



2009 SENATE BILL 173

April 23, 2009 – Introduced by Senators KREITLOW, TAYLOR, GROTHMAN, KAPANKE, LEIBHAM, OLSEN, PLALE and HANSEN, cosponsored by Representatives STASKUNAS, FIELDS, FRISKE, GUNDERSON, HONADEL, SMITH, SOLETSKI, SPANBAUER, VAN ROY, VOS and ZEPNICK. Referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

- 1 **AN ACT to amend** 84.30 (5) (bm); and **to create** 84.30 (5) (e) of the statutes;
2 **relating to:** the removal of nonconforming outdoor advertising signs.

Analysis by the Legislative Reference Bureau

The federal Highway Beautification Act requires states to restrict advertising along interstate and federal-aid primary highways, and current state law incorporates these requirements. Current law prohibits, with certain exceptions, the erection or maintenance of outdoor advertising signs within 660 feet of, or otherwise visible (and intended to be visible) from, the main-traveled way of an interstate or federal-aid primary highway. The Department of Transportation may remove signs that do not conform to applicable requirements but, for each sign removed, must pay just compensation to the owner of the sign and to the owner of the land on which the sign is located. Current law permits customary maintenance of certain nonconforming signs but, if the nonconforming sign is enlarged, replaced, or relocated, the sign may be removed without compensation.

This bill provides that any nonconforming sign may be removed without compensation if the costs of repairing and maintaining the sign within any 36 consecutive months exceed 50 percent of the replacement costs of the sign and that such repairs and maintenance do not constitute customary maintenance.

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:

