

2007 DRAFTING REQUEST

Bill

Received: 02/01/2007

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Dean Kaufert (608) 266-5719

By/Representing: Cale Battles (aide)

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Transportation - highways

Extra Copies: BAB

Submit via email: YES

Requester's email: Rep.Kaufert@legis.wisconsin.gov

Carbon copy (CC:) to: aaron.gary@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Specific information signs for attractions; distance to highway

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							State
/P1	agary 02/27/2007	wjackson 03/06/2007	jfrantze 03/07/2007		sbasford 03/07/2007		State
/1	agary 04/25/2007	wjackson 04/25/2007	pgreensl 04/25/2007		cduerst 04/25/2007		State
	agary 06/06/2007	wjackson 06/06/2007					

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Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

/2

pgreensl _____
06/06/2007 _____

lparisi _____
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6/6 PR

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FE Sent For:

1 wj 4/25

[Handwritten initials]

<END>

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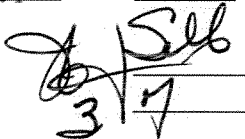
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1/?	agary	1/pl Wlj 3/6					State

FE Sent For:

<END>

Gary, Aaron

From: Battles, Cale
Sent: Thursday, February 01, 2007 2:56 PM
To: Gary, Aaron
Subject: Bill request

Attachments: Attraction sign draft.doc

Aaron,

I believe this e-mail should be directed to you, but if I am wrong could you please direct it to the correct person.

I am attaching language that Rep. Kaufert would like drafting into the legislation regarding highway attraction signage. Current law states that an attraction must be within 5 miles of the highway. We would like to change that number to 15. We would also like to include language on asking the DOT to contract out for an engineering study on this study.


If you have any questions regarding this request please feel free to contact me at anytime. Thank you in advance for your assistance in this matter.

Sincerely,


Cale Battles
Rep. Kaufert's Office
6-5719




Attraction sign
draft.doc (39 ...

86.195(4)(b) 


(b) The relative location of successive specific information signs near a particular intersection shall be in the following order, as seen by the traveling public: "ATTRACTION", "CAMPING", "LODGING", "FOOD" and "GAS".

86.195(5) 


(5) Criteria.

86.195(5)(a) 


(a) *Distance to services.*

86.195(5)(a)1. 

1. Except as provided in subds. 2. and 3., 4 a motorist service may not be located more than 3 miles from the federal-aid primary or secondary highway on which the specific information sign for the motorist service is erected.

86.195(5)(a)2. 

2. Except as provided in subd. 3., and 4 if no business in the category of motorist service is available within the 3-mile limit, the limit in subd. 1. may be extended in 3-mile increments to a maximum distance of 15 miles from the federal-aid primary or secondary highway until a business in the category of motorist service is reached.

86.195(5)(a)3. 

3. If no business in the category of motorist service is available within the 3-mile limit, the limit in subd. 1. may, on or after May 8, 1990, be extended to a maximum distance of not more than 5 miles from the highway.

4. A motorist service that is an "Attraction" may be located within a maximum distance of 15 miles from the federal-aid primary or secondary highway..

Require the state DOT to contract with a third party to complete an engineering study to evaluate a divergence from the MUTCD 15 mile limit for attractions.

soon

in 2/27

WLJ

D-Note

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Gen

1 AN ACT ...; relating to: attractions displayed on highway specific information
2 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 motorist services in the category of gas, food, lodging, camping, or attraction. A motorist service generally must be located not more than three miles from the highway on which the specific information sign for the motorist service is erected except that, after May 8, 1990, if no business in the category of motorist service is available within this three-mile distance, a motorist service may be located not more than five miles from the highway on which the sign is erected.

Under this bill, a motorist service that is an attraction may be located not more than 15 miles from the highway on which the specific information sign for the motorist service is erected. The bill also requires DOT to engage the services of a third-party consultant to perform an engineering study to evaluate any divergence between this 15-mile location limit and requirements under the manual of uniform traffic control devices adopted by DOT.

For further information see the *state* 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.** 86.195 (5) (a) ✓ of the statutes is amended to read:

2 86.195 (5) (a) *Distance to services.* 1. Except as provided in subds. 2. and 3. to
3 4. ✓, a motorist service may not be located more than 3 miles from the federal-aid
4 primary or secondary highway on which the specific information sign for the motorist
5 service is erected.

6 2. Except as provided in subd. subds. 3. and 4. ✓, if no business in the category
7 of motorist service is available within the 3-mile limit, the limit in subd. 1. may be
8 extended in 3-mile increments to a maximum distance of 15 miles from the
9 federal-aid primary or secondary highway until a business in the category of
10 motorist service is reached.

11 3. If Except as provided in subd. 4. ✓, if no business in the category of motorist
12 service is available within the 3-mile limit, the limit in subd. 1. may, on or after May
13 8, 1990, be extended to a maximum distance of not more than 5 miles from the
14 highway.

15 **SECTION 2.** 86.195 (5) (a) 4. ✓ of the statutes is created to read:

16 86.195 (5) (a) 4. A business in the category of motorist service specified in sub.
17 (3) (e) ✓ may not be located more than 15 miles from the federal-aid primary or
18 secondary highway on which the specific information sign for the motorist service is
19 erected.

20 **SECTION 3. Nonstatutory provisions.**

1 (1) The department of transportation shall, under section 84.01 (13) ✓ of the
2 statutes, engage the services of a consultant to perform an engineering study to
3 evaluate any divergence between the provisions of section 86.195 (5) (a) 4. ✓ of the
4 statutes, as created by this act, ✓ and requirements under the manual of uniform
5 traffic control devices, as adopted by the department under section 84.02 (4) (e) ✓ of the
6 statutes.

7

(END)

A-Note

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

LRB-1792/P1dn

ARG:.....

Wlj

ATTN: Cale Battles

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

I highly recommend having the attached draft reviewed by DOT to advise of its opinion whether created s. 86.195 (5) (a) 4. would be inconsistent with federal requirements and potentially jeopardize federal highway aid to the state.

I am uncertain of the purpose and intent of the engineering study in the nonstatutory provision of the draft. Please advise if you would like this provision revised. Also, do you want to specify from what appropriation the cost of the study will be paid?

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.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

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

LRB-1792/P1dn
ARG:wlj:jf

March 7, 2007

ATTN: Cale Battles

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

I highly recommend having the attached draft reviewed by DOT to advise of its opinion whether created s. 86.195 (5) (a) 4. would be inconsistent with federal requirements and potentially jeopardize federal highway aid to the state.

I am uncertain of the purpose and intent of the engineering study in the nonstatutory provision of the draft. Please advise if you would like this provision revised. Also, do you want to specify from what appropriation the cost of the study will be paid?

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.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

Gary, Aaron

From: Battles, Cale
Sent: Tuesday, April 24, 2007 2:20 PM
To: Gary, Aaron
Subject: FW: Draft review: LRB 07-1792/P1 Topic: Specific information signs for attractions; distance to highway
Attachments: LRB-1792_P1; LRB-1792_P1 Drafters_Note

Aaron,

I have just a couple of changes to the draft. Please eliminate the 15 mile requirement and replace it 30 miles. Also please eliminate the requirement to have the DOT contract to conduct and engineering study. Outside of those changes the bill is ready to go. Thanks again for all your help.

Cale Battles

Rep. Kaufert's Office

Hi Cale,

I am indeed the right person. I have entered this request as LRB-1792.

Aaron

Aaron R. Gary

Legislative Attorney

Legislative Reference Bureau

608.261.6926 (voice)

608.264.6948 (fax)

aaron.gary@legis.state.wi.us

From: Battles, Cale

Sent: Thursday, February 01, 2007 2:56 PM

To: Gary, Aaron

04/24/2007



State of Wisconsin
2007 - 2008 LEGISLATURE

soon

LRB-1792/P1 1

ARG:wlj:jf

in 4/25

stays LMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Note to editors: I left
FE on b/c of potential
that bill could affect
federal aid received by DOT

Regen

- 1 AN ACT *to amend* 86.195 (5) (a); and *to create* 86.195 (5) (a) 4. of the statutes;
- 2 **relating to:** attractions displayed on highway specific information 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 motorist services in the category of gas, food, lodging, camping, or attraction. A motorist service generally must be located not more than three miles from the highway on which the specific information sign for the motorist service is erected except that, after May 8, 1990, if no business in the category of motorist service is available within this three-mile distance, a motorist service may be located not more than five miles from the highway on which the sign is erected.

30

Under this bill, a motorist service that is an attraction may be located not more than ~~15~~ miles from the highway on which the specific information sign for the motorist service is erected. The bill also requires DOT to engage the services of a third-party consultant to perform an engineering study to evaluate any divergence between this 15-mile location limit and requirements under the manual of uniform traffic control devices adopted by DOT.

For further information see the *state* 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.** 86.195 (5) (a) of the statutes is amended to read:

2 86.195 (5) (a) *Distance to services.* 1. Except as provided in subds. 2. and 3. to
3 4., a motorist service may not be located more than 3 miles from the federal-aid
4 primary or secondary highway on which the specific information sign for the motorist
5 service is erected.

6 2. Except as provided in ~~subd.~~ subds. 3. and 4., if no business in the category
7 of motorist service is available within the 3-mile limit, the limit in subd. 1. may be
8 extended in 3-mile increments to a maximum distance of 15 miles from the
9 federal-aid primary or secondary highway until a business in the category of
10 motorist service is reached.

11 3. ~~If~~ Except as provided in subd. 4., if no business in the category of motorist
12 service is available within the 3-mile limit, the limit in subd. 1. may, on or after May
13 8, 1990, be extended to a maximum distance of not more than 5 miles from the
14 highway.

15 **SECTION 2.** 86.195 (5) (a) 4. of the statutes is created to read:

16 86.195 (5) (a) 4. A business in the category of motorist service specified in sub.
17 (3) (e) may not be located more than ~~15~~³⁰ miles from the federal-aid primary or
18 secondary highway on which the specific information sign for the motorist service is
19 erected.

20 **SECTION 3. Nonstatutory provisions.**

1 ~~(1) The department of transportation shall, under section 84.01 (13) of the~~
2 ~~statutes, engage the services of a consultant to perform an engineering study to~~
3 ~~evaluate any divergence between the provisions of section 86.195 (5) (a) 4. of the~~
4 ~~statutes, as created by this act, and requirements under the manual of uniform~~
5 ~~traffic control devices, as adopted by the department under section 84.02 (4) (e) of the~~
6 ~~statutes.~~

7

(END)

Gary, Aaron

From: Battles, Cale
Sent: Tuesday, June 05, 2007 11:49 AM
To: Gary, Aaron
Subject: RE: LRB 2804/1

Aaron,

We have been working with Breske's office on LRB 1792. Could you please apply LRB 2804 to 1792 as a slash 2.

Cale Battles
Rep. Kaufert's Office
266-5719

From: Piliouras, Elizabeth
Sent: Friday, June 01, 2007 7:27 PM
To: Gary, Aaron; Battles, Cale
Subject: LRB 2804/1

Hi Aaron:

I know you're expecting this, but I've opening shared 2804 with the Kaufert office. Please allow them to apply it to 1792 if they so wish to do so.

Thanks!

Beth Piliouras
Senator Roger Breske

soon

in 6/6

1792/2
LRB-2804/1
ARG:wlj:pg
stays ↑

RMNR

2007 BILL

Editors / LPSs: Please note that the redraft is not based on the /1, but rather on a different draft

Regen

- 1 AN ACT *to amend* 86.195 (2) (b) 1. and 86.195 (5) (a); and *to create* 86.195 (4)
- 2 (c) and 86.195 (5) (a) 4. of the statutes; **relating to:** attractions displayed on
- 3 highway specific information 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 motorist services in the category of gas, food, lodging, camping, or attraction. A motorist service generally must be located not more than three miles from the highway on which the specific information sign for the motorist service is erected except that, after May 8, 1990, if no business in the category of motorist service is available within this three-mile distance, a motorist service may be located not more than five miles from the highway on which the sign is erected.

Under this bill, a motorist service that is an attraction may be located not more than 30 miles from the highway on which the specific information sign for the motorist service is erected. No more than one sign, for each direction of travel, for the attraction may be displayed on a highway specific information sign, and an attraction's sign may be displayed only on the highway by which the attraction is most directly reached and on which specific information signs are authorized.

BILL

For further information see the *state* 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.** 86.195 (2) (b) 1. of the statutes is amended to read:

2 86.195 (2) (b) 1. ~~Upon~~ Subject to sub. (4) (c), upon the request of any person,
3 the department may authorize the installation and maintenance of a business sign
4 on an existing specific information sign.

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

6 86.195 (4) (c) No business sign under sub. (3) (e) may be erected or maintained
7 on a highway for a business that is more directly reached by any other highway on
8 which specific information signs are authorized under sub. (2). No more than one
9 business sign under sub. (3) (e) may be erected or maintained on a highway, for each
10 direction of travel, for the same business.

11 **SECTION 3.** 86.195 (5) (a) of the statutes is amended to read:

12 86.195 (5) (a) *Distance to services.* 1. Except as provided in subds. 2. ~~and 3.~~ to
13 ~~4.~~, a motorist service may not be located more than 3 miles from the federal-aid
14 primary or secondary highway on which the specific information sign for the motorist
15 service is erected.

16 2. Except as provided in ~~subd.~~ subds. 3. and 4., if no business in the category
17 of motorist service is available within the 3-mile limit, the limit in subd. 1. may be
18 extended in 3-mile increments to a maximum distance of 15 miles from the
19 federal-aid primary or secondary highway until a business in the category of
20 motorist service is reached.

BILL

1 3. If Except as provided in subd. 4., if no business in the category of motorist
2 service is available within the 3-mile limit, the limit in subd. 1. may, on or after May
3 8, 1990, be extended to a maximum distance of not more than 5 miles from the
4 highway.

5 **SECTION 4.** 86.195 (5) (a) 4. of the statutes is created to read:

6 86.195 (5) (a) 4. A business in the category of motorist service specified in sub.
7 (3) (e) may not be located more than 30 miles from the federal-aid primary or
8 secondary highway on which the specific information sign for the motorist service is
9 erected.

10

(END)

Basford, Sarah

From: Battles, Cale
Sent: Thursday, July 05, 2007 8:44 AM
To: LRB.Legal
Subject: Draft Review: LRB 07-1792/1 Topic: Specific information signs for attractions; distance to highway

Please Jacket LRB 07-1792/1 for the ASSEMBLY.