
The Wisconsin Department of Transportation adopts an order to amend TRANS 200.06(7)(c)1.; and repeal and recreate TRANS 200.06(7)(b)3., relating to specific information signs.

ORDER ADOPTING RULE**Analysis Prepared by the Wisconsin Department of Transportation**

Statutes interpreted: ss. 84.02(4)(e) and 86.195, Stats.

Statutory authority: s. 86.195(6)(b), Stats.

Explanation of agency authority: The Department has authority to regulate the number, size and types of specific information signs on signposts near interchanges.

Related statute or rule: Section Trans 200.06(7)(b)3., Wis. Admin. Code.

Plain language analysis: The current administrative rule allows for up to two types of motorist services to be displayed on each specific information sign. There are four types of motorist services: GAS, FOOD, LODGING, and CAMPING. The rule change would allow for three types of motorist services per specific information sign. In order to accommodate the three types of signs on one specific information sign, a technical change is made in the business sign size specifications for uniformity and fit. The maximum number of specific information signs per interchange exit is not increased (4). The total number of business signs identifying the motorist service available remains limited to six for each specific information sign structure.

Summary of, and preliminary comparison with, existing or proposed federal regulation: The change would update the administrative rule to allow greater flexibility that is consistent with the Federal *Manual on Uniform Traffic Control Devices*, 2003 edition, Part 2, Chapter 2, Section 2F.02, adopted by the Federal Highway Administration pursuant to 23 USC 109(d) and 23 CFR 655.603.

Comparison with Rules in Adjacent States:

Michigan: Michigan allows three categories per sign.

Minnesota: Minnesota allows three categories per sign.

Illinois: Illinois allows only two categories per sign.

Iowa: Iowa allows three categories per sign.

Summary of factual data and analytical methodologies used and how the related findings support the regulatory approach chosen: Review of changes in Federal Regulations.

Analysis and supporting documentation used to determine effect on small businesses: The rule change is being requested by small business. The cost impact is minimal and voluntary.

Effect on small business: The rule provides additional participation opportunities for small businesses. Since businesses request that they be identified on state-installed signs, the sign application process will enforce the rule. The Department's Regulatory Review Coordinator may be contacted by e-mail at andrew.ruiz@dot.state.wi.us, or by calling (414) 438-4585.

Fiscal effect and anticipated costs incurred by private sector: The rule amendment will have only a minor fiscal effect for the state. Any private sector costs are permissive.

Copies of Rule. Copies of the rule may be obtained, without cost, by writing to Richard Moss, Department of Transportation, Division of Transportation System Development, Program Management Section, Room 501, P. O. Box 7986, Madison, WI 53707-7986. You may also contact Mr. Moss by phone at (608) 267-7830.

TEXT OF RULE

SECTION 1. Trans 200.06(7)(b)3. is repealed and recreated to read:

Trans 200.06(7)(b)3. 'Interchanges with fewer facilities.' a. At interchanges where not more than 3 qualified facilities are available for each of 2 or more types of motorist services, business signs for 2 types of motorist services may be displayed on the same specific information sign. Not more than 3 business signs for each type of motorist service may be displayed in combination on a specific information sign with 2 types of motorist services. When it becomes necessary to display a fourth business sign for a type of motorist service displayed in combination, the business signs involved shall then be displayed in compliance with subds. 1. and 2.

b. At interchanges where not more than 2 qualified facilities are available for each of 3 or more types of motorist services, business signs for 3 types of motorist

services may be displayed on the same specific information sign. Not more than 2 business signs for each type of motorist service may be displayed in combination on a specific information sign with 3 types of motorist services. When it becomes necessary to display a third business sign for a type of motorist service displayed in combination, the business signs involved shall then be displayed in compliance with subd. 1., 2. or 3.a.

c. The name of each type of motorist service shall be displayed above its respective business signs, and the exit number shall be displayed above the names of the types of motorist services. At unnumbered interchanges, the legend "NEXT RIGHT (LEFT)" shall be substituted for the exit number. Business signs shall not be combined on a specific information sign when it is anticipated that additional motorist service facilities will become available in the near future.

SECTION 2. Trans 200.06(7)(c)1. is amended to read:

Trans 200.06(7)(c)1. 'Business sign size.' Each business sign displayed on a "GAS" specific information sign shall be contained within a 48-inch-wide and 36-inch-high rectangular background area, including border. Each business sign displayed on a "FOOD," "LODGING," or "CAMPING" specific information sign shall be contained within a 60-inch-wide and 36-inch-high rectangular background area, including border. If 2 business signs are displayed for 3 different types of motorist services on one specific information sign, the business sign size shall be contained within a 48-inch-wide and 36-inch-high rectangular background area, including border.

(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)(intro.), Stats.

Signed at Madison, Wisconsin, this ____ day of
January, 2006.

FRANK J. BUSALACCHI
Secretary
Wisconsin Department of Transportation