

2001 DRAFTING REQUEST

Bill

Received: 01/06/2001

Received By: fasttn

Wanted: Soon

Identical to LRB:

For: John Ainsworth (608) 266-3097

By/Representing: Kristina Boardman

This file may be shown to any legislator: NO

Drafter: fasttn

May Contact:

Alt. Drafters:

Subject: Transportation - traffic laws

Extra Copies: ARG, PJH - 1

Pre Topic:

No specific pre topic given

Topic:

Following 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>
/?	fasttn 01/26/2001	gilfokm 01/26/2001		_____			
/1			rschluet 01/28/2001	_____	lrb_docadmin 01/28/2001	lrb_docadmin 01/29/2001	

FE Sent For:

<END>

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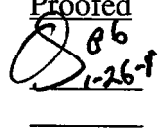
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1?	fasttn	1-1/26-01 King	 1-26-1	 1-26-1			

FE Sent For:

<END>



John Ainsworth

State Representative • 6th Assembly District

Chair: Assembly Committee on Rural Affairs

MEMORANDUM

To: LRB Attorney Timothy Fast
From: Representative John Ainsworth
Date: January 4, 2001
Re: Legislative draft relating to following snowplows

I would like to request a re-draft of 1999 Assembly Substitute Amendment 1 to Assembly Bill 35, relating to following snowplows. A copy of this legislation is attached for your reference and use.

If you have any questions regarding this topic, please do not hesitate to contact Kristina Boardman in my office. Thank you in advance for your attention to this drafting request.



District:
W6382 Waukechon Road
Shawano, Wisconsin 54166
(715) 526-3810

Toll-Free: (888) 529-0006
E-mail: Rep.Ainsworth@legis.state.wi.us
♻️ Printed on recycled paper

Office:
P.O. Box 8952, State Capitol
Madison, Wisconsin 53708-8952
(608) 266-3097 • Fax: (608) 282-3606

Fast, Timothy

From: Boardman, Kristina
Sent: Thursday, January 25, 2001 8:56 AM
To: Fast, Timothy
Subject: RE: snowplow legislation

Early next week will be just fine. I really appreciate your help on this one!!!

Kristina

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

From: **Fast, Timothy**
Sent: Thursday, January 25, 2001 8:35 AM
To: Boardman, Kristina
Subject: RE: snowplow legislation

I'll see what I can do about expediting the request through our system. At the latest it might be early next week. If that causes problems, please let me know. I can call in some chits!

Hope all is well with you and yours. Peace again, Tim

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

From: Boardman, Kristina
Sent: Wednesday, January 24, 2001 9:43 AM
To: Fast, Timothy
Subject: snowplow legislation

Tim:

Rep. Ainsworth wants to circulate his legislative draft regarding following snowplows for co-sponsorship in the very near future. This is just a redraft of last year's language. (I believe I sent you the request on January 5th.)

Is there any way that we might be able to receive the draft this week?

Thanks so much for your help!

Kristina

2001

Date (time) needed WANTED
Mon. 1/29 PM

LRB-1844 1 1

BILL

TNF: KMG:

Use the appropriate components and routines developed for bills.

AN ACT... [generate catalog] *to repeal* ... ; *to renumber* ... ; *to consolidate and renumber* ... ; *to renumber and amend* ... ; *to consolidate, renumber and amend* ... ; *to amend* ... ; *to repeal and recreate* ... ; and *to create* ... of the statutes; relating to:

.....
.....
.....

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: create → anal: → title: → head

For the subheading, execute: create → anal: → title: → sub

For the sub-subheading, execute: create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: create → anal: → text

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

SECTION #.

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

~~February 17, 1999 - Offered by COMMITTEE ON HIGHWAY SAFETY~~

Insert (A)

and providing a penalty

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 snowplows.** (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). which

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

1 but the fact that the operator of any vehicle upon a highway having a posted speed
2 limit of more than 35 miles per hour follows the snowplow more closely than 200 feet
3 for one mile or more or follows more closely than 200 feet when the snowplow is
4 moving 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)

Insert (A)

1999 ASSEMBLY BILL 35

January 14, 1999 - Introduced by Representatives AENSWORTH, HASENOHRL, BOYLE, FREESE, GARD, GUNDERSON, HUTCHISON, KREIBICH, KREUSER, LASSA, J. LEHMAN, M. LEHMAN, MUSSER, NASS, OURADA, OWENS, PLOUFFE, RYBA, SPILLNER, STONE, TURNER and ZIEGELBAUER, cosponsored by Senators PLACHE, BRESKE, CLAUSING, DRZEWIECKI, MOEN, ROESSLER, SCHULTZ and WIRCH. Referred to Committee on Highway Safety.

if the snowplow is displaying ^{two} flashing red or amber lamps or a red or amber lamp of the dome-light type

1 ~~AN ACT to create § 46.915 of the statutes, relating to following snowplows~~

Analysis by the Legislative Reference Bureau

too closely

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 same as

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

2 ~~SECTION 1. § 46.915 of the statutes is created to read:~~

overtake and

3 ~~§ 46.915 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~~

In addition, the prohibition on following a snowplow too closely does not apply to a snowplow that is stopped or standing in the highway.



STEPHEN R. MILLER
CHIEF

State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

January 28, 2001

MEMORANDUM

To: Representative Ainsworth

From: Timothy N. Fast, Senior Legislative Attorney

Re: LRB-1844 Following snowplows

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-9739 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.