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Testimony in Support of Assembly Bill 507 *Assembly Committee on Criminal Justice & Public Safety* October 20, 2021

Mr. Chairman and members of the committee, thank you for holding a public hearing on Assembly Bill (SB) 507. I'd like to thank Sen. Petrowski for working with me on this important legislation that we hope will decrease the number of collisions in highway construction zones that could have been prevented.

In Wisconsin, motorists are required to stop for a school bus that has its flashing lights on and stop signal arm extended. Under Wisconsin State Statute s. 346.485, school bus drivers are able to report those drivers who do not yield to these warnings. We have a proposal before you today that would extend this kind of reporting system to our highway flagman who risk their safety trying to regulate the flow of traffic coming in and leaving highway construction zones.

Currently, the way we are able to enforce the failure to yield statute requires a law enforcement officer being posted at the entrance to a construction zone. AB 507 would instead allow the flagman to report the failure to yield violations directly to law enforcement. This legislation would increase safety in construction zones throughout the state.

Members of the committee, thank you again for this opportunity to testify in favor of AB 507. I hope to see the support for this legislation continue to grow in the days ahead.



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KEEPING OUR HIGHWAYS SAFE: COUNTY WORK ZONE SAFETY PACKAGE

In recent years, one of the top priorities of county highway departments has been work zone safety. Due to fatalities among county highway workers, many changes have been proposed to make work zones safer for vulnerable county employees. Fortunately, the Wisconsin State Legislature and Governor have adopted new laws to encourage reduced speed in work zones and more attentive driving. Recently, a new law was enacted prohibiting the use of cell phones in work zones.

The following are innovative approaches to work zone safety for the Governor and members of the Legislature to consider:

Flagger Reporting Requirements

Per current Wisconsin law, the operator of a vehicle shall yield the right-of-way to persons engaged in "maintenance" or "construction work" on a highway whenever the operator is notified of their presence by flagmen or by a warning sign.

Under this proposal, a flagman who is employed by a political subdivision and who observes a violation may report the violation to a traffic officer in the jurisdiction where the violation occurred. The traffic officer, subject to several exceptions, may issue a citation to the vehicle owner.

CURRENT STATUS: Under current law, only a law enforcement officer may issue a citation for violation of right-of-way that occurs in their presence. SB 509/AB 507 would grant a flagman the ability to report an instance of egregious driving in the work zone to a traffic officer who may issue a citation without being present in the work zone.

REQUESTED ACTION: The Wisconsin Counties Association respectfully requests the legislature act on SB 509/AB 507.

Work zone Safety

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Adding Green Strobe Lights with a Single Flash Pattern to Winter Maintenance Trucks

The Michigan Department of Transportation (MDOT) has added green strobe lights to the warning system of winter maintenance trucks (WMTs) since 2016. Results of research done by the Michigan Department of Transportation shows that adding green lights with a single flash pattern to the amber warning light configuration improves the conspicuity significantly, while keeping the glare at an acceptable level relative to configurations using only amber warning lights.

CURRENT STATUS: Currently, Wisconsin Department of Transportation (WisDOT) policy does not require or suggest adding green strobe lights to the warning system of winter maintenance trucks operated by counties conducting winter maintenance activities. SB 508/AB 506 would address this issue and recently was voted out of the Senate Transportation Committee unanimously.

REQUESTED ACTION: Pass SB 508/AB 506 and give local governments the option of adding green strobe lights to the warning system of winter maintenance vehicles.

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Waukesha County

Date: October 20, 2021
RE: Assembly Bill 507
To: Assembly Committee on Criminal Justice and Public Safety
From: Alex Ignatowski, Legislative Policy Advisor for Waukesha County

Assembly Bill 507 is another effort to make work zones safer for our county highway patrol workers. Like other counties, Waukesha County has dealt with the consequences of reckless driving in work zones. Just last year, one of our highway patrol workers was struck by a vehicle in a hit and run. Over the past few years, Waukesha County has taken several steps to make our highway work zones safer for our workers. We've purchased a new traffic control truck which contains an integrated radar and camera display system. We added two message boards and four arrow boards to help guide motorists through a construction zone. Lastly, Waukesha County has adopted the industry practice of using "orange barrels" in construction zones to channel traffic safely around our workers. However, even with all these initiatives, we do not have an enforcement mechanism that would encourage drivers to drive more safely in a work zone. AB 507 would be that mechanism.

Wisconsin law dictates that a driver must yield the right-of-way to persons engaged in construction work or maintenance in situations where there is a flagger or a warning sign. AB 507 allows a flagman, employed by a local government who observes a violation of this law, to report the incident to law enforcement with jurisdiction. Law enforcement, subject to several exceptions, has the discretion to issue a citation to the owner of the vehicle. The owner of the vehicle still has a right to due process. If AB 507 becomes law, Wisconsin's work zones will see safer traffic flow as drivers become aware of the potential for a citation.

Work zones can be incredibly dangerous for our highway workers who fill the potholes, patch the roads, improve the shoulders and mow so that all of us have a safe experience on the road. This legislation is a chance for us to return that favor by helping keep these workers safe as they do this vital work. For these reasons, Waukesha County supports this legislation. Thank you for your time and consideration.

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