

SENATE HEARING SLIP

(Please Print Plainly)

DATE: March 1, 2000

BILL NO. _____
OR

SUBJECT _____

Faches McIntosh
(NAME)

44 E. Mifflin St. Ste. 404
(Street Address or Route Number)

Madison, WI 53703
(City and Zip Code)

MISC. COUNTY POLICE ASSN.
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: March 1, 2000

BILL NO. SB 349
OR

SUBJECT _____

Jerry Rieder
(NAME)

821 W. State St.
(Street Address or Route Number)

Milwaukee, WI 53233
(City and Zip Code)

Milwaukee Deputy Sheriff's Assoc
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

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State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 3/1/2000

BILL NO. SB 349
OR

SUBJECT _____

Don Hujgdi
(NAME)

21332 7mile Road
(Street Address or Route Number)

Franksville, WI 53126
(City and Zip Code)

WI EMS ASSOCIATION
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

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Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 5/1

BILL NO. 349
OF

SUBJECT _____

NANCY BRUST
(NAME)

1347 N. 6TH ST.
(Street Address or Route Number)

Milwaukee, WI 53242
(City and Zip Code)

ROAD PATROL, INC.
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

Please return this slip to a messenger **PROMPTLY**.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O.Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 3-1-00

BILL NO. 58 349
OF

SUBJECT _____

KEN WEBER
(NAME)

520 CAPITAL DR
(Street Address or Route Number)

REWAUCHE WI 53072
(City and Zip Code)

KEN WEBER TRACK SERVICE
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

Please return this slip to a messenger **PROMPTLY**.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O.Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 3-1-00

BILL NO. 349
OF

SUBJECT _____

DENNIS KRUGER
(NAME)

5066 CONCORD DR
(Street Address or Route Number)

OREGON WI
(City and Zip Code)

WIS. TROOPERS ASSOC
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

Please return this slip to a messenger **PROMPTLY**.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O.Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 3-1-02
BILL NO. SB349
OF
SUBJECT _____

Cindy McGinnis
(NAME)
(Street Address or Route Number)
(City and Zip Code)
Sen. Burke
(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

Please return this slip to a messenger **PROMPTLY**.
Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 3-1-2002
BILL NO. SB 349 &
OF
SUBJECT Amendment

Marc Bentley
(NAME)
562 Grand Canyon Dr.
(Street Address or Route Number)
Madison WI
(City and Zip Code)
WI Motor Carriers Assoc
(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

Please return this slip to a messenger **PROMPTLY**.
Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 3-1-2000
BILL NO. SB 349
OF
SUBJECT _____

JEFF ROSKOPF
(NAME)
W172 N 9613 Hwy 41
(Street Address or Route Number)
MENOMONEE FALLS WIS 53051
(City and Zip Code)
ROSKOPF'S TOWING
(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

Please return this slip to a messenger **PROMPTLY**.
Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: March 1
BILL NO. SB 347
OF
SUBJECT _____

DON ROLLING
(NAME)
1204 PFLAUM
(Street Address or Route Number)
MADISON, WI
(City and Zip Code)
DON'S TOWING Svc, INC.
(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.
Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: _____
BILL NO. 349
OF
SUBJECT Towing

Dave Wheeler
(NAME)
375 N. Hickory ST
(Street Address or Route Number)
Fond du Lac WI
(City and Zip Code)
Wheeler Towing
(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.
Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 3/1/00
BILL NO. SB 349
OF
SUBJECT _____

LORALEE BRUMMUD
(NAME) STATE PATROL
(Street Address or Route Number)
(City and Zip Code)

(Representing)
Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.
Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

Vote Record

Senate Committee on Insurance, Tourism, Transportation and Corrections

Date: _____

Moved by: Grobs.

Seconded by: Breske

AB: _____

Clearinghouse Rule: _____

SB: 349

Appointment: _____

AJR: _____

Other: _____

A: _____

A/S Amdt: _____

A/S Amdt: _____ to A/S Amdt: _____

A/S Sub Amdt: _____

A/S Amdt: _____ to A/S Sub Amdt: _____

A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

Be recommended for:

- Passage
- Introduction
- Adoption
- Rejection

- Indefinite Postponement
- Tabling
- Concurrence
- Nonconcurrence
- Confirmation

Committee Member

- Sen. Roger Breske, Chair
- Sen. Richard Grobschmidt
- Sen. Jim Baumgart
- Sen. Kevin Shibilski
- Sen. Dale Schultz
- Sen. Alan Lasee
- Sen. David Zien

	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Sen. Roger Breske, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Richard Grobschmidt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Jim Baumgart	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kevin Shibilski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Dale Schultz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Alan Lasee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. David Zien	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: _____

Motion Carried

Motion Failed

Vote Record

*Tow Truck
Amendment*

Senate Committee on Insurance, Tourism, Transportation and Corrections

Date: _____

Moved by: Grob.

Seconded by: Zien

AB: _____

Clearinghouse Rule: _____

AB: _____ SB: 349

Appointment: _____

AJR: _____ SJR: _____

Other: _____

A: _____ SR: _____

A/S Amdt: _____

A/S Amdt: _____ to A/S Amdt: _____

A/S Sub Amdt: _____

A/S Amdt: _____ to A/S Sub Amdt: _____

A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

Be recommended for:

- Passage
- Introduction
- Adoption
- Rejection

- Indefinite Postponement
- Tabling
- Concurrence
- Nonconcurrence
- Confirmation

Committee Member

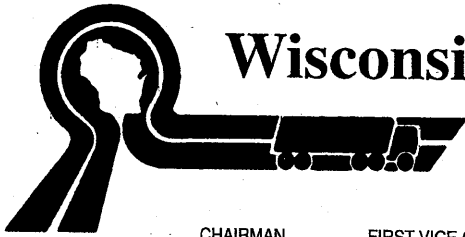
- Sen. Roger Breske, Chair
- Sen. Richard Grobschmidt
- Sen. Jim Baumgart
- Sen. Kevin Shibilski
- Sen. Dale Schultz
- Sen. Alan Lasee
- Sen. David Zien

Aye	No	Absent	Not Voting
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: _____

Motion Carried

Motion Failed



Wisconsin Motor Carriers Association

562 GRAND CANYON DRIVE
P.O. BOX 44849 • MADISON, WI 53744-4849
(608) 833-8200 • FAX (608) 833-2875
Web Page: www.witruck.org

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Jerry Cherney
Fox Midwest Transport

FIRST VICE CHAIRMAN
Bill Maynard
Cummins Great Lakes, Inc.

SECOND VICE CHAIRMAN
Evelyn Skinner
Skinner Transfer Corp.

SECRETARY
Buck Jenkins
Diamond Transportation System

TREASURER
Tom Vandenberg
Schneider National

PRESIDENT
Thomas A. Howells

March 1, 2000

**To: Members
Senate Committee on Insurance, Tourism, Transportation & Corrections**

Subject: Senate Bill 349 as amended – related to motorists approaching certain authorized emergency vehicles and tow trucks stopped near a highway and providing penalty

On behalf of the members of the Wisconsin Towing Association, a Division of the Wisconsin Motor Carriers Association, I wish to offer the following comments on Senate Bill 349.

We commend the author of this bill for recognizing the problem that exists in insuring the safety of operators of emergency vehicles and tow trucks while they perform their duties and jobs on behalf of the motoring public.

Our member tow truck operators and their driver employees regularly experience "close calls" and unfortunately in some instances have been struck by motorists passing too close to them while they are providing service to wrecked or disabled vehicles on the shoulder of the road. One would think common sense and simple courtesy would prevail when motorists see an emergency vehicle or tow truck with its warning lamps operating assisting another vehicle on the roadside. Unfortunately, this is often not the case. They do not slow down, and they do not move to the lane furthest from the activity on the shoulder of the road. This situation puts our members in serious jeopardy, as they must often work with their backs to approaching traffic.

We feel the passage of SB-349 would be a good start to the resolving this serious safety issue for the members of our industry. Enactment along with a concerted educational effort of the motoring public as to the provisions of this legislation will prevent needless injuries and possibly save lives.

Given the safety considerations at hand, we don't think it is burdensome to require motorists to slow down and move over, if they are able to do so, when they see an emergency vehicle or tow truck working on the side of the road.

Thank you for considering my comments on Senate Bill 349, and I would be pleased to answer any questions that members of the committee may have.

Sincerely,

Marc S. Bentley
Director of Governmental Relations

Executive Director
Casey Perry
caseyperry@juno.com



Wisconsin Troopers' Association, Inc.
2099 Ironwood Dr, Green Bay, WI 54304
1-800-232-1392

President
Steven Williams
srwilliams@centurytel.net

TO: Chairman Roger Breske and Committee Members
Senate Committee on Insurance, Tourism, Transportation and Corrections

FR: Casey Perry, Executive Director
Wisconsin Troopers' Association

DA: March 1, 2000

RE: Senate Bill 349 - motorists to move to unoccupied lane OR reduce speed
when approaching emergency vehicles stopped near a highway

On behalf of the Wisconsin State Troopers' Association, I urge you to support an important legislative proposal that will help protect the safety of Wisconsin's law enforcement officers and other emergency personnel. Senate Bill 349 (AB 707 - companion), authored by Senator Brian Burke and Representative Dean Kaufert, requires motorists to move to an unoccupied lane or slow down when approaching an emergency vehicle with a flashing light along a highway.

The forfeiture for such a violation would be not less than \$30, nor more than \$300. However, a court would be required to suspend an individual's operating privileges if the violation results in property damage, injury, or death.

Wisconsin's law enforcement officers and emergency personnel serve to protect our citizens and promote public safety. Accordingly, our jobs require us to accept greater risk and danger. Specifically relating to this legislation, in the past 10 years, two of our state patrol officers were struck and killed by a vehicle while parked alongside a roadway. According to the State Patrol's records, from 1994-1998, 60 officers were struck while parked alongside a roadway while on duty. These incidents are nothing short of senseless tragedies. This legislation offers us an opportunity to do better.

I would like to share with you a personal experience that relates directly to the importance of this legislation. On September 17th, 1995, I was directing traffic on I 43 after a Packer game. I was struck by a vehicle attempting to pass other cars by moving into the lane where I was directing traffic (despite my squadcar's presence and flashing lights). My arm and shoulder were seriously injured. At the time, I was unsure whether or not the disability would end my career. To this day I feel very fortunate, because the damage could have been far worse.

In addition to the personal impact, a significant cost accompanies such accidents. My medical bills alone totaled \$10,670, lost wages totaled \$5124, and permanent partial disability totaled \$4100.

Assembly Bill 707 would help to prevent the careless, reckless behavior that results in such tragedies. Both Indiana and Ohio have passed similar legislation. It is my hope that Wisconsin will also embrace a leadership role on this very important roadside safety issue. Please support Senate Bill 349. Thank you for your time and attention.



Proud Member of the National Troopers Coalition



BRIAN BURKE
WISCONSIN STATE SENATOR

Senate Chair, Joint Committee on Finance

TESTIMONY OF SENATOR BRIAN BURKE
ON SENATE BILL 349
BEFORE THE SENATE INSURANCE, TOURISM, TRANSPORTATION AND
CORRECTIONS COMMITTEE
March 1, 2000

Thank you Chairman Breske and committee members for scheduling a hearing on Senate Bill 349 so promptly.

This legislation was introduced at the request of the Wisconsin Trooper's Association in an effort to heighten public awareness of the responsibility we all have to prevent accidents by driving defensively.

While it would seem like common sense to either slow down or move into another traffic lane when approaching an emergency vehicle or tow truck stopped along a roadside, unfortunately, the statistics tell a different story.

According to Kevin Gehrman, Risk Manager for the Department of Transportation, a quick review of Department records indicates that between 1994 and 1999, approximately 60 incidents were reported by law enforcement personnel statewide who had their vehicles hit from behind while parked on the side of the road, were hit while standing along side a violator's vehicle, or were hit as a pedestrian while investigating an incident. In addition, the Milwaukee County Sheriff's Department and Wisconsin State Patrol have both lost officers to these types of accidents.

It is my hope that the committee will move this legislation forward in a timely manner. There is a real and urgent safety need for those who protect and assist Wisconsin citizens every day on Wisconsin's highways.

Finally, when the committee considers this bill for executive action, I would encourage members to adopt a simple amendment allowing tow truck operators the same protection as emergency vehicles under this legislation.

Thank you for your consideration of SB 349.

SB-349
??

340.01(3)

(3) "Authorized emergency vehicle" means any of the following:

340.01(3)(a)

(a) Police vehicles, whether publicly or privately owned. Police vehicles include bicycles being operated by law enforcement officers.

340.01(3)(b)

(b) Conservation wardens' vehicles or foresters' trucks, whether publicly or privately owned;

340.01(3)(c)

(c) Vehicles of a fire department or fire patrol;

340.01(3)(d)

(d) Privately owned motor vehicles being used by deputy state fire marshals or by personnel of a full-time or part-time fire department or by members of a volunteer fire department while enroute to a fire or on an emergency call pursuant to orders of their chief or other commanding officer;

340.01(3)(dm)

(dm) A privately owned motor vehicle which is:

340.01(3)(dm)1.

1. Designated or authorized by an ambulance service or rescue squad chief in writing annually.

340.01(3)(dm)2.

2. Used by an emergency medical technician licensed under s. 146.50 or an ambulance driver or first responder authorized by the chief of an ambulance service or rescue squad.

340.01(3)(e)

(e) Such emergency vehicles of municipal or county departments or public service corporations as are designated or authorized by the local authorities to be authorized emergency vehicles;

340.01(3)(f)

(f) Such emergency vehicles of state departments as are designated or authorized by the heads of such departments to be authorized emergency vehicles;

340.01(3)(g)

(g) Such ambulances, publicly owned, as are designated or authorized by local authorities to be authorized emergency vehicles.

340.01(3)(h)

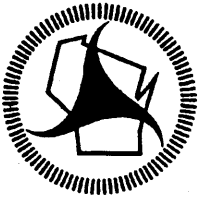
(h) The county board of supervisors of any county may authorize the county coroners or medical examiners to use an emergency vehicle for the purpose of traveling en route to the scene of a fatal accident or a death and on such other occasions as are authorized pursuant to par. (e).

340.01(3)(i)

(i) Such ambulances which are privately owned and are operated by owners or their agents and which vehicles are authorized by the sheriff or others designated by the county board to be operated as emergency vehicles. The sheriff or others designated by the county board may make such authorization which shall be in writing and which shall be effective throughout the state until rescinded. The sheriff or others designated by the county board may designate any owner of ambulances usually kept in the county to operate such vehicles as authorized emergency vehicles. Such written authorization shall at all times be carried on each ambulance used for emergency purposes. The sheriff shall keep a file of such authorizations in the sheriff's office for public inspection, and all other persons permitted to issue authorizations shall file a copy of all authorizations issued with the sheriff who shall keep them on file.

340.01(3)(j)

(j) Vehicles operated by federal, state or local authorities for the purpose of bomb and explosive or incendiary ordnance disposal.



Wisconsin Department of Transportation

www.dot.state.wi.us

Tommy G. Thompson
Governor

Charles H. Thompson
Secretary

DIVISION OF STATE PATROL
4802 Sheboygan Ave. Rm. 551
PO Box 7912
Madison, WI 53707-7912

Telephone: 608-266-3212
FAX: 608-267-4495

SENATE INSURANCE, TOURISM, TRANSPORTATION AND CORRECTIONS COMMITTEE

TESTIMONY BY LORALEE BRUMUND OF THE WISCONSIN STATE PATROL IN SUPPORT OF 1999 SB 349

Wednesday, March 1, 2000

Good morning Chairman Breske and members of the Senate Insurance, Tourism, Transportation and Corrections Committee. My name is Lorelee Brumund. I am the legislative analyst for the Wisconsin State Patrol and I am here at the Highway Safety Committee to testify in support of Senate Bill 349.

Since the State Patrol conducts much of its daily operations on Wisconsin highways, it is vitally important that we attempt to create as safe a roadway workplace for our officers as possible. In that regard, we offer our support for this proposed legislation that attempts to alert motorists to the hazards law enforcement personnel, firefighters, and emergency medical personnel are subjected to each time they make contact with and provide services for motorists and passengers along our highways. By providing a "buffer zone" around the officers and emergency personnel, there is less chance for these professionals to be injured and perhaps killed by passing vehicles and sometimes inattentive motorists.

All of the members of this Committee and the authors of this bill and its companion AB 707, Sen. Burke and Rep. Kaufert, are well aware that the

State Patrol has suffered the death of two Troopers to roadside crashes in recent years. Trooper Deborah McMenemy and Trooper Willie Schoenberger were killed, in 1989 and 1993, respectively, while performing their duties along I94 in the area of Eau Claire. These deaths were tragic, and the State Patrol does not want its officers, nor the officers, firefighters or emergency medical personnel of any other agency to suffer the same consequences. Death and serious, debilitating injuries should not be the result of anyone's job performance. State records indicate that approximately 12 State Patrol officers are injured each year as a result of roadside crashes, near misses, and motorist error. I listen every Monday morning, during our "table top" telecommunications briefings, on what activities have been undertaken by State Patrol personnel during the previous week; and often, the reports include descriptions of "minor" crashes, near misses, and sometimes injury, suffered by our folks on the road. It is often difficult to listen to the stories, and to wonder what will happen next.

By requiring motorists to "move the vehicle into the lane that is not the lane nearest the parked or standing authorized emergency vehicle and continue traveling in that lane until safely clear" of the vehicle, or by operating "at a reduced speed until completely past the" emergency vehicle, the officer or firefighter/emergency medical personnel is being given perhaps just that additional space needed to prevent a tragedy. The additional effort and attention requested of the motorist to meet the requirements of this bill are minimal and can be reinforced through a comprehensive educational and promotional campaign. It is a small effort for the result of saving a life or avoiding injury.

The State Patrol and the Department of Transportation do not offer opinions on issues of penalties. Thus, my testimony does not address the penalties proposed in SB 349, but rather focuses on the enhancement of safety on Wisconsin highways.

I want to thank the authors of this bill for caring about the safety of all our law enforcement and emergency personnel who help to keep our highways safe. This bill was not offered at the request of the State Patrol, but rather at the request of the Wisconsin Troopers Association, whose membership is comprised of State Patrol Troopers and Inspectors.

However, the administration of the State Patrol and all of DOT sincerely appreciate the effort and concern of the authors.

In closing, I would like to add the personal note that though I am not a sworn officer of the State Patrol, I am a volunteer EMT and have experienced first-hand the terror that can accompany a "close call" on a highway while responding to an emergency situation. I have never been seriously hurt while on a call, but I am aware of the risks involved, and applaud efforts to minimize those risks.

Thank you for providing me the opportunity to address this Committee. I would be happy to answer any questions.