



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2005 Wisconsin Act 464
[2005 Senate Bill 548]

**Multiple or Variable Messages on
Off-Premises Outdoor Advertising
Signs**

CURRENT LAW

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.

Current law specifies that 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.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.

2005 WISCONSIN ACT 464

Under Act 464, *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, that may be changed by any electronic process, *subject to all of the following restrictions*:

1. Each change of message must be accomplished in one second or less.
2. Each message must remain in a fixed position for at least six seconds.
3. The use of traveling messages or segmented messages is prohibited.
4. The DOT, by rule, may prohibit or establish restrictions on the illumination of messages to a degree of brightness that is greater than necessary for adequate visibility.

Effective Date: Act 464 takes effect on June 10, 2006.

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DLS:jal:rv