

NOTICE OF PROPOSED GUIDANCE DOCUMENT

Connector September 2017 newsletter

Pursuant to Wis. Stat. s. 227.112, the Wisconsin Department of Transportation is hereby seeking comment on Connector September 2017 newsletter [Wis. Stat. Ch. 346, Wis. Stat. Ch. 192], a proposed guidance document.

PUBLIC COMMENTS AND DEADLINE FOR SUBMISSION

Comments may be submitted to the Wisconsin Department of Transportation for 21 days by:

1. Department's website: <https://appengine.egov.com/apps/wi/dot/guidance-docs?guidDocId=OPA157>

2. Mailing written comments to:
Office of Public Affairs
Wisconsin Department of Transportation
4822 Madison Yards Way
PO Box 7910
Madison, WI 53707-7910

WEBSITE LOCATION OF FINAL GUIDANCE DOCUMENT

The final version of this guidance document will be posted at wisconsindot.gov to allow for ongoing comment.

AGENCY CONTACT

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Connector newsletter - September 2017

[Connector newsletters](#)

[Connect with us](#)

[Law of the month](#)

[Media contacts](#)

[Events](#)

The Connector

- eNotify subscribers receive added level of identity security
- Traveling along railroad tracks is illegal, can have devastating consequences
- Patience, good judgment at railroad crossings saves lives
- Community focused education program builds construction trade skills, careers
- State Patrol officer among top performers at international inspector competition
- Give tow trucks room to work on highways

eNotify subscribers receive added level of identity security

Wisconsin DOT — Sept. 28

With data security breaches becoming increasingly common in our cyber-driven society, people are left to wonder how they will defend themselves against an



attack on their personal information.



Wisconsin's Division of Motor Vehicles is helping customers address potential identify theft with [eNotify account activity alerts](#).

The new activity alerts security feature sends notifications to subscribers through their choice of email or text message when activities such as a duplicate driver license or ID application, or an address change submission occurs. The notifications serve as confirmation of an activity the customer requested while also acting as an alarm for unauthorized changes. If the customer does not recognize the transaction, DMV staff will work with them to identify the origin of the

transaction while also presenting options for resolution.

"Wisconsin's driver licenses and identification cards are currently the most secure in the nation," said Corey Kleist, DMV Section Chief. "We added the account activity alert feature to eNotify so that our customers can be alerted when certain transactions occur."

eNotify account subscribers also receive email/text reminders to renew their driver license, annual vehicle registration or whenever any important commercial driver licensing credentials are about to expire.

[Return to top](#)

Traveling along railroad tracks is illegal, can have devastating consequences

Joe Starr, Wisconsin DOT — Sept. 25

It was Oct. 12, 2012, and the Amtrak train was on its first run of the day from Chicago to Milwaukee when Train Engineer Jerry Sternig caught sight of something on the tracks.



It was too far away to make out what it was, but following protocol, he began blowing the train's horn. As the train rolled closer, Sternig saw that it was a person walking with their back to the train and showing no indication they were aware of what was coming from behind....

Railroad safety is serious business, and while railroad companies and law enforcement are constantly working to keep people safe, incidents can still happen. In 2016, one person was killed and three injured while trespassing on Wisconsin railroad tracks. Beyond it being trespassing to be on railroad tracks—since they are private property—Wisconsin DOT Railroad and Safety Engineering Supervisor Lisa Stern says the major point of walking on, over or otherwise being on the tracks is that it is a rail safety problem.

"There is this misperception that trains are loud and you will hear them coming," says Stern, adding that trains today are much quieter and moving faster than you think.

Silent giants

A recent [NBC News report](#) illustrated this, showing a train rolling down the tracks toward a journalist

standing off to side with his back to the tracks. He finally did hear the train, but it wasn't until it was nearly beside him.

And even if a conductor does spot someone on the tracks well before reaching them, there is little chance that they could apply their brakes and stop in time.

"It can take a mile or more for a regular freight train to stop," says Stern. The train's weight combined with minimal friction of the steel-on-steel rail-to-wheel connection further contributes to a train's long stopping distance.

...Cody Paugel, the teen that Engineer Sternig saw walking ahead of his train in 2012, was wearing headphones and listening to loud music as he walked along the tracks unaware of the 540-ton train that was bearing down on him with horns begging for his attention. It wasn't until the train was over his shoulder that Paugel noticed it. He walked along the tracks regularly and possibly thought he knew when and where the train would come, but this train was traveling on a different track than it normally did...



Cody Paugel shares how he was nearly killed after being struck by a train in 2012.

A second misperception about trains that Stern says many people hold is that they are predictable and run on the same tracks and at the same times.

"You can't know when to expect a train, and even if it has been the case where a train has been coming through at the same time every day for some time they could change the schedule or another train could come through."

Deadly shortcuts

Walking between stopped rail cars, through rail tunnels or over bridges may seem like a good way to save time or a fun adventure, but all are very dangerous and illegal. Bridges and tunnels are especially dangerous because they leave little room for error. If you are on a bridge or in a tunnel, you are trapped, says Stern. In most cases these structures are only wide enough to accommodate the width of the train, so there is no place to get out of the way except over the side of the bridge or the end of the tunnel. And objects can fly off the train, or stones and other debris can be picked up by the train becoming dangerous projectiles. Regardless of whether it's a bridge, tunnel or in the middle of a prairie, Stern says stay away from railroad tracks. And when you do need to walk across tracks do it at designated crossings following the rules at those crossings. If the gates are down and the lights are flashing treat it as a red light and stop until the gates come fully up and the lights are no longer flashing. If lights are flashing without gates, treat it as a stop sign, come to a complete stop and look down the tracks both ways to make sure they are clear before proceeding.

Multiple tracks

Some railroad stretches have multiple tracks, which require additional awareness when crossing. Stern uses the example where a train comes through a crossing and the gates start to come up.

"You have to wait for that gate to fully rise because what can happen is that there might be what is called "a second train coming." This Stern says is especially important to know for pedestrians as they tend to get impatient and, even with gates down, walk through. But if there is more than one track there could be more than one train, so pedestrians can't just assume that it's one train at a time. Another train could be coming in the other direction. So watch those signals, she says,

because if they are still flashing there is a train detected.

"It may be the one that passed by or it might be another one, but until everything has cleared and lights have stopped flashing there is no way to know for sure."

Stationary train dangers

Even a stopped train can be dangerous. Stern referenced a case in Auburndale, Wis. where a railroad company was parking trains for several hours.

"There was a school on the north side of the tracks and a train would stop, blocking crosswalks. Because of this the children were walking through the train to get to school instead of going around."

The community, working with the Department of Transportation and railroad company, decided to act by building a pedestrian underpass and improving the connection of the properties on the south side of the tracks with an improved public road crossing.

...Paugel paid a heavy price for not being responsible and safe. Five years after being struck by that train and nearly killed while walking along the tracks in Pleasant Prairie, Wis., he was able to [tell his story](#) and hopefully save someone from going through the same pain he suffered after being struck by a train that day.

[Return to top](#)

Patience, good judgment at railroad crossings saves lives

Joe Starr, Wisconsin DOT — Sept. 25

Have you ever seen a soda can run over by a car tire? If so you know that this is a lopsided matchup as the tire easily presses the piece of tin into the pavement.



Now consider what happens when the matchup is changed with the car replacing the can as it is hit and crushed by a giant locomotive. The car-to-can ratio is very close proportionally to the ratio of a car to a locomotive, as is effectively demonstrated in this [Operation Lifesaver commercial](#). So why is it that some drivers decide it's a good idea to tempt fate by racing to beat trains at crossings or snake through railroad crossings with arms down and lights flashing?

In Wisconsin in 2016, 46 railroad crossing crashes resulted in two people killed and 15 injured. All could have been avoided through practicing patience and safe driving habits. One of the biggest contributors to car-locomotive crashes is impatience – drivers deciding that there is no time to wait as they choose to race a train through a rail crossing or sneak between down bars and slip by ahead of it.

Part of what leads to such poor decision making is poor perspective. For example, a driver rushing to work pulls up to a railroad crossing just as the lights go on and the bars drop. He slows to a stop and looks to his right to see a train in the distance. He looks over at the car clock and thinks to himself, *if I wait for this train I will be late to work*. Looking back to the train he sees the bright headlight is a little closer but it's still a ways off and from his perspective the train doesn't seem to be moving all that fast. He decides the risk is low, so he starts to pull forward and to the left around the first crossing bar. As he rolls onto the tracks and starts turning to the right to get around the second bar he notices that the train is now significantly closer and seems to be moving faster. He hits the gas as his heart begins to race. As he slips by the bar and off the tracks relief begins to

come over him. Just then he is jerked violently. The train's giant chassis, which hangs several feet over the tracks, has caught the rear of his car sending it along with him inside flying violently across the road and tumbling down into a ditch.

Not only did the driver never get to work that day, he missed several weeks of work and had to go through months of painful physical rehabilitation after sustaining multiple injuries from the crash. If he would have obeyed the law and waited for the train to pass, the gates to rise and lights to go off, he might have been late to work but he would have made it. Compounding the driver's poor judgment was poor perception of the situation where he imagined the train moving slower than it was.

With the train coming toward the driver at an angle and it being so much larger than a typical vehicle, drivers tend to misjudge speed, says Wisconsin DOT Railroad and Safety Engineering Supervisor Lisa Stern.

"We tend to think it's smaller because we associate it with other vehicles we're used to seeing. It's actually moving a lot faster than it looks like to us. With it coming from the side, and in some cases on a curve making it even worse, we have a hard time judging how fast that train is actually going. Stern says stopping to wait for the train to pass is always the right decision.

"Even if it is a long train and it takes 10 minutes before it passes, you're guaranteed safe and your passengers are safe. It's not worth the risk."

But what if a driver comes to a rail crossing and there is no train? If the lights are not flashing and the gates are up, look both ways to make sure all is clear and if so you can proceed. If lights are flashing the crossing should be treated as a stop sign, and if the gates are down treat it as a red light and stop until the gates are fully up and lights are no longer flashing. Even in cases where lights are on and gates down with no train in sight, Stern says you must follow the law and wait.



"You can't know for sure that something else isn't going on or activating those signals."

Once the lights stop and the gates rise, make sure you can move through the crossing without stopping until you have cleared the tracks by at least 12 feet, since trains can hang over the side of the tracks.

When a driver is caught on the tracks with no place to go and the lights start activating, Stern says to get everyone out of the vehicle and move at a 45-degree angle in the direction of the train. The direction and angle are important because when a train hits a vehicle the debris will fly in the direction that the train is going.

Multiple track crossings

Rail crossings with multiple tracks require extra attention as there may be more than one train in the area. Drivers will know how many tracks there are by looking for the [crossbuck sign](#), which indicates there are tracks just ahead. When there are multiple tracks there will be a second sign below the crossbucks that indicates how many sets of tracks there are.

The phrase "second train coming" becomes important here because where there's more than one track there can be more than one train. It has happened at multiple track crossings where a train

passes and the arms begin to rise with the lights still flashing, but as traffic begins to move forward the gates lower again and within seconds another train comes through the intersection. This is why Stern says it is important for drivers to wait until the lights are no longer flashing and the arms rise completely before beginning to move forward.

Blue signs

Another item drivers should be aware of at railroad crossings are the “report problem” blue signs. They are important for the public and for first responders to know about, especially in situations where a vehicle stalls and is on or very near the tracks, says Stern. The sign will have a toll-free number to the that railroad company’s dispatch center where issues can be reported. Each crossing’s sign has a unique 7-character code that a caller will give to the dispatcher indicating the address of that crossing.

Avoid distractions

Keeping the car radio volume down, limiting conversation with passengers, and not using handheld devices—especially while driving near railroad tracks—are things drivers can do that will significantly decrease crash risks. It’s no different, Stern says, than any other situations with driving where drivers need to keep focus.

“It is a challenge but that’s part of the responsibility we take on when we get behind the wheel that we’re going to stay focused on the road.”

It is also important to know that it is dangerous and illegal to hike, bike, drive or be on railroad tracks for any reason. Beyond railroad tracks being private property, making being on them trespassing, it is also dangerous. Trains are very heavy and most require at least one mile to stop, so even if a conductor sees a person on the tracks a quarter mile ahead there is no way they can stop before reaching them. Trains do not follow regular schedules making them unpredictable. And today’s trains, unlike the loud iron horses of the past, make little sound, and someone with unobstructed hearing may not even hear them coming until it is too late.

[Return to top](#)

Community-focused education program builds construction trade skills, careers

[Martha Morganstein](#), Wisconsin DOT — Sept. 21

Nearly 2,000 men and women have successfully completed the Transportation Alliance for New Solutions (TrANS) program since its expansion in Wisconsin roughly 17 years ago.

The program is a public-private effort coordinated by the Wisconsin Department of Transportation under federal guidelines to build a stronger talent pool to serve community-specific construction needs.

“It is so important to have the industry, local community, and government working together toward the same goal,” said Jenna Fogarty, WisDOT’s representative for TrANS. “Programs like TrANS go beyond the individual to help ensure a well-trained workforce to benefit our project work.”

There are five TrANS courses offered in Wisconsin,



Graduate Walter Moss-Bey used the skills he earned from the TrANS programs to secure a job paying about \$20 an hour more than he previously earned.

one in each of the five Wisconsin DOT regions, and the curriculum of each can be tailored to best meet local needs. TrANS service providers conduct outreach, screen candidates, lead courses, work with construction businesses and follow-up with retention activities and supportive services.

Upward Mobility

TrANS is a highly selective program in which applicants routinely outnumber available

opportunities. There are strict rules about drug testing and keeping a valid driver license. The most ideal candidates demonstrate a strong work ethic and set goals for career advancement.

"Students know when they apply how much of a time commitment the class is," said Lorie Miller, instructor and coordinator for TrANS in WisDOT's Southwest Region. "They are willing to put things on hold for the classes, so you know that all of the students want to be there and are willing to put in the work to succeed."

TrANS is a six-week, 120-hour course designed to help build skills necessary for successful careers in construction. The courses are supported by a number of community stakeholders including the highway construction industry and community-based organizations.

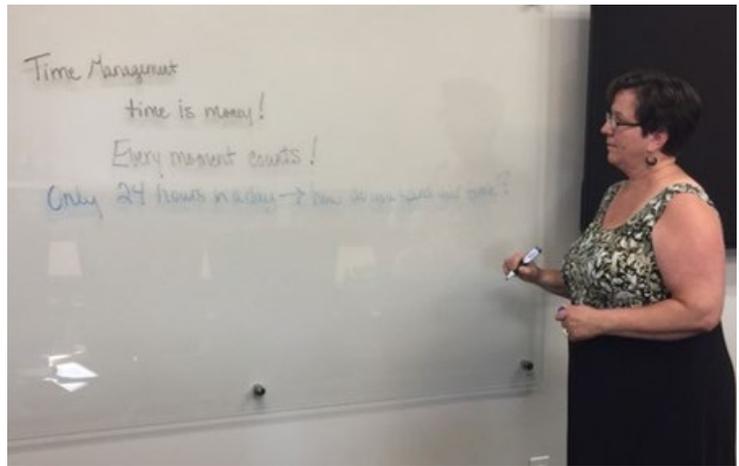
TrANS has a solid track record for connecting hard-working individuals with jobs, and nearly four in five graduates obtain construction jobs.

"If you work hard, they will help you out," said Walter Moss-Bey, a TrANS graduate who has been able to boost his earnings by more than \$20 an hour as a flagger/laborer.

Walter held many different jobs in manufacturing. He had experience as a forklift operator and several jobs working on an assembly line. Many of these jobs were through temp services averaging \$8 to \$12 an hour. Today, he earns \$28 an hour for flagging operations and \$35 an hour as a laborer. He's also enrolled in an apprenticeship program.

Moss-Bey explained that he has wanted to grow in the construction industry for a number of years. He enrolled in both the YWCA program Construct-U and TrANS to enhance skills and earn certifications. Because of his work with the YWCA program, Moss-Bey was able to take advantage of a fast-track option in TrANS, meant to avoid duplicity of training as well as related costs.

The TrANS curriculum focuses on safety,



TrANS Program Instructor Lorie Miller says she gets to know each student's needs and interests to find good employer-employee fits.

construction math and apprenticeship test preparation. Lessons take place both in classrooms and at construction sites. Students also have the opportunity to meet with and learn from industry professionals.

Lorie Miller was Moss-Bey's instructor. She even tutored him outside of class to prepare for exams and later served as an employment reference.

"I know each of the students," Miller said. "I know their needs and their interests. I'm always keeping my ears open to any opportunity that fits what he or she might be looking for."

Leveling the Playing Field

Although anyone can apply for TrANS, the focus is primarily on those who have been historically underrepresented in the industry, including but not limited to women and minorities. TrANS became exactly the type of break that Marisol Cardenas needed.

She'd been earning about \$7.25 an hour with no benefits as a customer service representative. She needed something better to help support her children, so she began studying aviation mechanics. Only, the school closed before she could complete the course. Then she found TrANS.

"TrANS is a bridge to bring people to the construction industry," Cardenas said. "It connects people who otherwise wouldn't have the opportunity to succeed in construction."

Today, Cardenas is earning \$48 an hour – more than \$40 above her former wage – working on the road crew with Zignego Company Inc. She earns benefits now, too.

Tony Zignego, of Zignego Company Inc., explained that he has had positive results working with TrANS providers in the past, especially the southwest program and the First Choice program in Racine. Zignego currently employs three employees from the southwest program and one from the First Choice program.

"The contractors know that these students have a burning desire and a heartfelt passion to want to do something different with their life," Miller said. "And with the skills and training that the TrANS program provides them with, it really sets them apart from other people in the industry."

[Return to top](#)

State Patrol officer among top performers at international inspector championship

Joe Starr, Wisconsin DOT — Sept. 18

When Thomas Disterhaft first considered a law enforcement career, he gave little thought to the

different types of duties offered at various agencies. He just started applying to police academies and departments from local to the state levels.

Now, as the 10-year [Wisconsin State Patrol](#) veteran looks back, he realizes that different agencies offer different opportunities and challenges. There are so many options to consider, said Disterhaft, when asked how he would advise a young person considering a law enforcement career. There are city, sheriff, State Patrol, urban, rural, he says, adding that they all offer different enforcement components and experiences. Considering the risk he took by not researching his options, Disterhaft says he is lucky that State Patrol was the first to offer him a job.

"Looking back I wouldn't want to do anything different other than the State Patrol. There are a wide variety of duties and the flexibility to go anywhere in the state."

Currently an inspector in the State Patrol's Southeast Region, Disterhaft recently placed second out of 51 competitors in the Level 1 Inspection category at the [North American Inspector Championship](#) in Orlando, Fla. The annual event draws inspectors from state and local law enforcement agencies across the U.S., Canada and Mexico.



Disterhaft checks a brake system during an event.

During the Level 1 category, Disterhaft was given 55 minutes to inspect a tractor/trailer, much like inspectors would do at the roadside or at one of Wisconsin DOT's 13 [safety and weight enforcement facility](#). The inspection included a check of lights, tires, brakes, frame and other equipment. From there he said competitors checked the driver's license status and log book. Points were awarded for every inspection procedure completed and violation found.

Disterhaft also competed in the Passenger Vehicle Inspection and Hazmat inspection categories. The hazmat inspection was separated into non-bulk inspection – smaller packages of hazmat – and bulk hazmat, which is typically seen in tankers and other large bulk containers. During the non-bulk inspections, competitors are given 25 minutes to check for placarding, labeling, marking, securement, shipping papers, the integrity of the package and any tanker leaks.

This was Disterhaft's second time competing at the international competition, and he said he was more relaxed this time knowing better what to expect.

The best way to learn a job Disterhaft says is by doing, something he does every time he steps into his uniform and on duty inspecting semis and buses, and working with their drivers to spot violations. Along with commercial motor vehicle (CMV) inspections and enforcing traffic laws, workdays can also involve inspecting school buses and commercial buses.

"I enjoy when I find a carrier that is non-compliant and because of mine or my co-workers' inspections they get into compliance. For me the most important thing is compliance and to prevent crashes."

Detecting violations comes with knowledge of the vehicles and the regulations that motor carriers need to follow, and much of that knowledge builds with experience and ongoing education. Disterhaft says NAIC competitors are offered a number of learning opportunities. After each competition they go over all the violations, allowing inspectors to see what was missed so they know what to check for on future inspections. Workshops were given on registration fraud detection, hazardous material procedures, brake mechanism operations as well as a demonstration of the new electronic logging device systems, which will be required for most motor carriers by mid-December. The event also opened opportunities to learn from peers throughout North America.

"It's great connecting with other inspectors from other states, and Canada and Mexico," said Disterhaft, adding that building these relationships not only allows for personal growth but strengthens communication lines among law enforcement agencies, which is a vital safety asset.

"Now after doing this, I have several connections in other states that if questions arise – from certain carriers – I can ask other inspectors opinions or tell them about the non-compliant carrier."

Over the last 10 years, Disterhaft has noticed overall improvement in the trucking industry in terms of complying with CMV regulations. Inspecting CMVs daily, he says they make a difference and save lives.

"It could be we stop a truck that has faulty brakes or a fatigued driver, and by placing them out-of-service we may have prevented a crash."

[Return to top](#)

Give tow trucks room to work on highways

Wisconsin DOT — Sept. 11

By [resolution of the Wisconsin Legislature](#), Towing Industry Awareness Week is observed during the second week of September.



In 2016, there were 129,051 reported crashes in Wisconsin, with many causing injuries and property damage. Tow truck operators provide crucial aid at a crash scene by clearing debris and moving disabled vehicles out of the roadway.

Wisconsin's "[Move Over Law](#)" requires drivers to shift lanes or reduce speed to help create a safety buffer for stopped law enforcement, emergency and

maintenance vehicles – including tow trucks. Failure of motorists to move over is one of the primary reasons that motor vehicle crash scenes can be so dangerous, even for those specially trained in emergency response.

Additionally, Wisconsin's "[Steer It, Clear It Law](#)" requires drivers involved in a crash or breakdown to move their vehicle to a safe location, such as a wide shoulder or pull-off zone, provided that the vehicle is operable and nobody's hurt.

Wisconsin is among a number of states that organizes [highway safety patrols](#) to clear traffic incidents in high volume areas and work zones. The safety patrol trucks are there to help clear debris and disabled vehicles that otherwise becomes hazardous to other drivers.

Towing Industry Awareness Week provides an opportunity to reflect on safer driving habits, something that each of us can continue to do every day of the year with these simple tips.

- Eliminate distractions such as eating, drinking or using a phone while driving.
- Slow down when you see flashing lights. Remember that a car traveling 60 mph travels 88 feet per second and the faster you go the longer it takes to stop.
- Be patient and plan ahead. Avoid tailgating and provide room on the road.

[Return to top](#)

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