



JERRY PETROWSKI

WISCONSIN STATE SENATOR

Assembly Bill 639

January 28, 2014

Mr. Chairman and members of the committee, thank you for the opportunity to speak today on Assembly Bill 639. I drafted this bill at the request of one of my constituents, Jim Griesbach, who is the Marathon County Highway Commissioner. Unfortunately, he is unable to be here in person today, although he has submitted written testimony that all members should have received.

As you may know, in 2009 the Legislature passed Act 220, which prohibits a person from composing or sending text messages or emails while driving. Similarly, 2011 Act 164 was passed last session to prohibit a beginning driver – a probationary licensee or instruction permittee – from using a cellphone while driving, except to report an emergency. While we have come a long way, I believe there is more we can do to ensure the safety of our public roadways and help to curb the prevalence of distracted driving.

Information from the AAA Foundation indicates that more than half of all drivers admit to using a cellphone while driving at least occasionally, despite the fact that many studies have shown that doing so is associated with roughly a quadrupling of the crash risk. In addition, crash data from DOT has shown that, from 2006 to 2012, there have been 74 fatalities in Wisconsin construction zones over that seven-year period.

Across the nation, talking on a handheld cellphone while driving is currently banned in 12 states (California, Connecticut, Delaware, Hawaii, Maryland, Nevada, New Jersey, New York, Oregon, Washington, and West Virginia), as well as the District of Columbia, Guam, and the U.S. Virgin Islands. In addition to these states, Arkansas, Illinois, and Vermont have enacted laws that prohibit a driver from talking on a hand-held cellphone while driving in a construction zone. It should be noted that our neighbor to the south, Illinois, has also passed a comprehensive ban prohibiting drivers from using hand-held cellphones that will take effect on January 1, 2014.

This bill will prohibit the use of a handheld cellphone while driving in a construction zone when workers are present. Drivers who violate this provision may be required to pay not less than \$20 nor more than \$40 for a first offense, and not less than \$50 nor more than \$100 for a second or subsequent offense within one year. There is one amendment to the bill, which simply allows the use of a handheld phone in a construction zone to report an emergency.

Thank you again for the opportunity to speak on this bill. I would be happy to answer any questions you may have.

29TH SENATE DISTRICT



MARATHON COUNTY

OFFICE OF HIGHWAY COMMISSIONER

1430 WEST STREET
WAUSAU, WI 54401

To: Assembly Public Hearing Members
From: Jim Griesbach, Marathon County Highway Commissioner
Re: AB 639
Date: January 27, 2014

Members,

I am writing in support of AB 639, relating to the use of a cellular or other wireless telephone while driving a motor vehicle in a construction zone and providing a penalty.

As commissioner of Marathon County Highway Department, one of my primary job duties is to ensure the safety of my employees. Work zone safety is an issue I stress with my employees on a regular basis. Additionally, I make annual presentations at local high school driver's education classes to emphasize the importance of safe driving on highways, particularly in construction zones. Below are some of the key statistics I relate to the students;

- From 2006 to 2012 there have been 74 fatalities in the State of Wisconsin Work Zones. Of those 74 fatalities, 62 were the motorist; 4 out of 5 times the motorists are killed, not construction workers.
- Nationwide, approximately 40,000 people are killed or injured every year in work zones. This equates to one work zone injury every 14 minutes, 96 per day, or about 4 people injured every hour.

This past fall I nearly lost two of my workers due to the carelessness of a motorist in a work zone. A semi driver on State Road 29 was driving too fast and not paying attention when he nearly struck the workers. If it wasn't for the fast reaction of my employees, we could have been part of the 2013 statistics. This is not an isolated incident, this happens too many times to document. In the 1990's we had one worker killed and three seriously injured in two separate accidents.

In the summer of 2013 and again this upcoming summer, this topic has become even closer to me as my daughter works for Wood County Highway Department while home from college. Along with all my other employees, I hope and pray daily for her to safely return home at the end of the work day.

I urge you to pass AB 639 for the safety of highway and construction workers, as well as for the safety of all the motoring public.

Thank you for your time,

James Griesbach
Highway Commissioner