

State of Wisconsin



2009 Assembly Bill 552

Date of enactment: **May 7, 2010**
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2009 WISCONSIN ACT 255

AN ACT to renumber and amend 346.915 (2); and to create 346.915 (2) (a) 1. and 2. and 346.915 (3) of the statutes; relating to: following snowplows and providing a penalty.

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

SECTION 1. 346.915 (2) of the statutes is renumbered 346.915 (2) (a) and amended to read:

346.915 (2) (a) The operator of any vehicle that is not a snowplow may not follow a snowplow closer than 200 feet upon any highway having a posted speed limit of more than 35 miles per hour the following distances, if the snowplow is engaged in highway winter maintenance snow and ice removal, as described in sub. (1), and is using lamps described in s. 347.26 (7). ~~This subsection:~~

(b) Paragraph (a) does not apply when overtaking and passing a snowplow, but the fact that the operator of any vehicle upon a highway having a posted speed limit of more than 35 miles per hour follows the snowplow more closely than 200 feet permitted by par. (a) for one mile or more or follows more closely than 200 feet permitted by par. (a) when the snowplow is moving at the maximum speed limit is prima facie evidence that the

operator of such following vehicle is violating this subsection. ~~This subsection par. (a).~~

(c) Paragraph (a) does not apply to a snowplow that is stopped or standing in the highway.

SECTION 2. 346.915 (2) (a) 1. and 2. of the statutes are created to read:

346.915 (2) (a) 1. Two hundred feet upon any highway having a posted speed limit of more than 35 miles per hour.

2. Seventy-five feet upon any highway having a posted speed limit of 35 miles per hour or less.

SECTION 3. 346.915 (3) of the statutes is created to read:

346.915 (3) The operator of any vehicle that is not a snowplow that approaches from the rear any snowplow that is engaged in highway winter maintenance snow and ice removal, as described in sub. (1), and is using lamps described in s. 347.26 (7) that is stopped at an intersection shall stop not less than 20 feet from the snowplow and remain stopped until the snowplow resumes motion.

* Section 991.11, WISCONSIN STATUTES 2007-08 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].