

2003 SENATE BILL 525

March 4, 2004 – Introduced by Senators SCHULTZ, LASSA, ZIEN, KANAVAS, WELCH and ROESSLER, cosponsored by Representatives AINSWORTH, STEINBRINK, HUNDERTMARK, RHOADES, HINES, OTT, HAHN, MUSSER, LADWIG, STONE, TAYLOR and FREESE. Referred to Committee on Agriculture, Financial Institutions and Insurance.

1 **AN ACT** *to renumber* 86.195 (1) (a); *to amend* 84.30 (3) (a), 86.195 (1) (d) 1.,
2 86.195 (3) (intro.) and 86.195 (4) (b); and *to create* 84.30 (3) (am), 86.195 (1)
3 (am), 86.195 (2) (b) 4. and 86.195 (3) (e) of the statutes; **relating to:** displaying
4 attractions on highway specific information signs and removing restrictions on
5 certain outdoor advertising signs.

Analysis by the Legislative Reference Bureau

Current law allows the Department of Transportation (DOT) to erect and maintain certain informational signs to assist motorists traveling along state highways. DOT may, with restrictions, authorize the erection and maintenance, on designated state highways, of specific information signs, which notify motorists that certain businesses located near a highway are available to provide gas, food, lodging, or camping to motorists. DOT also may, with restrictions, erect and maintain tourist-oriented directional signs to provide identification of and directional information for tourist-related businesses, services, or activities that derive the majority of their income or visitors during the normal business season from motorists not residing in the immediate area where the businesses, services, or activities are located.

This bill allows specific information signs to display the word “attraction,” along with “gas,” “food,” “lodging,” and “camping,” and allows a sign mounted on the specific information sign to identify the attraction. An attraction under the bill must have a primary purpose of providing amusement, historical, cultural, or leisure activities to the public, regional significance, and adequate parking.

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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 660 feet of, or beyond 660 feet but visible (and erected for the purpose of being visible) from, the main-traveled way of an interstate or federal-aid primary highway. One of the exceptions to this prohibition allows directional and other official signs that comply with restrictions on size, lighting, number, and spacing, as established by DOT rule, which rules may not be inconsistent with or more restrictive than national standards established by federal authorities.

This bill modifies this exception (by creating a new exception) to allow the erection and maintenance of private directional signs for facilities that have a primary purpose of providing amusement, historical, cultural, or leisure activities to the public. Under the bill, DOT may not impose size, lighting, number, or spacing restrictions on such signs.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 84.30 (3) (a) of the statutes is amended to read:

2 84.30 (3) (a) Directional and other official signs, other than those specified
3 under par. (am), including, but not limited to, signs pertaining to natural wonders,
4 scenic and historical attractions, which are required or authorized by law, and which
5 comply with rules which shall be promulgated by the department relative to their
6 lighting, size, number, spacing and such other requirements as are appropriate to
7 implement this section, but such rules shall not be inconsistent with, nor more
8 restrictive than, such national standards as may be promulgated from time to time
9 by the secretary of transportation of the United States under 23 USC 131 (c).

10 **SECTION 2.** 84.30 (3) (am) of the statutes is created to read:

11 84.30 (3) (am) Private directional signs for facilities that have a primary
12 purpose of providing amusement, historical, cultural, or leisure activities to the
13 public.

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1 **SECTION 3.** 86.195 (1) (a) of the statutes is renumbered 86.195 (1) (ar).

2 **SECTION 4.** 86.195 (1) (am) of the statutes is created to read:

3 86.195 (1) (am) “Business” includes an attraction, whether public or private,
4 described in sub. (3) (e).

5 **SECTION 5.** 86.195 (1) (d) 1. of the statutes is amended to read:

6 86.195 (1) (d) 1. One or more of the words “GAS”, “FOOD”, “LODGING” ~~and,~~
7 “CAMPING”, or “ATTRACTION”;

8 **SECTION 6.** 86.195 (2) (b) 4. of the statutes is created to read:

9 86.195 (2) (b) 4. Nothing in this section prohibits a person requesting
10 installation of a business sign under sub. (3) (e) from advertising on any sign under
11 s. 84.30, subject to any limitation on such signs under s. 84.30.

12 **SECTION 7.** 86.195 (3) (intro.) of the statutes is amended to read:

13 86.195 (3) MOTORIST SERVICES. (intro.) Specific information signs may only
14 include business signs for the following categories of motorist services: “GAS”,
15 “FOOD”, “LODGING” ~~and,~~ “CAMPING”, and “ATTRACTION”. To qualify for
16 display on a specific information sign a business must meet the following standards
17 for the respective category of motorist service:

18 **SECTION 8.** 86.195 (3) (e) of the statutes is created to read:

19 86.195 (3) (e) “ATTRACTION” shall have:

20 1. A primary purpose of providing amusement, historical, cultural, or leisure
21 activities to the public;

22 2. Regional significance; and

23 3. Adequate parking accommodations.

24 **SECTION 9.** 86.195 (4) (b) of the statutes is amended to read:

