

**NOTICE OF PUBLIC HEARING
BEFORE THE
DEPARTMENT OF TRANSPORTATION
TRANS 200**

NOTICE IS HEREBY GIVEN that pursuant to ss. 86.195 and 227.11 Stats., interpreting s. 86.195, Stats., the Department of Transportation will hold a public hearing on an amendment to ch. Trans 200 Wis. Admin. Code relating to the erection of signs on public highways.

NOTICE IS HEREBY FURTHER GIVEN that the hearing will be held on **Wednesday, November 28, 2012 at 1:00 p.m.** at the following location: Hill Farms State Transportation Building, 4802 Sheboygan Avenue, Room 144B, Madison, Wisconsin.

NOTICE IS HEREBY FURTHER GIVEN that the proposed rule and fiscal estimate may be reviewed and comments electronically submitted at the following Internet site: <http://adminrules.wisconsin.gov>. Written comments on the proposed rule may be submitted via U.S. mail to Mr. John Noll, SIS/TODS Program Coordinator, Bureau of Traffic Operations, Traffic Engineering Section, Traffic Design Unit, Room 501, P.O. Box 7986, Madison, WI 53707-7986, or by calling (608) 266-0318. You may also contact Mr. Noll via email at: john.noll@dot.wi.gov Comments may be submitted in lieu of public hearing testimony or comments supplementing testimony offered at the public hearing until close of business on November 28, 2012.

Plain Language Rule Analysis: This proposed rule-making would re-word Trans 200.06(7)(b)3.a., relating to the number of business logo panels allowed on specific information signs at interchanges when fewer than 6 qualified facilities are available in one or more of the categories of GAS, FOOD, LODGING, CAMPING and ATTRACTIONS. Business logo panels for 2 categories of motorist services may be displayed on the same information sign with certain limitations. Amending this rule increases flexibility, allowing more businesses to participate while making optimal use of existing structures.

Related Statute or Rule: There are no statutes or rules other than those referenced above or currently under promulgation related to this proposed rulemaking.

Comparison with Similar Rules in Adjacent States:

Michigan: The categories allowed in Michigan are Gas/Diesel, Food, Lodging Camping and 24-hour Pharmacies. When displaying logo panels for multiple categories, Michigan complies with the 2009 Federal Manual on Uniform Traffic Control Devices (MUTCD): When 2 types of services are displayed on one sign, the logo sign panels shall be limited to either 3 for each motorist service type (for a total of 6 sign panels), or 4 of one motorist service type and 2 of the other motorist service type (for a total of 6 sign panels).

Minnesota: Logo signs can be installed on Interstate highways and certain freeways in the Minneapolis/Saint Paul area. Other highways are ineligible. The signs are located at interchanges, not intersections.

GAS, FOOD, LODGING and CAMPING businesses may advertise on logo signs. These businesses provide essential motorist services, according to the Federal Highway Administration (FHA).

When displaying logo panels on Interstate highways and certain freeways, Minnesota's logo program complies with the 2009 Federal MUTCD, which allows 4 of one motorist service type and 2 of the other motorist service type (for a total of 6 sign panels).

Illinois: The Illinois Department of Transportation (IDOT) administers a Business Logo Signing Program along various Interstate highways and other freeways. This program involves mounting gas, food, lodging, camping business, and 24-hour pharmacy signs, referred to as logos, on large blue-background panels in advance of interchange exits and along exit ramps to alert motorists to available motorist services.

The program includes all sections of Interstate highways and other freeways except those passing through densely populated urbanized areas where logo signing would overload motorists with information that is not essential to their safe travel. It does not apply to highways under the jurisdiction of the Illinois State Toll Highway Authority.

Logo panels may be displayed to allow 3 business categories with 2 business logo panels from each category (for a total of 6 sign panels) on a single business sign structure. When 2 business categories are displayed on a single sign structure, 3 logo panels from each of the 2 business categories may be displayed, or 4 logo panels from 1 business category and 2 logo panels from another business category (for a total of 6 sign panels).

TOURIST ATTRACTION signs may be combined with business logo signs (Gas, Food, Camping and 24-Hour Pharmacy) on the same structure, with no more than 6 business logo panels displayed on any one structure. Tourist Attraction panels will not be combined with existing business service signs displaying more than 3 business logo panels. When tourist attraction signs are combined with business logo signs, one space will remain available for each business logo service type displayed on the structure.

This combination is different from what is suggested in the 2009 Federal MUTCD.

Iowa: Iowa DOT requirements for mainline specific service signs erected in advance of an interchange, in a single direction of travel, and limitations regarding the numbers and types of business signs attached to these motorist service signs are as follows: Each mainline specific service sign is limited to 6 business logo panels. This restriction applies regardless of whether the specific service sign displays a single type of motorist service or a combination of motorist service types.

In general, only one type of motorist service should be displayed on each mainline specific service sign. However, the department may combine motorist service types on one sign for a reason such as, but not limited to, the following:

- (1) Each combination sign is limited to 6 business logo panels.
- (2) No more than 3 motorist service types shall be represented on any combination sign.
- (3) For a combination sign displaying 3 types of motorist services, the number of business logo panels for each motorist service type is limited to 2.
- (4) For a combination sign that will accommodate at least 4 business logo panels, each type of motorist service displayed on the sign must have at least 2 positions designated for that service type. This complies with the 2009 Federal MUTCD.

Summary of, and preliminary comparison with, existing or proposed federal regulation: This rule change is consistent with the 2009 Federal MUTCD adopted by WisDOT. By allowing more flexibility, more businesses could participate in the Specific Information Sign (SIS) program.

Summary of Factual Data and Analytical Methodologies: The proposed rule change complies with the Federal Highway Administration Manual on Uniform Traffic Control Devices (MUTCD). When 2 types of motorist services are displayed on one sign, the logo sign panels shall be limited to either 3 for each motorist service type (for a total of 6 sign panels), or 4 of one motorist service type and 2 for the other motorist service type (for a total of 6 sign panels). No factual data was required for the rule-making in this proposal, as the changes were made for consistency with the Federal MUTCD previously adopted by WisDOT. For that reason, no analysis was involved in the preparation of this proposed rule.

Anticipated Private Sector Costs: This amendment and the legislation which grants the department rule making authority does not have a significant fiscal effect on the private sector. Additionally, no costs are associated with compliance with this rule.

Analysis and Supporting Documentation used to Determine Effect on Small Business: By allowing a split of categories, with up to 4 business logo panels for one motorist service type and 2 business logo panels of another motorist service type, more businesses could simultaneously take advantage of using motorist service business logo panels. Subsequently, this would reduce the number of businesses on the waiting list for motorist services business logo panels

at those particular interchanges or intersections. If more businesses are able to take advantage of the SIS program, the Department anticipates this regulatory change will have a minor fiscal effect on small business.

Pursuant to s. IV, 3.a. of Executive Order #50, the changes proposed herein are posted on the state's and the department's administrative rules website and will be posted until close of business on the day of the public hearing to solicit comments regarding their potential economic impact on businesses, business sectors, professional associations, local government units, or potentially interested parties.

Agency Contact Person: John Noll, SIS/TODS Program Coordinator, Bureau of Traffic Operations, Traffic Engineering Section, Traffic Design Unit, 4802 Sheboygan Avenue, Room 501, P.O. Box 7986, Madison, WI 53707-7986; (608) 266-0318; john.noll@dot.wi.gov.

To view the proposed amendment to the rule, view the current rule, and submit written comments via email/internet, you may visit the following website:

<http://www.dot.wisconsin.gov/library/research/law/rulenotices.htm>.

NOTICE IS HEREBY FURTHER GIVEN that pursuant to s. 227.114, Stats., it is not anticipated that the proposed rule will have a significant economic impact on small business. The Department's Small Business Regulatory Coordinator, Michele Carter, may be contacted at: (414) 438-4587 or (608) 266-6961, or by emailing her at: Michele.carter@dot.wi.gov.

NOTICE IS HEREBY FURTHER GIVEN that the Department has made a preliminary determination that this action does not involve adverse environmental effects and does not need an environmental analysis. No petition has been received requesting an environmental analysis.

NOTICE IS HEREBY FURTHER GIVEN that pursuant to the Americans with Disabilities Act, reasonable accommodations, including the provision of informational material in an alternative format, will be provided for qualified individuals with disabilities upon request. Please call John Noll at (608) 266-0318 with specific information on your request **at least 10 days** before the date of the scheduled hearing.

Signed at Madison, Wisconsin, this ____ day of _____, 2012.

Mark Gottlieb, P.E.
Secretary
Wisconsin Department of Transportation