



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2003 Assembly Bill 496	Assembly Amendment 1
<i>Memo published:</i> November 21, 2003	<i>Contact:</i> Philip G. Cardis, Staff Attorney (267-0683)

Current Law

The federal Highway Beautification Act requires states to restrict advertising along interstate and federal-aid primary highways, and current state law incorporates these requirements. Current law prohibits, with certain exceptions, the erection or maintenance of outdoor advertising signs within 600 feet of, or otherwise visible (and intended to be visible) from, the main-traveled way of an interstate or federal-aid primary highway. The Department of Transportation may remove signs that do not conform to applicable requirements but, for each sign removed, must pay just compensation to the owner of the sign and to the owner of the land on which the sign is located. Current law permits customary maintenance of certain nonconforming signs but, if the nonconforming sign is enlarged, replaced, or relocated, the sign may be removed without compensation.

Assembly Bill 496 provides that any nonconforming sign may be removed without compensation if the costs of repairing and maintaining the sign within any 12 consecutive months exceed 50% of the replacement costs of the sign and that such repairs and maintenance do not constitute customary maintenance.

Assembly Amendment 1 provides that any nonconforming sign may be removed without compensation if the costs of repairing and maintaining the sign within any 36 (rather than 12) consecutive months exceed 50% of the replacement costs of that sign.

Legislative History

On November 20, 2003, the Assembly Committee on Transportation introduced Assembly Amendment 1 by unanimous consent. The Assembly Committee on Transportation recommended adoption and passage of the bill, as amended, by a vote of Ayes, 12; Noes, 2.

PGC:wu;rv