



HOWARD MARKLEIN

STATE SENATOR • 17TH SENATE DISTRICT

January 17, 2024

Senate Committee on Transportation and Local Government Testimony on Senate Bill 612

Good Morning!

Thank you Chair Tomczyk and committee members for hearing Senate Bill 612 (SB 612) that allows a town to designate a road under its jurisdiction as a seasonally maintained highway.

SB 612 gives towns the authority to create a new designation of roadway as a “seasonally maintained highway”. This designation would be applicable from December 15th through March 31st, and the town would not be required to maintain the road as passable.

The Department of Transportation (DOT) administers the general transportation aids program that makes payments to municipalities based on the greater of a share-of-costs formula or an aid rate per each mile of highway. As part of the calculation for the aid-rate-per-mile, the municipality must file a plat with DOT, showing the highways under its jurisdiction. Under the bill, if DOT determines the highway meets the requirements, it must be included in the computation for general transportation aid.

The bill outlines the criteria by which a roadway may be designated, if all of the following apply:

- 1) Must already be designated as a snowmobile route.
- 2) Must not be the sole means of access to a residence, a private parcel containing improvements, an improved boat landing, or a lake larger than 20 acres.
- 3) May not be the sole means of access to a business or private parcel that does not contain improvements unless the business or parcel owner agrees in writing to the designation of the highway.
- 4) The remaining maintained highways must provide for the most direct access to residences.

Passing this legislation will help towns with minimal road maintenance budgets that have been forced to plow roads with zero residences or businesses along them. In addition, plowing the roads may shorten the snowmobile season, and sometimes cuts off routes that connect to businesses that thrive on snowmobile traffic in the winter.

Thank you again for hearing SB 612, and your timely action on this proposal.



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Testimony in Support of Senate Bill 612 *Senate Committee on Transportation & Local Government* January 17, 2024

Chairman Tomczyk and members of the committee, thank you for holding a public hearing on Senate Bill (SB) 612. This important legislation will ease the burden on our local governments and strengthen a Wisconsin pastime statewide

Under current state statutes, town roads must be maintained as passable at all times. In theory, this is a reasonable law to have in place during the winter months. However, across the state, towns with low road maintenance budgets have been forced to plow and maintain roads with zero residences or businesses along them. This can be very difficult for small municipalities in rural areas, especially in a year with lots of heavy snowfall. If they do not continue to maintain them, these towns are at risk of lawsuits and losing road funding from the state. In many cases, the clearing of these roads also shortens the snowmobile season and cuts off routes to businesses that thrive on snowmobile traffic during the winter.

Our proposal gives towns the authority to create a new designation of roadway, known as "seasonally maintained highways." From December 15th to March 31st, the town is not required to maintain the road as passable and will not be held liable for any accident that occurs along a posted highway. In consultation with DOT, we ensured that proper signage is required to be posted to alert motorists. Importantly, a town will not lose any general transportation aid as a result of designating any portion of roadway as a seasonally maintained highway. The criteria by which a roadway is eligible to be designated is outlined in the bill.

This bill will provide the flexibility towns need to provide vital services during the winter months. Additionally, it will help stimulate local economies through increased snowmobile traffic.