

1973 Assembly Bill 658

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CHAPTER 142 , Laws of 1973

AN ACT to create 15.461 (3), 15.465, 20.395 (2) (r) and 83.42 of the statutes, relating to the creation of a rustic roads board in the department of transportation, designation of a rustic roads system, providing rule-making authority and making an appropriation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 15.461 (3) of the statutes is created to read:

15.461 (3) **RUSTIC ROADS BOARD.** The rustic roads board shall have the program responsibilities specified for the board under s. 83.42.

SECTION 2. 15.465 of the statutes is created to read:

15.465 Same; attached boards. (1) **RUSTIC ROADS BOARD.** There is created a rustic roads board in the department of transportation. The rustic roads board shall consist of 11 members: the chairman of the highway commission or his designee, the chairman of the senate committee on transportation, the chairman of the assembly committee on highways, and 8 members appointed by the secretary of transportation for staggered 4-year terms of whom at least 4 members shall be selected from a list of nominees submitted by the Wisconsin county boards association.

SECTION 3. 20.395 (2) (r) of the statutes is created to read:

20.395 (2) (r) *Rustic roads system.* As a continuing appropriation, the amounts in the schedule for establishment of the rustic roads system under s. 83.42.

SECTION 4. 83.42 of the statutes is created to read:

83.42 Rustic roads system. (1) **PURPOSE.** In order to create and preserve rustic and scenic roads for vehicular, bicycle and pedestrian travel in unhurried, quiet and leisurely enjoyment; to protect and preserve recreational driving, culture, beauty, trees, vegetation and wildlife by establishing protective standards of rustic road design, access, speed, maintenance and identification, which will promote a continuous system of rustic roads and scenic easements for the public health and welfare; a state system of rustic roads is created.

(2) **DEFINITIONS.** In this section:

(a) "Board" means the rustic roads board in the department of transportation.

(b) "Municipality" means a city, village or town.

(3) **DESIGNATION AS A RUSTIC ROAD.** Any county highway committee may make application to the board for the designation of any highway within the committee's jurisdiction as a rustic road. Upon written request of the governing body of any municipality, the county highway committee may make application to the board for the designation of such highway within a municipality as a rustic road. The board shall approve or deny the application for designation of a highway as a rustic road submitted by the county highway committee under this subsection.

(4) **WITHDRAWAL OF HIGHWAYS FROM RUSTIC ROADS SYSTEM.** Any county highway committee, after holding a public hearing, may make application to the board for the removal of a highway from the rustic roads system. The board shall approve or deny the application for removal of such highway from its designation as a rustic road.

(5) **JOINT JURISDICTION OF HIGHWAYS.** Highways under the joint jurisdiction of 2 or more municipalities or a municipality and a county or 2 or more counties may not be designated rustic roads or be withdrawn from the rustic roads system until after approval by:

(a) The governing bodies of all affected municipalities; and

(b) The county highway committees of all affected counties; and

(c) The board.

(6) **TYPE OF USE ON RUSTIC ROADS.** The county highway committee, after approval by the board, may:

(a) Designate a rustic road or portion thereof as a pedestrian way or bicycle way or both.

(b) Designate the type of vehicles which may be operated on the rustic road.

(c) Establish priority of right-of-way, paint lines and construct such dividers to physically separate vehicular, bicycle or pedestrian traffic.

(7) LOCAL AUTHORITY. The county highway committees and the counties shall have the same authority over rustic roads as they possess over county trunk highways except as otherwise provided in this section.

(8) AIDS. State aids for rustic roads shall be based on the status of the highway prior to designation as a rustic road.

(9) RULES AND STANDARDS. The board shall promulgate rules and establish standards for the maintenance, identification, construction, use and preservation of the rustic roads system. Such rules and standards may be amended or revoked by the senate committee on transportation and the assembly committee on highways, acting jointly.

SECTION 5. Initial appointments. Of the initial appointments to the rustic roads board, 2 members shall be appointed for a term of 2 years, 2 for a term of 4 years, 2 for a term of 6 years and 2 for a term of 8 years.
