

2– Chapter 2: Transportation Stakeholders and Institutions

2.1 Introduction

Responsibility for the safety, maintenance, operation, planning, and funding of the state’s multimodal freight transportation system is shared by a full range of stakeholders and institutions, including the federal government, state government, local governments, and private entities. As a result, the operation of a seamless transportation system requires coordination, collaboration, communication, and cooperation.

Overview of Chapter 2
<ul style="list-style-type: none">• Overview of the roles and responsibilities for government and the private sector in the management and operation of the state’s freight transportation system.

Understanding the roles of entities involved helps to further identify the parameters for the development and implementation of freight-specific policies and actions. This chapter provides an overview of freight-related roles and responsibilities for federal agencies, state agencies, local jurisdictions, and private-sector participants. This chapter also describes the Wisconsin Department of Transportation’s (WisDOT) role in freight transportation relative to public and private organizations.

2.2 Federal Organizations

The United States Department of Transportation

The mission of the United States Department of Transportation (U.S. DOT) is to serve the United States by ensuring a fast, safe, efficient, accessible and convenient transportation system that meets vital national interests and enhances the quality of life of the American people, today and into the future.¹ The Office of the Secretary at U.S. DOT oversees the formulation of national transportation policy and promotes intermodal transportation, which is critical to the reliable transport of freight. U.S. DOT has many operating administrations (listed below) that support the multimodal needs of the country’s transportation system.

Federal Aviation Administration

The Federal Aviation Administration (FAA) oversees the safety of civil aviation. Safety is the FAA’s primary mission and includes the issuance and enforcement of regulations and standards related to the manufacture, operation, certification and maintenance of aircraft.² In addition, the agency is responsible for the rating and certification of airmen as well as the certification of airports serving air carriers. It also regulates a program to protect the security of civil aviation, and enforces regulations under the Hazardous Materials Transportation Act for shipments by air.³

¹ U.S. Department of Transportation, “About Us.”

² U.S. Department of Transportation, “Administrations.”

³ Ibid.

FAA operates a network of airport towers, air route traffic control centers, and flight service stations. It also develops air traffic rules, allocates the use of airspace, and provides for the security control of air traffic to meet national defense requirements. Other responsibilities include the construction or installation of visual and electronic aids to air navigation and promotion of aviation safety internationally.⁴ Additionally, FAA provides funding to Wisconsin to support needed airport improvement and maintenance projects.

Federal Highway Administration

The Federal Highway Administration (FHWA) coordinates national highway transportation programs in cooperation with states and other partners to enhance the country's safety, economic vitality, quality of life, and the environment.⁵ FHWA also manages a comprehensive research, development, and technology program. Major program areas administered by FHWA include:

- The Federal-Aid Highway Program, which provides federal financial assistance to states to construct and improve the National Highway System (NHS), urban and rural roads, and bridges.⁶ This program provides funds for general improvements and development of safe highways and roads.
- The Federal Lands Highway Program provides access to and within national forests, national parks, Indian reservations and other public lands by preparing plans and contracts, supervising construction facilities, and conducting bridge inspections and surveys.⁷

Federal Motor Carrier Safety Administration

The Federal Motor Carrier Safety Administration's (FMCSA) primary mission is to prevent commercial motor vehicle-related fatalities and injuries. FMCSA activities contribute to:

- Ensuring safety in motor carrier operations through strong enforcement of safety regulations, targeting high-risk carriers and commercial motor vehicle drivers
- Improving safety information systems and commercial motor vehicle technologies
- Strengthening commercial motor vehicle equipment and operating standards
- Increasing safety awareness⁸

To accomplish these activities, FMCSA works with federal, state, and local enforcement agencies, the motor carrier industry, labor safety interest groups, and others.⁹ FMCSA's initiatives ensure that motor carriers remain safe alongside the general traveling public while delivering goods to their final destination.

Federal Railroad Administration

The Federal Railroad Administration (FRA) promotes safe and environmentally sound rail transportation. With the responsibility of ensuring railroad safety throughout the nation, the FRA employs safety inspectors to monitor railroad compliance with federally mandated safety standards including track maintenance, inspection standards and operating practices.¹⁰ The FRA conducts research and development tests to evaluate projects in support of its safety mission and to enhance the railroad system as a national transportation resource. Public education campaigns focused on highway-rail grade crossing safety and the danger of trespassing on rail property are also administered by FRA.¹¹

⁴ U.S. Department of Transportation, "Administrations."

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

Pipeline and Hazardous Materials Safety Administration

The Pipeline and Hazardous Materials Safety Administration (PHMSA) oversees the safety of more than 800,000 daily shipments of hazardous materials in the United States and 64 percent of the nation's energy that is transported by pipelines. PHMSA is dedicated solely to safety by working toward the elimination of transportation-related deaths and injuries in hazardous materials and pipeline transportation, and by promoting transportation solutions that enhance communities and protect the natural environment.¹²

Maritime Administration

The Maritime Administration (MARAD) promotes development and maintenance of an adequate, well-balanced, United States merchant marine, sufficient to carry the nation's domestic waterborne commerce and a substantial portion of its waterborne foreign commerce. Efforts also are focused on ensuring the merchant marine is capable of serving as a naval and military auxiliary in time of war or national emergency. MARAD also seeks to ensure that the United States has adequate shipbuilding and repair service, efficient ports, effective intermodal water and land transportation systems, and reserve shipping capacity in times of national emergency.¹³

Surface Transportation Board

The Surface Transportation Board (STB) is an independent adjudicatory and economic-regulatory agency. The agency has jurisdiction over railroad rate and service issues and rail restructuring transactions (mergers, line sales, line construction, and line abandonments); certain trucking company, moving van, and non-contiguous ocean shipping-company rate matters; and rates and services of certain pipelines not regulated by the Federal Energy Regulatory Commission.¹⁴ The agency has authority to investigate rail service matters of regional and national significance.

The United States Department of Defense

United States Army Corps of Engineers

The United States Army Corps of Engineers (USACE) delivers engineering services to customers in more than 130 countries. With environmental sustainability as a guiding principle, USACE works diligently to strength the nation's security by building and maintaining America's infrastructure and providing military facilities where service members train, work and live.¹⁵ The USACE energizes the economy by dredging America's waterways to support the movement of critical commodities.

The United States Department of Energy

Federal Energy Regulatory Commission

The Federal Energy Regulatory Commission (FERC) is an independent agency that regulates the interstate transmission of electricity, natural gas, and oil.¹⁶ FERC also reviews proposals to build liquefied natural gas terminals and interstate natural gas pipelines as well as licensing hydropower projects.

¹² U.S. Department of Transportation, "Administrations."

¹³ Ibid.

¹⁴ Surface Transportation Board, "About STB > Overview."

¹⁵ U.S. Army Corps of Engineers, "About Us."

¹⁶ Federal Energy Regulatory Commission, "About FERC > What FERC Does."

The United States Department of Homeland Security

United States Coast Guard

The United States Coast Guard (USCG) is one of the five armed forces of the United States and the only military branch within the Department of Homeland Security. The USCG protects system users, the marine transportation system and infrastructure, natural and economic resources, and the territorial integrity of the nation from both internal and external threats.¹⁷ The USCG protects these interests in United States ports and inland waterways, along the coasts and on international waters.

The USCG is a military, multi-mission maritime force with military, law enforcement, humanitarian, regulatory, and diplomatic capabilities.¹⁸ These capabilities underpin the USCG's three broad roles: maritime safety, maritime security, and maritime stewardship. Wisconsin is home to eight USCG stations located along Lake Michigan and Lake Superior.

United States Customs and Border Protection

United States Customs and Border Protection (CBP) has a complex mission at national ports of entry with broad law enforcement authority tied to screening all foreign visitors, returning American citizens and imported cargo entering the United States at more than 300 land, air, and sea ports. Each year, more than 11 million maritime containers arrive at United States seaports. At land borders, another 11 million arrive by truck and 2.7 million by rail.¹⁹

An important part of the CBP mission includes the facilitation of legitimate trade. In addition to its own regulations, CBP enforces over 400 laws on behalf of over 40 other United States government agencies. A large number of these import restrictions and requirements are designed to protect the American people from dangerous and illegal goods. CBP has undertaken a number of initiatives, such as the use of non-intrusive inspectional technology, to increase its ability to examine cargo effectively without slowing the flow of trade, which plays a significant part in the United States economy.²⁰

2.3 Wisconsin Organizations

Office of the Governor

The governor, as Wisconsin's chief executive officer, represents all the people of the state. Because of this, the Office of the Governor is the focal point for receiving suggestions and complaints about state affairs. Administratively, the governor exercises authority through the power of appointment, consultation with department heads, and execution of the executive budget after its enactment by the legislature. The governor plays a key role in the legislative process through drafting the initial version of the biennial budget, which is submitted to the legislature in the form of a bill. Other opportunities to influence legislative action arise in the chief executive's state of the state message and special messages to the legislature about topics of concern. The governor also shapes the legislative process through the power to veto bills, call special sessions of the legislature, and appoint committees or task forces to study state problems and make recommendations for changes in the law.

¹⁷ U.S. Coast Guard, "Homepage."

¹⁸ Ibid.

¹⁹ U.S. Customs and Border Protection, "Cargo Security and Examinations."

²⁰ Ibid.

Wisconsin Legislature

The legislative branch consists of the bicameral Wisconsin Legislature made up of the senate with 33 members and the assembly with 99 members, together with the service agencies created by the legislature and the staff employed by each house. The legislature’s main responsibility is to make policy by enacting state laws. Its service agencies assist it by performing fiscal analysis, research, bill drafting, auditing, statute editing, and information technology functions.

Wisconsin Department of Transportation

The Wisconsin Department of Transportation’s (WisDOT’s) core mission is to provide leadership in the development and operation of a safe and efficient transportation system. WisDOT is responsible for maintaining, preserving, and improving the statewide multimodal transportation system. WisDOT’s role varies depending on the mode and jurisdiction. Table 2-1 highlight WisDOT’s roles and responsibilities for each freight transportation mode.

Freight Transportation Modes

A mode of transport is a term used to distinguish the different ways freight can be transported. The most common forms of modal freight transport in Wisconsin are road, rail, maritime, air, and pipeline.

Table 2-1: WisDOT Roles and Responsibilities by Freight Mode

Mode	WisDOT Roles and Responsibilities
Roadways and Bridges	<ul style="list-style-type: none"> • Maintains and preserves the state’s highway system, including Interstate highways • Manages available federal and state funding for local roads and bridges, and provides technical assistance and resources to local governments when needed • Organizes highway system operations, such as specialized traffic engineering, oversize-overweight permits, preventive roadway maintenance, and winter maintenance operations • Regulates and enforces motor carrier safety and oversees commercial motor vehicle credentialing (e.g. licenses, permits, etc.)
Railroads	<ul style="list-style-type: none"> • Provides funding and support for rail preservation and improvements on designated publicly supported lines • Works to maintain, improve, and increase freight rail service through acquisition and coordination with Rail Transit Commissions (RTCs) • Coordinates with the Office of the Commissioner of Railroads (OCR) on rail-highway crossing safety issues • Works with railroads operating in the state
Maritime	<ul style="list-style-type: none"> • Communicates with the Wisconsin Commercial Ports Association, port owners, and port operators to address port and waterway issues • Provides funding and support for harbor and port improvements (including dredging and channel maintenance)
Air	<ul style="list-style-type: none"> • Coordinates with the FAA when there is a potential for substandard airway-highway clearances • Offers planning and funding assistance to maintain and improve infrastructure and air service at Wisconsin’s airports • Develops and maintains the State Airport System Plan and prepares and maintains the Five-Year Airport Improvement Program
Pipelines	<ul style="list-style-type: none"> • Operates with the private sector and other state and federal agencies in response to disruptions in service, but does not have a direct role in pipeline planning and development

Department of Agriculture, Trade and Consumer Protection

The Department of Agriculture, Trade and Consumer Protection partners with other state agencies and the citizens of Wisconsin to grow the economy by promoting quality food, healthy plants and animals, sound use of land and water resources, and a fair marketplace.²¹ Agricultural products are among the top commodities moving from and through Wisconsin each year. Agricultural producers, processors, and distributors rely on the transportation system to move equipment used to plant and harvest crops, apply nutrients, deliver milk, or transport agricultural products to market.

Department of Military Affairs

The Department of Military Affairs (DMA) provides military and emergency management capability and includes Joint Force Headquarters-Wisconsin, the Wisconsin Army and Air National Guard, and the Wisconsin Division of Emergency Management. DMA's Office of Wisconsin Emergency Management (WEM) coordinates with local, tribal, state, and federal agencies, as well as the volunteer and private sectors, to plan for, prepare for, and respond to natural disasters or man-made emergencies. WEM's programs include disaster planning and response, training and exercising, radiological emergency preparedness, hazard mitigation, emergency fire and police services, the State Disaster Fund, and the Emergency Planning and Community Right to Know Act.²² WEM has six regional offices to provide local support, and is a lead coordinator when significant transportation incidents occur.

Department of Natural Resources

The Wisconsin Department of Natural Resources (DNR) works with other state agencies, citizens, and businesses to preserve and enhance the natural resources of Wisconsin. DNR staff manage fish, wildlife, forests, parks, air, and water resources while promoting a healthy, sustainable environment and economy.²³ DNR issues permits for source specific construction or operation. DNR works with WisDOT to ensure minimal impacts to the environment, administer permits to government and private entities for development that impacts natural areas, and manage Wisconsin's natural resources.

Public Service Commission

The Public Service Commission of Wisconsin (PSC) is an independent regulatory agency dedicated to serving the public interest. PSC is responsible for the regulation of Wisconsin public utilities, including those that are municipally owned. The types of utilities regulated include electric, natural gas, water, combined water and sewer utilities, and certain aspects of local telephone service. More than 1,100 utilities are under the agency's jurisdiction. Most of these must obtain PSC approval before setting new rates, issuing stocks or bonds, and undertaking major construction projects such as power plants, water wells, and transmission lines.²⁴

The PSC is responsible for all major aspects of the regulation of Wisconsin's natural gas utilities, such as pipeline safety, construction related to the natural gas distribution system, and monitoring federal regulatory policy. The PSC inspects Wisconsin's eleven natural gas utilities for compliance with state and federal pipeline safety codes.²⁵

²¹ Wisconsin Department of Agriculture, Trade and Consumer Protection, "Mission, Vision and Core Values."

²² Wisconsin Department of Military Affairs, "About Us."

²³ Wisconsin Department of Natural Resources, "About the DNR."

²⁴ Public Service Commission of Wisconsin.

²⁵ Ibid.

Office of the Commissioner of Railroads

The Office of the Commissioner of Railroads (OCR) has primary jurisdiction for the safety of public roadway-railway crossings, regardless of whether the crossing is at-grade or separated. In partnership with private rail firms, local governments and citizens, OCR oversees a variety of highway/rail crossing issues including:

- Replacement or enhancement of passive and active warning devices at highway/rail crossings
- Repair of rough highway/rail crossing surfaces
- Installation of highway/rail crossings at new locations
- Alteration of existing highway/rail crossings
- Closing or consolidating existing highway/rail crossings²⁶

At-Grade and Separated Railroad Crossings
An at-grade railroad crossing is the intersection of a railway line and a road or path at the same level. A separated railroad crossing is a railway line that crosses over or under a road or path using a bridge or tunnel.

OCR is also responsible for ensuring the proper drainage in railroad rights of way, maintaining sight clearance at crossings, and regulating train crews.

Wisconsin Economic Development Corporation

The Wisconsin Economic Development Corporation (WEDC) leads economic development efforts for the state by advancing and maximizing opportunities in Wisconsin for businesses, communities, and people to thrive in a globally competitive economy. WEDC provides resources, operational support, and financial assistance to companies, partners, and communities in Wisconsin. WEDC achieves its mission through initiatives driven by five strategic pillars: business development; community and economic opportunity; strategic economic competitiveness; state brand management and promotion; and operational and fiscal excellence.²⁷ Working with more than 600 regional and local partners, WEDC develops and delivers solutions representative of a highly responsive and coordinated economic development network.

²⁶ State of Wisconsin Office of the Commissioner of Railroads, "Homepage."
²⁷ Wisconsin Economic Development Corporation, "In Wisconsin."

2.4 Regional and Local Partners Within Wisconsin

Native American Indian Tribal Nations

Wisconsin is home to eleven federally-recognized Native American Indian Tribal Nations. The reservations of these eleven sovereign nations occupy more than 500,000 acres across Wisconsin.²⁸ Wisconsin's Native American Tribes are responsible for the planning, construction, maintenance, and management of their transportation systems. As sovereign nations, the Tribes work with the state and federal government regarding transportation funding needs. Tribes also coordinate project development and construction in partnership with state and local jurisdictions for roads and other modal connections within or providing access to reservations, Tribal communities, and Tribal gaming and entertainment venues.

Wisconsin's Native American Indian Tribes	
There are eleven federally-recognized Tribes in Wisconsin. Listed below are all Tribes in Wisconsin (alphabetically):	
<ul style="list-style-type: none">• Bad River Band of Lake Superior Tribe of Chippewa Indians• Forest County Potawatomi Community• Ho-Chunk Nation• Lac Courte Oreilles (LCO) Band of Lake Superior Chippewa• Lac du Flambeau (LdF) Band of Lake Superior Chippewa	<ul style="list-style-type: none">• Menominee Nation• Mohican Nation, Stockbridge-Munsee Band• Oneida Tribe of Indians of Wisconsin• Red Cliff Band of Lake Superior Chippewa• St. Croix Band of Chippewa Indians• Sokaogon Chippewa Community

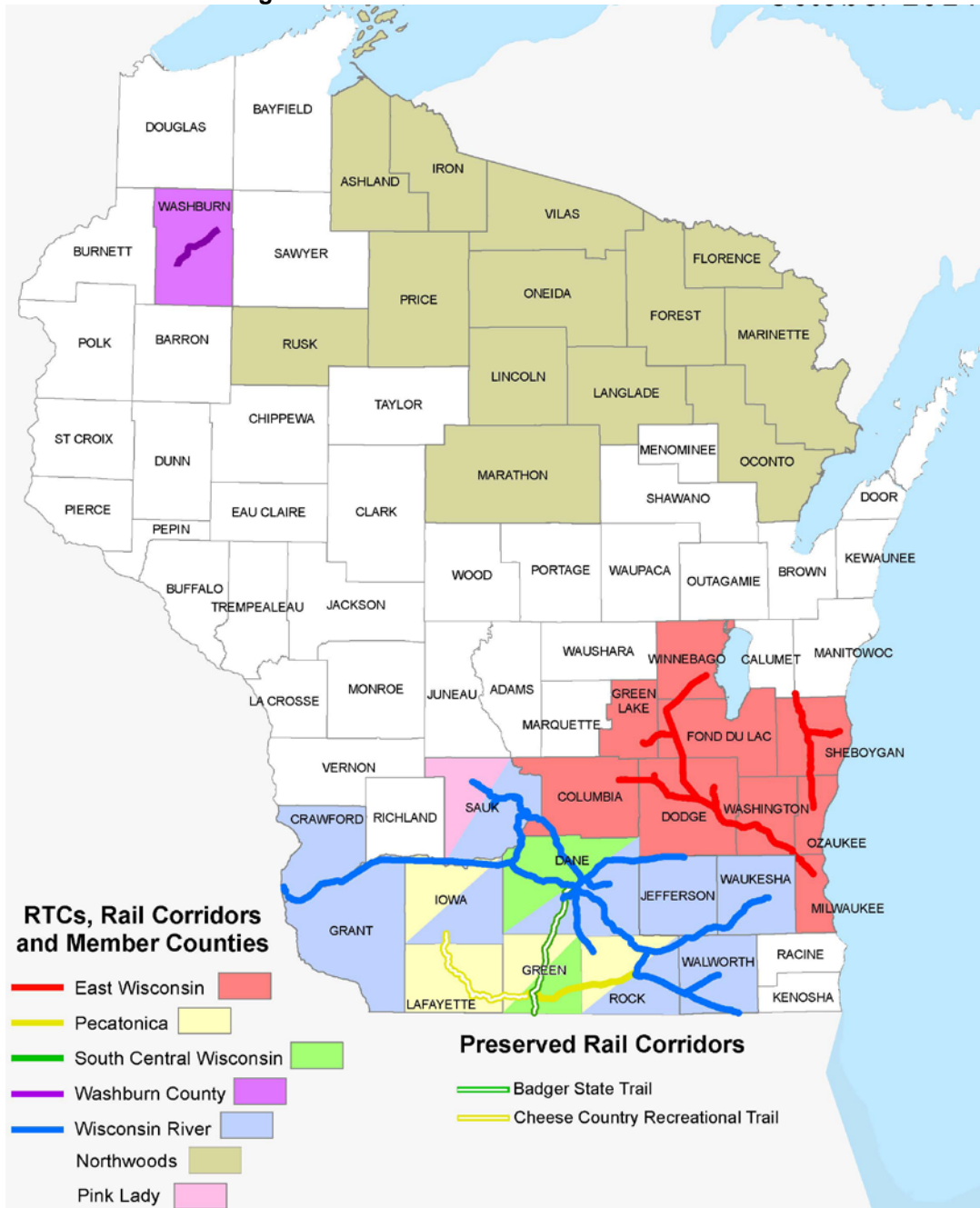
Rail Transit Commissions

Rail Transit Commissions (RTCs) were created under Wisconsin Statutes 59.968 and 66.30 to help preserve rail service or the potential for rail service, and to influence policies on the future use of rail corridors if existing rail service is proposed to be discontinued.²⁹ RTCs originally emerged as a mechanism to provide state funding in support of railroad improvements when the state was constitutionally prohibited from directly funding rail improvements through railroad operators. Even though the 1992 passage of an amendment to the constitution allows state funds to be used for railroad improvement purposes, the mechanism of public ownership with the RTCs remains. Grant agreements between WisDOT and RTCs determine how the lines can be used. There are seven RTCs currently operating in Wisconsin. They are responsible for the oversight and management of the state's publicly-supported 718 miles of rail lines. The state's publicly-owned lines and the corresponding RTCs are depicted in Figure 2-1.

²⁸ Native American Tourism of Wisconsin, "About Us."

²⁹ Wisconsin River Rail Transit Commission, "Rail Transit Commissions."

Figure 2-1: Wisconsin Rail Transit Commissions



Source: Wisconsin Department of Transportation, Bureau of Planning and Economic Development

The commissions are staffed by their member municipalities and, in some cases, by regional planning commission staff. The level of activity and scope of efforts varies between Wisconsin's RTCs. The commissions continue to be an important partner with WisDOT in preserving rail service. In this partnership arrangement, WisDOT provides resources, information, staff support, general oversight, and funding. The commissions provide matching funds and coordinate with shippers, freight rail operators, and local governments.

While WisDOT has the ability to purchase rail lines, RTCs have the ability to enter into partnership arrangements with railroads and WisDOT to manage the rail service. RTCs provide matching funds for the purchase and

rehabilitation of rail corridors. They also contract with a private operator to provide freight rail service. Wisconsin's publicly-supported rail lines are jointly owned by the state and a combination of RTCs, consortia and/or transit authorities.

Metropolitan Planning Organizations

Metropolitan Planning Organizations (MPOs), established under 23 CFR 450, are federally mandated transportation planning organizations comprised of private citizens, state and federal representatives, and representatives from local government and governmental transportation authorities. MPOs are responsible for the planning and programming decisions within their designated urbanized areas (50,000 or more population).³⁰ Federal funding for transportation projects and programs within the urbanized planning areas are channeled through the MPO planning process. Wisconsin's fourteen MPOs are responsible for transportation planning in the state's eighteen metropolitan areas (Figure 2-2). Five MPOs – Beloit, Dubuque, Duluth-Superior, La Crosse, and Southeastern Wisconsin – represent areas that cross a state border and thus require coordination with neighboring states.

The metropolitan planning process includes the development of a transportation plan, with at least a 20-year planning horizon, that includes both long- and short-range strategies leading to the development of an integrated, multimodal transportation system. MPOs also develop a Transportation Improvement Program (TIP). A TIP is a six-year financial program of projects that describes the schedule for obligating federal funds to state and local projects. The TIP contains funding information for all modes of transportation, including highways as well as transit capital and operating costs. A TIP must also contain all projects utilizing federal transportation funds, as well as any regionally significant projects in the area covered by the MPO, regardless of funding source.

Transportation Improvement Program (TIP)

The TIP is the detailed, near-term program to implement an MPO's long-range transportation plan. The TIP must contain all scheduled projects scheduled for the next six-years that are:

- Federally funded highway, transit, bicycle, pedestrian, and other transportation projects
- Regionally significant projects scheduled for implementation regardless of funding source

TIPs are incorporated into the Statewide Transportation Improvement Program (STIP). TIPs must be consistent with the State Long Range Transportation Plan. TIP projects can be implemented only after inclusion in the STIP. FHWA and the FTA must formally approve a TIP before it can be included in the STIP. A TIP approved by FHWA and FTA after the STIP production date must wait for a STIP amendment. STIP amendments are processed monthly.

Regional Planning Commissions

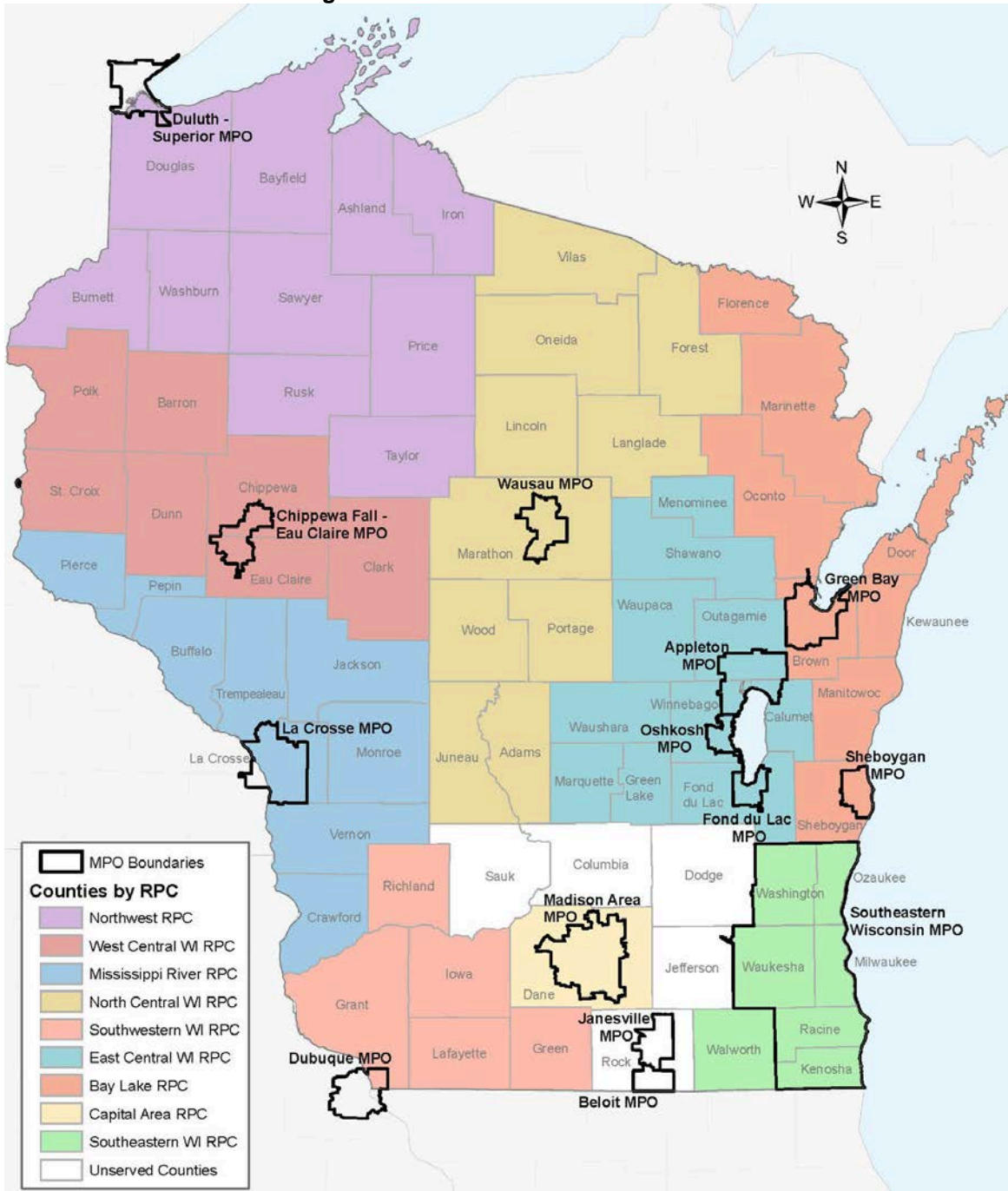
Wisconsin has nine Regional Planning Commissions (RPCs), created under the provisions of Wisconsin State Statute 66.0309. In Wisconsin, RPCs are formed by executive order of the governor and provide intergovernmental planning and coordination for the physical, social and economic development of a region. An RPC board, typically appointed by existing county boards and the governor, directs commission activities. All but five counties in the state – Columbia, Dodge, Jefferson, Rock and Sauk – are served by an RPC (Figure 2-2).

³⁰ 23 USC §§ 134-135.

RPCs provide planning assistance on regional issues, assist local interests in responding to state and federal programs, act as a coordinating agency for programs and activities, and provide planning and development assistance to local governments.

Wisconsin's RPCs are clearinghouses for reviewing federal grant applications for conformance with adopted regional and local plans and development priorities.

Figure 2-2: Wisconsin MPOs and RPCs



Source: Wisconsin Department of Transportation, Bureau of Planning and Economic Development

Wisconsin Regional Economic Development Organizations

All 72 counties in Wisconsin are served by one of nine designated regional economic development organizations. Together these nine regions comprise the Regional Leadership Council whose objective is to support mechanisms and communication capacities to better connect regional leadership to one another, the state and other partners that help to grow Wisconsin’s economy.

Table 2-2: Wisconsin Regional Economic Development Organizations and Location

Wisconsin Regional Economic Development Organizations	Counties
Prosperity Southwest Wisconsin	Crawford, Richland, Grant, eastern half of Green, and Lafayette
Madison Regional Economic Partnership	Columbia, Dane, Dodge, west half of Green, Iowa, Jefferson, Rock, and Sauk
Milwaukee 7	Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha
7 Rivers Alliance	Jackson, Juneau, La Crosse, Monroe, Trempealeau, and Vernon
Centergy	Adams, south half of Lincoln, Marathon, Portage, and Wood
New North	Outagamie, Winnebago, Calumet, Waupaca, Brown, Shawano, Oconto, Marinette, Door, Kewaunee, Sheboygan, Manitowoc, Fond du Lac, Green Lake, Marquette, Florence, Menominee, and Waushara
Momentum West	Barron, Chippewa, Clark, Dunn, Eau Claire, Pepin, Pierce, Polk, Rusk, and St. Croix
Grow North	Forest, north half of Lincoln, Langlade, Oneida, and Vilas
Vision Northwest	Ashland, Bayfield, Burnett, Douglas, Iron, Price, Sawyer, Taylor, and Washburn

Source: Forward Wisconsin

2.5 Local Government

Wisconsin’s local governments include counties, cities, villages, and towns. There are 1,924 communities that are units of general-purpose local government. Wisconsin is considered a “home rule state.” Local governments in home rule states are free to pass laws and ordinances as they see fit to further their operations, within the bounds of the state and federal constitutions. WisDOT coordinates with local units of government on a wide array of transportation-related matters (e.g. roadway construction, oversize-overweight vehicle routing, etc.).

Wisconsin’s Constitutional “Home Rule”
<p>The Wisconsin Constitution provides that cities and villages “may determine their local affairs and government, subject only to this constitution and to such enactments of the legislature of statewide concern as with uniformity shall affect every city or every village.” Under this provision, the method for a city or village to determine its own affairs is to be prescribed by the legislature [Art. XI, s. 3 (1), Wis. Const.].³¹</p> <p>This provision is known as “constitutional home rule,” and means that if a policy is entirely a matter of a city or village’s local affairs and government, a city or village is authorized to regulate that matter, and the legislature is prohibited from enacting a law that would preempt the local regulation of that matter. However, if a matter is exclusively a statewide concern or a legislative enactment applies uniformly to every city or village, the legislature may prohibit a city or village from enacting an ordinance on the matter and may regulate the matter through state laws. The constitutional home rule authority is granted only to a city or village. Other units of local government such as counties, towns and school districts do not have constitutional home rule authority.</p>

³¹ Wisconsin Legislative Council Information Memorandum, Constitutional Home Rule.

Counties

The county is the primary political subdivision of Wisconsin. Every county has a county seat, often a populous or centrally located city or village, where the government offices for the county are located. Within each county are cities, villages, and towns. Counties are generally responsible for social services, such as child welfare, job training and care of the elderly; and public land management, such as care of parks. Counties have full responsibility for county roadways. Counties are responsible for managing transportation and county highway work with WisDOT, cities, and towns. In addition, law enforcement is administered by the county, in conjunction with local municipalities. Wisconsin has 72 counties.

Cities

In Wisconsin, a city is an autonomous incorporated area within one or more counties. Cities provide almost all services to their residents and have the highest degree of home rule and taxing jurisdiction of all municipalities. Cities are generally more urbanized than towns. Cities have responsibility for their transportation facilities (e.g. roadways, transit facilities, etc.). Law enforcement is also administered by cities. Wisconsin has 190 cities.

Villages

In Wisconsin, a village is an autonomous incorporated area within one or more counties. It provides various services to its residents and has a degree of home rule and taxing jurisdiction over them. In order to incorporate as a village, a community must have at least 150 citizens if it is in a rural area or 2,500 residents if it is in an urban area. The home rule authority granted to villages allows them to make their own decisions about their affairs, administration, and much of their public policy, subject to state law. Wisconsin has 407 villages.

Towns

In Wisconsin, a town is an unincorporated jurisdiction within a county; Wisconsin towns are similar to civil townships in other states. All areas in the state that have not been incorporated as cities or villages are parts of towns. Towns provide a limited number of services to their residents. Wisconsin has 1,255 towns.

Towns have less authority than villages and cities; they do not, for instance, have home rule granted to them by the state, but instead have only the specific powers granted to them under state statute. Towns are responsible for the planning, construction, maintenance, and management of their roadways. In addition to their roadway responsibilities, town governments carry out a variety of functions and, in some instances, choose to provide more services. Some towns have been authorized to exercise village powers, increasing their authority.

2.6 Private Sector and Stakeholder Partners

A diverse set of private sector stakeholders is engaged in freight transportation. This set of stakeholders includes shippers (ranging from retailers to manufacturers to distributors), carriers (across all physical and economic modes such as full truckload, less than truckload, parcel, national rail, short-haul rail, air, barge and pipeline), and third-party firms (such as brokers, forwarders and third-party logistics providers). Professional specializations and the number of diverse stakeholders creates “silo-ing” within freight transportation. For example, each stakeholder group tends to hold its own conferences, belong to group-specific professional organizations, and lobby

independently. For this reason, WisDOT has committed to forging strategic partnerships with the freight industry to facilitate efforts among multiple stakeholder groups (see Chapter 3, *Public Involvement*). WisDOT’s hosting of the Governor’s Freight Industry Summits is one example of the department’s efforts to bring multiple stakeholder groups together to discuss complex freight transportation issues, problems and opportunities.

Governor’s Freight Industry Summits
The purpose of the Governor’s Freight Industry Summit is to provide a forum to generate targeted feedback on industry needs, understand issues of greatest importance to industry, strengthen relationships with industry, and develop a base for WisDOT actions and initiatives moving forward. WisDOT sponsored Governor’s Freight Industry Summits each year from 2011 to 2014 and in 2016.

Firms

According to the United States Census Bureau, in 2012 there were 432,980 firms in Wisconsin.³² Included are all non-farm businesses filing Internal Revenue Service tax forms as individual proprietorships, partnerships, or any type of corporation, and with receipts of \$1,000 or more. A company or firm is a business consisting of one or more domestic establishments that the reporting firm specified under its ownership or control.

Establishments

An establishment is a single physical location at which business is conducted or where services or industrial operations are performed. It is not necessarily identical to a company or enterprise, which may consist of one establishment or more. When two or more activities are conducted at a single location under a single ownership, all activities are generally grouped together as a single establishment and classified on the basis of its major activity. Establishments with paid employees include all locations with paid employees any time during the year. In 2015, according to the United States Census Bureau, there was a total of 139,500 employer establishments in Wisconsin.³³

Trade Associations

Wisconsin is home to hundreds of trade associations. A trade association, also known as an industry trade group, business association, or sector association, is an organization founded and funded by businesses that operate in a specific industry. An industry trade association participates in public relations activities such as advertising, education, lobbying, and publishing, but its focus is collaboration between companies. Associations may offer other services, such as producing conferences, networking, charitable events, classes, or educational materials. Many associations are non-profit organizations governed using bylaws and directed by officers who are also members.

³² U.S. Census Bureau QuickFacts, “Wisconsin.”

³³ Ibid.

Chambers of Commerce

A chamber of commerce is a form of business network, for example, a local organization of businesses whose goal is to further the interests of businesses. Business owners in towns and cities form these local societies to advocate on behalf of the business community. Local businesses are members, and they elect a board of directors or executive council to set policy for the chamber. Wisconsin is home to more than 350 local chambers of commerce.

Wisconsin Freight Advisory Committee

Wisconsin’s 45-member Freight Advisory Committee (FAC) was established at Wisconsin’s 2014 Governor’s Freight Industry Summit. The role of the FAC is to help inform WisDOT on issues that impact freight mobility and to provide a voice for the freight sector on the development of freight-related policies, processes, and projects. The FAC held its inaugural meeting on April 23, 2015. Additional information about the FAC is provided in Chapter 3, *Public Involvement*.

Wisconsin’s Freight Advisory Committee	
The organizations represented on the FAC as of May 16, 2017 include (<i>italics = ex officio members</i>):	
<ul style="list-style-type: none"> • American Chemistry Council • Commercial Real Estate Development Association of Wisconsin • Council of Supply Chain Management Professionals • Duluth-Superior Metropolitan Interstate Council (National Association of MPOs) • <i>Federal Highway Administration</i> • <i>Federal Motor Carrier Safety Administration</i> • <i>Federal Railroad Administration</i> • Great Lakes Inter-Tribal Council • Great Lakes Timber Professionals • Lake States Lumber Association • League of Wisconsin Municipalities • Logistics Council of Milwaukee • Madison International Trade Association • Midwest Assembly, Warehouse & Distribution (Wisconsin Warehouse Association) • Midwest Food Processors Association • Milwaukee Water Council • National Center for Freight & Infrastructure Research & Education • National Electrical Manufacturers Association • <i>Office of the Commissioner of Railroads</i> • Owner-Operator Independent Drivers Association • Specialized Carriers & Rigging Association • Southeast Wisconsin Regional Planning Commission (Wisconsin Association of RPCs) 	<ul style="list-style-type: none"> • The Kammer Group (Association of American Railroads) • Transportation Development Association • University of Wisconsin - Superior • Urban Economic Development Association • <i>U.S. Army Corps of Engineers</i> • US Silica (Wisconsin Industrial Sand Association) • WATCO Companies, LLC (American Short Line & Regional Rail Association) • Wisconsin Agri-Business Association • Wisconsin Builders Association • Wisconsin Commercial Ports Association • Wisconsin Counties Association • <i>Wisconsin Department of Agriculture, Trade & Consumer Protection</i> • <i>Wisconsin Department of Natural Resources</i> • Wisconsin Economic Development Association • <i>Wisconsin Economic Development Corporation</i> • Wisconsin Farm Bureau Federation • Wisconsin Manufacturers & Commerce • Wisconsin Motor Carriers Association • Wisconsin Paper Council • <i>Wisconsin Public Service Commission</i> • Wisconsin River Rail Transit Commission • Wisconsin Security Research Consortium • Wisconsin Towns Association

2.7 Multi-State Freight-Focused Organizations

The movement of freight often involves multiple transportation modes and routes that cross several states. To move freight efficiently, either regionally, nationally, or globally, freight must cross jurisdictional boundaries with

as few impediments as possible. Multi-state freight organizations provide a venue to plan and invest where the benefits of coordination and communication accrue to several states and stakeholder groups. WisDOT actively participates in several multi-state freight-focused organizations that have missions aimed at improving freight safety and mobility.

Mid-America Freight Coalition

The Mid-America Freight Coalition, formerly known as the Mississippi Valley Freight Coalition, is a regional organization that cooperates in the planning, operation, preservation, and improvement of transportation infrastructure in a manner that supports the reliable, efficient and safe movement of freight in the Midwest. This region includes 10 states (Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin) that share key interstate corridors, inland waterways and the Great Lakes. These states signed a Memorandum of Understanding in October 2006 establishing the Mississippi Valley Freight Coalition. The name of the coalition changed on October 25, 2010, to match the naming convention of the Mid-America Association of State Transportation Officials, the board that oversees this pooled-fund program.³⁴

Great Lakes Regional Transportation Operations Coalition

The Great Lakes Regional Transportation Operations Coalition (GLRTOC) collaborates to improve cross-regional transportation operations in support of economic competitiveness and improved quality of life.³⁵ This is a mega-region transportation operational approach that can lead to addressing the challenges of economic competitiveness, quality of life, traffic congestion and aging transportation infrastructure. The members of the coalition include ten states (Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin) and one Canadian province (Ontario).

The goal of this collaboration is to leverage joint funding, compete more effectively for national resources and funding, share and expand best practices to improve travel time and economic competitiveness of the region, benchmark efficient operating models, and, ultimately, improve transportation operations for freight movement and travelers throughout the Great Lakes region.³⁶

Lake Michigan Interstate Gateway Alliance

The Lake Michigan Interstate Gateway Alliance (LMIGA) is a voluntary organization with active member participation from WisDOT, the Illinois Department of Transportation, the Illinois Tollway, the Indiana Department of Transportation, the Indiana Toll Road Concession Company LLC, the Michigan Department of Transportation, and the Skyway Concession Company LLC.³⁷ The goal of LMIGA is to focus on operations along major corridors to ensure that traffic moves safely and efficiently. This goal is realized by interagency communication and coordination, improvement projects, training efforts, and region-wide planning. The LMIGA Intelligent Transportation System (ITS) Priority Corridor Program operates through a structure of working groups and subcommittees that meet on a regular basis.³⁸

³⁴ Mid-America Freight Coalition, "About."

³⁵ Great Lakes Regional Transportation Operations Coalition, "About."

³⁶ Great Lakes Regional Transportation Operations Coalition, "Partnership Statement." (May 9, 2017).

³⁷ Lake Michigan Interstate Gateway Alliance, "Homepage."

³⁸ Travel Midwest, "Travel Midwest - History."

Upper Mississippi River Basin Association

The Upper Mississippi River Basin Association (UMRBA) is a regional interstate organization formed by the governors of Illinois, Iowa, Minnesota, Missouri, and Wisconsin to coordinate river-related programs and policies, and work with federal agencies that have river responsibilities. UMRBA is involved with programs related to commercial navigation, ecosystem restoration, water quality, aquatic nuisance species, hazardous spills, flood risk management, water supply, and other water resource issues.³⁹

American Great Lakes Ports Association

Founded in 1977, the American Great Lakes Ports Association (AGLPA) represents the interests of commercial ports and port users on the United States side of the Great Lakes. AGLPA works to influence public policies with the goal of fostering maritime commerce and related employment in the Great Lakes region. Through its common voice, it works to educate policy makers, media, and the general public regarding the critical role of Great Lakes and St. Lawrence Seaway shipping in the region’s economy.⁴⁰

American Great Lakes Ports Association Members	
<ul style="list-style-type: none">• Duluth Seaway Port Authority• Port of Green Bay, Wisconsin• Illinois International Port District• Detroit-Wayne County Port Authority• Toledo-Lucas County Port Authority• Erie-Western Pennsylvania Port Authority	<ul style="list-style-type: none">• Port of Superior, Wisconsin• Port of Milwaukee, Wisconsin• Ports of Indiana – Burns Harbor• Port of Monroe, Michigan• Cleveland-Cuyahoga County Port Authority• Port Authority of Oswego, New York

Mid America Association of State Transportation Officials

The Mid America Association of State Transportation Officials’ (MAASTO) goal is to foster the development, operation and maintenance of an integrated and balanced transportation system that adequately serves the transportation needs of its 10 Midwestern member states.⁴¹ MAASTO’s states are part of the American Association of State Highway and Transportation Officials (AASHTO), which divides its member departments into four geographical regions. MAASTO consists of Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

³⁹ Upper Mississippi River Basin Association, “Homepage.”

⁴⁰ American Great Lakes Port Association, “Homepage.”

⁴¹ Mid America Association of State Transportation Officials (MAASTO), “Homepage.”

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