

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD AMENDING AND
REPEALING AND RECREATING RULES

The Natural Resources Board proposes to amend NR 50.09(5)(c) and repeal and recreate NR 50.09(4)(c)3.b. relating to the snowmobile trail grant program.

CF-12-04

Statutory authority: ss. 23.09(26), 350.12(4), 350.13 and 227.11(2)(a), Stats.
Statutes interpreted: ss. 23.09(26) and 350.12(4) and 350.13, Stats.

Chapter NR 50, Wis. Adm. Code contains the rules promulgated by the Department for the administration of the snowmobile trail grants program established under s. 350.12(4), Stats., as authorized by s. 23.09(26), Stats. The specific statutes interpreted by the proposed rule are ss. 23.09(26), 350.12(4) and 350.13, Stats. Section 23.09(26)(intro.), Stats., refers to the Department's adoption of snowmobile trail construction standards. Section 350.12(4)(b)1., Stats., establishes the maximum maintenance reimbursement per mile. Section 350.12(4)(b)2. and 3., Stats., authorize the Department to promulgate rules for the cooperative trail and routes signing programs. Section 350.13, Stats., authorizes the Department to promulgate in cooperation with the Department of Transportation rules to establish uniform trail and route signs. The Department of Transportation had no comments on the proposed rule change.

The proposed rule changes the color, shape and size of the directional arrow used in signing snowmobile trails. The proposed rule also changes the reference to the maximum per mile reimbursement from an old figure of \$200 to that specified under current statute.

There are no comparable federal regulations for this rule.

The states of Michigan, Iowa and Illinois do not presently codify snowmobile sign standards. The state of Minnesota has a long standing code that does incorporate sign standards that were adopted many years ago, but are in the process of removing the standards from rule and placing them in a department handbook.

Over the last several years, the Department has been receiving comments on the difficulty of distinguishing the difference between the 6" x 6" trail reassurance blazer and the 9" x 9" directional arrow, both orange in color and diamond in shape. After a number of discussions within the organized snowmobile community, there has been consensus that a change from a 9" x 9" orange/black diamond with arrow symbol to a 6" x 12" yellow/black rectangle with arrow symbol would increase both visibility and recognition of the sign. This change would also bring the directional arrow shape and color of the sign into conformance with the federal Manual on Uniform Traffic Control Devices (MUTCD).

The proposed rule will not have a significant economic impact on small businesses.

The only costs anticipated by county trail sponsors and snowmobile clubs cooperating with the sponsoring counties are the costs of the new signs as they are ordered to replace the older directional arrow over time. Immediate mandatory replacement of directional arrows of the former shape, color and size is not required. It is anticipated that as older signs are replaced as a normal part of trail maintenance, the new directional arrow will be purchased and installed.

SECTION 1. NR 50.09(4)(c)3.b. Directional Arrow is repealed and recreated to read:

(Drafters note: For clarity, only the Directional Arrow graphic and description being repealed and recreated is being shown.)

NR 50.09(4)(c)3.b.

DIRECTIONAL ARROW



Purpose: Indicates a change in trail direction

Minimum size: 12" x 6"

Color: Yellow background with black border and legend

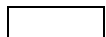
Legend: 10" black directional arrow

SECTION 2 NR 50.09(5)(c) is amended to read:

NR 50.09(5)(c) Reimbursement of costs of county maintenance of snowmobile trails shall be up to 100% of approved eligible project costs of maintaining the trail up to ~~\$200~~ the amount per mile per year maximum specified under s. 350.12(4)(b)1., Stats. Counties may request advance payments of up to 50% of the signed contract amount for maintenance. To be eligible for maintenance advance payments, a county ~~must~~ shall have settled all maintenance claims from previous years.

SECTION 3 EFFECTIVE DATE. This rule shall take effect the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro), Stats.

SECTION 4 BOARD ADOPTION. This rule was approved and adopted by the State of Wisconsin Natural Resources Board on May 26, 2004.



Dated at Madison, Wisconsin _____

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Scott Hassett, Secretary

(SEAL)