

Clearinghouse Rule 98-167

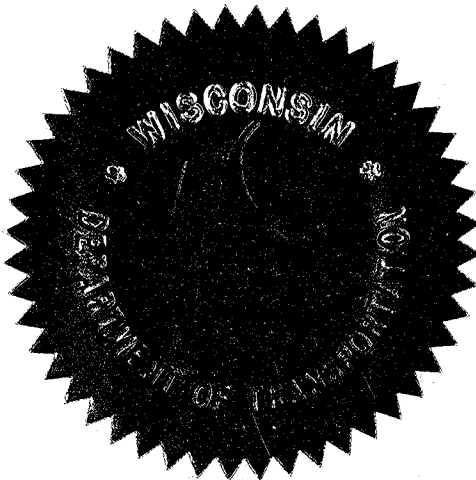
CERTIFICATE

STATE OF WISCONSIN)
) ss.
DEPARTMENT OF TRANSPORTATION)

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

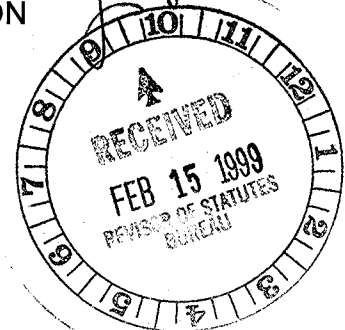
I, CHARLES H. THOMPSON, Secretary of the Wisconsin Department of Transportation and custodian of the official records, do hereby certify that the rule, relating to the **location for placement of utility work signs**, was duly approved and adopted by this Department on February 12th, 1999.

I further certify that this copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Transportation at 4802 Sheboygan Avenue, in the City of Madison, Wisconsin, this 12th day of **February**, 1999.

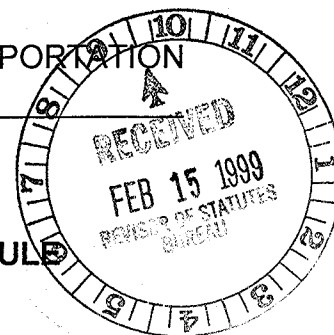
Charles H. Thompson
or CHARLES H. THOMPSON
Secretary



4-1-99

The Wisconsin Department of Transportation adopts an order to amend TRANS 200.01; and create TRANS 200.055, Wisconsin Administrative Code, relating to the location for placement of utility work signs.

ORDER ADOPTING RULE



Analysis Prepared by the Wisconsin Department of Transportation

STATUTORY AUTHORITY: 1997 Wis. Act 277, Section 8m

STATUTES INTERPRETED: s. 340.01(73m), Stats.

General Summary of Rule. 1997 Wis. Act 277, Section 8m, mandates the Department to establish by administrative rule the specifications for the locations for placement of signs indicating the beginning and ending of a utility work area for the purposes of enforcing the “double fines” law. This rule making will create s. Trans 200.055 to specify the locations for the placement of these warning signs.

Section 1 of the Act states that a “utility work area” means the entire section of roadway between the first advance warning sign of work on a utility facility ... and an ‘END UTILITY WORK’ sign. Advance warning signs are diamond shaped (square with one diagonal vertical) having a black symbol or message on an orange background. The proper location of a warning sign depends on all of the following:

- ◆ Posted speed limit and traffic volume.
- ◆ Character of the highway (freeway, expressway, 2-lane highway, or local collector or arterial).
- ◆ Topography and layout of the road and hazard.
- ◆ Weather and light conditions.
- ◆ Available sight distance.

Distances may be shown on the sign itself; for example, “UTILITY WORK 1500 FT.”

Therefore, this rule states that uniform guidance for the placement of warning signs is contained in the Wisconsin Manual on Uniform Traffic Control Devices (MUTCD), as required by s. 84.02(4)(e), Stats. These advance warning and end utility signs shall be placed in accordance with the Wisconsin MUTCD. The Department has also developed specific work zone traffic control diagrams in its Utility Accommodation Policy that are derived from the Wisconsin MUTCD. Local highway agencies may also have specific work zone traffic control diagrams derived from the Wisconsin MUTCD for use on their own highways.

Fiscal Effect. The Department estimates that there will be no fiscal impact on the liabilities or revenues of any county, city, village, town, school district, vocational, technical and adult education district or sewerage district. The Department estimates that there will be no fiscal impact on state revenues or liabilities.

Copies of Rule. Copies of this rule can be obtained upon request, free of charge, by writing to Bob Fasick, Wisconsin Department of Transportation, Division of Transportation Infrastructure Development, P. O. Box 7986, Room 501, Madison, WI 53707-7986, or by calling (608) 266-3438.

TEXT OF RULE

Under the authority vested in the state of Wisconsin, department of transportation, by 1997 Wis. Act 277, section 8m, the department of transportation hereby amends a rule interpreting s. 340.01(73m), Stats., relating to the location for placement of utility work signs.

SECTION 1. Trans 200.01 is amended to read:

TRANS 200.01 Purpose. The purpose of this chapter is to interpret and implement ss. 86.19, 86.191, 86.195, 86.196, 340.01(73m), 346.41, and 346.503, Stats., relating to erection and maintenance of signs on public highways and signs related to reserved parking spaces for handicapped persons. This chapter does not apply to signs erected and maintained on property beyond the limits of a public highway, except signs related to reserved parking spaces for handicapped persons.

SECTION 2. Trans 200.055 is created to read:

TRANS 200.055 Warning signs for utility work areas. The first advance warning sign and the "END UTILITY WORK" sign shall be placed in accordance with the Wisconsin manual on uniform traffic control devices, the department's utility accommodation policy, or any other work zone traffic control guidance that has been


accepted for regular use by the department with respect to the state trunk highway system, or a county, town, or municipality with respect to highways under their jurisdiction.

NOTE: Authority for the Manual on Uniform Traffic Control Devices is found at s. 84.02(4)(e), Stats. Section 227.01(13)(d), Stats., also states that the Department is exempt from rulemaking with regard to use of highways that is made known to the public by means of signs or signals. A copy of the Department's Utility Accommodation Policy may be obtained, without cost, by writing to the Division of Transportation Infrastructure Development, Bureau of Highway Operations, P. O. Box 7986, Room 501, Madison, WI 53707-7986.

(END OF RULE TEXT)

Effective Date. This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Signed at Madison, Wisconsin, this 12th day of February, 1999.


CHARLES H. THOMPSON
Secretary
Wisconsin Department of Transportation



Wisconsin Department of Transportation

www.dot.state.wi.us

Tommy G. Thompson
Governor

Charles H. Thompson
Secretary

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E-Mail: ogc.exec@dot.state.wi.us

February 12, 1999

Mr. Gary Poulson
Deputy Revisor of Statutes
131 West Wilson Street, Suite 800
Madison, Wisconsin 53703

RE: **CLEARINGHOUSE RULE 98-167**

In the Matter of the Adoption of **TRANS 200**, Wisconsin Administrative Code,
relating to the **location for placement of utility work signs**

Dear Mr. Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of **CR 98-167**, an administrative rule relating to the above-mentioned matter.

Sincerely,

A handwritten signature in cursive script that reads "Julie A. Johnson".

Julie A. Johnson
Paralegal

Enclosures

cc: Secretary's Office
Mike Goetzman
Sandy Beaupre
Jim Gruendler
Bob Fasick

