



WILLIAM PENTERMAN

STATE REPRESENTATIVE • 37TH ASSEMBLY DISTRICT

(608) 237-9137
Toll-Free: (888) 534-0037
Rep.Penterman@legis.wisconsin.gov

P.O. Box 8953
Madison, WI 53708-8953

January 30th, 2024

Assembly Committee on Transportation

Testimony from Rep. William Penterman in favor of Assembly Bill 720

Chair VanderMeer and members of the Assembly Committee on Transportation:

Thank you for the opportunity to testify in favor of Assembly Bill 720, local authority to modify highway speed restrictions.

Municipalities, such as cities, counties, towns, and villages, have the authority to decrease the speed limit on local roads by up to 10 miles per hour from the standard maximum of 55 miles per hour within their jurisdiction. According to existing regulations, the local highway authority is required to conduct an engineering and traffic study before implementing such changes. However, the decision to lower the speed limit can be made independently by local governments without the need for approval from the Department of Transportation (DOT).

In response to the expansion and establishment of new businesses, schools, and other significant developments, local communities may express the need to further reduce speed limits on local roadways to enhance safety. Presently, local governments are obliged to seek DOT approval if they wish to lower the speed limit by more than 10 miles per hour on roads within their jurisdiction. Assembly Bill 720 seeks to expand this exemption, granting local governments the authority to decrease speed limits by up to 20 miles per hour on roadways currently set at 55 miles per hour without requiring DOT approval. The passage of Assembly Bill 720 would empower local governments to efficiently manage and address safe speed limits on roadways across their communities.

Similar legislation has been enacted in at least 20 states, including California, Colorado, Connecticut, Georgia, Hawaii, Indiana, Maryland, Massachusetts, Michigan, Minnesota, Montana, New Hampshire, New Jersey, New York, North Carolina, Oregon, Tennessee, Virginia, Vermont, and Washington, since 2011. Notably, this bill has garnered support from the Wisconsin Towns Association.

Thank you again for your time and consideration of Assembly Bill 720. I hope you will join Senator Cowles and me in supporting this legislation.



ROBERT L. COWLES

Wisconsin State Senator, 2nd Senate District

STANDING COMMITTEES:

Natural Resources & Energy, Chair
Transportation & Local Government, Vice-Chair
Economic Development & Technical Colleges

Testimony on 2023 Assembly Bill 720

Senator Robert Cowles

Assembly Committee on Transportation

January 30, 2024

Thank you, Chair VanderMeer and Committee Members, for allowing me to testify on Assembly Bill 720. This bill would give local government officials more control to regulate the setting of speed limits throughout their communities.

Cities, counties, towns, and villages can, under current statutes, lower the speed limit on rural local roadways from the standard 55 miles-per-hour maximum by up to 10 miles per hour through their own jurisdiction. Current law also establishes that the respective local highway authority must conduct a study of engineering and traffic feasibility before enacting the speed limit reduction on the targeted road, but the municipality can make the decision to do this without Department of Transportation (DOT) approval.

Community expansion can necessitate the decision to lower speed limits on local roadways. As new businesses, schools, and other developments begin construction, local leaders should be able to lower their speed limits to increase traffic safety in the area. However, their decision-making process can be hampered by statutory requirements requiring DOT approval to lower the speed limit on any road within their jurisdiction beyond the current 10 miles per hour.

Assembly Bill 720 would allow local governments to reduce the speed limit on roadways under their jurisdiction currently at 55 miles per hour by up to 20 miles per hour, rather than the current 10, without receiving DOT approval. Communities would still be required under statute to conduct the routine study of the effects on traffic and roadway engineering, but would be able to make a more localized decision about speeds on their roads at their discretion. At the same time, local officials can also tackle the persisting problem of reckless driving by enforcing punishments under the new limits that suit their communities.

At least 20 states across the nation have enacted similar legislation since 2011. Assembly Bill 720 empowers our local communities to address safe speed restrictions on roadways within their communities, following similar nationwide trends and continuing the Legislature's work on improving the safety of our roads during this Legislative Session.



Wisconsin Department of Transportation
Office of the Secretary
4822 Madison Yards Way, S903
Madison, WI 53705

Governor Tony Evers
Secretary Craig Thompson
wisconsindot.gov
Telephone: (608) 266-1114
FAX: (608) 266-9912
Email: sec.exec@dot.wi.gov

Testimony of Wisconsin Department of Transportation
Assistant Deputy Secretary Joel Nilsestuen
Before the Assembly Committee on Transportation
January 30, 2024

Re: Assembly Bill 720, relating to local authority to modify highway speed restrictions.

Thank you, Chairwoman Vander Meer, and members of the committee for your consideration of the department's input on Assembly Bill 720, relating to local authority to modify highway speed restrictions.

This bill expands the amount of speed reductions municipalities can do without Department approval. Bill provisions would allow local governments to reduce speed limits on roadways currently at 55 miles per hour under their jurisdiction by up to 20 miles per hour without WisDOT approval.

WisDOT recognizes that the bill still requires an engineering study before reducing the speed by the amounts proposed in the bill, however, the department wouldn't be reviewing/approving many if at all any of these speed reduction changes. Requiring approval by the department for these speed reductions helps create a level of accountability that the appropriate engineering study was completed.

The Department offers the following considerations for Assembly Bill 720:

First, the objective of modifying the speed limit is to have the posted speed be effective, to do this it should accomplish the following:

- Reduce the speed differential of vehicles using the highway.
- Be a reasonable speed so the majority of drivers will comply voluntarily.
- Reflect consistent application of traffic engineering principles and guidelines in common circumstances.

Numerous studies have shown that setting a speed limit within 5 mph of the 85th percentile speed is advisable, to achieve safer operation. Speed limit recommendations between adjacent sections of highway outside incorporated cities/villages should generally be made in increments of 10 mph but increments of 5 mph are permissible when justified. Inside incorporated cities/villages these speed limits should be in increments of 5 mph. The number of such changes should be held to a minimum when speed limits are being applied to several adjacent sections of highway.

By allowing a speed reduction of upwards of 20 mph without a review by the department could create safety and operation issues around the state, in particular, a need for increased enforcement resources should a speed limit be lowered inappropriately.

Second, the Department has a standard procedure on what is included in an engineering study in our WisDOT Traffic Engineering, Operations & Safety Manual (TEOpS). It states:

Engineering studies **shall** include the following:

1. Measurement of prevailing speed characteristics, including the calculation of the 85th percentile speed.
2. Evaluation of reported crash experience for the past five years.
 - a. In cases where a significant change (traffic control changes, speed limit adjustments, lane adjustments, etc.) occurs, a minimum of three years of crash data should be reviewed and documented within the study.
3. Assessment of the roadway's geometrics including lane widths, curves, roadside hazards and sight distances.
4. Determination of the 10-mph pace.
5. Determination of the average speed.
6. Evaluation of density and roadside development in terms of the number of driveways and access points where vehicles can enter the traffic flow.

Engineering studies **should** include the following:

7. Consideration of conflicts with parking practices, and pedestrian and bicycle activity.
8. Evaluation of shoulder widths as well as roadway and shoulder conditions.
9. Determination of the current level of enforcement.

Finally, if the bill should pass as proposed, there will still be concerns on the potential for inconsistency statewide in speed limits. One of the key points above is the speed limits should be set to keep the differential between the highest speed and the lowest speed as close together as practicable as possible. By allowing the change in a speed zone to be lowered by greater amounts could create some roadways with a large differential speed if not done appropriately.

Thank you for your time and consideration today. I am happy to answer any questions the committee may have.

AB 720

My Name is Kent Knutson, Town Chairman of Rutland Township of Dane County. I ask you to please support AB 720.

More than 100 years ago most of our roads were laid out and designed because of the rivers and creeks that exist. The protruding rock formations jet out so the road went around them instead of cutting through them. Our roads have their curves and hills in them because of the topography of that land. Some of these roads got their shape because that was the shortest route for the stage coach to go, along side the river that runs through that area, that's our road, Old Stage Road. On one of our other roads there is an abrupt bend in the road because Farmer Brown had a barn built there before the road was actually established. The DOT would never have allowed these roads to be designed that way on state trunk highways. The townships don't have the money to change the design of a road like the DOT does. The DOT has change many intersections, from a rounding curve intersection with a yield sign on the approaching road to a 90 degree corner with a stop sign to make it safer. The DOT has changed the bank on a curve to allow traffic to round the corner at a more consistent speed for heavier taller loads. Townships don't have the money to change the intersection or the curve so traffic can flow safer at higher speeds. But here we are today with substantially more traffic on certain roads, larger, heavier commercial trucks and farm equipment that spans more then 20 feet across. We are the ones driving and living on these roads.

I have included at the bottom of this letter the first 1/2 page of the DOT Engineering Manual. It specifies that ***The content of the Manual is applicable only to the state trunk highway system, However requiremets for other systems go beyond the scope of this manual.*** They are trying to apply standards of engineer designed roads to rural township roads.

A number of years ago to Legislature allowed the Townships to lower the speed limits from 55 mph to 45 mph on rural roads. Some of the townships left some of the roads at the 55 mph speed limit. Many other townships changed their speed limit on most all of their roads to 45 mph. I believe that they made these decisions because of the topography, and the safety factors they felt were important. I am here to talk about allowing townships that have the topography for the curvy, hill, winding, narrow roads with narrow to no shoulders that have lowered the speed limit to 45 mph. Please allow us to change certain sections of our roads from 45 mph to 35 mph where it is needed.

Just so you know the roads that I am going to talk about are experiencing more that 500 dump trucks per day during the busy time of the year. Some days a truck every 77 seconds. They go to and from the more than 80 plus acres of quarries that are growing in size and activity. The comments from the DOT, Christopher Wells, told us that the result of our \$2,500.00 speed study is that we should actually increase the speed limits of our roads to 55 mph from 45 mph. That may be the correct answer if we had roads that were designed with the specs that DOT designs roads today. If that were the case then their DOT manual would have some merit. By the way, what is the stopping distance of a full loaded dump truck traveling 55 to 65 mph coming over the crest of a hill? I can tell you that the leave more than an 80 foot dual wheeled skid marks.

I have no doubt that the DOT will push back on this. I'm sure that they feel that they have good reasons. But they don't live on our roads that have this heavy commercial traffic. They are not the ones that experience a loaded dump truck coming at them and slamming on the breaks leaving 80 foot

skid marks before they hit you. They are not the ones that have two small children at home and their mother will never be coming home anymore. A tragic death on these very roads. My own daughter lives on a curvy road, on the corner of the curve, 45 mph is allowed. The past fall on a sunny clear day, a driver took out her mail box, two small trees, and jumped her driveway. If our grand kids had been waiting for the bus, they would not be with us today.

Old Stage Road has a 2,600 foot section of road that lies between Oak Lane Road and Biglow Road. There are 8 driveways on this stretch and 5 of them are blind driveways. There is also a school bus that needs to make stops on this hilly curve. The current speed limit is 45 mph and I have been begging to have it lowered to 35 on this 2,600 foot section of hilly, curvy road.

There is another section on Old Stage Road. It lies between Old Stone Road and Highway 14. As you travel west on Old Stage Road, you come upon the intersection of Old Stone Road. There is a rise in the road for about 80 yards then it is downhill about 200 yards to the stop sign at the bottom of the hill at Highway 14 intersection. There are fresh dual wheeled skid marks there every month measuring 80 feet or more. Old Stage road is currently 45 mph. We could lower the speed limit on this small section of road where everyone has to stop in 280 yards for the stop sign at Highway 14. Why would anyone think that lowering the speed limit here would be hazardous? It has been suggested that we could put in a stop sign at the intersection of Old Stage road and Old Stone Road. The stop sign might solve the problem but it creates a problem with 500 trucks engine braking with deceleration, and then revving up the trucks for once again to race toward the stop sign at highway 14. I just need DOT to think about the unintended consequences for the residents on this road. It is not rocket science.

We live on these roads, we experience the traffic and the tragedies on these roads. The decision to allow us to make our residents more safe should not be a cubical decision. I do believe that local town officials that live on these roads will make the appropriate decisions for their community. If not, there is always another election coming up.

Thank you for your time.

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Traffic Engineering, Operations & Safety Manual

Chapter 1 General

Section 1 Traffic Engineering, Operations & Safety Manual

1-1-1 Purpose June 2005

GENERAL

This Manual contains policy, guidelines and procedures related to traffic engineering and related functions as

practiced within the Wisconsin Department of Transportation, more specifically the region field and bureau office

forces of the Division of Transportation Systems Development, the staff of the Bureau of Traffic Operations, and

other agencies of the Department which may be involved in traffic engineering at some point. Traffic engineering

functions include the installation and maintenance of traffic control devices, highway lighting facilities, traffic

regulations, safety analyses, and support for the improvement program.

APPLICATION

The content of the Manual is applicable only to the state trunk highway system. Good practices

contained herein may by implication be desirable on other systems of highways. **However any requirements for other systems are beyond the scope of the Manual**, and are appropriately addressed in the Manual on Uniform Traffic Control Devices and the Wisconsin Supplement to the MUTCD, together called the Wisconsin Manual on Uniform Traffic Control Devices.

Conscientious usage and adherence to the manual should provide several benefits, chief among which would be:

- Uniformity of treatment of traffic control devices on the state **trunk highway** system;
- Readily available and adoptable methods and procedures;

Kent Knutson, Chair, Town of Rutland
Chairknutson@town.rutland.wi.us

4061 Old Stone Rd.
Oregon, WI 53575
608-335-9957