



2009 ASSEMBLY BILL 457

September 30, 2009 – Introduced by Representatives STEINBRINK, TURNER, SOLETSKI and A. OTT, cosponsored by Senators HOLPERIN and TAYLOR. Referred to Committee on Transportation.

1 **AN ACT** *to amend* 62.15 (11) and 86.06 (1) of the statutes; **relating to:** road
2 closure barriers.

Analysis by the Legislative Reference Bureau

Under current law, during construction or repair of a road or when a road is impassable or unsafe for travel, the highway authorities in charge of construction or maintenance of the road may close the road by maintaining barriers at each end of the closed road. The barriers must be of such material and construction and so placed as to indicate that the highway is closed and must be lighted at night. This bill allows road closure barriers, in lieu of being lighted at night, to be of a retroreflective material or markings so as to be visible at night.

Also under current law, contractors doing work that obstructs city streets or sidewalks must put up and maintain barriers and lights to prevent accidents. This bill allows these contractors to put up and maintain barriers constructed of such retroreflective material or bearing such markings as to be visible at night, in lieu of barriers and lights.

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

3 **SECTION 1.** 62.15 (11) of the statutes is amended to read:
4 62.15 (11) STREET OBSTRUCTION. All contractors doing any work which shall in
5 any manner obstruct the streets or sidewalks shall put up and maintain barriers and

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1 lights, or barriers constructed of such retroreflective material or bearing such
2 markings as to be visible at night, to prevent accidents, and be liable for all damages
3 caused by failure so to do. All contracts shall contain a provision covering this
4 liability, and also a provision making the contractor liable for all damages caused by
5 the negligent digging up of streets, alleys or public grounds, or which may result from
6 the contractor's carelessness in the prosecution of such work.

7 **SECTION 2.** 86.06 (1) of the statutes is amended to read:

8 86.06 (1) Whenever any highway is impassable or unsafe for travel or during
9 the construction or repair of any such highway and until it is ready for traffic the
10 authorities in charge of the maintenance or construction thereof may keep it closed
11 by maintaining barriers at each end of the closed portion. The barriers shall be of
12 such material and construction and so placed as to indicate that the highway is closed
13 and shall be lighted at night or of such retroreflective material or markings as to be
14 visible at night.

15 (END)