



**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1995 ASSEMBLY BILL 421**

November 15, 1995 - Offered by Representative SILBAUGH.

1 **AN ACT to amend** 86.192 (1m) and 346.41 (1) (intro.), (a) and (b); and **to create**  
2 346.41 (4) of the statutes; **relating to:** traffic signs, signals, markings and other  
3 devices on private property.

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

4 **SECTION 1.** 86.192 (1m) of the statutes is amended to read:  
5 86.192 (1m) ~~No~~ Except as provided in s. 346.41 (4), no person may possess any  
6 sign, guide board, mile post, signal or marker of the type erected by the state or by  
7 any municipality for the warning, instruction or information of the public, unless the  
8 person can demonstrate that he or she obtained it in a legal manner. Possession of  
9 such a sign, guide board, mile post, signal or marker creates a rebuttable  
10 presumption of illegal possession. In this subsection, "possession" means the  
11 presence of such a sign, guide board, mile post, signal or marker on premises owned  
12 or controlled by the person, including but not limited to a rented apartment, rented  
13 room or dormitory room. Persons who voluntarily notify a law enforcement agency

1 of the presence on their premises of such a sign, guide board, mile post, signal or  
2 marker shall be exempt from prosecution under this subsection.

3 **SECTION 2.** 346.41 (1) (intro.), (a) and (b) of the statutes are amended to read:

4 346.41 (1) (intro.) ~~No~~ Except as provided in sub. (4), no person shall place,  
5 maintain or display upon or in view of any highway or at or in view of any railroad  
6 crossing any unauthorized sign, light, reflector, signal, marking or device ~~which~~ that  
7 does any of the following:

8 (a) Purports to be or is an imitation of or resembles or may be mistaken for an  
9 official traffic sign or signal or railroad sign or signal; ~~or,~~

10 (b) Attempts to direct the movement of traffic; ~~or,~~

11 **SECTION 3.** 346.41 (4) of the statutes is created to read:

12 346.41 (4) (a) If the owner of private property that is intended for use by the  
13 public for vehicular travel determines that a sign, signal, marking or other device  
14 needs to be placed, maintained or displayed on such property for the purpose of  
15 regulating, warning or guiding traffic, the sign, signal, marking or other device shall  
16 conform with the manual of uniform traffic control devices adopted by the  
17 department under s. 84.02 (4) (e) as follows:

18 1. On or after January 1, 1999, for any marking.

19 2. On or after January 1, 2001, for any sign or other device.

20 3. On or after January 1, 2003, for any signal.

21 (b) This subsection does not apply to any sign, signal, marking or other device  
22 located at a private railroad crossing.

23 (END)