



November 2, 2023

Testimony on Senate Bill 460

Good Morning, Chairman Wanggaard and members of the Senate Committee on Judiciary and Public Safety, and thank you for allowing me to testify on Senate Bill 460, which extends routine protections that highway work zones enjoy to railroad construction and maintenance areas.

Railroads are a critical method of transportation: in 2020, the federal Department of Transportation reported that over 1.4 trillion ton-miles of freight were shipped by rail across the United States. Here in Wisconsin, our over 3,300 miles of rail lines are a key factor in supporting and growing the state's economy. In order to keep freight moving, railroads require routine maintenance, and those who perform this maintenance should be protected.

Senate Bill 460 ensures that these workers are protected by extending the same doubling of fines imposed on traffic violations committed in highway work zones to similar violations that occur in railroad construction and maintenance areas. These fines are for offenses like speeding and reckless driving, which can directly impact the safety of railroad workers. Additionally, if the violation results in an injury to another, the operator of the vehicle may be fined up to \$10,000 and imprisoned for up to nine months. This fine and sentencing structure also already exists for highway work zones and will be extended to railroad work zones under the bill.

The second area the bill touches is inattentive driving. Current law generally prohibits inattentive driving of a motor vehicle, and specifies that cell phone use is prohibited in a highway work zone. Senate Bill 460 extends this specific prohibition on cell phone use in railroad work zones.

Senate Bill 460 makes common sense changes to ensure that the workers who keep an important part of our transportation infrastructure running have the protections they deserve. I again thank you for the opportunity to testify on this bill and welcome any questions from the committee.



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 Senate Bill 460

Senator Robert Cowles

Senate Committee on Judiciary and Public Safety

November 2, 2023

Thank you, Chairman Wanggaard and Committee Members, for allowing me to submit testimony on 2023 Senate Bill 460. This bill would expand enhanced penalties for traffic violations committed in certain work zones to those committed in the presence of railroad workers operating at a roadside construction or maintenance site.

Wisconsin plays an important role in the American rail transport system, which is by far the largest of its kind in the world. In 2021 alone, 22.9 million tons of rail freight originated in Wisconsin, and 39.2 million tons terminated in our state. These numbers are thanks to our nearly 2,700 rail employees who are tasked with maintaining 3,482 miles of Wisconsin railroad track. From shipments of the newest cars to massive amounts of crops and grains, much of our economic might still rolls along the rails.

But while rail remains an important method to ship supplies and resources through the American economy, our current statutes do not offer sufficient protections to engineers operating at rail sites near traffic crossings. Senate Bill 460 would offer this safeguard, and impose a doubling of fines on traffic violations committed in the vicinity of railroad construction or maintenance areas. These increased fines, levied for offenses such as failing to follow traffic signals, speeding, and reckless driving, match similar standards for highway work zones that Wisconsin drivers have come to know and expect, as established under 1993 Wisconsin Act 198. These fines also exist in utility work areas, and for sites where emergency services or roadside assistance has been requested.

Senate Bill 460 also extends the prohibition on inattentive driving, especially driving while distracted by a cellphone, to rail construction or maintenance areas where railroad engineers are present. Highway roadbuilders, utility crews, first responders, and roadside assistance are already protected under similar current statutes; railroad work crews should not be treated any differently.

The Legislature has worked in bipartisan cooperation to tackle reckless driving across the state during this session. Senate Bill 460 offers a way to further that progress, and would ensure the men and women who repair our railways can safely keep an important engine of our economic and transportation might chugging along.



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November 2, 2023

Dear Members of the Senate Committee on Judiciary and Public Safety,

On behalf of the hard-working men and women of the Wisconsin State AFL-CIO, I write to urge this Committee to support Senate Bill 460, a commonsense bill that updates our traffic statutes to include the protection of railroad construction and maintenance workers who too frequently are in harms way by reckless and inattentive drivers.

Over the years, the Legislature has wisely passed bills that increase traffic penalties when violations occur in areas where highway, emergency, and other critical workers are present, workers who are doing their job on behalf of the public and public infrastructure. Thank you to the authors and bipartisan sponsors of this bill – SB 460 – for understanding that we must again update our traffic statutes to include increasing penalties when inattentive, distracted, and/or reckless drivers enter railroad construction areas.

This bill treats areas of railroad construction or maintenance identical to current highway construction areas by doubling the fines when traffic violations occur in the construction or maintenance area, increasing the penalties if and when inattentive drivers cause injury to a worker within the area, and instructing drivers to put their cellphone down when entering a railroad construction or maintenance area, just as the law currently instructs drivers to do when entering a highway construction area.

All workers in traffic areas, including railroad construction and maintenance workers, should expect the caution of drivers and the equal enforcement of our traffic laws. For the above reasons, we urge each of you to support Senate Bill 460.

Sincerely,

Stephanie Bloomingdale, President