

1997-98 SESSION
COMMITTEE HEARING
RECORDS

Committee Name:

Joint Committee for
Review of
Administrative Rules
(JCR-AR)

Sample:

- Record of Comm. Proceedings
- 97hrAC-EdR_RCP_pt01a
- 97hrAC-EdR_RCP_pt01b
- 97hrAC-EdR_RCP_pt02

➤ Appointments ... Appt

➤

➤ Clearinghouse Rules ... CRule

➤

➤ Committee Hearings ... CH

➤

➤ Committee Reports ... CR

➤

➤ Executive Sessions ... ES

➤

➤ Hearing Records ... HR

➤

➤ Miscellaneous ... Misc

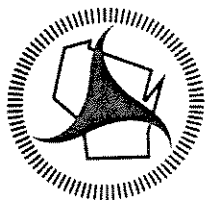
➤ 97hr_JCR-AR_Misc_pt15

➤ Record of Comm. Proceedings ... RCP

➤

TRANS 301-OUTDOOR ADVERT

45 003



Wisconsin Department of Transportation



Tommy G. Thompson
Governor

Charles H. Thompson
Secretary

OFFICE OF GENERAL COUNSEL
P. O. Box 7910
Madison, WI 53707-7910

July 14, 1998

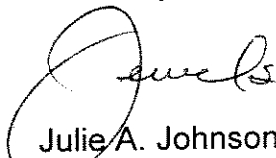
Mr. Gary L. Poulson, Deputy Revisor
Revisor of Statutes Bureau
131 West Wilson Street
Suite 800
Madison, Wisconsin 53703

RE: **STATEMENT OF SCOPE OF PROPOSED RULEMAKING, TRANS 201**

Dear Mr. Poulson:

Enclosed is the Statement of Scope for the proposed amendment of ch. Trans 201. Please publish the Scope Statement in accordance with § 227.135(3), Stats., in the Administrative Register.

Sincerely,


Julie A. Johnson
Paralegal

Enclosures

cc: Richard G. Chandler/DOA State Budget Director
Senator Robert Welch, Co-Chair/JCRAR
Representative Glenn Grothman, Co-Chair/JCRAR
Gene Kussart
Sandy Beaupre
Mike Goetzman
Jim Gruendler
Bob Hardie

STATEMENT OF SCOPE

DESCRIPTION OF THE OBJECTIVE OF THE RULE:

This rule making will amend ch. Trans 201 by changing the method by which distance from an intersection is measured for purposes of outdoor advertising structure placement.

DESCRIPTION OF EXISTING POLICIES RELEVANT TO THE RULE AND OF NEW POLICIES PROPOSED TO BE INCLUDED IN THE RULE AND AN ANALYSIS OF POLICY ALTERNATIVES:

Current rules measure the distance outdoor advertising structures must be placed from a non-freeway intersection from the end of any pavement taper at the intersection. This rule was written in the early 1970's. Current highway designs are different from those prevalent in the early 1970's. For example, paved highway shoulders are common today, but were uncommon at the time the current rule was written. Where paved shoulders are used, there is no pavement taper at the end of the intersection merge area. Rather, that area is designated by pavement markings (painted lines), which may not be consistently repainted in the identical location. Similarly, turning lanes that become longer over time are common on today's State Trunk Highway system, but were uncommon in the early 1970's.

Other states measure this distance from the center of affected intersections. The Department proposes to adopt this mechanism for measuring these distances. While the location of highway interchanges can change, their locations change less frequently than the locations of tapers and highway markings.

The policy alternatives are to maintain the existing system or to move to a system under which distances are measured from a more easily determined fixed point. The existing system currently results in repeated litigation resulting from disagreements between the Department and the regulated industry regarding the means of making such measurements. Adopting a fixed point measuring scheme would result in fewer litigated cases. Neither alternative should materially affect the number of billboards erected in the state.

No change is contemplated with respect to freeway or interstate sign location.


STATUTORY AUTHORITY FOR THE RULE:

84.30, Stats.

**ESTIMATES OF THE AMOUNT OF TIME THAT STATE EMPLOYEES WILL SPEND
DEVELOPING THE RULE AND OF OTHER RESOURCES NECESSARY TO DEVELOP
THE RULE:**

20 hours.

Signed at Madison, Wisconsin, this 14 day of
July, 1998.


for CHARLES H. THOMPSON
Secretary
Wisconsin Department of Transportation