



PAUL TITTL

STATE REPRESENTATIVE • 25TH ASSEMBLY DISTRICT

First of all, I would like to thank you, Chairman Ripp, and all of the other committee members for allowing me to testify on AB 389. This bill increases the maximum speed limit from 65 mph to 70 mph on certain roadways.

Speed limits were often 70 mph on rural highways until the federal government set a maximum speed limit of 55 mph in 1973, largely to conserve fuel during the energy crisis. States that did not decrease their speed limit to 55 mph would lose federal tax dollars.

In 1995, federal regulations were abolished and states returned to setting their own limits. Many states immediately raised limits back to 70 mph or higher.

It's About Safety

Safety is important to all of us. This bill will not compromise the safety of the people of Wisconsin, or I would not be sitting here today. However, sometimes people assume an increase in the speed limit will automatically lead to an increase in fatalities. That assumption is not necessarily true.

When Indiana raised its speed limits on rural interstates and selected multilane highways on July 1, 2005, some people expected injuries and severity of injuries to increase. However, according to a study by Purdue University, the increased speed limit did not affect the probability of suffering a severe injury in an accident.ⁱ

Further, a June 2013 article by the non-partisan Council of State Governments notes the following: "Increasing the speed limits on some roads may not necessarily increase the frequency of accidents. Some research indicates that increases in the speed limit can actually decrease or maintain the rate of accidents."ⁱⁱ

The proposed bill to increase the speed limit in Wisconsin also has some important safeguards.

First, the bill pertains only to interstates, freeways and expressways. We are not proposing to raise the speed limit on all highways in Wisconsin.

Second, the bill allows the DOT time to conduct engineering and safety studies to identify segments where the limit should remain at 65 mph. These provisions will assure that the speed limit increase takes place in a safe and measured manner only where appropriate.

It's About Time

When I talk to people about raising the limit, many of them say, "It's about time." They have driven safely at 70 mph in other states and like the option of driving a few miles per hour faster on our roads too.

Nearly 5% of Wisconsin commuters have a one-way commute of 60 minutes or more. This bill will enable them to get home faster so they can spend more time with their families and less time on the road.

It's about Business and Tourism

Raising the speed limit is also good for business and good for tourism. People often determine their vacation plans based on how long it will take to get to a destination and return home. Longer travel times make spots less attractive to some travelers.

By increasing the speed limit, perhaps out-of-state visitors will be able to spend a few more minutes and a few more dollars at destinations like the beautiful Wisconsin Maritime Museum, located right in my hometown of Manitowoc.

In August, Illinois Governor Pat Quinn signed a bill into law allowing for 70 mph speed limits on some rural highways. As a result, Wisconsin is now the only state in the Midwest with a 65 mph maximum speed limit for all roadways (see attached map). AB 389 will align Wisconsin's speed limit with the speed limit in neighboring states.

Finally, we have been working on some changes to the proposed bill. After discussions with various stakeholders, I will be offering a substitute amendment that does all of the following:

- Eliminates the list of enumerated highways identified in the bill. This list was provided to me by the Department of Transportation as a list of highways that may be ready to go up to 70 MPH immediately. After discussions with the Department, we will be removing the list to give the Department additional flexibility in implementation.
- Consolidates the implementation dates. The current bill creates a two-step implementation process. With the enumerated list removed, this two-step process is no longer necessary.

Thank you for the opportunity to testify today. I am excited to work with my colleagues on both sides of the aisle to make a 70 MPH speed limit in Wisconsin a reality. I would be happy to take any questions.

ⁱNataliya V. Malyskina, "Higher Interstate Speed Limit Proves Safe for Indiana," Purdue University, June 28, 2003 <<https://news.uns.purdue.edu/x/2008a/080623Manneringspeed.html>>.

ⁱⁱ Kendrick Vonderschmitt, "States Raise Speed Limits while Safety Debate Continues," Council of State Governments, June 21, 2013 <<http://knowledgecenter.csg.org/drupal/content/states-raise-speed-limits-while-safety-debate-continues>>.



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Written Testimony in Support of Assembly Bill 389 Wisconsin Assembly Committee on Transportation Submitted by the National Motorists Association, October 1, 2013

Introduction

The National Motorists Association supports AB 389, which would increase from 65 to 70 mph the maximum speed limit on state trunk highways with four or more lanes of traffic separated by a barrier or median and are classified as freeways or expressways.

A 70 mph speed limit more closely approximates the actual speed of free-flowing traffic on Wisconsin highways. Studies have shown that the safest, most efficient speed of travel - the speed at which the risk of crash involvement is lowest - is a few miles per hour over the average flow of traffic. Reposting the limits to 70 mph on freeways and expressways will minimize interactions between vehicles typically caused by slower-moving traffic, easing congestion and reducing the opportunities for collisions.

As of September 2013, 34 of the 50 states have raised their speed limits to 70 mph or higher. If you take the states of the populous northeast corridor - Connecticut, Delaware, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont - out of the equation, 83 percent of the remaining states have speed limits of at least 70 mph¹.

According to 2011 highway fatality statistics compiled by the National Highway Traffic Safety Administration (NHTSA), Wisconsin's fatality rate per 100 million vehicle miles traveled was 1.07, just slightly under the national average of 1.10. But surrounding states that have had 70 mph speed limits for several years had lower highway fatality rates than Wisconsin in 2011: Indiana at 0.98, Ohio at 0.91, Michigan at 0.94, and Minnesota at 0.65. The rare exception is Iowa, which had a 2011 fatality rate of 1.15.²

Raising the speed limit to 70 mph on Wisconsin freeways and expressways will help streamline the flow of traffic and make those roads safer for travel.

The Benefits of Properly Set Speed Limits

Highway safety professionals and law enforcement officials agree that posted speed limits need to be established based on the 85th percentile speed of free-flowing traffic. The 85th percentile speed is defined as the speed that 85 percent of motorists drive at or below when unimpeded. Setting speed limits at this level promotes efficient traffic flow and enhances highway safety.

This is why organizations like the Federal Highway Administration (FHWA), the Michigan State Police and the Florida Department of Transportation vigorously promote the safety benefits of speed limits that are properly set to the 85th percentile level.

The benefits of this approach have been acknowledged by Wisconsin DOT Traffic Safety Engineer Greg Helgeson. "We take speed checks of existing traffic and try to determine the speed that 85 percent of the drivers are at or below," said Helgeson. In light of requests the DOT receives every year to lower the speed limit, particularly in local areas, Helgeson added, ". . . I believe there's a perception out there that the lower your speed is going to lead to better safety and that's not necessarily true."³

These comments reinforce a long-understood and critical traffic engineering principle known as the Solomon Curve. Essentially, the curve (shown at right) illustrates that the least risk of crash involvement occurs with vehicles moving near the average of speed of traffic, with the safest travel speed being about 5 mph faster than traffic flow.⁴

Conversely, the odds of being involved in an accident rise dramatically as vehicle speeds drop below the average for surrounding traffic.⁵ These findings, based on research conducted by Solomon for the U.S. Department of Commerce nearly 50 years ago, have been affirmed in the intervening years.

The Problem of Under-Posted Speed Limits

Traffic researchers with the FHWA have documented the problems created by widespread under-posting of speed limits, including lack of public acceptance/compliance, safety concerns and the strain on limited police resources:

However, the findings to date suggest that, on the average, current speed limits are set too low to be accepted as reasonable by the vast majority of drivers. Only about 1 in 10 speed zones has better than 50-percent compliance. The posted speeds make technical violators out of motorists driving at reasonable and safe speeds.

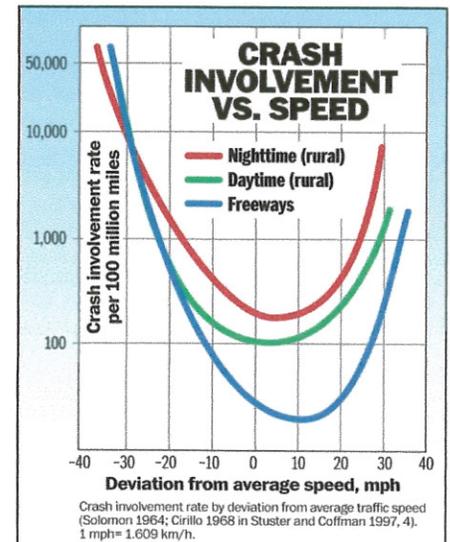
For the traffic law system to minimize accident risk, then speed limits need to be properly set to define maximum safe speed. Our studies show that most speed zones are posted 8 to 12 mph below the prevailing travel speed and 15 mph or more below the maximum safe speed. Increasing speed limits to more realistic levels will not result in higher speeds but would increase voluntary compliance and target enforcement at the occasional violator and high-risk driver.⁶

More recently, a Transportation Research Board study confirmed the pervasiveness of significantly under-posted speed limits and called attention to the safety consequences they pose:

The posting or lowering of speed limits is not a safety measure and unless speed limits are posted at or above the 85th percentile speed, they misinform engineers, planners and the general public by indicating that travel speeds on a road are slower than they actually are. Bad information leads to bad results. Their potential to create unsafe conditions should not be minimized.⁷

What Happens When Speed Limits Go Up?

When the 55 mph National Maximum Speed Limit was repealed in 1995, highway fatality rates started declining, and they have been ever since, according to NHTSA.⁸ As more states have raised highway speed limits to 70 mph and higher, our roads have actually gotten safer. The national 1995 highway fatality rate was 1.73 per 100 million vehicle miles traveled. By 2011 the rate had dropped to 1.10, a 37 percent decrease. That is a benefit of setting speed limits correctly.



In 2009, Utah began testing an 80 mph speed limit on a stretch of Interstate 15. Travel speeds increased only slightly, and accidents decreased with no resulting fatalities.⁹ The move proved so successful that the Utah Department of Transportation is currently posting 80 mph speed limits on 289 additional miles of highway.¹⁰

The Utah example illustrates a critical point: It is a common misconception that raising speed limits will cause many drivers to automatically drive 10 to 15 mph over the new limit. Research shows that actual driving speeds vary little with changes in the posted speed. Drivers tend to travel at the speed at which they feel comfortable regardless of the posted speed.¹¹ As other states have shown, posting highway speeds of 70 to 75 mph does not encourage people to drive at much higher speeds; most drivers simply do not exceed their comfort level on the road.

Conclusion

Making sure speed limits are set properly based on established traffic engineering principles is a critical, yet often overlooked, public safety issue. Enactment of AB 389 will bring posted limits on Wisconsin freeways and expressways closer to the existing traffic speed, creating a safer and more efficient set of transportation corridors. That is why the National Motorists Association encourages the Wisconsin State Assembly to pass AB 389.

About the National Motorists Association

Founded in 1982, the National Motorists Association is a North American grassroots advocacy organization comprised of several thousand members dedicated to the protection of motorists' rights and freedoms. The NMA is headquartered in Waunakee, Wisconsin. More information is available at <http://www.motorists.org>.

Sources

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4. "Accidents on Main Rural Highways Related to Speed, Driver, and Vehicle," David Solomon, U.S. Department of Commerce, 1964.
5. Ibid.
6. "Driver Speed Behavior on U.S. Streets and Highways," Samuel C. Tignor, Ph.D., and Davey Warren, ITE 1990 Compendium of Technical Papers, 1990.
7. "Unintended Consequences of Improper Speed Zoning," Stephen H. Ford, TRB 90th Annual Meeting Compendium of Papers, 2011.
8. National Highway Traffic Safety Administration, Fatality Analysis Reporting System, <http://www.fars.nhtsa.dot.gov>
9. "More 80 mph Zones Coming to Utah Freeways," The Deseret News, Sept. 19, 2012.
10. "Utah Adds 289 Miles of Roads with 80 mph Speed Limits," The Salt Lake Tribune, Sept. 17, 2013.
11. "The Effects of Raising and Lowering the Speed Limit," Report No. FHWA-RD-92-084, June 1996

Addendum - Frequently Asked Questions Regarding Speed Limits

Q. How should speed limits be set?

A. Traffic engineers maintain that speed limits should be established according to the 85th percentile of free flowing traffic. This means the limit should be set at a level at or under which 85 percent of people are driving. Numerous studies have shown that the 85th percentile is the safest possible level at which to set a speed limit.

Q. What are “realistic” speed laws?

A. According to a pamphlet produced by the Washington State Department of Transportation relating to speed limits, “realistic” speed limits should invite public compliance by conforming to the behavior of the most drivers. This would allow the police to easily separate the serious violators from the reasonable majority.

Q. Isn't slower always safer?

A. No, federal and state studies have consistently shown that the drivers most likely to get into accidents in traffic are those traveling significantly below the average speed. According to research, those driving 10 mph slower than the prevailing speed are more likely to be involved in an accident. That means that if the average speed on an interstate is 70 mph, the person traveling at 60 mph is more likely to be involved in an accident than someone going 70 or even 80 mph.

Q. Wouldn't everyone drive faster if the speed limit was raised?

A. No, the majority of drivers will not go faster than what they feel is comfortable and safe regardless of the speed limit. For example, an 18-month study following an increase in the speed limit along the New York Thruway from 55 to 65 mph determined that the average speed of traffic, 68 mph, remained the same. Even a national study conducted by Federal Highway Administration also concluded that raising or lowering the speed limit had practically no effect on actual travel speeds.

Q. Don't higher speed limits cause more accidents and traffic fatalities?

A. No, if a speed limit is raised to actually reflect real travel speeds, the new higher limit will make the roads safer. When the majority of traffic is traveling at the same speed, traffic flow improves, and there are fewer accidents. Speed alone is rarely the cause of accidents. Differences in speed are the main problem. Reasonable speed limits help traffic to flow at a safer, more uniform pace.

Q. Aren't most traffic accidents caused by speeding?

A. No, the National Highway Traffic Safety Administration claims that 30 percent of all fatal accidents are “speed related,” but even this is misleading. This means that in less than a third of the cases, one of the drivers involved in the accident was “assumed” to be exceeding the posted limit. It does not mean that speeding caused the accident. Research conducted by the Florida Department of Transportation showed that the percentage of accidents actually caused by speeding is very low, 2.2 percent.

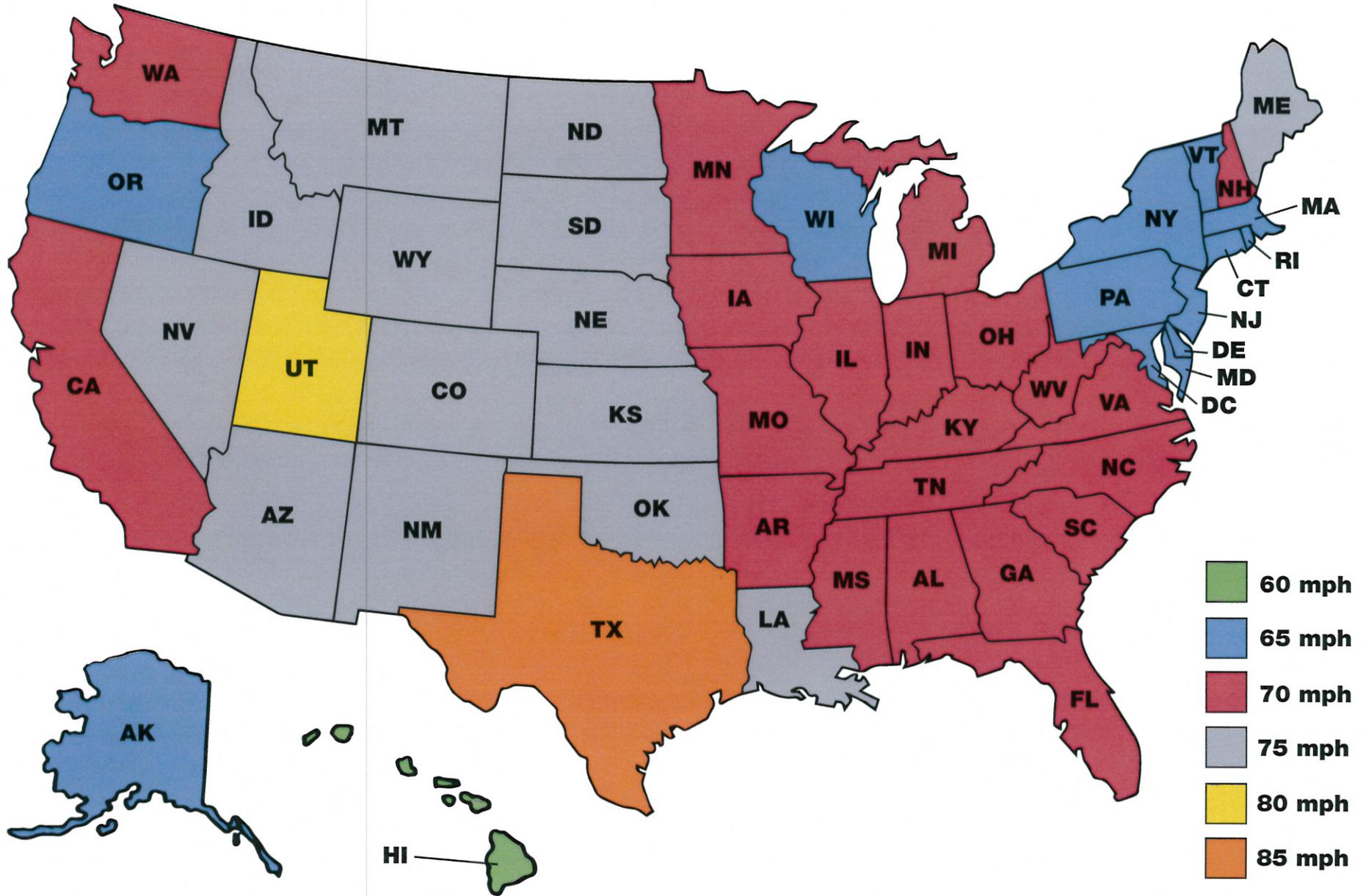
Q. Aren't our roads more dangerous than ever before?

A. No, the nation's fatality rate (per 100 million vehicle miles traveled) is the lowest it has ever been. The total number of fatalities has also stayed relatively stable for several years. They do occasionally increase, but given that our population and the distance the average person drives are also increasing, this is not surprising, nor is it cause for alarm.

Q. If nobody follows the speed limit, why does it matter that they are under-posted?

A. According to a speed-limit brochure published in conjunction with the Michigan State Patrol, inappropriately established speed limits cause drivers to take all traffic signals less seriously. The brochure also points out that unrealistic speed limits create two groups of drivers. Those that try to obey the limit and those that drive at a speed they feel is safe and reasonable. This causes dangerous differences in speed.

Maximum Posted Daytime Speed Limits on Rural Interstates*



*maximum limit may apply only to specified segments of interstate

Source: Insurance Institute for Highway Safety

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¹(<https://news.uns.purdue.edu/x/2008a/080623ManneringSpeed.html>)

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¹ Study: Higher Interstate Speed Limit Proves Safe for Indiana. Purdue University. 2003.6.28.

<https://news.uns.purdue.edu/x/2008a/080623ManneringSpeed.html>

States Raise Speed Limits while Safety Debate Continues. Knowledge Center: Council of State Governments. 2013.6.21. <http://knowledgecenter.csg.org/drupal/content/states-raise-speed-limits-while-safety-debate-continues>

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- Consolidates the implementation dates. The current bill creates a two-step implementation process. With the enumerated list removed, this two-step process is no longer necessary.

,it seems best to eliminate the two implementation dates as set forth in the bill and have only one instead.

In addition, it seems best to eliminate the list of segments, because the list had been included as a way of identifying segments where the speed limit would have been raised within the thirty day period. Eliminating the two step implementation process also makes the list of segments unnecessary.

Thank you for the opportunity to testify today. I am excited to work with my colleagues on both sides of the aisle to make a 70 MPH speed limit in Wisconsin a reality. I would be happy to take any questions.

Speed Limit 70 MPH FAQ on AB 389

Why is there a Joint Finance Committee review provision in the bill?

- The maximum speed limit in Wisconsin has not been adjusted in decades. When I drafted this bill, I thought it was appropriate to allow the Legislature to review the speed limit increases recommended by the Department of Transportation. The Joint Finance Committee already reviews a wide variety of reports from a number of different agencies, so I thought it was an appropriate committee to review DOT's recommendations on increasing the speed limit. Others have suggested an alternative mechanism for review and I am willing to explore that.

Who are the "stakeholders" you are talking to about your substitute amendment?

- This is a diverse group of folks including various legislators, the DOT, and of course, my constituents.

Is DOT required to raise the speed limits on all highways?

- No. Current law permits DOT to set lower speeds than the maximum by conducting an engineering study. My bill retains this law and gives the DOT appropriate time to conduct such a study.

How much will it cost to change the signs? Is it really \$135 per sign?

- I have not yet received a fiscal estimate from the Department of Transportation. I am hopeful we can keep the costs low.

Why raise the speed limit to 70 MPH? Why not 75?

- Frankly, the current limit of 65 MPH is arbitrary and is not based on science. In setting the maximum at 70 MPH, I examined a reasonable threshold that all of our neighboring states have adopted, and I leave it up to DOT to recommend lower limits on certain roadways.

Why does the bill change the definition of an expressway and a freeway?

- These definitions are largely technical changes made at the request of DOT.

Why focus on this legislation? How many jobs will this bill create?

- As I said in my testimony, this bill is pro-tourism because it helps visitors get to their Wisconsin destinations quicker. Further, almost all of the constituents I talk to support raising the speed limit if it can be done safely, and I believe it can.