

**1999 DRAFTING REQUEST**

**Bill**

Received: **03/15/99**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **Brian Burke (608) 266-8535**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Transportation - traffic laws**

Extra Copies: **ISR, TNF**

**Pre Topic:**

No specific pre topic given

**Topic:**

Authority to reduce speed limits in historical districts

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	nilsepe 03/16/99	jgeller 03/17/99		_____			
/1			martykr 03/18/99	_____	lrb_docadmin 03/18/99	lrb_docadmin 03/29/99	

FE Sent For:

*Not Needed*

<END>

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/?	nilsepe	1 <sup>3</sup> / <sub>11</sub> jlg <sup>3</sup> / <sub>12/18</sub>		Lp <sup>3</sup> / <sub>2m/18</sub>			

FE Sent For:

<END>

**LEGISLATIVE REFERENCE BUREAU**

Legal Section, 5<sup>th</sup> Floor, 100 N. Hamilton St.  
(608) 266-3561

**BILL REQUEST FORM**

- 2504

Use of this form is optional. It is often helpful to talk directly with the LRB attorney who will draft the bill.  
Use this form only for **BILL** drafts. Attach more pages if necessary.

Date of request: <i>March 12, 1999</i>	Legislator or agency requesting this draft: <i>Senator Burke</i>
Name/phone number of person submitting request: <i>Julie 266-8535</i>	
Persons to contact for questions about this draft (names and phone numbers please): <i>Mark Patronsky 6-1304</i> <i>Julie (Sen. Burke's office) 6-8535</i>	
Describe the problem, including any helpful examples. How do you want to solve the problem?  <i>This bill would allow communities to reduce speed limits, under certain conditions, in a state registered historic district. The reduction would help to preserve and maintain the historical character of the district.</i> <i>See the attached Leg. Council draft for specifics.</i>	
If you know of any statute sections that might be affected, please list them or provide a marked (not re-typed) copy.	

Please attach a copy of any correspondence or material that may help us. You may also attach a marked (not re-typed) copy of any LRB draft, or provide its number (e.g., 1997 LRB-2345/1 or 1995 AB-67):

**Requests are confidential unless stated otherwise.**

May we tell others that we are working on this for you?  YES  NO

If yes, anyone who asks?  YES  NO

Any legislator?  YES  NO  ONLY the following persons:

Do you consider this urgent?  YES  NO If yes, please indicate why:

Is this request of higher priority than other pending request(s) you have made?

YES  NO If yes, please sign your name here:

1 AN ACT to create 349.11 (1) (c) of the statutes; relating to: modification of speed  
2 limits in historic districts.

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

3 SECTION 1. 349.11 (1) (c) of the statutes is created to read:

4 349.11 (1) (c) <sup>Whenever</sup> The department with respect to the state trunk highway system and the  
5 local authorities with respect to highways under their jurisdiction ~~shall~~ <sup>(S)</sup> determine on the basis  
6 of an engineering and traffic investigation, that any statutory speed limit ~~is greater than is~~  
7 ~~reasonable~~ <sup>applicable to a highway within</sup> any historic district ~~which~~ <sup>that</sup> is listed on the national register of historic places in  
8 Wisconsin, the state register of historic places or a certified local register of historic property,

9 <sup>(S) P</sup> ~~When~~ If a finding is made under subd. ~~(1)~~, the department with respect to the state trunk  
10 highway system and the local authorities with respect to highways under their jurisdiction  
11 may, subject to the limitations set forth in subs. (2) and (3), determine and declare a reasonable  
12 and safe speed limit on the highway or part thereof in question, ~~in order to provide for the~~  
13 ~~preservation of the historical character of the district.~~

14 <sup>(S) P</sup> ~~When~~ appropriate signs giving notice of the speed limit declared under subd. ~~(1)~~ have  
15 been erected and are in place, the speed limit shall be effective at all times ~~or at the times as~~  
16 ~~indicated by the signs.~~

(END)

is greater than is reasonable  
or consistent with preserving  
the historical character of the district,

as defined  
in s. 101.  
121(2)(a)

this paragraph



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-250420

PEN...:...

JLg

1

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

D-note

gen cat

1 AN ACT ...; relating to: authority to modify speed limits within historic districts.

**Analysis by the Legislative Reference Bureau**

Under current law, the department of transportation (DOT) and local highway authorities may increase or decrease the maximum speed limit applicable to highways under their respective jurisdiction if DOT or the local highway authorities determine that the current maximum speed limit in effect is not reasonable or safe or that the current actual speed of traffic is not reasonable or prudent.

This bill allows DOT and local highway authorities to reduce a maximum speed limit for a highway within a designated historic district to a speed limit that is consistent with preserving the district's historical character. The speed limit may be reduced only if DOT or the local highway authorities determine, based on an engineering and traffic investigation, that the current speed limit is not reasonable for the preservation of the historical character of the district.

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

2 SECTION 1. 349.11 (1) (c) of the statutes is created to read:

3 349.11 (1) (c) 1. In this <sup>paragraph</sup> section, "historic district" means an area that is listed  
4 on the national register of historic places in Wisconsin, the <sup>State</sup> ~~stat~~ register of historic  
5 places or a certified local register of historic property, as defined in s. 101.121 (2) (a).

1           2. Whenever the department with respect to the state trunk highway system  
2 or local authorities with respect to highways under their jurisdiction determines  
3 upon the basis of an engineering and traffic investigation that any statutory speed  
4 limit applicable to a highway within or adjoining a historic district is greater than  
5 is reasonable for the preservation of the historical character of the district, the  
6 department with respect to the state trunk highway system or the local authorities  
7 with respect to highways under their jurisdiction may, subject to the limitations set  
8 forth in subs. (2) and (3), determine and declare a reasonable and safe speed limit on  
9 the highway or part thereof in question. When appropriate signs giving notice of the  
10 speed limit declared under this subdivision have been erected and are in place, such  
11 speed limit shall be effective at all times.

12

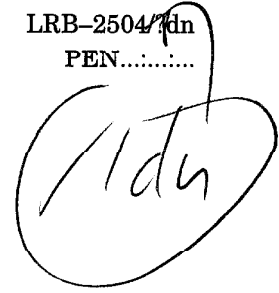
(END)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2504/7dn

PEN.....

March 16, 1999

A handwritten signature, possibly '1dn', is enclosed within a hand-drawn circle in the upper right corner of the document.

Sen. Burke:

Because current law already allows the reduction of a speed limit that is found to be unreasonable or unsafe, I restructured the proposed draft a little to allow for the reduction of a speed limit that is reasonable and safe, but that is inconsistent with the goal of preserving the historic character of a historical district. OK?

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



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2504/1dn  
PEN:jlg:km

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Phone: (608) 261-6926

**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:** 3/18/99

**To:** Senator Burke

**Relating to LRB drafting number:** LRB-2504

**Topic**

Authority to reduce speed limits in historical districts

**Subject(s)**

Transportation - traffic laws

1. **JACKET** the draft for introduction Senate  
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