

2009 DRAFTING REQUEST

Assembly Amendment (AA-AB457)

Received: 03/18/2010

Received By: **agary**

Wanted: **As time permits**

Companion to LRB:

For: **John Steinbrink (608) 266-0455**

By/Representing: **Geoff Gaston**

May Contact:

Drafter: **agary**

Subject: **Transportation - highways
Transportation - traffic laws**

Addl. Drafters:

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Rep.Steinbrink@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Closed highways

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>
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FE Sent For:

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FE Sent For:

<END>

Gary, Aaron

From: Gaston, Geoff
Sent: Thursday, March 18, 2010 12:56 PM
To: Gary, Aaron
Subject: FW: AB 457 amendment drafting request from Rep. Steinbrink

Good morning Aaron, Rep. Steinbrink would like to request an amendment to AB457 reflecting the changes indicated below.

Thank you, and please reply or call with any comments, questions, etc

Geoff
 Rep. Steinbrink's office

From: Notbohm, Thomas - DOT [mailto:Thomas.Notbohm@dot.wi.gov]
Sent: Tuesday, March 02, 2010 9:20 AM
To: Gaston, Geoff
Cc: Klein, Christopher - DOT; Vieth, David - DOT; Nilsen, Paul - DOT; Woltmann, Mark - DOT
Subject: RE: AB 457

Perhaps adding to the bill a reference to the standards for temporary traffic control devices that are adopted by the state under s. 84.02(4)(e) would resolve the concern. In essence, the obligation would be to comply with the standards in the Wisconsin manual, as adopted per state law. The manual does address retroreflectivity and the use of lights.

Here is an attempt to reflect that in the bill language. Feel free to contact me with any questions.

Thanks,

Tom Notbohm
 WisDOT Bureau of Hwy. Operations
 (608) 266-0982

SECTION 1. 62.15 (11) of the statutes is amended to read:

62.15 (11) STREET OBSTRUCTION. All contractors doing any work which shall in any manner obstruct the streets or sidewalks shall put up and maintain barriers that conform to the standards for traffic control devices adopted by the department of transportation under s. 84.02(4)(e) ~~and lights, or barriers constructed of such retroreflective material or bearing such markings as to be visible at night,~~ ^{new} to prevent accidents, and be liable for all damages caused by failure so to do.

All contracts shall contain a provision covering this liability, and also a provision making the contractor liable for all damages caused by the negligent digging up of streets, alleys or public grounds, or which may result from the contractor's carelessness in the prosecution of such work.

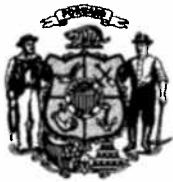
03/18/2010

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

86.06 (1) Whenever any highway is impassable or unsafe for travel or during the construction or repair of any such highway and until it is ready for traffic the authorities in charge of the maintenance or construction thereof may keep it closed by maintaining barriers at each end of the closed portion. The barriers shall be of such material and construction and so placed as to indicate that the highway is closed and shall ~~be lighted at night or of such retroreflective material or markings as to be visible at night~~ conform to the standards for traffic control devices adopted by the department of transportation under s. 84.02(4)(e) *new*

From: Gaston, Geoff [mailto:Geoff.Gaston@legis.wisconsin.gov]
Sent: Monday, March 01, 2010 9:51 AM
To: Klein, Christopher - DOT
Subject: FW: AB 457

Chris, just an FYI that John is going to hold a hearing/exec on 3/11 and could include this bill if something can be put together to address liability concerns.



State of Wisconsin
2009 - 2010 LEGISLATURE

wanted
by 3/23

LRBa1866/1
ARG: :...

in 3/19 jld

ASSEMBLY AMENDMENT,
TO 2009 ASSEMBLY BILL 457

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 5: delete "and" and substitute "and".

3 **2.** Page 2, line 1: delete the material beginning with "lights" and ending with
4 "night," on line 2 and substitute "lights conforming to the standards for traffic control
5 devices in the manual adopted by the department of transportation under s. 84.02
6 (4) (e)".

7 **3.** Page 2, line 13: delete the material beginning with "be lighted" and ending
8 with "night" on line 14 and substitute "be lighted at night conform to the standards
9 for traffic control devices in the manual adopted by the department of transportation
10 under s. 84.02 (4) (e)".

11 (END)