

ALASKA STATE LEGISLATURE
HOUSE TRANSPORTATION STANDING COMMITTEE

April 8, 2014

1:04 p.m.

MEMBERS PRESENT

Representative Peggy Wilson, Chair
Representative Doug Isaacson, Vice Chair
Representative Eric Feige
Representative Lynn Gattis
Representative Craig Johnson
Representative Bob Lynn
Representative Jonathan Kreiss-Tomkins

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 317

"An Act relating to official traffic-control devices at schools and in school zones."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 317

SHORT TITLE: TRAFFIC CONTROL DEVICES NEAR SCHOOLS

SPONSOR(S): REPRESENTATIVE(S) TUCK

02/19/14	(H)	READ THE FIRST TIME - REFERRALS
02/19/14	(H)	CRA, TRA
03/13/14	(H)	CRA AT 8:00 AM BARNES 124
03/13/14	(H)	Heard & Held
03/13/14	(H)	MINUTE(CRA)
03/27/14	(H)	CRA AT 8:00 AM BARNES 124
03/27/14	(H)	Heard & Held
03/27/14	(H)	MINUTE(CRA)
04/01/14	(H)	CRA AT 8:00 AM BARNES 124
04/01/14	(H)	Moved CSHB 317(CRA) Out of Committee
04/01/14	(H)	MINUTE(CRA)
04/02/14	(H)	CRA RPT CS(CRA) NT 4DP 2NR
04/02/14	(H)	DP: FOSTER, KITO III, NAGEAK, LEDOUX
04/02/14	(H)	NR: HERRON, REINBOLD

04/02/14 (H) FIN REFERRAL ADDED AFTER TRA
04/08/14 (H) TRA AT 1:00 PM BARNES 124

WITNESS REGISTER

REPRESENTATIVE CHRIS TUCK
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Testified as prime sponsor of HB 317.

CONNIE MCKENZIE, Legislative Liaison
Department of Transportation & Public Facilities (DOT&PF)
Juneau, Alaska

POSITION STATEMENT: Testified on fiscal notes during the discussion of HB 317.

MARK NEIDHOLD, Chief
Design and Construction Standards
Division of Statewide Design & Engineering Services
Department of Transportation & Public Facilities
Juneau, Alaska

POSITION STATEMENT: Testified during the discussion of HB 317.

SHANA MALL, Principal
Winterberry Charter School
Anchorage, Alaska

POSITION STATEMENT: Testified during the discussion of HB 317.

REPRESENTATIVE HARRIET DRUMMOND
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Testified as a co-sponsor of HB 317.

ACTION NARRATIVE

[1:04:09 PM](#)

CHAIR PEGGY WILSON called the House Transportation Standing Committee meeting to order at 1:04 p.m. Representatives Gattis, Kreiss-Tomkins, Isaacson, and Feige were present at the call to order. Representatives Lynn, Johnson, and P. Wilson arrived as the meeting was in progress.

HB 317-TRAFFIC CONTROL DEVICES NEAR SCHOOLS

[1:04:38 PM](#)

CHAIR P. WILSON announced that the only order of business would be HOUSE BILL NO. 317, "An Act relating to official traffic-control devices at schools and in school zones."
[Before the committee was CSHB 317(CRA).]

REPRESENTATIVE ISAACSON moved to adopt the proposed committee substitute (CS) for HB 317, labeled 28-LS1442\C, Gardner, 4/8/14 as the working document.

CHAIR P. WILSON objected for the purpose of discussion.

[1:06:17 PM](#)

REPRESENTATIVE CHRIS TUCK, Alaska State Legislature, prime sponsor of HB 317, stated that the bill would require the DOT&PF and municipalities to install schools zones for all public, private, and religious schools while still allowing the discretion for the municipality on the location to place signs, speed zones, lights or other measures where appropriate. This bill was introduced in response to public concerns about increased safety for children traveling to and from school. More specifically, concerns were brought forth with respect to speeding traffic near a charter school in Anchorage. The Municipality of Anchorage was contacted about adding additional signage but the traffic engineer indicated that signage for charter schools is treated differently than signage for regular district schools and is determined on a case-by-case basis. The charter schools don't have a specified school zone to be marked.

REPRESENTATIVE TUCK said he has held many conversations but did not receive any opposition to the bill or for the need to slow traffic down near schools. Most, if not all, drivers understand the need to keep children safe. Many of us can drive on "auto pilot" and not notice what is happening around us. Adding school zones will alert drivers to pay more attention. He pointed out his practice of automatically slowing down even when school is not in session. He has also had some concern expressed about associated costs, but he emphasized that every student should be able to get to school safely no matter what type of school they attend. This investment is worth it if it results in preventing an injury or death. The safety and well-being of all Alaskan children should be a top priority. School zones are essential regardless of the type of school or the funding it receives. It is shocking that Alaska doesn't already have required mandatory school zones for each school. Drivers

should be alerted wherever children are present in large numbers and at risk. By requiring school zone markings at all school locations, we will slow traffic, improve student safety in the vicinity of a school, and hopefully prevent tragic accidents.

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REPRESENTATIVE TUCK explained Version C would address drafting issues brought forth by the Department of Transportation & Public Facilities (DOT&PF) and the attorney general's office. The proposed committee substitute combines AS 19.10.040, which relates to marking and posting and AS 19.10.050 related to traffic control devices and combines them under one section. The proposed committee substitute also updates the language for the Alaska traffic manual to reflect the current name of the document used by the DOT&PF, which is the manual on uniform traffic control devices.

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REPRESENTATIVE ISAACSON said he liked the intention of this bill and could see the need. He referred to Section 3, which directs the municipality to place signs. He related that in North Pole it is usually the DOT&PF that places the signage for the school district. He further asked for further clarification the fiscal note.

REPRESENTATIVE TUCK answered that the bill requires the municipality and also the state to place signs. He explained that the fiscal note required DOT&PF to do its part to ensure that the schools are properly marked.

REPRESENTATIVE ISAACSON asked him to further explain.

REPRESENTATIVE TUCK said that most schools are located on municipal property but for those located on state road system the fiscal note requires the DOT&PF to place the signs.

[1:11:55 PM](#)

REPRESENTATIVE ISAACSON asked whether the bill should also indicate the DOT&PF or the municipality and update the fiscal note. He further asked whether the sponsor has received any feedback from the municipalities.

REPRESENTATIVE TUCK answered that the Alaska Municipal League (AML) also commented in a prior committee. He referred to

Section 1 [and 2] that relate to the DOT&PF but Section 3 relates to municipalities.

[1:12:59 PM](#)

REPRESENTATIVE ISAACSON referred to the fiscal note for \$190,000 and an ongoing cost of \$1.2 million.

REPRESENTATIVE TUCK identified the amount as \$1,200 and is not \$1.2 million. In response to a question, explained that there are several fiscal notes from DOT&PF since one is for each of the DOT&PF's regions.

REPRESENTATIVE ISAACSON maintained that he had questions on the fiscal note amounts.

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CONNIE MCKENZIE, Legislative Liaison, Department of Transportation & Public Facilities (DOT&PF), acknowledged that the DOT&PF prepared three fiscal notes, one for each region, including the Central Region, Northern Region and Southeast Region. The traffic and safety practitioners estimated the number of schools in each region and based on the new definition of schools determined 30 percent of the schools would be located on state roads. The fiscal note covers the 30 percent of schools located on state roads. Additionally, there are three types of traffic devices, including school signs, signs and crosswalks, and full traffic signals with flashing lights. Each fiscal note indicates the type of device would be used for each region. For example, the Central Region has three schools that would need two signs, one for each direction, one school would require a crosswalk and signs, and one school would need the low speed zone sign with flashers. In response to a question she agreed the cost would be \$190,000 for the DOT&PF's Central Region.

[1:16:44 PM](#)

MS. MCKENZIE added that the Northern Region and Southeast Region's fiscal note is for \$217,000 each. The total cost would be \$624,000 for the first year.

[1:17:06 PM](#)

REPRESENTATIVE FEIGE related his understanding the state would cover about one-third of the costs.

MS. MCKENZIE answered yes.

[1:17:30 PM](#)

REPRESENTATIVE FEIGE asked whether the total effect statewide for state and municipalities would be \$1.9 million total. He noted six signs totaled \$217,000. He asked about the expense.

MS. MCKENZIE explained that the cost would be \$3,000 each, with 6 signs totaling \$18,000. The crosswalk and signage would take 4 signs plus painting markings for the crosswalk totaling \$21,000 per set. She said that the full flashing lights for each side of the school would cost \$151,000.

[1:18:49 PM](#)

REPRESENTATIVE FEIGE said it seemed high.

CHAIR P. WILSON acknowledged that people have to be paid to install the signs.

[1:19:09 PM](#)

REPRESENTATIVE ISAACSON agreed. He said he always wondered why the DOT&PF costs were so expensive. He asked whether the \$217,000 for the Northern Region could be absorbed by the current budget.

MS. MCKENZIE did not believe so, but she offered to check and report back to the committee.

REPRESENTATIVE ISAACSON asked whether studies need to be done for signage.

MS. MCKENZIE said she was unsure.

[1:21:20 PM](#)

REPRESENTATIVE ISAACSON asked for the difference in prices. He asked whether any studies need to be done.

MARK NEIDHOLD, Chief, Design and Construction Standards, Division of Statewide Design & Engineering Services, Department of Transportation & Public Facilities, answered that installation costs will depend on the location. In fact, some may require an environmental document, including a clearance for

historic properties. In instances with existing right-of-way and embankment the likelihood is much less, but depends on the area. Sometimes it depends on how it affects the visual siting of an historic area. He explained that many variables exist in terms of construction costs and many requirements that have to be satisfied. For example, the sign material and post must be crash proof and the location must be evaluated to ensure that it does not obstruct any other sign or create some traffic safety concern.

[1:23:35 PM](#)

REPRESENTATIVE ISAACSON pointed out that the department isn't the only one bearing the costs. He asked whether someone could just put up the signs.

MR. NEIDHOLD answered that the DOT&PF has a system in place and the department has controls over advertising, signs, and roadside memorials to maintain uniformity of the system. He emphasized that it is critical that the department maintain uniformity or it could increase the risk to pedestrians and motorists. He suggested it would be a "bad" thing to allow anyone to put up signs.

[1:25:10 PM](#)

REPRESENTATIVE ISAACSON asked for a cost comparison between a \$5,000 hotel sign and a \$3,000 school sign.

MR. NEIDHOLD answered that the department doesn't have any standards for hotel signs or the location unless it is in the right-of-way. He related that the department must follow established accepted national standards for anything placed in the right-of-way. This language addresses the national standard and in using the standards, including a certain size, type of post, crashworthiness, and appropriate height that it affects the price, which is typically \$3,000 per sign.

[1:26:35 PM](#)

REPRESENTATIVE ISAACSON asked how to get signage accomplished in a less expensive manner. He questioned the cost of installed signs.

MR. NEIDHOLD acknowledged that signs for hotels in the rights-of-way are covered. He argued that it could be made less expensively by adjusting the standard; however, smaller signs

will mean the driver must spend more time processing the information. He emphasized the importance of maintaining uniform standards. The driver may become distracted and the potential for distraction creates risk. He said he can say with confidence that he did not think the department could reduce the cost and maintain the standard that is expected and needed to address safety issues.

[1:30:16 PM](#)

REPRESENTATIVE ISAACSON asked whether the department can recycle its signs.

MR. NEIDHOLD explained that the federal manual establishes minimum maintained reflectivity, which is a night time issue. Signs are pulled due to a lack of reflectivity. The department will sometimes use these signs for emergency use in special instances. He reported that any signs pulled are either inappropriate or are damaged and can no longer be used during the normal rotation.

[1:32:08 PM](#)

REPRESENTATIVE FEIGE referred to Section 1 and asked whether this is "clean up" language.

MR. NEIDHOLD answered there were two motivations. First, this would clarify any issues about schools that don't meet the classification of public school. Secondly, the previous language needed to be reorganized and clears up any ambiguity with respect to the federal manual on uniform traffic control devices.

[1:34:11 PM](#)

REPRESENTATIVE FEIGE asked whether the manual on uniform traffic devices is approved by U.S. Department of Transportation.

MR. NEIDHOLD answered yes.

[1:34:35 PM](#)

REPRESENTATIVE FEIGE referred to the fiscal note. He asked whether this could be put out in a public bid process.

MR. NEIDHOLD responded that the DOT&PF used public bid contracts to arrive at the cost per square foot so it's unlikely to see

any reduction. He expressed concern that the cost might be higher and the department would lose the economy of scale.

[1:35:23 PM](#)

REPRESENTATIVE JOHNSON asked how he could know unless it went out for bid. He offered his belief that there are smaller companies might love the business.

MR. NEIDHOLD answered that he did not know. He related from DOT&PF's experience, that typically letting smaller projects results in higher prices for the unit costs. That isn't to say that there couldn't be an outlier event. He related that the DOT&PF's charge in developing the fiscal note is to estimate the actual costs. If he did anything else he would not be representing what the department's reasonable expectation of the cost.

[1:36:32 PM](#)

REPRESENTATIVE JOHNSON asked for further clarification on the cost. He related his understanding the department bid a big job, determined a per square foot price and used it to come up with the cost.

MR. NEIDHOLD answered that he looked at the bid tabulation of many projects to identify the typical cost per square foot with an economy of scale. In those instances the contractor is already geared up and wouldn't need to do so for one location. He used the figures from several projects in each region to identify a reasonable cost to do the job, based on using the economy of scale rather than looking at single sign contracts.

[1:37:48 PM](#)

REPRESENTATIVE JOHNSON asked whether the department employs people who do signs.

MR. NEIDHOLD answered yes.

[1:38:05 PM](#)

REPRESENTATIVE JOHNSON asked whether the person is paid whether they work on this sign or another one.

MR. NEIDHOLD responded that the maintenance and operation rates are established for labor are beyond his expertise.

[1:38:41 PM](#)

REPRESENTATIVE JOHNSON acknowledged that he's discussing an issue that relates to an inherent problem he has with how the DOT&PF charges, bills, or budgets. He pointed out that it is nothing personal.

[1:39:02 PM](#)

REPRESENTATIVE FEIGE referred to one of public comments noting that signage for charter school is treated differently and is determined on a case by case basis. He asked whether anything in the manual of uniform traffic control devices differentiates between types of school.

MR. NEIDHOLD answered that the current manual outlined the process of involving stakeholders, including the school district. Thus, each school's signage would be dependent on location, traffic volumes, and the functional classification of the routes. If the signs aren't handled differently; it is possible the department would place an inappropriate traffic control device in certain locations. Therefore, the signage is handled on a case-by-case basis, but it is not unique to charter schools, but is consistent with all schools. He emphasized what's nice about HB 317 is that that this bill treats all signage in terms of the process, but it doesn't mean that every school gets the same devices, but they will all get traffic control devices.

[1:41:13 PM](#)

REPRESENTATIVE FEIGE related his understanding that a school is a school, but whether it is a charter school, a public school, or a religious school doesn't factor in.

MR. NEIDHOLD offered his belief if there was any hiccup in the past, that HB 317 will resolve the issues.

[1:41:58 PM](#)

SHANA MALL, Principal, Winterberry Charter School, said she is also a mother and a teacher. She has loved that the municipality works together on these issues. She offered her belief that this bill will help look after school children. She was previously told by the municipality and the school district that the charter school could not have signage on the corner of

2nd and E. She started her school without any school zone markings and parents would need to transport students across the street. They had many close calls and until a visitor from the MOA's traffic division dropped off a student that the signage was addressed. She said that charter school is tucked behind Northern Lights. She indicated that the municipality says the road is a DOT&PF road and signage can't be changed. Thus, this bill will help the safety of all school children. It would also provide the designation of a school zone, including a drug free zone.

[1:45:02 PM](#)

REPRESENTATIVE HARRIET DRUMMOND, Alaska State Legislature, explained that she helped get a traffic signal installed on Lake Otis Parkway where Kimberly Osborne died in 2003. Her mother, Corrine, would not have cared about the cost of the signs if one of them had been placed at the intersections since her daughter would not have died. The Osborne family lived across the street from Hanshaw Middle School, where Kimberly was a student, down the street from Spring Hill Elementary school, with a combined number of up to 1,500 students being transported each day. Across Lake Otis Parkway was a dense residential area. Because the street was state-controlled, with a 45 mile per hour speed limited, the intersection at Reeve's Court and Lake Otis was deemed not needing a signal since students could walk to the tunnel three-fourths of a mile away, which was a disgusting tunnel to use since inebriates or animals frequented it. Instead of crossing her street she needed to walk three-eighths of a mile, cross using the tunnel, and backtrack to the driveway of the Hanshaw Middle school. She was late one morning and ran across the street and was hit by a mom in a minivan. Kimberly died a few days later. It took quite several years for the MOA's traffic engineer and school district to put in signalized intersection that was much safer. She offered her belief that the DOT&PF doesn't always pay attention to pedestrians. Children can't make the best decisions. She cautioned against waiting for another accident. She related that the MOA was responsible for traffic signals since it was too complicated to have two systems to determine traffic devices for an intersection so signal issues were referred to the municipal traffic engineering, although the DOT&PF might be responsible for the installation of the signs, but afterwards the control of the approximate 250 signals falls under the MOA.

[1:49:11 PM](#)

REPRESENTATIVE DRUMMOND was amazed that a charter school is not treated the same way as neighborhood schools. She related that all of the public schools in the MOA have traffic devices. She pointed out it makes sense to treat all eight charter schools and schools in the same manner.

[1:50:12 PM](#)

CHAIR P. WILSON, after first determining no one else wished to testify, closed public testimony on HB 317.

[HB 317 was held over.]

[1:51:17 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Transportation Standing Committee meeting was adjourned at 1:51 p.m.