**
- II. Committee Guidelines**
- III. Public Hearing – Assembly Bill 35**
- IV. Possible Executive Session and/or Other Committee Business**
- V. Adjournment**

CAPITOL OFFICE:
POST OFFICE BOX 8953
MADISON, WISCONSIN 53708-8953
(608) 266-8590
TOLL-FREE: (888) 534-0082
FAX: (608) 282-3682
REP.STONE@LEGIS.STATE.WI.US

HOME:
7424 W. FOREST HOME AVENUE
GREENFIELD, WISCONSIN 53220
(414) 321-7299



JEFF STONE

STATE REPRESENTATIVE
82ND DISTRICT

TO: Members, Assembly Committee on Highway Safety

FROM: Mike Prentiss, Committee Clerk *MP*

DATE: February 4, 1999

RE: Substitute Amendment to AB 35

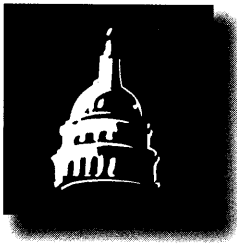
Attached is the re-draft of the Substitute Amendment to AB 35, LRBs0003/2.

The amendment was drafted at the request of the bill's author, Rep. Ainsworth, in response to some of the concerns the committee expressed at the public hearing on AB 35.

If you have any questions or concerns about this amendment, please let me know.

CAPITOL OFFICE:
POST OFFICE BOX 8953
MADISON, WISCONSIN 53708-8953
(608) 266-8590
TOLL-FREE: (888) 534-0082
FAX: (608) 282-3682
REP.STONE@LEGIS.STATE.WI.US

HOME:
7424 W. FOREST HOME AVENUE
GREENFIELD, WISCONSIN 53020
(414) 321-7299



JEFF STONE

STATE REPRESENTATIVE
82ND DISTRICT

TO: Members, Assembly Highway Safety Committee

FROM: Mike Prentiss, Committee Clerk *MP*

DATE: January 19, 1999

RE: Assembly Bill 35

Attached is a copy of AB 35, which the committee will hear tomorrow morning. I realize that members may not have received copies in their offices yet.

If you have any questions, please feel free to contact me at 6-8590.

CAPITOL OFFICE:
POST OFFICE BOX 8953
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