



2005 ASSEMBLY BILL 985

February 2, 2006 - Introduced by Representatives GOTTLIEB, BALLWEG, FRISKE, JENSEN, LEMAHIEU, MURSAU, MUSSER, OTT, RICHARDS, SCHNEIDER, SHERIDAN, TOWNS and M. WILLIAMS, cosponsored by Senators STEPP, GROTHMAN, PLALE, LEIBHAM, OLSEN and REYNOLDS. Referred to Committee on Transportation.

1 **AN ACT** *to amend* 84.30 (4) (b) 1.; and *to create* 84.30 (4) (bm) of the statutes;
2 **relating to:** multiple or variable messages on off-premises outdoor advertising
3 signs along interstate and federal-aid primary highways and granting
4 rule-making authority.

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 beyond 660 feet but visible (and erected for the purpose of being visible) from, the main-traveled way of an interstate or federal-aid primary highway. Exceptions to this prohibition include (with some restrictions):

1. Directional and other official signs.
2. Signs advertising activities conducted on the property on which the signs are located (on-premises signs).
3. Signs located beyond 660 feet of the highway in urban areas.
4. Signs located in "business areas," which generally are areas within 660 feet of the highway that are zoned for business, industrial, or commercial activities or are unzoned and used for commercial or industrial activities. These signs erected after March 18, 1972 (off-premises business area signs), must comply with certain size, lighting, and spacing requirements.

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Under current law, off-premises business area signs may not contain flashing, intermittent, or moving lights, except those signs giving public service information. On-premises signs may include electronic signs if permitted by rule by the Department of Transportation (DOT), but off-premises business area signs generally may not.

Under this bill, off-premises business area signs may contain multiple or variable messages, including messages on louvers that are rotated and messages formed solely by use of lights or other electronic or digital displays. These messages may be changed by any electronic process, but each change of message must be accomplished in one second or less and each message must remain in a fixed position for at least six seconds. Traveling messages and segmented messages are prohibited. In addition, by rule, DOT may prohibit or restrict the illumination of messages to a degree of brightness that is greater than necessary for adequate visibility.

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:

1 **SECTION 1.** 84.30 (4) (b) 1. of the statutes is amended to read:

2 84.30 (4) (b) 1. Signs which contain, include, or are illuminated by any flashing,
3 intermittent, or moving light or lights are prohibited, except those specified in par.
4 (bm) and those giving public service information such as time, date, temperature,
5 weather, or similar information.

6 **SECTION 2.** 84.30 (4) (bm) of the statutes is created to read:

7 84.30 (4) (bm) Signs may contain multiple or variable messages, including
8 messages on louvers that are rotated and messages formed solely by use of lights or
9 other electronic or digital displays, that may be changed by any electronic process,
10 subject to all of the following restrictions:

- 11 1. Each change of message shall be accomplished in one second or less.
- 12 2. Each message shall remain in a fixed position for at least 6 seconds.
- 13 3. The use of traveling messages or segmented messages is prohibited.

