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# What You May Not Know About Road Safety in Wisconsin



Public News Service - WI | January 2013 | Download audio Disabilities Criminal Justice



January 31, 2013

MILWAUKEE, Wis. - Since 1849, Wisconsin counties and cities have had a legal duty to maintain roads in a reasonably safe condition. However, a law passed in 2012 did away with that responsibility.

Milwaukee attorney Ann Jacobs testified against the bill that changed the 1849 law. Supporters of the change said municipalities would save money on liability insurance premiums, she said.

"It's sort of a crazy idea. That is what our government is for: to do things like keep our roads safe. They don't have to be perfect; they don't have to have bumper pads on the side. They simply need to be reasonably safe for use by the people of Wisconsin."

In a well-publicized incident last April, a Fall River man's life was changed forever when a softball-sized piece of concrete from Highway 151 in Dane County was thrown into the air by the vehicle ahead of him, crashed through his windshield, and left him with a permanent disability.

Under the new law, it is hard for Wisconsin drivers to protect themselves from such problems with unsafe roads, according to Jacobs.

"There's no way for us to know, 'This county has safe roads, but this county has unsafe roads,'" she said. "So we have to rely on governments - on counties, on municipalities - to maintain reasonably safe roads."

PHOTO: Attorney Ann Jacobs says a new state law about who's responsible for road maintenance in Wisconsin puts travelers at risk.

Now, Jacobs warned, it is extremely difficult to get justice when a person is injured as the result of a poorly maintained road. She said the old law worked well for 162 years, requiring only that the roads be reasonably safe.

"That is really all we can expect, but it is also what we have the right to expect from our roads. Eliminating that requirement does nothing but put the ordinary citizen of Wisconsin at risk."

The Wisconsin Association for Justice acknowledged that city and county budgets are tight, she added. However, the group believes drivers should be assured that roads will be kept in good repair, and that local governments will be responsible for damages if they fail to make timely repairs.

An account of the accident is online at [www.Madison.com](http://www.Madison.com).

Tim Morrissey, Public News Service - WI

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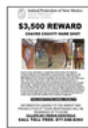
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