



Legislative Action Promoting Safety in Work Zones

BACKGROUND: There are several steps that can be taken to ensure increased safety for both drivers, highway construction workers and maintenance crewmembers in work zones. One option that should be considered is video enforcement of speed or what is known as an “automated speed enforcement” (ASE) system. The ASE system is a speed enforcement mechanism with one or more motor vehicle sensors that produces a recorded image of a motor vehicle that is believed to be traveling at speeds beyond the posted limit. Images captured by the ASE system are processed and reviewed by law enforcement. If a violation of the posted speed limit has occurred, a violation notice is then be mailed to the registered owner of the violating vehicle. Often times, the ASE systems may be referred to as “speed cameras.”

Several states have taken steps to ensure the accuracy and the legitimacy of their systems. For instance, the State of Maryland tests each ASE system by imposing an annual calibration check, conducted by an independent calibration laboratory. Maryland state law also requires ASE systems to pass certain self-tests before producing a recorded image each time the ASE system is set up. The tests are performed before a trained operator and documented in a daily set-up log.

The goal of automated speed enforcement is to encourage a change in driver behavior and to increase driver awareness of the impacts of speed related fatalities in work zones. Driving to fast for conditions, particularly in a work zone, is one of the most prevalent factors leading to traffic crashes. The 2010 Cochrane Review of speed cameras for the prevention of road traffic injuries and deaths reported that all 28 studies accepted by the authors found the effect of speed cameras to be a reduction in all crashes, injury crashes, and death or severe injury crashes.

Another simple step that could be considered by state legislators in their efforts to reduce work zone fatalities involves passing statutory language certifying flagmen on highway construction crews to report traffic violations in work zones to law enforcement officials. Under current law, the operator of a vehicle is required to yield the right-of-way to persons engaged in maintenance or construction work on a highway when the vehicle operator is notified of their presence by flagmen or by a warning sign. Enforcement of this policy is difficult with out the continued presence of a law enforcement officer at each work zone site.

The suggested statutory change in this case would allow a flagman who observes a violation of said policy to report the violation to a traffic officer. A flagman who observes a violation would, within 24 hours of observation of a violation, deliver a report to a traffic officer of the county or municipality in which the violation occurred. The report would have to contain: 1.) The time and location of violation; 2.) The license plate number and color of the vehicle in violation; 3.) Identification of the vehicle as an automobile, motor truck, motorbus, motorcycle or other type



of vehicle. Within 48 hours of notification, the traffic officer may prepare a uniform traffic citation under s. 345.11 and may serve it upon the owner of the vehicle.

Under current law, crossing guards protecting the safety of individuals in school crossing zones have similar statutory authority as described in the aforementioned paragraphs. Extending this statutory authority to flagmen in work zones may generate awareness of work zone safety concerns, improve driver responsiveness to reduced speeds limits in work zones and reduce the number of overall fatalities in Wisconsin's work zone areas.

CURRENT STATUS: The State of Wisconsin currently has no automated system in place to enforce the rate of speed by motorists in work zones on its state trunk highway or interstate systems. Wisconsin also does not currently extend the ability for flagmen in work zones to report traffic violations to law enforcement for subsequent traffic citations to be issued.

REQUESTED ACTION: The WCHA and WCA request that Wisconsin Statutes be modified, and funds be provided to the Wisconsin Department of Transportation to begin the process of automated speed enforcement in work zones. In addition, the WCA and WCHA request that Wisconsin Statutes be modified to extend the ability of flagmen in work zones to report traffic violations to law enforcement for subsequent traffic citations to be issued. In addition, WCHA and WCA request that the Wisconsin legislature require the State's driver education classes have required sessions on work zone safety, and training for new drivers on traveling through work zones.

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