

JOHN SPIROS

State Representative • 86th Assembly District

Assembly Bill 475

October 24, 2017

Testimony from Rep. Spiros

Hello, and thank you Chairman Ripp and members of the Assembly Committee on Transportation for allowing me to have the opportunity to share my testimony with you today regarding Assembly Bill 475, which would help to address the issue of public safety on our roadways as it relates to animal-drawn vehicles.

Too often, we see in the news of accidents involving animal-drawn vehicles and other motorists, sometimes resulting in fatalities. One of the main reasons for crafting this legislation came after public outcry from Wood County Board supervisors brought to our attention an incident involving an intoxicated driver. Tragically, an intoxicated driver ran into an Amish buggy, killing a father of 6 children. His 10 year-old son, who was with him at the time, was taken to the hospital via helicopter in critical condition. CPR was performed on both the father and the son until first responders arrived on the scene. According to press reports at the time, lighting was not present on the buggy. This past summer, Rebecca Helmuth, 20 years old, was hit and killed when an SUV collided with the Amish carriage in which she was a passenger. The driver of the SUV was transported to the hospital with non-life threatening injuries. The 17 year old driver of the carriage was also injured. Unfortunately these incidents are not isolated. The Wisconsin Department of Transportation has shared the following statistics on the number of crashes involving animal drawn vehicles as well as the number of fatalities.

| Year | # of Crashes Involving Animal-Drawn Vehicles | # of Fatalities |
|------|---|-----------------|
| 2012 | 31 | 3 |
| 2013 | 28 | 1 |
| 2014 | 31 | 1 |
| 2015 | 34 | 5 |
| 2016 | 32 | 2 |
| | | |

This bill creates new lighting requirements for animal-drawn vehicles to increase public safety for all motorists and users of the road. Currently, state law calls for one white light to be mounted on the front of an animal-drawn vehicle and two red lights to be mounted on the back of an animal-drawn vehicle, both of these lights visible from 500 feet in their respective direction.

This bill would replace the requirement for the 2 red lights in the rear with 2 yellow or amber strobing lights to be mounted on the rear of the vehicle visible from 500 feet. This bill does not disallow red lights to be used but rather removes their mandated use in favor of a better alternative.

Because a yellow or amber strobe light is a commonly understood caution light already used on numerous slow-moving vehicles, utilization of a yellow or amber strobing light on the rear of animal drawn vehicles will be more easily understood by motorists as a sign to slow down and use caution on approach. Additionally, it is a well-known phenomenon in the law enforcement community that impaired/intoxicated motorists can become fixated/drawn to a solid, red light as a means to help them better see the road. This is why law enforcement and first responder vehicles have moved away from the solid red warning lights and have moved to what has become the traditional strobing red/blue or yellow lights. Given this information, the current requirement could potentially place individuals in animal-drawn vehicles at a greater risk of crash, injury and/or death.

This bill would bring Wisconsin in-line with other states that have successfully addressed the safety concerns associated with slow-moving, animal-drawn vehicles, specifically Pennsylvania and Indiana. Both states already require the lighting configuration being proposed in this bill. In their horse and buggy driver's manual, Indiana encourages operators of animal drawn vehicles to use as many lights as possible to alert drivers of their presence. Pennsylvania is slightly different in that their flashing amber lights are affixed to the front of the vehicle and flashing red lights are affixed to the rear of the vehicle. However, both states require flashing lights to some degree or another for the safety of all users of the road.

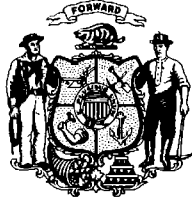
Rep. Kulp and I have been in consultation with various groups and agencies in crafting this bill. This bill has the support of the Wood County Board of Supervisors, although they would like to see a tougher penalty for infractions. Additionally, I have reached out to the Wisconsin Chiefs of Police Association, the Wisconsin Sheriffs and Deputy Sheriffs Association, and the Badger State Sheriffs Association; all of these groups were supportive of the legislation. Rep. Kulp has reached out to various Amish communities as well as acting as a go-between for the Amish communities and the Wood County Board of Supervisors.

Currently, there is a penalty in place for operators of animal-drawn vehicles that choose not to comply with lighting requirements. That penalty is a forfeiture of not less than \$10 but not more than \$200 depending on number of violations. However, because this bill would introduce a new requirement, a 6 month grace period will be implemented from the date of passage of the bill. Within the 6 month grace period, any operator found not to be in compliance by law enforcement, will be issued a warning but not a penalty. The penalty will be enforced after the 6 month grace period. We need law enforcement and sheriffs to close the loop on this public safety issue and enforce current laws when they see violations so we can avoid these fatal accidents.

The purpose of the bill is to create a safer environment on our roads while respecting the right of all users on our roads. By requiring a more universally understood caution light, such as the

yellow or amber strobing light, all motorists and users of the road will be better protected from tragedy.

Thank you again for allowing me the opportunity to share testimony in support of this bill, and I welcome any questions.



JERRY PETROWSKI

WISCONSIN STATE SENATOR

Assembly Bill 475- Lighting requirements for animal-drawn vehicles operated on highways

October 24, 2017

Good morning, members of the committee, and thank you for the opportunity to provide testimony today on Assembly Bill 475, which would require animal-drawn vehicles to be equipped with rear flashing yellow or amber strobe lights during hours of darkness and in inclement weather.

Currently, animal-drawn vehicles are required to have at least one white headlight and two red rear lights. This has not been enough. Between June and July this summer there were three accidents involving a motorized vehicle hitting an animal-drawn vehicle from behind. These incidents resulted in serious injury and trauma to the drivers of both vehicles. By bringing additional visibility to animal-drawn vehicles, our goal is to increase public safety for all users of the road and see fewer tragic accidents like the ones we saw this summer.

To put things in perspective, an animal-drawn vehicle travels at speeds around five to eight miles per hour. Meaning a vehicle traveling at 60 mph would come up on the buggy in about 6 seconds assuming it saw the rear lights from the maximum distance of 500 feet away. This is not accounting for distractions, inclement weather, or other factors that can slow a driver's reaction time. By adding the requirement of flashing or strobing lights, we hope to bring the animal-drawn vehicle to the attention of the approaching driver sooner so they have the maximum time to respond.

In making this legislation, a number of Amish and Mennonite communities were consulted by Representative Kulp. After thoughtful discussion, it was agreed that additional lighting should be added for increased safety on roadways.

Thank you again for the opportunity to speak on this bill. I would be happy to answer any questions you may have.

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