

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3915/P1dn  
ARG:jld:jf

December 5, 2005

ATTN: Scott Nelson

Please review the attached draft carefully to ensure that it is consistent with your intent.

I have interpreted the request as intended to cover both "multiple message signs" and "variable message signs" as defined in Trans 201.15, Wis. Adm. Code. Under current Trans 201.15, a "multiple message sign" containing advertising may be placed on an off-premises sign, but a "variable message sign" containing advertising may not. (A variable message sign is limited to on-premises signs and to providing public service information on off-premises signs.) Federal law seems to contemplate the use of variable message signs on on-premises signs and on off-premises signs for providing public service information but not on off-premises signs for advertising. See 23 USC 131 (c) (3) and (j). I recommend that you consult with DOT, or seek a determination from the Federal Highway Administration, as to whether enactment of this bill would jeopardize any federal highway aid to the state.

I am not sure what was intended by the word "can" in items 6. and. 7. of the instructions. DOT's rules do not prohibit traveling messages or segmented messages (where they are authorized), but impose restrictions on them. The attached draft does not directly prohibit these messages, but allows DOT to prohibit them or impose restrictions by rule.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

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