

Chapter Trans 200

ERECTION OF SIGNS ON PUBLIC HIGHWAYS AND
HANDICAPPED PARKING SIGNS

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Trans 200.01 Purpose. The purpose of this chapter is to interpret and implement ss. 86.19, 86.191, 86.195, 346.41, and 346.503, Stats., relating to erection and maintenance of signs on public highways and signs related to reserved parking spaces for handicapped persons. This chapter does not apply to signs erected and maintained on property beyond the limits of a public highway, except signs related to reserved parking spaces for handicapped persons.

History: 1-2-56; renum. from Hy 10.01 and am. (1), Register, July, 1980, No. 295, eff. 8-1-80; r. and recr., Register, March, 1984, No. 339, eff. 4-1-84.

Trans 200.015 Definitions. (1) The definitions of words and phrases in chs. 84, 86, 340 and 990, except s. 990.01 (12), Stats., apply to this chapter unless a different definition is specifically provided.

(2) In this chapter:

(a) "Business sign" means a separately attached sign mounted on the rectangular sign panel to show the brand, symbol, trademark or name, or combination of these, for a motorist service available on a crossroad at or near an interchange or an intersection. Each sign on an exit ramp sign under s. Trans 200.06 (7) (a) 4 is a separate business sign.

(b) "Conventional highway" means a highway that is neither a freeway nor an expressway.

(c) "Department" means the department of transportation.

(d) "District" means the geographical area under the administration of a district office.

(e) "District office" means an office of the division of highways and transportation services of the department of transportation.

(f) "Double-exit interchange" means a highway interchange facility with 2 exit ramps for traffic approaching the interchange from the same direction with one exit ramp leading to one direction of travel on the intersecting highway and the other exit ramp leading to the opposite direction of travel on the intersecting highway.

(g) "Erect" means to construct, manufacture, fabricate, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish a sign or sign structure, but it does not include any of the foregoing activities when performed as customary maintenance of the sign or sign structure.

(h) "Exit ramp sign" means a specific information sign installed along the ramp or at the ramp terminal at single-exit interchanges that corresponds to the specific information sign along the main roadway, but which is reduced in size.

(i) "Federal-aid primary highway" means a highway designated by the department and approved by the secretary of the United States department of transportation under s. 84.105 or 84.29, Stats., and 23 U.S.C. ss. 103 (b) or 103 (e).

(im) "Federal-aid secondary highway" means a highway designated by the department and approved by the secretary of the United States department of transportation under s. 84.01 (15) and 23 U.S.C. s. 103 (c) that is under the jurisdiction of the department.

(j) "Guidance sign" means a sign permitted under s. 200.03

(k) "Maintain" means to keep in a state of repair, efficiency, or validity; to preserve from failure or decline; and to allow to exist.

(l) "Motorist service" means a service that qualifies under s. Trans 200.06 (2).

(m) "Motorist service sign" means an official traffic sign that includes one or more of the words "GAS," "FOOD," "LODGING" or "CAMPING" and directional information, but does not identify the business offering the service or the name of the brand of products offered.

(n) "Specific information sign" means a rectangular sign panel that displays:

1. One or more of the words, "GAS," "FOOD," "LODGING" or "CAMPING";
2. Directional information; and
3. One or more business signs.

History: Cr. Register, March, 1984, No. 339, eff. 4-1-84; emerg. am. (2) (e), cr. (2) (im), r. (2) (o), eff. 6-13-86; cr. (2) (im), r. (2) (o), Register, September, 1986, No. 369, eff. 10-1-86; am. (2) (e), Register, February, 1987, No. 374, eff. 3-1-87.

Trans 200.02 Authority for the erection of signs. (1) The department of transportation or its authorized representatives in the case of the marked routes of state trunk highways, and local authorities with respect to highways under their exclusive jurisdiction, may place and maintain such traffic signs and signals as they deem necessary to warn, guide, inform, and regulate traffic, and also such signs and signals as are expressly permitted or required by the statutes or by these regulations, subject, however, to such limitations and restrictions as are contained in the statutes and these regulations.

(2) The department of transportation with respect to the state trunk highway system, and local authorities with respect to highways under their jurisdiction, may erect or permit any department of the federal, state or local government to erect such standard signs as the department of transportation or local authorities deem necessary to inform and warn
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the public of federal or state laws, local ordinances and lawful regulations by any such department.

History: 1-2-56; am. (2), Register, June, 1973, No. 210, eff. 7-1-73; renum. from Hy 10.02 and am., Register, July, 1980, No. 295, eff. 8-1-80.

Trans 200.03 Guidance signs for resorts, hotels, county institutions, etc.

(1) Any person or persons conducting a summer or winter resort, hotel, or any place of public entertainment or instruction, or any place of religious worship, or persons having charge of any county institution or of any scientific experiment for the furtherance of agriculture or other science or art may be permitted to erect guidance signs of a type approved by the department subject to the conditions contained in this section.

(2) No guidance sign may be permitted on freeways, including the national system of interstate highways.

(3) Only where such institution or business is located removed from the state trunk highway system may such guidance signs be erected.

(4) Such guidance signs may be erected at only 2 intersections of the state trunk highway system with county highways or town roads, and at such intersections of county or town highways as are deemed necessary by the local authorities having jurisdiction over those highways.

(5) One sign of an approved size and shape may be erected at the entrance to any of the enumerated institutions or businesses.

(6) No person may be permitted to erect or maintain a guidance sign on a highway if that person has any advertising sign in the vicinity of the intersection where the guidance sign is proposed to be erected or has a business sign under s. Trans 200.06 on the same highway.

(7) All guidance signs erected on any public highway shall be of a type and design approved by the department. No flashing, illuminated, or reflecting signs or installation shall be permitted.

(8) No guidance sign may be erected upon state trunk highway right of way at an intersection with the state trunk highway system until the location and manner of erection of the sign have the written approval of the department. No guidance sign may be erected on the right of way of a county and town highway until the location and manner of erection of the sign have the written approval of the local authorities having jurisdiction over the said highway.

(9) All guidance signs and their supports shall be maintained in good condition. Signs or installations not satisfactorily maintained shall be removed by the officers in charge of the maintenance of the highway.

History: 1-2-56; renum. from Hy 10.03 and am. (1), (6) and (7), Register, July, 1980, No. 295, eff. 8-1-80; r. (5), renum. (2) to (4) and (6) to (8) to be (3) to (5) and (7) to (9); cr. (2) and (6), Register, March, 1984, No. 339, eff. 4-1-84.

Trans 200.04 Prohibited signs and signals. (1) No person may erect, cause to be erected, permit to be erected, or maintain any advertising, warning, route, guide, information, or regulatory sign or signal within the limits of any highway except as authorized in ss. Trans 200.02, 200.03, 200.05 or 200.06.

(2) No person may place or maintain nor may any public authority permit upon any highway any official traffic control device bearing

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thereon any commercial advertising except as authorized in s. Trans 200.06. (See ss. 346.41 and 349.09, Stats.)

(3) No local authority shall place or maintain any stop sign or traffic control signal which stops or regulates the movement of traffic on or entering the state trunk highway system or the urban extensions of the marked routes thereof, designated by the statutes as connecting highways, without the approval of the department.

History: 1-2-56; am. (1), Register, June, 1959, No. 42, eff. 7-1-59; renun. from Hy 10.04 and am., Register, July, 1980, No. 295, eff. 8-1-80; am. (1) and (2), Register, March, 1984, No. 339, eff. 4-1-84.

Trans 200.05 Warning signs for underground transmission lines. (1) Subject to the conditions set forth in this chapter and in compliance with the provisions of s. 86.16, Stats., the department may grant permits to public utility companies and cooperatives to erect on highway right of way signs giving notice of the presence of underground conduit, cables or pipe for the transmission of electric power, communications or liquid or gaseous fuels.

(2) When warning signs are permitted in accordance with this chapter, they shall be placed on highway right of way within 2 feet of the fence or right of way line in such a manner that the face of the sign roughly parallels the highway centerline and shall be so adjusted as to height that they will in no way impair vision at intersections, curves, railroad crossings or private entrances. Signs may be erected at the following prescribed locations:

(a) On one or both sides of a public highway or railroad right of way which the underground transmission line crosses.

(b) On one or both sides of a stream wider than 50 feet. In the case of navigable streams or channels, additional signs may be permitted in the stream at such locations approved by the authority having control of navigation.

(c) On one side of a small stream or drainage ditch.

(d) At such intermediate points that signs will be located at intervals of approximately one-half mile.

(e) At such other points as may be specifically authorized upon a determination that such additional signs are necessary to reduce the likelihood of damage to the transmission lines.

(3) The signs shall be rectangular in shape and not larger than 24" x 18" when mounted horizontally or not larger than 12" x 18" when mounted vertically. Roof-type aerial markers shall not exceed 24" x 18" measured on the plane connecting the 4 lower corners of the marker with a maximum vertical dimension of 8". Adequate contrasting color combinations for signs may be selected at the discretion of the utility, except that the following 2-color combinations are specifically prohibited:

(a) Black on federal yellow.

(b) White on red (except where specifically required by other legal authority).

(3m) The signs shall not be reflectorized.

(4) In addition to the warning message, the signs may include an arrow or arrows indicating the general direction taken by the transmission line. The arrow signs may also be separate from the warning sign, in which case they shall be not greater than 4" x 12" in size. The warning signs may carry the name, address, and telephone number of the company owning the transmission line, provided that such lettering shall not exceed one inch in vertical height. The word "Danger" shall generally be avoided unless specifically required by statute or other legal authority. No advertising will be permitted except that the signs may carry the company symbol provided that such symbol is restricted in size to a minimum of one inch and a maximum of 20% of the vertical height of the sign. Such restrictions shall apply to both horizontal and vertical dimensions of the symbol.

(5) All signs and their supports shall be erected, maintained, and replaced as necessary by the company owning them. They shall be moved by the company at its own expense upon request from the authority maintaining the highway.

(6) In accepting permission to erect signs of the type provided for in this chapter, the company (or cooperative) agrees that such permission in no way constitutes assumption by the highway maintaining authority of any liability for any damage to the transmission line resulting from work performed by or for said highway authority.

(7) The regulations of this chapter shall not be retroactive but shall apply to all sign installations made subsequent to the date of adoption of this chapter, and shall also apply to any replacement of existing signs made after said date.

(8) Special cases where application of this general policy is deemed impractical, inadequate or unreasonable shall be subject to special study and individual decision by the department as to disposition.

History: Cr. Register, June, 1959, No. 42, eff. 7-1-59; renum. from Hy 19.05 and am.(1) and (8), Register, July, 1980, No. 295, eff. 8-1-80.

Trans 200.06 Specific information and business signs. (1) SIGNS PERMITTED. The department may authorize the erection and maintenance of business signs on specific information signs within a federal-aid primary or secondary highway subject to the following restrictions:

(c) No business sign may be erected or maintained for any business that has a guidance sign under s. Trans 200.03 on the same highway unless the guidance sign is removed before the business sign is erected.

(d) When a business sign is erected, any existing motorist service signs for the same services at the same intersection in the same direction shall be removed.

(e) No business sign may be erected or maintained for any business advertising on the same highway on a sign authorized or permitted under s. 84.30, Stats., which is 3 miles or less in either direction from the specific information sign on which the installation of the business sign is requested.

(f) Any person permitted to have a business sign shall provide any supplemental signing deemed necessary to guide traffic to the motorist service. Supplemental signing includes ramp signing or other lawful signing.

(g) No business sign may be erected or maintained on an exit ramp sign without a corresponding business sign on the specific information sign along the main roadway. A business sign may be erected and maintained on a specific information sign along the main roadway without a corresponding business sign on an exit ramp sign unless deemed necessary by the department to guide traffic to the motorist service.

(h) No business sign may be erected or maintained on a freeway for a business that is reached by any other freeway. No business sign may be erected or maintained on an expressway for a business that is reached by any other expressway or by any freeway. No business sign may be erected or maintained on a conventional highway for a business that is reached by any other conventional federal-aid primary or secondary highway or by any expressway or freeway. The department may allow exceptions to the restrictions in this paragraph when it deems it necessary to provide motorists with service information.

(i) No business sign may be erected or maintained at a location where there is an intersection or interchange on the same highway between the sign location and the intersection or interchange at which the business to which the sign applies is located. This paragraph does not apply to double-exit interchanges.

(j) No business sign may be erected or maintained at less than normal spacing in order to accommodate the sign between two successive intersections or interchanges. This paragraph does not apply to double-exit interchanges.

(k) When there are more business signs requested than the number that may be permitted, the businesses with existing permitted signs shall have priority; then the businesses that are nearest the through federal-aid primary or secondary highway shall have next priority. At double-exit interchanges, the distance shall be measured separately for each pair of double exits, and the shorter distance shall determine priority.

(l) Any business sign for a motorist service operated on a seasonal basis shall be removed or covered during off seasons.

(m) No business sign, brand, symbol, trademark or any other message may be erected or maintained that resembles any official traffic control device or railroad sign or signal.

(n) No business sign may be erected or maintained that does not meet the department's specifications.

(o) No business sign may be erected or maintained that has an objectionable appearance as determined by the department due to vandalism, fading, deterioration or other causes.

(p) No business sign may be erected or maintained for a motorist service that does not fulfill the service requirements of sub. (2).

(q) No business sign may be erected or maintained by any applicant for the sign.

(r) No business sign may be erected or maintained that fails to conform with ss. 86.19, 86.191, 86.195 or 346.41, Stats., or rules interpreting and implementing these statutes, as determined by the department.

(s) No business sign may be erected or maintained that fails to conform with Wisconsin statutes or federal statutes.

(t) No business sign may be erected or maintained in violation of an order of the department or any court of competent jurisdiction.

(u) No business sign may be erected or maintained for any business that fails to conform with all applicable laws concerning the provisions of public accommodations without regard to race, religion, color, sex, sexual orientation or national origin.

(v) Sign removal shall not be stayed by filing any appeal of the department's decision or order to remove a sign.

(w) Sign removal shall not affect a sign requestor's liability for any unpaid fees, interest and costs of collection as determined by the department.

(x) No specific information sign may be erected within any county having a population over 500,000.

(2) **SERVICES PERMITTED.** The motorist services for which the department may authorize the erection and maintenance of business signs on specific information signs within a federal-aid primary highway are limited to "GAS," "FOOD," "LODGING" and "CAMPING." To qualify for display on a business sign:

(a) "GAS" service shall include:

1. Vehicle services including fuel, oil, tire repair and water;
2. Restroom facilities and drinking water;
3. Continuous operation at least 16 hours per day, 7 days a week for business signs on freeways and expressways; and continuous operation at least 12 hours per day, 7 days per week for business signs on conventional highways, provided automotive fuel is available under the energy fuel allocation program established under P.L. 93-159; and
4. Public telephone.

(b) "FOOD" service shall include:

1. Licensing or approval;
2. Public telephone; and
3. Continuous operation to serve 3 meals a day, 7 days a week, of which 50% of the gross receipts of the business are from meal, food, food product and beverage sales taxable under s. 77.54 (20) (c), Stats. "Beverage sales taxable under s. 77.54 (20) (c), Stats.," does not include fermented malt beverages, intoxicating liquors or soda water beverages. A "meal" is food service normally expected by the traveling public that may be eaten on the premises. The phrase "3 meals a day" means normal expectations of breakfast, lunch, and supper.

(c) "LODGING" service shall include:

1. Licensing or approval; and
2. Public telephone.

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(d) "CAMPING" service shall include:

1. Licensing or approval;
2. Adequate parking accommodations; and
3. Modern sanitary facilities and drinking water.

Note: Licensing or approval of food service to the public or lodging service to the public or both, by the department of health and social services, s. 50.51, Stats.

Note: Licensing or approval of camping services is required by the department of health and social services or local units of government under s. 140.05 (17) and (21), Stats.

(3) APPLICATION AND PERMIT RENEWAL PROCEDURE. (a) The department shall provide forms for business sign applications at district offices. (See Form Trans 200.06.) Completed applications shall be submitted to the district office for the district where the sign is to be located. Each applicant shall provide all information required on the department's application form. If the application for the sign is denied, the application fee shall be returned.

(b) Each applicant shall give written assurance on its application to the department that the applicant's business conforms with all applicable laws concerning the provision of public accommodations without regard to race, religion, color, sex, sexual orientation or national origin.

(c) Each applicant shall indicate on its application whether its business is seasonal and the closing and opening dates of the business if seasonal. The applicant shall give assurance to the department that it will provide prior notification to the district office of the district in which the sign is to be located of any change in seasonal dates.

(e) Each applicant shall state on its application that it shall furnish the department's contractor the brand, symbol or trademark or business sign meeting the department's specifications for the business sign.

(f) If an application is approved and a permit issued, an annual permit renewal fee shall be required for administrative costs and routine inspection. Annual renewal of the permit shall be subject to review and approval or denial by the department. If there are more business signs requested than the number that may be permitted, the permit shall be denied or not renewed in favor of existing permitted signs and then any eligible applicant providing a motorist service that is nearer the through federal-aid primary or secondary highway. If motorist services are at equal distance from the through federal-aid primary or secondary highway upon which the sign is to be placed, then the earliest received application shall have priority.

(g) Applications for permits may be submitted to the department within periods announced and publicized by the department. Applications received during announced periods may be considered project groups.

(h) The business for which a business sign is requested shall be the applicant and the permit shall be issued to the business.

(i) In lieu of the application and permit renewal procedure stated in pars. (a) to (h), the department may enter into a contract that specifies alternative application and permit renewal procedures with a private contractor.

(4) FEES. The applicant requesting the erection of a business sign shall pay to the department an application fee of \$40 for administrative costs and the cost of routine sign inspection. A separate application and \$40 fee is required for each business sign requested. A business sign along the main roadway and its corresponding sign on an exit ramp sign under sub. (7) (a) 4 shall be considered 2 business signs. The applicant granted a permit shall pay the department an annual permit renewal fee of \$40 for each business sign and \$40 for each corresponding business sign on an exit ramp sign, if any, before the anniversary date of the erection of the business sign each year following erection of the sign. If the department does not receive payment of the annual renewal fee by the anniversary date, the department shall not renew the permit.

(5) CONTRACTS. (a) The department shall prepare plans and specifications for the manufacture, erection and maintenance of signs. The department's specifications shall require all sign panel supports to be of a breakaway design. The department may elect to undertake the manufacture and erection of signs by erection contract or by maintenance contract. The department may also elect to undertake the manufacture of specific information signs by separate contract from the maintenance or erection contracts, and contracts may be of any statewide, regional, district or local scope deemed reasonable and cost effective by the department. All erection and maintenance work shall be done under contracts administered by the department. No work may be done by any applicant. The applicant shall furnish the department's contractor the applicant's brand, symbol, trademark or name, or combination of these, or the business sign meeting the department's specifications as the business sign. All materials furnished as business signs by an applicant or by the department's contractor shall become and remain the property of the department once erected within any public highway, or as otherwise specified in the department's contract with its contractor. Failure to deliver the business sign within the specified period, to provide necessary supplemental signs, or to conform the sign to the department's specification may result in the forfeiture of the \$40 fee and another business may be given the opportunity to qualify for the vacated space.

(b) Sign maintenance contracts shall include provisions for installation of additional business signs on existing specific information signs; replacement of damaged, defective or obsolete signs; removal of signs; and covering and uncovering or removing and replacing signs for seasonal services.

(c) Maintenance contracts may contain provisions for a negotiated price for unanticipated erection of specific information signs, including supports.

(d) In lieu of or in addition to the contracting procedures stated in pars. (a) to (c), the department may enter into a contract that specifies alternative manufacture, erection, maintenance, marketing and implementation methods with a private contractor.

(6) SIGNING CRITERIA. (a) *Distance to motorist service.* A business providing a motorist service may not be located in excess of 3 highway miles in distance in either direction from the highway intersection to qualify for a business sign; except that, if within that 3-mile limit motorist services of the type being considered are not available, the limit of eligibility may be extended in 3-mile increments until services of the type being considered, or 15 miles, are reached. Distance to a business will be mea-

sured from the edge of the main traveled way, or from the nearest gore on the through highway at interchanges, to the centerline extended of the closest business driveway of the motorist service facility on the crossroad and will be measured on or along the normally traveled ramp, through lanes or crossovers of the public highway. At double-exit interchanges, the distance shall be measured separately for each pair of double exits and the shorter distance shall determine eligibility. (See Figures Trans 200.06-1, 200.06-2, and 200.06-3.)

(b) *Lateral location.* The location for specific information signs shall be determined by the department to preserve highway safety, to take advantage of natural terrain, to have the least impact on the scenic environment, to minimize conflict with scenic easements, and to avoid visual conflict with other signs within the highway or with signs authorized or permitted under s. 84.30, Stats.

(c) *Relative location.* In the direction of traffic, successive specific information signs shall be those for "CAMPING," "LODGING," "FOOD" and "GAS" in that order.

(d) *Number of signs permitted.* The number of specific information signs permitted shall be limited to one for each type of motorist service along an approach to an interchange or intersection. The number of business signs permitted on a specific information sign is specified in subs. (7) (b), (8) (b), and (9) (b).

(e) *General sign specifications.* 1. Specific information signs. The sign panels for specific information signs shall have a blue background with a white legend and border. The sign panels, legend and borders shall be reflectorized but not illuminated. The size of the sign panels shall not exceed the minimum size necessary to accommodate the maximum number of business signs permitted using the required legend height and the interline and edge spacing. (See Figure Trans 200.06-4.)

2. Business signs. Business signs shall have a blue background with a white legend and border. Business signs shall be reflectorized. The principal legend should be at least equal in height to the directional legend on the specific information sign. If a business brand, symbol or trademark is used alone for a business sign, the border may be omitted. Business signs, including the brand, symbol or trademark or name, or combination of these, meeting the department's specifications, shall be provided to the department's contractor by the business. The brand, symbol or trademark or name, or combination of these, and any required legend shall not exceed the standard business sign size and any integral legend shall be in proportionate size. Businesses that provide diesel fuel as well as "GAS" services are encouraged to provide "DIESEL" as an integral legend on their business sign. The vertical and horizontal spacing between business signs on specific information signs shall not exceed 8 inches and 12 inches, respectively. (See Figure Trans 200.06-4.)

(f) *Legends.* All directional arrows and all letters and numbers used in the name of the type of motorist service and the directional legend shall be white and reflectorized.

(7) INTERSTATE HIGHWAYS AND OTHER FREEWAYS SPECIAL REQUIREMENTS. (a) *Sign location.* 1. Separate specific information signs. Except as provided in par. (b) 3, a separate specific information sign shall be provided.

vided for each type of motorist service for which business signs are displayed.

2. Relationship to exit gore. The specific information signs shall be erected between the end of the acceleration lane at the previous interchange and 800 feet in advance of the beginning of the deceleration lane at the interchange from which the motorist services are available. There shall be at least 800 feet spacing between the signs. Excessive spacing shall be avoided. Spacing may be adjusted to avoid visual conflict with other signs.

3. Convenient reentry. Specific information signs shall not be erected at an interchange where the motorist cannot conveniently reenter the freeway and continue in the same direction of travel.

4. Exit ramp signs. At single-exit interchanges where motorist service facilities are not visible from a ramp terminal, ramp signs shall be installed along the ramp or at the ramp terminal. These signs shall be provided by the business and shall correspond to the specific information signs along the main roadway but shall be reduced in size. Business signs for visible facilities may be omitted. The exit ramp signs shall include the distance to motorist service installations exceeding 3 miles and directional arrows in lieu of words. The minimum letter height shall be 4 inches except that any legend on a symbol shall be proportional to the size of the symbol.

(b) *Sign composition.* 1. Single-exit interchanges. At single-exit interchanges, the name of the type of motorist service followed by the exit number shall be displayed in one line above the business signs. At unnumbered interchanges, the directional legend "NEXT RIGHT (LEFT)" shall be substituted for the exit number. The "GAS" specific information sign shall be limited to 6 business signs; the "FOOD," "LODGING" and "CAMPING" specific information signs shall be limited to 4 business signs each.

2. Double-exit interchanges. At double-exit interchanges, the specific information signs shall consist of 2 sections, one for each exit. The top section shall display the business signs for the first exit and the lower section shall display the business signs for the second exit. No more than one-half of the maximum number of signs permitted at an intersection shall be permitted for each exit. (See Figures Trans 200.06-3 and 4.) The name of the type of motorist service followed by the exit number shall be displayed in a line above the business signs in each section. At unnumbered interchanges, the legends "NEXT RIGHT (LEFT)" and "SECOND RIGHT (LEFT)" shall be substituted for the exit numbers. Where a type of motorist service is to be signed for at only one exit, one section of the specific information sign may be omitted. The number of business signs (total of both sections) shall be limited to 6 for "GAS" and 4 each for "FOOD," "LODGING" and "CAMPING."

3. Interchanges with fewer facilities. At interchanges where not more than 2 qualified facilities are available for each of 2 or more types of motorist services, business signs for 2 types of motorist services may be displayed on the same specific information sign. Not more than 2 business signs for each type of motorist service shall be displayed in combination on a panel. The name of each type of motorist service shall be displayed above its respective business signs, and the exit number shall be displayed above the names of the types of motorist services. At unnum-

bered interchanges, the legend "NEXT RIGHT (LEFT)" shall be substituted for the exit number. Business signs shall not be combined on a panel when it is anticipated that additional motorist service facilities will become available in the near future. When it becomes necessary to display a third business sign for a type of motorist service displayed in combination, the business signs involved shall then be displayed in compliance with subs. 1 and 2.

(c) *Sign size.* 1. Business signs. Each business sign displayed on the "GAS" specific information sign shall be contained within a 48-inch-wide and 36-inch-high rectangular background area, including border. Each business "FOOD," "LODGING" and "CAMPING" specific information signs shall be contained within a 60-inch-wide and 36-inch-high rectangular background area, including border.

2. Legends. All letters used in the name of the type of motorist service and the directional legend shall be 10-inch capital letters. Numbers shall be 10 inches in height.

(8) EXPRESSWAYS—SPECIAL REQUIREMENTS. (a) *Sign location.* 1. Interchanges. The location of specific information signs and exit ramp signs erected for interchanges shall be the same as for interstate highways and freeways under sub. (7) (a).

2. Intersections. The locations of specific information signs, the spacing between specific information signs, and between specific information signs and other traffic control devices shall be determined on the basis of the department's engineering study. Business signs shall not be displayed for a business that is readily visible from a point on the traveled way 300 feet or more in advance of the intersection.

(b) *Sign composition.* 1. Interchanges. The composition of specific information signs and exit ramp signs erected for interchanges shall be the same as for interstate highways and freeways under sub. (7) (b).

2. Intersection. A maximum of 4 business signs for each type of motorist service shall be displayed along each approach to the intersection. No more than 4 business signs shall be displayed on each sign panel. A maximum of 2 business signs for each of 2 different types of motorist services may be combined on the same sign panel. The name of each type of motorist service shall be displayed above its business signs together with an appropriate legend such as "NEXT RIGHT (LEFT)" or a directional arrow.

(c) *Sign size.* 1. Interchanges. Business signs shall conform to the sizes specified for interstate highways and freeways under sub. (7) (c) 1. Legends shall conform to the requirements for interstate highways and freeways under sub. (7) (c) 2.

2. Intersections. Each business sign shall be contained within a 36-inch-wide and 24-inch-high rectangular background area, including border. All letters used in the name of the type of motorist service and the directional legend shall be 6-inch capital letters.

(9) CONVENTIONAL HIGHWAYS—SPECIAL REQUIREMENTS. (a) *Sign location.* The location of the specific information signs shall be the same as specified for expressway intersections under sub. (8) (a) 2.

(b) *Sign composition.* The composition of the specific information signs shall be the same as specified for expressway intersections under sub. (8) (b) 2.

(c) *Sign size.* Each business sign shall be contained within a 24-inch-wide and 18-inch-high rectangular background area, including border. All letters used in the name of the type of motorist service and the directional legend shall be 4-inch capital letters.

(10) **COMPLIANCE WITH FEDERAL LAW.** The department may promulgate an emergency administrative rule under s. 227.24, Stats., that supersedes this chapter whenever federal standards become more restrictive than this chapter.

(11) **SIGN REMOVAL.** (a) The department may remove a business sign at any time for any of the following reasons:

1. Failure to comply with any of the restrictions under sub. (1);
2. Failure to comply with any of the motorist service standards under sub. (2);
3. Failure to comply with any application or permit renewal requirement under sub. (3).
4. Failure to receive timely payment of any fee required by the department under sub. (4);
5. Failure to comply with any signing criteria under sub. (6) (a);
6. Failure to comply with an emergency rule promulgated by the department to comply with more restrictive federal standards under sub. (10);
7. Failure to have a valid business sign permit approved by the department at the time the sign is removed;
8. Failure to comply with any condition of any business sign permit;

(b) The department may also remove a business sign to facilitate construction, maintenance or utility work within the limits of the public highway, including sign erection or maintenance, when approved by the department. The department shall provide restoration of the sign upon completion of the work.

(c) Removal of a business sign by the department shall not be stayed by the filing of any contested case, by any appeal of the department's decision or order to remove the sign, or while the final decision is pending in any contested case or appeal.

(d) Removal of a business sign by the department as a result of the department's denial of a permit renewal shall not be stayed pending the final decision in any contested case or any appeal of the department's denial of the permit renewal.

(e) The department may remove a business sign at any time for any reason stated in this subsection whether the reason for removal occurs before or after issuance of the permit by the department, renewal or denial of the permit, or erection of the sign.

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(f) The department may remove a business sign at any time for any reason stated in this subsection whether the reason for removal results from action or inaction of the department, an applicant, permittee, the department's contractor, or any other person or any other event or occurrence. The department shall provide for restoration of the sign, or refund, if the removal results from an error of the department or the department's contractor in locating the sign.

(12) In lieu of or in addition to Form Trans 200.06, the department may enter into a contract that specifies alternative application forms with a private contractor.

History: Cr. Register, March, 1984, No. 339, eff. 4-1-84; emerg. am. (1) (intro.), (a) to (h), (k), (q), (3) (e) and (f), (4) (a), (5) (a) and (b), (6) (e) 2., (7) (a) 4., r. (1) (a) and (b), (3) (d), (4) (b) to (d), cr. (1) (x), (3) (i), (5) (d), and (12), r. and recr. (3) (g), eff. 6-13-86; am. (1) (intro.), (e), (h), (k), (q), (3) (e) and (f), (5) (a) and (b), (6) (e) 2. and (7) (a) 4., r. (1) (a) and (b) and (3) (d), cr. (1) (x), r. and recr. (3) (g), Register, September, 1986, No. 369, eff. 10-1-86; am. (1) (d), (f) to (h), (k), (3) (f) and (5) (a), renum. (4) (a) to be (4) and am., r. (4) (b) to (d), cr. (3) (i), (5) (d) and (12), Register, February, 1987, No. 374, eff. 3-1-87.