

2007 ASSEMBLY BILL 620

December 11, 2007 – Introduced by Representatives WIECKERT, PETROWSKI, VOS, MURSAU, A. WILLIAMS, POPE-ROBERTS, GUNDERSON, MUSSER and OWENS, cosponsored by Senators LASSA, OLSEN, SCHULTZ and ROESSLER. Referred to Committee on Transportation.

1 **AN ACT** *to create* 84.01 (33) of the statutes; **relating to:** requiring the
2 Department of Transportation, upon request, to provide transportation
3 planning and assistance in reviewing the site plan of proposed school
4 construction or enlargement.

Analysis by the Legislative Reference Bureau

Current law requires the Department of Transportation (DOT), when requested, to advise cities, villages, and towns (municipalities) and counties with regard to the construction and maintenance of any highway or bridge. 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.

This bill requires DOT, upon request of a school board or governing body of a private or charter school, to review the site plan of any proposed enlargement of school ground or proposed construction or enlargement of school buildings or facilities. A school board or governing body of a private or charter school 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; DOT must provide guidance to the school board or governing body of a private or charter school

ASSEMBLY BILL 620

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 use transportation impact analysis processes in its review. The bill specifies that a school board or governing body of a private or charter school is not required to comply with DOT's recommendations and that DOT must assess a fee for its services not exceeding the cost to DOT.

The bill also requires DOT to make available to any school board or governing body of a private or charter school 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. Finally, the bill requires DOT to provide to each school board annual written notice of DOT's obligations and services under this bill.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 84.01 (33) of the statutes is created to read:

2 **84.01 (33)** TRANSPORTATION PLANNING AND ASSISTANCE FOR NEW SCHOOLS. (a) In
3 this subsection:

4 1. "Bicycling facility" means any road, path, or way that is in some manner
5 specifically designed for the use of bicycles, either exclusively or shared with other
6 vehicles.

7 2. "Pedestrian facility" means any physical infrastructure that allows for or
8 promotes walking and other forms of pedestrian movement as a form of travel.

9 (b) A school board or the governing body of a private or charter school may
10 request the county traffic safety commission to review the site plan of any proposed
11 enlargement of school grounds or proposed construction or enlargement of school
12 buildings or facilities. Following the review by the county traffic safety commission,
13 the school board or the governing body of a private or charter school may request the

ASSEMBLY BILL 620

1 department to review the site plan. Upon receiving a request, the department shall
2 review the site plan submitted to the department by the school board or the
3 governing body of a private or charter school and shall review the effect of the
4 proposed enlargement or construction on existing and anticipated highways, as
5 defined in s. 340.01 (22), and on pedestrian facilities, bicycling facilities, and public
6 transportation facilities. The department is not required to use transportation
7 impact analysis processes in its review of a site plan but may apply the principles of
8 transportation impact analysis in its review of the site plan.

9 (c) Upon request, the department shall provide guidance to the school board or
10 governing body of a private or charter school on the laying out of sidewalks, bicycle
11 paths and racks, roadways for vehicular traffic, school bus loading and unloading
12 areas, and access to highways in a manner that adequately protects children in the
13 school zone; ensures motor vehicle, pedestrian, and bicycle access to the school
14 grounds, buildings, or facilities; and minimizes any adverse impact of the school
15 grounds, buildings, or facilities on pedestrian, bicycle, or motor vehicle traffic. No
16 school board or governing body of a private or charter school is required to comply
17 with the department's recommendations, and the department is not responsible for
18 any costs associated with implementation of any of its recommendations.

19 (d) Upon request, the department shall make available to any school board or
20 to any governing body of a private or charter school safety courses, educational
21 materials, and other assistance not described in par. (b) or (c) related to ensuring the
22 convenience and safety of children, pedestrians, bicyclists, and motor vehicle traffic
23 in school zones. The department may assess a fee, not to exceed the cost to the
24 department, for services provided under this paragraph.

