Bill

Received: 0712	2211999	Received By: nilsepe					
Wanted: As ti	me permits	Identical to LRB:					
For: Gary Sh	erman (608) 266-7690	By/Representing:					
This file may	be shown to any legislator: NO	Drafter: nilsepe					
May Contact:		Alt. Drafters:					
Subject:	Transportation - traffic laws	Extra Copies:	TNF				

Pre Topic:

No specific pre topic given

Topic:

Speed limit at school crossings regardless of presence of children

Instructions:

See Attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	<u>Submitted</u>	Jacketed	R <u>equired</u>
/?	nilsepe 07/22/1 999	wjackson 0712611999					
/1	nilsepe 08/17/1999	gilfokm 08/17/1999	martykr 07/28/ 199	9	lrb-docadmin 07/28/1999		
/2			mclark 08/18/199	9	lrb_docadmin 08/18/1999	lrb-docadmi 10/21/1999	n
EE Sont I	For						



<END>

08/18/1999 10:44:00 AM
Page, 1
· • • •

Bill

Received: 07/22/1999	Received By: nilsepe						
Wanted: As time permits	Identical to LRB:						
For: Gary Sherman (608) 266-7690	By/Representing:						
This file may be shown to any legislator: NO	Drafter: nilsepe						
May Contact:	Alt. Drafters:						
Subject: Transportation - traffic laws	Extra Copies: TNF						

Pre Topic:

No specific pre topic given

Topic:

Speed limit at school crossings regardless of presence of children

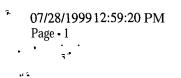
Instructions:

See Attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	<u>Submitted</u>	Jacketed	<u>Required</u>
/?	nilsepe 07/22/1999	wjackson 07/26/1999					
/1	nilsepe 08/17/1999	gilfokm 08/17/1999	martykr 07/28/199	9	lrb-docadmin 07/28/1999		
/2			mclark 08/18/199	9	lrb-docadmin 08/18/1999		

FE Sent For:



Bill

s.

Received: 07/22/1999	Received By: nilsepe						
Wanted: As time permits	Identical to LRB:						
For: Gary Sherman (608) 266-7690	By/Representing:						
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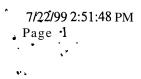
Speed limit at school crossings regardless of presence of children

Instructions:

See Attached

Drafting History:

Vers.	Drafted	<u>Reviewed</u>	Typed	Proofed	Submitted	Jacketed	Required
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/1	1	12-8-17-99 King	martykr 07/28/199		lrb_docadmin 07/28/1999		
FE Sent F		r) ing	mrc 8/18	mrc1HH 8/18 <end></end>			



Bill

Received: 07/22/99	Received By: nilsepe					
Wanted: As time permits	Identical to LRB:					
For: Gary Sherman (608) 266-7690	By/Representing:					
This file may be shown to any legislator: NO	Drafter: nilsepe					
May Contact:	Alt. Drafters:					
Subject: Transportation - traffic laws	Extra Copies: TNF					

Pre Topic:

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Instructions:

See Attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	<u>Required</u>
/?	nilsepe	/1-7/23/99 Kmg	Amity	James	Ŋ8-		

FE Sent For:

<END>



REPRESENTATIVE GARY E. SHERMAN

74th Assembly District

State Capitol P.O. Box 8953 Madison, WI 53708 (608) 266-7690 Toll-free: I-888-534-0074 Fax: (608) 282-3674 E-mall: rep.sherman@legis.state.wl.us District Address: 11800 Sherman bad P.0 Box 157 Port Wing, wi 54865 715-774-3113

3326

Drafting request sent to me by Page Decker, Chief of Police, City of Ashland:

Several months ago an Ashland citizen was stuck and killed on Highway 2 in front of Our Lady of the Lake Catholic Church and School in Ashland. A committee of citizens and community officials spent many hours discussing this incident, searching for ways to reduce the potential for future recurrences. Although this incident was unusual and significant for the Ashland community, it happens far too many times throughout the state. Schools present special problems, and in my view Wisconsin's school zone law needs some tweaking to make it more enforceable and therefore more effective.

As motor vehicle traffic in urban areas continues to increase at record rates, schools that are located on busy streets and highways must find ways to protect their children. Compounding the problem, Wisconsin's current state law that regulates vehicular traffic within schools zones is less effective than it could be. With the verbiage, *when children arepresent*, in the statutes, drivers routinely ignore the 15 MPH limits unless they see a child.

Because children are usually small people and may be hidden by parked cars, etc., the potential for tragedy is increasing exponentially with the traffic rates. Drivers find themselves scanning school buildings and adjacent playgrounds instead of watching the road, and courts are reluctant to convict violators when they present the reasonable defense that they did not see a child.

To overcome the problem, many states have adopted speed laws that regulate the speed of traffic in school zones during the entire time school is in session. With appropriate signage equipped with flashing lights that operate only during school hours, drivers may not exceed 15 MPH or pass other vehicles until clear of the zone's marked crosswalks. Fines for violating school zone speed laws are enhanced and enforcement is strict. In these states the driving public has been educated and voluntary compliance is the rule instead of the exception.

Wisconsin should strongly consider *removing* the element that *children must be present* must be present before the speed limit is enforceable.

				1												

From:	Sherman, Gary
Sent:	Saturday, May 08, 1999 1:25 PM
To:	'Page DECKER'
cc:	Freidig, Boots
Subject:	RE: School Zone Legislation

This is an **excellant** idea. I will have Boots contact DoT for me and we will work out appropriate language, and fiscal estimate. My thought is to add **"15mph** when flashing" as an option and then encourage authorities to install the signs. In the mean time, the old rule would continue to apply until the signs were all replaced. The other task will be to provide funding for the signage. I will work on that, as well, but it is pretty late in the budget process to get it in this year. I wish I had known sooner, because I think this would have gotten good reception from the budget makers. I will talk to my "budget buddy" just in case it is not too late.

Gary E. Sherman **74th** Assembly District

-----Original Message-----

From:	Page DECKER [mailto:PDecker@coawi.org]
I Sent:	Friday, May 07, 1999 10:56 AM
To:	Rep.Sherman
Subjec	t: School Zone Legislation

Good Morning Sir,

As you may have heard, some 5 months ago an Ashland citizen was struck and killed on Highway 2 in front of Our Lady of the Lake Catholic Church and School in Ashland. A committee of citizens and community officials spent many hours discussing this incident, searching for ways to reduce the potential for future recurrences. Although this incident was unusual and significant for the Ashland community, it happens far too many times throughout the state. Schools present special problems and in my view Wisconsin's school zone law needs some tweaking to make it more enforceable and therefore

more effective. Please consider the following:

As motor vehicle traffic in urban areas continues to increase at record rates, schools that are located on busy streets and highways must find ways to protect their children. Compounding the problem, Wisconsin's current state law that regulates vehicular traffic within

school zones is less effective than it could be. With the verbiage, "when

children are present" in the statute, drivers routinely ignore the 15

MPH limits unless they see a child. Because children are usually small people and may be hidden by parked cars and etc, the potential for tragedy is increasing exponentially with the traffic rates.

Drivers find themselves scanning school buildings and adjacent playgrounds instead of watching the road, and courts are reluctant to

convict violators when they present the reasonable defense that they did not see a child.

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To overcome the problem many states have adopted speed laws that regulate the speed of traffic in school zones during the entire time school is in session. With appropriate signage equipped with flashing

lights that operate only during school hours, drivers may not exceed 15 MPH or pass other vehicles until clear of the zone's marked crosswalks. Fines for violating school zone speed laws are enhanced and enforcement is strict. In these states the driving public has been educated and voluntary compliance is the rule instead of the exception.

Wisconsin should strongly consider removing the element that children

must be present before the speed limit is enforceable.

Unfortunately, the State of Wisconsin's Department of Transportation does not capture information on school zone related crashes, so it is

not possible to compare statistics in Wisconsin with states that have

adopted the suggested change.

Thank you for any assistance you can be in moving this proposal forward in the legislature.

Page W. Decker Chief of Police City of Ashland **1999 - 2000 LEGISLATURE**



1999 BILL '

AN ACT to amend 346.57 (4) (b) of the statutes; relating to: speed limit at deftain 1 2 intersections marked with school crossing signs.

Analysis by the Legislative Reference Bureau

Current law requires a motorist approaching an intersection marked with a "school crossing" sign to slow to 15 miles per hour or slower when children are present.

This bill requires a motorist approaching an intersection marked with a "school crossing" sign to slow to 15 miles per hour or slower when any child be des set as bed by sing grand is present.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3	SECTION 1. 346.57 (4) (b) of the statutes is amended to read:
4	346.57 (4) (b) Fifteen miles per hour when passing an intersection properly
(5)	marked with a "school crossing" sign of a type approved by the department when-
6	children are provided at a school crossing prison of present.
7	SECTION 2. Initial applicability.

	 1999 - 2000 Legislature 	-2-	LRB–3021/1 PEN:cmh:jf
•, •	• BILL		SECTION 2
1	(1) Thisactfirst applies t	to motor vehicles operated on the	effective date of this
2	subsection.		
3		(END)	

•

SUBMITTAL FORM

LEGISLATIVE REFERENCE BUREAU Legal Section Telephone: 266-3561 5th Floor, 100 N. Hamilton Street

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 08/18/1999

To: Representative Sherman

Relating to LRB drafting number: LRB-3326

<u>Topic</u>

Speed limit at school crossings regardless of presence of children

Subject(s)

Transportation - traffic laws

1. JACKET the draft for introduction

in the Senate _____ or the Assembly _____ (check only one). Only the requester under whose name the

drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please

allow one day for the preparation of the required copies.

2. REDRAFT. See the changes indicated or attached

A revised draft will be submitted for your approval with changes/incorporated.

3. Obtain FISCAL ESTIMATE NOW, prior to introduction

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Paul E. Nilsen, Legislative Attorney Telephone: (608) 261-6926



State af Misconsin 1999-2000 LEGISLATURE

LRB-3326/2 PEN:kmg:mrc

1999 BILL

1 **AN ACT** to renumber and amend 346.57 (4) (b); and to create 346.57 (4) (b) 2.

2

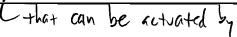
of the statutes; **relating to:** the speed limit at intersections marked with school

3 crossing signs.

Analysis by the Legislative Reference Bureau

Current law requires a motorist approaching an intersection marked with a "school crossing" sign to slow to 15 miles per hour or slower when children are present.

This bill requires a motorist approaching an intersection marked with a "school crossing" sign to slow to 15 miles per' hour or slower when children are present or, regardless of whether any child is present, if the "school crossing" sign is equipped with yellow lights and the lights are flashing.



The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4

SECTION 1. 346.57 (4) (b) of the statutes is renumbered 346.57 (4) (b) 1. and

5 amended to read:

 1999 - 2000 Legislature
 -2 LRB-332612

 BILL
 SECTION 1: SECTION 1:

1	346.57 (4) (b) 1. Fifteen Except as provided in subd. 2 15 miles per hour when
2	passing an intersection properly marked with a School crossing" sign of a type
3	'approved by the department when children are present.
4	SECTION 2. 346.57 (4) (b) 2. of the statutes is created to read:
5	346.57 (4) (b) 2. Fifteen miles per hour when passing an intersection properly
6	marked with a "school crossing" sign that is equipped with flashing yellow lights,
7	whenever the lights on the sign are flashing.
8	SECTION 3. Initial applicability.
9	(1) This act first applies to motor vehicles operated on the effective date of this
10	subsection.

(END)

.

11





REPRESENTATIVE GARY E. SHERMAN

74th Assembly District

State Capitol P.O. Box 8953 Madison, WI 53708 (608) 266-7690 \ Toll-free: 1-888-534-0074 Fax: (608) 282-3674 E-mail: rep.sherman@legis.state.wi.us District Address: 11800 Sherman Road P.0 Box 157 Port Wing, WI 54865 715-774-3113

TO: Paul E. Nilsen Legislative Reference Bureau

FROM: Rep. Gary Sherman

DATE: August 17, 1999

RE: LRB-3326

I think this goes too far in the other direction.

Nobody will support creating hundreds of 15 mph speed limits, 365 days per year, when not needed most of the time. Even if it passed, people would just ignore the zones, increasing rather than decreasing the hazard.

How about this: If there is no flashing yellow light, it remains as now. However, if the school zone is equipped with a flashing yellow light that can be turned on and off by the school, then it is 15 mph whenever the light is shining.



2

State af Misconsin 1999 - 2000 LEGISLATURE



1999 BILL

1 **AN ACT** to amend 346.57 (4) (b) of the statutes; **relating to:** the speed limit at

intersections marked with school crossing signs.

Analysis by the Legislative Reference Bureau

Current law requires a motorist approaching an intersection marked with a "school crossing" sign to slow to 15 miles per hour or slower when children are when children are present or present. This bill'requires a motorist approaching an infersection marked with a "school crossing" sign to slow to 15 miles per hour or slower, regardless of whether any child is present. if the "school crossing" sign is equipped with tellow lights and the йœ Flashing The people of the state of Wisconsin, represented in senate and assembly, do enact as follows: renumbered 346. 57 (4)(b)1. and SECTION 1. 346.57 (4) (b) of the statutes is amended to read: EXUPT as provided in subd. 2., 15 346.57 (4) (b) Fifteen miles per hour when passing an intersection properly 4 marked with a "school crossing" sign of a type approved by the department (when 5 children are presen 6 SECTION 2. Initial applicability. $\overline{7}$

	1999 - 2000 Legislature	- 2 -	LRB-3326/l PEN:kmg:km
۰ ۰ ۲	BILL		SECTION 2
•			
1	(1) This act first applies	s to motor vehicles opera	ted on the effective date of this
2	subsection.		
3		(END)	

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,	STATE	E OF WISCONSIN - 1	LEGISLATIVE REF (608–266–3561	ERENCE BUREA l)	U - LEGAL SECT	TION
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Se	ction #.	<u>CN</u>	346.57 (1	(b) (b) 7.		
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Nilsen, Paul

Érom:	Nilsen, Paul
Sent:	Wednesday, September 22, 1999 1:29 PM
То:	Rep.Sherman
Subject:	LRB-3326, relating to speed limits at school crossings

Representative Sherman:

On August 17, 1999, I received redrafting instructions from you concerning LRB-3326, relating to the speed limit at school crossings. Current law requires motorists to slow to 15mph at school crossings when children are present. The bill as drafted requires motorists to also slow to 15mph whenever lights are flashing on a school crossing sign, regardless of whether children are present or whether the light was activated by a timer, a school district, crossing guard, local police officer or by some other means.

. Your redrafting instructions asked to limit that flashing sign requirement so that motorists are only required to slow <u>if the liaht can be activated from inside a school</u>. I have some questions about this instruction that your staff could not answer, and I have been unable to reach you by phone, and cannot redraft the bill until I properly understand the request.

Requiring a reduced speed only at lights that can be activated by the school will cause at least 2 significant problems:

1. Confusion for motorists, who are not required to stop at every flashing school crossing sign, just at ones that can be operated by a school. Motorists will not know how the light is wired.

2. Proof problems in court. If a motorist contests a ticket for violating the reduced speed, the prosecutor must prove how the light is wired.

Please let me know whether I correctly understand your instructions. If I properly understand your request, please let me know and I will redraft immediately according to your instructions. If not, perhaps you could rephrase the instructions or provide a different description of your intent.

Please let me know if I can help you in this matter, either by presenting the bill to you as drafted or by helping you to formulate your drafting instructions.

Attorney Paul E. Nilsen Wisconsin Legislative Reference Bureau P.O. Box 2037 Madison, WI 53701-2307 Tel: (608) 261-6926 Fax: (608) 264-8522 Email: Paul.Nilsen@legis.state.wi.us

Nilsen, Paul

Frdm:	Sherman, Gary
Sent:	Wednesday, September 22, 1999 1:43 PM
То:	Nilsen, Paul
Subject:	RE: LRB-3326, relating to speed limits at school crossings

Sorry to be so slow getting back to you. I did not see the language to which you refer. It seemed to me that the draft I saw made the speed limit 25 mph 7 days a week, 24 hours a day. If it indeed says what you say here, then I apologize for bothering you. We are in the chamber long hours this week, but if you send the draft back, I'll take another look at it. Thanks for your diligence.

Dary E. Sherman

74th Assembly District

 ----Original Message---- Nilsen, Paul

 From:
 Nilsen, Paul

 Sent:
 Wednesday, September 22, 1999 1:29 PM

 To:
 Rep.Sherman

 Subject:
 LRB-3326, relating to speed limits at school crossings

Representative Sherman:

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Please let me know whether I correctly understand your instructions. If I properly understand your request, please let me know and I will redraft immediately according to your instructions. If not, perhaps you could rephrase the instructions or provide a different description of your intent.

Please let me know if I can help you in this matter, either by presenting the bill to you as drafted or by helping you to formulate your drafting instructions.

Attorney Paul E. Nilsen Wisconsin Legislative Reference Bureau P.O. Box 2037 Madison, WI 53701-2307 Tel: (608) 261-6926 Fax: (608) 264-8522 Email: Paul.Nilsen@legis.state.wi.us

STATE OF WISCONSIN - **LEGISLATIVE REFERENCE BUREAU – LEGAL SECTION** (608–266–3561) 10/20/58 4:20 pm ł) Roots - Rep. Sherman's Ye Sacket cide . LRK-376 1 Rep. Sherman Assem +0 PER

