



Wisconsin Traffic Safety Commission Guidelines

2021

Wisconsin Department of Transportation

Summary of Changes

Wisconsin Traffic Safety Commissions Guidelines

Wisconsin Department of Transportation

Division of State Patrol

Bureau of Transportation Safety and Technical Services

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Specifically, this update:

- Reorganizes the document in order to make future referencing easier
- Makes minor grammatical corrections and terminology updates throughout the document
- Expands information regarding TSC membership and recommended additional attendees
- Improves information regarding key individuals, TSC responsibilities, and open meetings requirements
- Updates and expands information regarding Community Maps
- Consolidates all of the fatal crash review information into Appendix A
- Adds Appendix B regarding TSC membership, recommendations, and examples
- Adds Appendix C which provides a sample TSC agenda
- Adds Appendix D which lists some useful statutory references

Feedback and suggestions are welcome, and should be sent to the Bureau of Transportation Safety and Technical Services through your county's assigned Law Enforcement Liaison to your Traffic Safety Commission.

This publication is available on the Community Maps site under the TSC Resources tab (<https://transportal.cee.wisc.edu/partners/community-maps/crash/public/TSCResources.do>).

Wisconsin Traffic Safety Commissions

Introduction

Each year thousands of Wisconsin residents are injured and killed in traffic crashes. In recognition of the familial and societal costs of these tragedies, the legislature called for the creation of a traffic safety commission (TSC) in every county in 1971. These commissions are intended to be a means of bringing local and state expertise to the task of minimizing the incidence and severity of traffic crashes. Because of the complex causes of traffic crashes, the legislature required a breadth of expertise to serve on these commissions. TSC membership, by design, creates a collaboration of stakeholders whose commonality is a dedication to reduce injuries and death on their roadways locally, regionally, and statewide.

Wisconsin is uniquely fortunate to have statutorily required traffic safety commissions, as few if any other states have such a mechanism in place. TSCs, by their very nature, are locally driven, creating an ability for each community and county to create grassroots traffic safety initiatives that can directly impact what is happening on their roadways.

So, while Wisconsin Statute 83.013 requires each county to have a functioning traffic safety commission, the responsibility falls on each county to seize the opportunity to maximize the potential of their TSC. The statute lays out a structure for the TSC and spells out some baseline responsibilities. However, counties would do well to foster a TSC that doesn't just meet the minimum requirements, but rather utilizes every resource and established best practice possible to have a positive and proactive impact improving driving culture and reducing crashes.

For these reasons, the Wisconsin Department of Transportation (WisDOT), Division of State Patrol, Bureau of Transportation Safety and Technical Services (BOTS) considers the county traffic safety commissions in each of the 72 counties as a vital component and stakeholder in implementing the Wisconsin Strategic Highway Safety Plan. Therefore, the Department is committed to providing support and resources towards the effectiveness of the TSCs.

Membership

The structure of the TSC varies greatly from one county to the next. Some counties formally appoint members, while some counties only appoint a chair or coordinator to run the meetings. Ultimately, the statute does not specifically require appointments to the TSC, that decision is made at the county level. Counties should focus more on functionality than the formality of the traffic safety commission, as the TSC is generally regarded as an advisory body with a specialized collective expertise.

Section 83.013 of the Wisconsin statutes lists nine specific members that should be included in the TSC at a minimum. These include:

1. The county highway commissioner or a designated representative
2. The chief county traffic law enforcement officer (i.e., the Sheriff) or a designated representative
3. The county highway safety coordinator
4. A representative designated by the county board from each of the disciplines of:
 - a. Education
 - b. Medicine
 - c. Law

5. Three representatives from WisDOT designated by the Secretary of Transportation involved in:
 - a. Law enforcement
 - b. Highways
 - c. Highway safety

The county board chairperson, executive, or administrator may appoint additional persons to serve as a member of the county traffic safety commission. This is accomplished per local protocols.

Many counties either add a representative from each law enforcement agency within the County, or at least encourage them all to attend and participate. This list does not exclude anyone from attending, as the TSC is an open meeting. Special interest groups (such as the Tavern League, treatment professionals, etc.) as well as the general public are welcome to attend.

Appendix B provides a more detailed membership recommendation list to assist counties in reaching out to qualified individuals.

Key Individuals

Chair – The TSC should have a presiding officer to lead the meetings. This position may be elected by the membership, appointed by the County, or be an ex officio position (e.g., always chaired by the Sheriff, Highway Commissioner, or Highway Safety Coordinator.) This position may be designated as the chair, president, coordinator, or other title which is determined locally.

The chair not only starts the meeting, but addresses each agenda item, keeps the commission members on track, and conducts votes. Many chairs run the TSC rather formally, but many others are rather informal. It is more important to accomplish the goals of the commission, rather than focus on strictly adhering to Roberts Rules of Order.

Vice-chair – It is recommended that a vice-chair or similar position also be determined to ensure continuity of the TSC in case of the absence of the chair.

Secretary – A person is normally designated to take minutes, coordinate agendas, and manage correspondence. These duties may or may not be accomplished by the chair. Many counties utilize an administrative professional from one of the county departments to perform these duties, who is not necessarily part of the TSC membership.

Meetings

Open Meetings – As a public meeting, it is required that TSC meetings are properly noticed, have an agenda, and file recorded minutes. Frequently, a TSC will publish the upcoming agenda to serve as their public notice.

Most TSCs follow Robert's Rules of Order (often at a very basic level). As a meeting agenda drives the flow of the meeting, the chair should give thought to creating an agenda that facilitates a meeting that is effective, productive, and results in an efficient use of everyone's time. Care must be given to not let the rules or agenda prevent productive discussion, balanced by efficiency of time.

In addition to the standard agenda items of approving minutes, old business, and new business, consideration should be given to include some form of action item tracking who will do what and by when and then always follow up on those action items at the next meeting.

Appendix C provides just one example of a typical agenda. Many counties utilize a standardized format for their meetings, but for those that do not, this may serve as a useful guide in determining what a TSC agenda may look like.

To accommodate public attendance and participation, the location of the meeting will need to be in a place that is accessible by the community. That location must be listed in the meeting notice that was posted before the meeting to comply with Wisconsin's open meeting law.

Meeting Schedules – The TSC, like other governmental meetings, should meet on a regular schedule to help members plan for their attendance. At a minimum, the TSC should meet quarterly to comply with state statutes. However, this does not limit the TSC from meeting more frequently, meeting for special projects, or from forming committees or workgroups for designated purposes.

Responsibilities

Crash Review – The primary purpose of the TSC is to review traffic crash data from the county and other traffic safety related matters. The review of crashes (fatal, serious injury, and even frequent crash areas) is a foundational component of the traffic safety commission. Included in these guidelines (Appendix A) is a resource TSC Coordinators may choose to implement, in whole or in part, to ensure an effective review of crashes. One of the purposes of having stakeholders from a multitude of disciplines around the table is for them all to weigh in on the crash review from their individual area of expertise and personal knowledge and then to develop proactive measures to change driving behavior and culture in the county.

The review of crashes should always include showing the crash location (and surrounding area) so participants are able to visualize what happened, where it happened, and discuss the possible factors in why the crash happened – all with the goal of determining what if any countermeasures might be used to prevent future crashes. This can be done in multiple ways, such as Community Maps (discussed more below), photographs, and squad video presentations.

Spot Maps – The TSC is also responsible for maintaining a spot map showing the locations of traffic crashes. The statutes say that a person shall be designated to map locations of traffic crashes on county and town roads, and on city and village streets if the population of the city/village is less than 5,000. This is typically done by the Sheriff's Office. They are also to designate person to map locations for cities, villages, and towns with a population of 5,000 or more, which is usually done by the municipal law enforcement agencies.

The Wisconsin Department of Transportation provides a system for plotting and tracking crashes which is available for TSCs and their members to use for this purpose (s. 83.013(2), Wis. Stats.) This system, known as Community Maps, is explained in more detail below.

Reporting – As stated in the statutes, after each meeting, the TSC may make written recommendations for any corrective actions it deems appropriate to the Department of Transportation, the county board, the county's highway committee, or any other appropriate branch of local government.

Useful Information

Community Maps – In support of the TSC mission, the *Community Maps* system was developed by the Wisconsin Department of Transportation in partnership with the Wisconsin Traffic Operations and Safety (TOPS) Laboratory at the University of Wisconsin-Madison to provide an accessible and timely map of traffic crashes for each county. The system is free to use, user friendly, and open to the public for basic information. TSCs and their membership may find this as a suitable spot map for the purposes of complying with the statutory requirement to have one (s. 83.013(1)(a), Wis. stats.)

Community Maps is updated on a nightly basis from the WisDOT crash database management system and includes a record of all law enforcement reported crashes in Wisconsin for which geo-coded locations are available. Crash records that have not been geo-coded are included in the total number of crashes for a given jurisdiction but are not displayed on the map.

Community maps has a public facing version which is open to anyone who accesses the web site. This can be reached through: <https://communitymaps.wi.gov/>.

There is also an advanced version with additional functionality. A separate account is required to use these features. Interested persons should go to the Community Maps web page for eligibility requirements and to access the user account request form.

Citizen Input – As an open public meeting, citizens are welcome to attend the meeting and should be allowed to address the TSC if they choose. A good practice for coordinators is to attempt to identify and research planned citizen appearances prior to the meeting so any needed background information can be prepared. It is also recommended to allow citizen appearances as early in the agenda as possible and ensure the time allotted on the agenda is adequate.

During any period of public comment provided for under the appropriate agenda item, the TSC members may discuss any matter raised by the public, whether or not it is specifically listed in the agenda. However, no official action by the Commission may be taken unless it was so previously noticed.

Communication – The coordinator should follow up on TSC communication with external partners to include local, county, and state agencies regarding recommendations and conclusions reached at these meetings. This may include, but not be limited to: alert officials to traffic safety problems; encourage and foster traffic safety activities within jurisdictions; and conduct traffic safety assessments and field reviews. TSCs may also wish to take positions on traffic safety issues, proposed legislation, and/or advocate for traffic safety improvements.

Many Traffic Safety Commissions have found it to be very effective to distribute press releases, maintain a web page, social media site, and other creative means of communicating safety messages to the community while also giving the TSC an identity within that county.

Appendix A Fatal Crash Reviews

Fundamentals

One of the primary functions of the County Traffic Safety Commission is to conduct a quarterly review of fatal crashes in their respective county. It is important to note that this responsibility is not limited to fatal crashes and can be/should be considered to include serious injury crashes.

It is incumbent on the TSC coordinator/chair to have a process in place that informs them of all fatalities within the county. There are a variety of methods that can be utilized depending on factors, such as the number of law enforcement agencies, and if the coordinator is also from law enforcement.

- Fatal crashes ideally are to be reviewed quarterly. However, if the crash occurred too close to the meeting date, the review can be moved to the next quarterly meeting if the needed information isn't yet available.

When preparing the quarterly meeting agenda, each fatal or serious injury crash to be reviewed should be listed on the agenda. The law enforcement agency that investigated each crash should be requested to present at the meeting and be prepared to share relevant information on that crash.

- It is recommended that the coordinator sends that law enforcement agency or officer the TSC LE Fatality Review Outline in advance, so they are prepared to share the needed information (rather than trying to locate the information in the police reports during the meeting. This allows for a more efficient use of time).
- If the investigating agency cannot be represented at the meeting, the coordinator or another designated person from the TSC should be tasked with obtaining (at a minimum) the DT4000 so that the needed information is available for the review. The DT4000 can be accessed in Community Maps with proper login credentials if it has been submitted.

When conducting the crash review at the quarterly meeting, it is recommended that the commission members receive the TSC Fatality Discussion Guide to facilitate both an objective and subjective review of the crash.

- If the information on a particular crash is sensitive in nature, or if the crash is still under investigation, if members of the public are in attendance the coordinator may consider informing members of the TSC that the information is confidential in nature and cannot be shared at the meeting. If appropriate, the information can be updated later as it becomes available for release. Sensitive crash information should not be included in meeting minutes.

During the review of each crash, the location of the crash should be displayed via Community Maps.

- Show the crash history and any trends for that location.
- Utilize both the satellite view and street view to visually review the crash location.
- Avoid the temptation to focus on infrastructure issues without looking at contributing behavioral factors. 93% of crashes have a behavioral component.

Fatality Review Law Enforcement Outline

The goal of the fatality review should be to give the TSC membership as complete of a picture as possible, highlighting the results of the law enforcement investigation. This should lead to a discussion regarding, not only the cause of the crash, but possible solutions to prevent similar crashes in the future.

A suggested outline to follow during the review is included:

1. Date and time of the crash
 - Include lighting conditions (dark, dusk, lighted, etc.) if applicable
2. Location of the crash
 - Intersection/non-intersection
 - Curve/straight roadway
 - Hill/flat roadway geometry
 - Roadway condition
 - Weather conditions
3. Number of vehicles involved
 - Include type(s) of vehicles
4. Number of fatalities and injuries
5. Age, seat location, and any restraint or safety equipment use by the occupants
 - Trapped/ejected
6. Known or suspected impairment involved
7. Provide a general summary of the crash, highlighting known or suspected contributing factors involved in the crash. This summary can be taken directly from the DT4000 narrative or summarized in your own words.
8. Include information regarding any history of the crash location, or area.

TSC Fatality Discussion Guide

1. Are there any infrastructure or engineering issues that may have contributed to the crash (e.g., no sidewalk, inadequate or missing signage or traffic light, steep hill grade, narrow shoulder width?)
2. Does anybody know of any other property damage, injuries, complaints, or citations at this location?
3. Are there nearby businesses, recreational facilities, or types of housing that result in a unique population or traffic pattern (e.g., school, college/university, senior/long term care or assisted living, multi-family housing, shopping area, library, park, restaurant/bar, or recreational facility)?
4. What does the group believe are the main factors that contributed to the **crash**?
5. What does the group believe are the key factors that contributed to the **death or serious injury**?
6. Are any of these factors modifiable? Do these types of crashes keep happening in and around here? Does this fall within a hotspot for this type of behavior?
7. Are there any recommendations from the Traffic Safety Commission to prevent death or injury from similar causes or circumstances?
8. What are the action steps to carry out the recommendations and what is the role of member organizations?

Appendix B
TSC Membership, Recommendations, and Examples

Statutory Membership (83.013(1)(a), Wis. Stats.)

1. County Highway Commissioner or designee
2. Chief County Traffic Law Enforcement Officer (i.e., sheriff) or designee
3. County Highway Safety Coordinator (59.54 (17)(c), Wis. Stats.)
4. Education Representative. Examples include:
 - a. School district administrator
 - b. High school principal or teacher
 - c. Driver's education instructor
 - d. CESA administrator
 - e. School district transportation coordinator
5. Medicine Representative. Examples include:
 - a. Medical examiner/coroner
 - b. Hospital or clinic representative
 - c. Physician, nurse, or other medical provider
 - d. Emergency Medical Services representative
6. Law Representative. Examples include:
 - a. Judge
 - b. Prosecutor
 - c. County corporation council
 - d. Local attorney
7. The Secretary of Transportation will designate the following representatives:
 - a. Law enforcement. This is typically a Wisconsin State Patrol representative.
 - b. Highways. This is typically a WisDOT engineering representative.
 - c. Highway safety. This is typically a Law Enforcement Liaison from the WisDOT Bureau of Transportation Safety and Technical Services.

Recommended Additional Membership or Encouraged Attendance and Participation

1. *Each* law enforcement agency within the county
2. Public health
3. Tavern League representative
4. Treatment professionals
5. Emergency management representative
6. County Executive, Administrator, or Coordinator
7. County board representative
8. Risk management professional
9. Citizen representative
10. Public information or media professional
11. Municipal government representative
12. Municipal street department or DPW representatives

Appendix C TSC Agenda Example

TSC Coordinators should strive for a meeting that carries a proactive tone, as opposed to a reactive meeting that is driven by the agenda and reports. This is often easier said than done, however the primary purpose of these meetings should always be the prevention of crashes. Additionally, TSCs should keep in the forefront of their commission that the vast majority of crashes are behavioral and guard against the tendency to focus mainly on infrastructure issues.

The use of a “round table” agenda item has proven to be a very effective way to engage all stakeholders while at the same time incorporating the reports from the standing commission members. As a typical TSC operates as an advisory body (versus one with strong authority), it is the opinion of many counties that utilizing a round table discussion does not violate the spirit of the public meeting notice. Here again, counties do well to focus on functionality and productivity as it relates to preventing crashes, preventing injuries and preventing deaths.

Example Agenda

1. Call to Order
2. Approval of Minutes
3. Public Comments
4. Law Enforcement Review of Crash Statistics
5. Fatal Crash Reviews
6. Status of Highway Construction/Repair Projects, and Reports
 - a. Wisconsin Department of Transportation
 - b. County Highway Department
 - c. Municipal Projects
7. Old Business Items (if any)
8. New Business Items (if any)
9. Commission Member Reports
 - a. Highway Safety Coordinator
 - b. Sheriff or designee
 - c. County Education Representative
 - d. County Medical Representative
 - e. County Legal Representative
 - f. WisDOT Bureau of Transportation Safety Representative
 - g. Wisconsin State Patrol Representative
 - h. Other Commission Members
10. Traffic Safety Grant Updates
11. General Announcements for the Good of the Order
12. Call for Agenda Items for the Next Meeting
13. Adjournment

Notice: Any person who has special needs and plans on attending this meeting in-person or remotely should contact the XXX Office at 800-555-1212 as soon as possible to ensure that reasonable accommodations can be made.

Notice: A quorum of the County Board of Supervisors, or any committee thereof, may be present at this meeting.

Appendix D Statutory References

19.82 Definitions. As used in this subchapter:

- (1) "Governmental body" means a state or local agency, board, commission, committee, council, department or public body corporate and politic created by constitution, statute, ordinance, rule or order... *[remainder omitted]*.
- (2) "Meeting" means the convening of members of a governmental body for the purpose of exercising the responsibilities, authority, power or duties delegated to or vested in the body. If one-half or more of the members of a governmental body are present, the meeting is rebuttably presumed to be for the purpose of exercising the responsibilities, authority, power or duties delegated to or vested in the body. The term does not include any social or chance gathering or conference which is not intended to avoid this subchapter... *[remainder omitted]*.
- (3) "Open session" means a meeting which is held in a place reasonably accessible to members of the public and open to all citizens at all times... *[remainder omitted]*.

19.83 Meetings of governmental bodies.

- (1) Every meeting of a governmental body shall be preceded by public notice as provided in s. 19.84, and shall be held in open session. At any meeting of a governmental body, all discussion shall be held and all action of any kind, formal or informal, shall be initiated, deliberated upon and acted upon only in open session except as provided in s. 19.85.
- (2) During a period of public comment under s. 19.84 (2), a governmental body may discuss any matter raised by the public.

19.84 Public notice.

- (1) Public notice of all meetings of a governmental body shall be given in the following manner:
 - (a) As required by any other statutes; and
 - (b) By communication from the chief presiding officer of a governmental body or such person's designee to the public, to those news media who have filed a written request for such notice, and to the official newspaper designated under ss. 985.04, 985.05 and 985.06 or, if none exists, to a news medium likely to give notice in the area. Communication from the chief presiding officer of a governmental body or such person's designee shall be made to the public using one of the following methods:
 1. Posting a notice in at least 3 public places likely to give notice to persons affected.
 2. Posting a notice in at least one public place likely to give notice to persons affected and placing a notice electronically on the governmental body's Internet site.
 3. By paid publication in a news medium likely to give notice to persons affected.
- (2) Every public notice of a meeting of a governmental body shall set forth the time, date, place and subject matter of the meeting, including that intended for consideration at any contemplated closed session, in such form as is reasonably likely to apprise members of the public and the news media thereof. The public notice of a meeting of a governmental body may provide for a period of public comment, during which the body may receive information from members of the public.
- (3) Public notice of every meeting of a governmental body shall be given at least 24 hours prior to the commencement of such meeting unless for good cause such notice is impossible or impractical, in which case shorter notice may be given, but in no case may the notice be provided less than 2 hours in advance of the meeting.

(4) Separate public notice shall be given for each meeting of a governmental body at a time and date reasonably proximate to the time and date of the meeting.

(5) Departments and their subunits in any University of Wisconsin System institution or campus are exempt from the requirements of subs. (1) to (4) but shall provide meeting notice which is reasonably likely to apprise interested persons, and news media who have filed written requests for such notice.

(6) Notwithstanding the requirements of s. 19.83 and the requirements of this section, a governmental body which is a formally constituted subunit of a parent governmental body may conduct a meeting without public notice as required by this section during a lawful meeting of the parent governmental body, during a recess in such meeting or immediately after such meeting for the purpose of discussing or acting upon a matter which was the subject of that meeting of the parent governmental body. The presiding officer of the parent governmental body shall publicly announce the time, place and subject matter of the meeting of the subunit in advance at the meeting of the parent body.

59.54 (17) (c) Highway safety coordinator

The board chairperson, or the county executive or county administrator in a county having such an officer, may appoint a county highway safety coordinator who shall serve as a member of the county traffic safety commission under s. 83.013 (1) (a).

66.0141 Accident record systems

Every city, village and town having a population of 5,000 or more shall maintain a traffic accident record system whereby traffic accidents occurring within the city, village or town may be located within 100 feet of the occurrence and shall provide a copy of the record quarterly to the county traffic safety commission under s. 83.013 (1) (a).

83.013 County traffic safety commissions.

(1)

(a) For each county, the county highway commissioner or a designated representative, the chief county traffic law enforcement officer or a designated representative, the county highway safety coordinator, and a representative designated by the county board from each of the disciplines of education, medicine and law and 3 representatives involved in law enforcement, highways and highway safety designated by the secretary of transportation shall comprise a traffic safety commission that shall meet at least quarterly to review traffic accident data from the county and other traffic safety related matters. The county board chairperson, or the county executive or county administrator in a county having such offices, may appoint additional persons to serve as a member of the county traffic safety commission. The commissions shall designate a person to prepare and maintain a spot map showing the locations of traffic accidents on county and town roads and on city and village streets if the population of the city or village is less than 5,000 and to maintain traffic accident data received from cities, villages and towns with a population of 5,000 or more under s. 66.0141. Upon each review, the commission shall make written recommendations for any corrective actions it deems appropriate to the department, the county board, the county highway committee or any other appropriate branch of local government.

(b) Counties may combine for the purposes of par. (a), if desired.

(c) The commissions shall file a report on each meeting with the department.

(2) The department shall furnish each commission with traffic accident data and uniform traffic citation data for the rural, federal, state, and county highways in the jurisdictions represented in each commission, which shall identify the accident rates and arrest rates on their highways, and shall also furnish a suitable map for use in spotting accidents.