

# SAFETY AND HEALTH **ADVISORY**

## **WISCONSIN CHAPTER 346 “RULES OF THE ROAD” AMENDED TO BETTER ADDRESS FOLLOWING DISTANCES DURING SNOW PLOW OPERATIONS**

### **BACKGROUND**

In November 2009 ten State Representatives introduced Assembly Bill 552 which was designed to renumber and amend the Wisconsin Statute Chapter 346.915 (2) that relates to following snow plows. Assembly Bill 552 was also co-sponsored by five State Senators. After clearing through the state assembly and senate, the Governor approved the 2009 Wisconsin Act 255 which officially renumbered and amended 346.915 (2); and created 346.915 (2) (a) 1. and 2. and 346.915 (3) of the statutes; relating to: following snowplows and providing a penalty.



### **Legislative Reference Bureau Analysis**

Under the former version of the “Rules of the Road” law, a person operating a vehicle could not follow an official snowplow closer than 200 feet when on a highway having a posted speed limit of more than 35 miles per hour when the snowplow was: 1) engaged in winter highway maintenance snow and ice removal and 2) displaying two flashing red or amber lamps or a flashing red or amber lamp of the dome-light type. A person did not violate this provision when overtaking and passing a snowplow, or when a snowplow was stopped or standing in the highway. A person violating this provision could have been required to forfeit not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for the second or subsequent conviction within a year.

However, the amended “Rules of the Road” (Section 346.915 Following Snowplows) now prohibits a person operating a vehicle

from following an official snowplow, equipped and engaged as described above, closer than 75 feet when on any highway having a posted speed limit of 35 miles per hour or less.

The amended section also requires a person operating a vehicle that approaches from the rear an official snowplow, equipped and engaged as described above, that is stopped at an intersection to stop not less than 20 feet from the snowplow and remain stopped until the snowplow resumes motion. Other than the intersection stopping requirement, the current exceptions regarding overtaking and passing a snowplow remain. The existing penalties for following a snowplow too closely apply to the prohibitions in the enacted bill.

### **FOLLOW UP SUGGESTIONS**

The following actions are suggested in follow up to the passage of Assembly Bill 552:

- Download a copy of the State of Wisconsin 2009 Assembly Bill 552 and 2009 Wisconsin Act 255 from the State's website for further review and understanding.
- Share this information with both your police department and city attorney to ensure their awareness of this change, and to discuss the potential enforcement of this change should an incident occur during the winter season.
- Review signage that may have been installed on the back of your vehicles and/or salt boxes used in your snow removal operations. Old signage may need to be replaced to reflect the changes.



### **CAUTION STAY BACK 75 FEET**

- If your snow removal vehicles have never been placarded, you may want to consider installing retro-reflective signage to better inform motorists.