



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2005 Assembly Bill 292

**Assembly Amendments 1, 2,
and 3**

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Current law requires the Department of Transportation (DOT) to advise cities, villages, towns (municipalities), and counties with regard to the construction and maintenance of any highway or bridge, when requested. DOT may, upon request, perform any supervision or engineering work necessary in connection with highway improvements by any municipality or county and may charge the municipality or county its costs.

Current law also prohibits any person from opening a driveway onto a state trunk highway without first obtaining a permit issued by DOT and requires DOT to review the transportation plan of proposed land subdivisions.

Assembly Bill 292 requires DOT, *upon request of a school board*, to review the site plan of any proposed enlargement of school grounds, or proposed construction or enlargement of school buildings or facilities. A school board may request a DOT review after the site plan has been reviewed by the county traffic safety commission.

In its review, DOT must determine the effect of the proposed enlargement or construction on existing and anticipated highways, and must provide guidance to the school board with regard to transportation-related matters, such as roadways, sidewalks, bicycle paths, and school bus loading and unloading areas, in a manner that adequately protects children in the school zone, ensures motor vehicle access to the school, and minimizes any adverse impact of the enlargement or construction of the school on motor vehicle traffic.

DOT may, but is not required to, use transportation impact analysis processes in its review.

The bill specifies that a school board is not required to comply with DOT's recommendations and that DOT may not assess a fee for its services.

The bill also requires DOT to make available to any school board safety courses, educational materials, and other assistance related to ensuring the convenience and safety of children and motor vehicle traffic in school zones. DOT may assess a fee, not to exceed DOT's cost, for these services.

Also, the bill requires DOT to annually provide to each school board written notice of DOT's obligations and services under this bill.

Assembly Amendment 1

- Clarifies that DOT's review of the proposed school site plan and other DOT services shall also include, pedestrian facilities, bicycling facilities, and public transportation facilities, along with existing and anticipated highways.
- Defines a "pedestrian facility" to mean any physical infrastructure that allows for or promotes walking and other forms of pedestrian movement as a form of travel.
- Defines a "bicycling facility" to mean any road, path, or way that is in some manner specifically designated for the use of bicycles, either exclusively, or shared with other vehicles.

Assembly Amendment 2

- Includes private or charter schools within the bill. Under the original bill, only public schools were included in the bill.

Assembly Amendment 3

- DOT **shall** assess a fee to a school board for reviewing the site plan of a proposed school construction or enlargement, not to exceed the cost to the department.
- DOT **shall** assess a fee to a school board for safety courses, educational materials, and other assistance related to ensuring the convenience and safety of children, pedestrians, bicyclists, and motor vehicle traffic in school zones, not to exceed the cost to the department for those services.

Legislative History

On June 2, 2005, the Assembly Committee on Transportation recommended for adoption Assembly Amendments 1, 2, and 3 by unanimous consent.

The Assembly Committee on Transportation recommended passage of the bill, as amended, by a vote of Ayes, 10; Noes, 0.

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