



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2003 Assembly Bill 369

**Assembly
Amendment 1**

Memo published: February 20, 2004

Contact: Philip G. Cardis, Staff Attorney (267-0683)

Current law requires the Department of Transportation (DOT) to advise municipalities and counties with regard to the construction and maintenance of any highway or bridge, when requested. Also, DOT may, upon request, perform any supervision or engineering work necessary in connection with highway improvements by any municipality or county and may charge the municipality or county its costs.

Assembly Bill 369 requires DOT, **upon request of a school board**, to review the site plan of any proposed enlargement of school grounds, or proposed construction or enlargement of school buildings or facilities. A school board may request a DOT review after the site plan has been reviewed by the county traffic safety commission.

In its review, DOT must determine the effect of the proposed enlargement or construction on existing and anticipated highways, and must provide guidance to the school board with regard to transportation-related matters, such as roadways, sidewalks, bicycle paths, and school bus loading and unloading areas, in a manner that adequately protects children in the school zone, ensures motor vehicle access to the school, and minimizes any adverse impact of the enlargement or construction of the school on motor vehicle traffic.

DOT may, but is not required to, use transportation impact analysis processes in its review. The bill specifies that a school board is *not* required to comply with DOT's recommendations and that DOT may not assess a fee for its services.

The bill also requires DOT to make available to any school board safety courses, educational materials, and other assistance related to ensuring the convenience and safety of children and motor vehicle traffic in school zones. DOT may assess a fee, not to exceed DOT's cost, for these services.

The bill also requires DOT to annually provide to each school board written notice of DOT's obligations and services under this bill.

Assembly Amendment 1 includes private or charter schools within Assembly Bill 369. Under the original bill, only public schools were included in the bill.

Assembly Amendment 2 provides that:

- DOT **shall** assess a fee to a school board for reviewing the site plan of a proposed school construction or enlargement, not to exceed the cost to the department.
- DOT **shall** assess a fee to a school board for safety courses, educational materials, and other assistance related to ensuring the convenience and safety of children and motor vehicle traffic in school zones, not to exceed the cost to the department for those services.

LEGISLATIVE HISTORY

On July 17, 2003, the Assembly Committee on Transportation recommended for adoption Assembly Amendment 1 by unanimous consent. The Assembly Committee on Transportation recommended passage of the bill, as amended, by a vote of Ayes, 11; Noes, 2.

On February 5, 2004, the Assembly adopted Assembly Amendments 1 and 2 by a voice vote. The Assembly passed the bill, as amended, by a vote of Ayes, 86; Noes, 10.

PGC:tlu:rv