

**2009 DRAFTING REQUEST**

**Bill**

Received: **10/20/2009**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Mark Radcliffe (608) 266-7461**

By/Representing: **Steve**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Rep.Radcliffe@legis.wisconsin.gov**

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

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Specific information (SIS) tourism signs

---

**Instructions:**

Wants to change limitation on tourism signs from 5 miles from the highway to 10 miles from the highway;  
OK to talk to DOT about any federal limitation on this

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**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 11/03/2009	jdyer 11/09/2009	mduchek 11/09/2009	_____	sbasford 11/09/2009		State
/1	agary 01/07/2010	jdyer 01/07/2010	rschluet 01/07/2010	_____	sbasford 01/07/2010	sbasford 01/25/2010	

FE Sent For: "1" @ intro. 2/19/10

<END>

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1?	agary	PI 11/9 jld		_____			

FE Sent For:

<END>

**Gary, Aaron**

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**From:** Vieth, David - DOT [David.Vieth@dot.wi.gov]  
**Sent:** Wednesday, November 04, 2009 11:24 AM  
**To:** Gary, Aaron  
**Subject:** RE: TODS

Aaron, the provision in s. 86.196 (5) mirrors the Guidance statement provided in the federal Manual on Uniform Traffic Control Devices. The language is in Section 2G.07, Guidance statement G., maximum distance to eligible facilities.

The requirement is not directly imposed by federal law, as it is identified as guidance. The Wisconsin Manual on Uniform Traffic Control Devices adopts the guidance statement so it becomes the standard for traffic signs prescribed by the department. The specific provision of 86.195 (5) reiterates the standard.

In terms of the practical implications, the department has experience in this area, as the somewhat similar specific information sign program years ago had a more lenient standard, allowing for inclusion of services up to 15 miles from the interchange or intersection. There were a number of public complaints about allowing signs that directed to services too far removed from the highway where the sign was located. Now those limitations, both from the MUTCD and in state law, are generally three miles with the potential to extend to 5 miles in some cases. For the "attractions" category only, the law provides that the distance may extend as far as 30 miles from the route. In practice, this would rarely if ever happen as there are other provisions preventing signing from one route to another like route.

Generally the department discourages changes that add to sign proliferation. The federal Manual on Uniform Traffic Control Devices, as well as sound engineering practice, recognize that signs on the highway should be limited to those necessary to guide and warn traffic, to achieve safe highway operation. Adding signs for locations that are remote from the route adds little value and diminishes the impact or driver respect for signs that require driver action, which is seen as negatively affecting highway safety.

David Vieth  
Bureau of Highway Operations  
Wisconsin Department of Transportation  
608-267-8999  
david.vieth@dot.wi.gov

**From:** Gary, Aaron [mailto:Aaron.Gary@legis.wisconsin.gov]  
**Sent:** Tuesday, November 03, 2009 4:55 PM  
**To:** Vieth, David - DOT  
**Cc:** Woltmann, Mark - DOT; Nilsen, Paul - DOT  
**Subject:** TODS

Mr. Vieth,

There is a 5-mile limitation under s. 86.196 (5) for TODS signs. I have received interest in expanding this distance. Do you happen to know whether the 5-mile restriction is imposed under federal law?

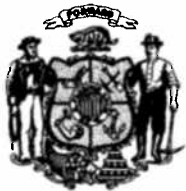
11/04/2009

Thank you for any feedback you might have.

Aaron

Aaron R. Gary  
*Attorney, Legislative Reference Bureau*  
608.261.6926 (voice)  
608.264.6948 (fax)  
[aaron.gary@legis.state.wi.us](mailto:aaron.gary@legis.state.wi.us)





500v

in 11/3

JLD

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

D-Note

4

Gen

1 AN ACT ...; relating to: the distance from tourist-oriented directional highway  
2 signs to tourist-related businesses, services, or activities.

***Analysis by the Legislative Reference Bureau***

Under current law, the Department of Transportation (DOT) erects tourist-oriented directional signs to assist motorists traveling along highways. Tourist-oriented directional signs provide identification of, and directional information for, tourist-related businesses, services, or activities, which derive the majority of their income or visitors during the normal business season from motorists not residing in the immediate area where the business, service, or activity is located. A tourist-oriented directional sign is available only for businesses, services, or activities located within five miles from the highway on which the tourist-oriented directional sign is erected.

Under this bill, a tourist-oriented directional sign is available for businesses, services, or activities located within ten miles from the highway on which the tourist-oriented directional sign is erected.

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:***

insert 1-3

3

**SECTION 1.** 86.196 (5) of the statutes is amended to read:

1           86.196 (5) A tourist-related business, service or activity may not be located  
2           more than ~~5~~ <sup>✓</sup> 10 miles from the highway on which the tourist-oriented directional  
3           sign for that business, service or activity is erected.

4           History: 1989 a. 98, 315; 2007 a. 20.

(END)

*D. Note*

2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-3704/P1ins  
ARG:.....

1  
2  
3  
4  
5  
6  
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10

**INSERT 1-3:**

**SECTION 1.** 86.196 (2) (intro.)<sup>✓</sup> of the statutes is amended to read:

86.196 (2) (intro.) The department shall establish by rule standards for tourist-oriented directional signs. The rule shall conform to federal standards for tourist-oriented directional signs adopted under 23 USC 131 (q) and, except as provided in sub. (5)<sup>✓</sup>, with the manual of uniform traffic control devices adopted by the department under s. 84.02 (4) (e). The rule shall include all of the following:

**History:** 1989 a. 98, 315; 2007 a. 20.

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

LRB-3704/P1dn

ARG:.....

date

Jld

ATTN: Steve Boe

Please review the attached draft carefully to ensure that it is consistent with your intent. ~~At this time, I have not received information from DOT as to whether the change in the attached draft is consistent with federal law. I recommend that you discuss this issue with DOT.~~ ✓

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-3704/P1dn  
ARG:jld:md

November 9, 2009

ATTN: Steve Boe

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

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](mailto:aaron.gary@legis.wisconsin.gov)



State of Wisconsin  
2009 - 2010 LEGISLATURE

TODAY

LRB-3704/1

ARG:jld:md

in  
1/7

MMR

*Att of State - wants 11*  
~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

*No changes*

*Regen*

1 AN ACT *to amend* 86.196 (2) (intro.) and 86.196 (5) of the statutes; **relating to:**  
2 the distance from tourist-oriented directional highway signs to tourist-related  
3 businesses, services, or activities. ✓

***Analysis by the Legislative Reference Bureau***

Under current law, the Department of Transportation (DOT) erects tourist-oriented directional signs to assist motorists traveling along highways. Tourist-oriented directional signs provide identification of, and directional information for, tourist-related businesses, services, or activities, which derive the majority of their income or visitors during the normal business season from motorists not residing in the immediate area where the business, service, or activity is located. A tourist-oriented directional sign is available only for businesses, services, or activities located within five miles from the highway on which the tourist-oriented directional sign is erected.

Under this bill, a tourist-oriented directional sign is available for businesses, services, or activities located within ten miles from the highway on which the tourist-oriented directional sign is erected.

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:***



**Basford, Sarah**

---

**From:** Boe, Steve  
**Sent:** Monday, January 25, 2010 2:02 PM  
**To:** LRB.Legal  
**Subject:** Jackets

I am in need of jackets for LRB 3710/1 and LRB 3704/1

Thanks,

Boe

***Steve Boe***

**Office of Rep. Mark Radcliffe**

State Capitol, Room 321 - West

P.O. Box 8953

Madison, WI 53708-8953

608-266-7461 (office)

888-534-0092 (toll free)

steve.boe@legis.wisconsin.gov





## 2009 ASSEMBLY BILL 764

02-19-2010  
Before  
Corrections

February 19, 2010 – Introduced by Representatives RADCLIFFE, ROYS, KERKMAN, ZIEGELBAUER, BERCEAU, RIPP, PETROWSKI, BALLWEG, A. WILLIAMS and MOLEPSKE JR., cosponsored by Senators MILLER, TAYLOR, PLALE, GROTHMAN, RISSER and LASSA. Referred to Committee on Transportation.

- 1 AN ACT *to amend* 86.196 (2) (intro.) and 86.196 (5) of the statutes; **relating to:**
- 2 the distance from tourist-oriented directional highway signs to tourist-related
- 3 businesses, services, or activities.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the Department of Transportation (DOT) erects tourist-oriented directional signs to assist motorists traveling along highways. Tourist-oriented directional signs provide identification of, and directional information for, tourist-related businesses, services, or activities, which derive the majority of their income or visitors during the normal business season from motorists not residing in the immediate area where the business, service, or activity is located. A tourist-oriented directional sign is available only for businesses, services, or activities located within five miles from the highway on which the tourist-oriented directional sign is erected.

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**REVISION REPORT**

**INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS**

Under Assembly Rule 17d,  
**Friday, February 19, 2010 at 1:39 PM**

is considered the official date and time of introduction for the proposals listed in this document.

\*\*\*\*\*

**ASSEMBLY BILL 763 (LRB -3710)**

Relating to: meals that a bed and breakfast establishment may serve.  
By Representatives Radcliffe, Roys, Kerkman, Ziegelbauer, Berceau, Ripp, Petrowski, Ballweg, A. Williams and Molepske Jr.;  
cosponsored by Senators Miller, Taylor, Plale, Grothman, Risser and Lassa.

Referred to Committee on **TOURISM, RECREATION AND STATE PROPERTIES**.

**ASSEMBLY BILL 764 (LRB -3704)**

Relating to: the distance from tourist-oriented directional highway signs to tourist-related businesses, services, or activities.  
By Representatives Radcliffe, Ziegelbauer, Berceau, Knodl, Ripp, Kerkman and Clark; cosponsored by Senators Harsdorf and  
Schultz.

Referred to Committee on **TRANSPORTATION**.

Sponsors changed  
 corrected copy  
 requested by  
 Jeryn in Acc office  
 02-24-2010



MB

02-24-2010  
After Corrections

## 2009 ASSEMBLY BILL 764

February 19, 2010 - Introduced by Representatives RADCLIFFE, ZIEGELBAUER, BERCEAU, KNODL, RIPP, KERKMAN and CLARK, cosponsored by Senators HARSDORF and SCHULTZ. Referred to Committee on Transportation.

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