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Economic Development & Technical Colleges

Testimony on 2023 Senate Bill 684

Senator Robert Cowles

Senate Committee on Transportation and Local Government

January 17, 2024

Thank you, Chairman Tomczyk and fellow Committee Members, for allowing me to testify on Senate Bill 684. This bill would give local government officials more control to regulate the setting of speed limits throughout their communities.

Cities, counties, towns, and villages can, under current statutes, lower the speed limit on rural local roadways from the standard 55 mile-per-hour maximum by up to 10 miles per hour through their own jurisdiction. Current law also establishes that the respective local highway authority must conduct a study of engineering and traffic feasibility before enacting the speed limit reduction on the targeted road, but the municipality can make the decision to do this without Department of Transportation (DOT) approval.

Community expansion can necessitate the decision to lower speed limits on local roadways. As new businesses, schools, and other developments begin construction, local leaders should be able to lower their speed limits to increase traffic safety in the area. However, their decision-making process can be hampered by statutory requirements requiring DOT approval to lower the speed limit on any road within their jurisdiction beyond the current 10 miles per hour.

Senate Bill 684 would allow local governments to reduce the speed limit on roadways under their jurisdiction currently at 55 miles per hour by up to 20 miles per hour, rather than the current 10, without receiving DOT approval. Communities would still be required under statute to conduct the routine study of the effects on traffic and roadway engineering, but would be able to make a more localized decision about speeds on their roads at their discretion. At the same time, local officials can also tackle the persisting problem of reckless driving by enforcing punishments under the new limits that suit their communities.

At least 20 states across the nation have enacted similar legislation since 2011. Senate Bill 684 empowers our local communities to address safe speed restrictions on roadways within their communities, following similar nationwide trends and continuing the Legislature's work on improving the safety of our roads during this Legislative Session.



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Senate Committee on Transportation and Local Government

Testimony from Rep. William Penterman in favor of Senate Bill 684

Chairman Tomczyk and members of the Senate Committee on Transportation and Local Government:

Thank you for the opportunity to testify in favor of Senate Bill 684, local authority to modify highway speed restrictions.

Municipalities, such as cities, counties, towns, and villages, have the authority to decrease the speed limit on local roads by up to 10 miles per hour from the standard maximum of 55 miles per hour within their jurisdiction. According to existing regulations, the local highway authority is required to conduct an engineering and traffic study before implementing such changes. However, the decision to lower the speed limit can be made independently by local governments without the need for approval from the Department of Transportation (DOT).

In response to the expansion and establishment of new businesses, schools, and other significant developments, local communities may express the need to further reduce speed limits on local roadways to enhance safety. Presently, local governments are obliged to seek DOT approval if they wish to lower the speed limit by more than 10 miles per hour on roads within their jurisdiction. Assembly Bill 684 seeks to expand this exemption, granting local governments the authority to decrease speed limits by up to 20 miles per hour on roadways currently set at 55 miles per hour without requiring DOT approval. The passage of Assembly Bill 684 would empower local governments to efficiently manage and address safe speed limits on roadways across their communities.

Similar legislation has been enacted in at least 20 states, including California, Colorado, Connecticut, Georgia, Hawaii, Indiana, Maryland, Massachusetts, Michigan, Minnesota, Montana, New Hampshire, New Jersey, New York, North Carolina, Oregon, Tennessee, Virginia, Vermont, and Washington, since 2011. Notably, this bill has garnered support from the Wisconsin Towns Association.

Thank you again for your time and consideration of Senate Bill 684. I hope you will join Senator Cowles and me in supporting this legislation.



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Testimony of Wisconsin Department of Transportation
Assistant Deputy Secretary Joel Nilsestuen
Before the Senate Committee on Transportation and Local Government
January 17, 2024

Re: Senate Bill 684, relating to local authority to modify highway speed restrictions.

Thank you, Chairman Tomczyk, and members of the committee for your consideration of the department's input on considering the department's input on Senate Bill 684, relating to local authority to modify highway speed restrictions.

This bill expands the amount of speed reductions municipalities can do without Department approval. Bill provisions would allow local governments to reduce speed limits on roadways currently at 55 miles per hour under their jurisdiction by up to 20 miles per hour without WisDOT approval.

WisDOT recognizes that the bill still requires an engineering study before reducing the speed by the amounts proposed in the bill, however, the department wouldn't be reviewing/approving many if at all any of these speed reduction changes. Requiring approval by the department for these speed reductions helps create a level of accountability that the appropriate engineering study was completed.

The Department offers the following considerations for Senate Bill 684:

First, the objective of modifying the speed limit is to have the posted speed be effective, to do this it should accomplish the following:

- Reduce the speed differential of vehicles using the highway.
- Be a reasonable speed so the majority of drivers will comply voluntarily.
- Reflect consistent application of traffic engineering principles and guidelines in common circumstances.

Numerous studies have shown that setting a speed limit within 5 mph of the 85th percentile speed is advisable, to achieve safer operation. Speed limit recommendations between adjacent sections of highway outside incorporated cities/villages should generally be made in increments of 10 mph but increments of 5 mph are permissible when justified. Inside incorporated cities/villages these speed limits should be in increments of 5 mph. The number of such changes should be held to a minimum when speed limits are being applied to several adjacent sections of highway.

By allowing a speed reduction of upwards of 20 mph without a review by the department could create safety and operation issues around the state, in particular, a need for increased enforcement resources should a speed limit be lowered inappropriately.

Second, the Department has a standard procedure on what is included in an engineering study in our WisDOT Traffic Engineering, Operations & Safety Manual (TEOpS). It states:

Engineering studies **shall** include the following:

1. Measurement of prevailing speed characteristics, including the calculation of the 85th percentile speed.
2. Evaluation of reported crash experience for the past five years.
 - a. In cases where a significant change (traffic control changes, speed limit adjustments, lane adjustments, etc.) occurs, a minimum of three years of crash data should be reviewed and documented within the study
3. Assessment of the roadway's geometrics including lane widths, curves, roadside hazards and sight distances.
4. Determination of the 10-mph pace.
5. Determination of the average speed.
6. Evaluation of density and roadside development in terms of the number of driveways and access points where vehicles can enter the traffic flow.

Engineering studies **should** include the following:

7. Consideration of conflicts with parking practices, and pedestrian and bicycle activity.
8. Evaluation of shoulder widths as well as roadway and shoulder conditions.
9. Determination of the current level of enforcement.

Finally, if the bill should pass as proposed, there will still be concerns on the potential for inconsistency statewide in speed limits. One of the key points above is the speed limits should be set to keep the differential between the highest speed and the lowest speed as close together as practicable as possible. By allowing the change in a speed zone to be lowered by greater amounts could create some roadways with a large differential speed if not done appropriately.

Thank you for your time and consideration today. I am happy to answer any questions the committee may have.