

CITY OF WAUWATOSA
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TRAFFIC AND SAFETY COMMITTEE MEETING
Tuesday, June 11, 2002

PRESENT: Aids. Becker, Krol, Matthews, McCarthy -4

EXCUSED: Ald. Herzog

ALSO T. Wontorek, City Admin.; Capt. J. Bozicevich, Police; A. Kesner, City Atty.;
PRESENT: W. Kappel, Dir. of Public Works;

Ald. Krol in the Chair called the meeting to order at 7:31 p.m.

Pedestrian Crash Analysis Report, 1997-2001

Capt. Bozicevich reported that all accident reports involving pedestrians from 1997 to 2001 were reviewed and are listed in the Pedestrian Crash Analysis Report for each year from 1997-2001 by date and time of day, gender and age of pedestrian, location, whether in or out of a crosswalk, fault of driver or pedestrian, and type of violation. He found that Wauwatosa's pedestrian accident rate is fairly consistent, averaging 14 per year, and has remained so for the past five years. In that period, there were many more adults than children involved in pedestrian accidents. Since there is no location that predominates, targeted enforcement cannot be solely relied upon to bring the accident rate down, he said. The Community Support Division of the Police Department will try to expand pedestrian safety programs in schools, which would reach a very important segment, but not all, of the population. In addition, the police and engineering/public works departments plan to work together toward making streets more pedestrian friendly, particularly in areas without sidewalks. The report, which had not been done since 1999, will be updated every year.

Asked whether bicyclists are considered pedestrians, Capt. Bozicevich said bicyclists are treated separately in the statutes and in accident reports, but many of the same theories hold true. There have not been any pedestrian fatalities in Wauwatosa, but there was a bicycle fatality last year. Pedestrian injuries have ranged from relatively minor to more significant such as an incident where a pedestrian was struck and dragged.

Capt. Bozicevich said that Wisconsin does not have a statute that requires motorists to stop as soon as a pedestrian enters a crosswalk, and pedestrians do not have the right-of-way when not in a crosswalk. He reported that officers have already noted increased awareness of pedestrians and pedestrian safety in connection with the new pedestrian crossing signs just put into use on State Street in the Village.

Mr. Wontorek, City Administrator, said that as a relative newcomer to Wisconsin he was surprised that pedestrians are sometimes ticketed rather than drivers. In referring to state law, it is clear that a vehicle has almost more rights than a pedestrian, he said, which may be fine for rural areas but might indicate that it is time to consider changes in our own ordinances to give pedestrians greater rights in the roadway. At a minimum, he suggested an article in the next issue of the City newsletter would be appropriate to let residents know that they have limited rights when crossing streets.

Ald. Ecks said that state statutes are clearly skewed to rural areas, as indicated by the lack of pedestrian warrants for traffic signals, and we need to look to the state to change those laws, he felt. He noted that Wisconsin is last on a per-capita basis in bringing in federal dollars for pedestrian safety. Wauwatosa has a lot of state highways with many schools along them, he observed, but can't get pedestrian safety funding.

City Attorney Kesner said that, in some cases, the state has chosen not to seek federal dollars for traffic and vehicle safety programs due to some attached requirements such as lowering the blood alcohol level to .08 or requiring motorcycle helmets. There are a number of traffic safety programs in effect now that cover programs for which money is available at the federal level, but the state has chosen to fund them with its own money.

Ald. Matthews expressed concern about pedestrians being given greater rights here and then bringing those habits to other communities where such rights do not exist. She asked if this committee could initiate a resolution informing the state of pedestrian concerns or if the matter of recommending changes in state legislation should be discussed by the Committee on Legislation, Licensing and Communications.

Mr. Kesner indicated he could research laws of other states and provide examples of different levels found relating to pedestrian right-of-way. He said that another aspect is limitations in creating ordinances that are not in conflict with state statutes, although there are some cities, such as Madison, that have created pedestrian laws that are quite strong. Ald. Matthews added that Mr. Kesner should also look at whether any states have different laws pertaining to rural versus urban areas.

Mr. Wontorek said that the State DOT recently issued a Wisconsin Pedestrian Policies Plan 2020. This may be an opportune time to suggest looking at that plan and including something on pedestrian rights. Also, the National Traffic Safety Board is issuing a CD-rom with information on enhancing pedestrian and bicycle safety.

Ald. McCarthy noted that the report showed a lot more driver-at-fault accidents in the earlier years than in the last couple of years, which Capt. Bozicevich indicated could not be attributed to any particular police measures. He also commented that the lack of sidewalks is not an issue on the west side as much as speed. The speed board has been effective, and unmarked squads can also be requested from time to time. He also suggested that the Police and Public Works Departments might be able to come up with some recommendations for better street markings and better signs. Regarding legislative changes, Ald. McCarthy said there is nothing that precludes any committee from inviting elected representatives to appear or from submitting a resolution to the Common Council to be passed on to the state.

Ald. Ecks brought up the question of jaywalking tickets, noting that pedestrians should be encouraged to use crosswalks. He mentioned that crossing guards are specifically entitled to report vehicles that fail to yield to pedestrians, which is a citable offense.

Ald. Becker commented on use of the Menomonee River Parkway roadway by runners. Capt. Bozicevich said that drivers seem to recognize that there will be pedestrian traffic on parkways and are more cautious there.

Moved by Ald. McCarthy, seconded by Ald. Matthews to refer the report to the Director of Public Works for recommendations on improving pedestrian safety and to the City Attorney for a report on laws in other states and on pedestrian safety measures in other cities. Ayes: 7

The meeting adjourned at 8:05 p.m.

Carla A. Ledesma, City Clerk
Wauwatosa, Wisconsin

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