



# EDWARD BROOKS

STATE REPRESENTATIVE

## Testimony in Support of 2017 Assembly Bill 716

Thank you Chairman Ripp and committee members for hearing Assembly Bill 716 today.

In many communities across Wisconsin there are signs welcoming visitors. Sometimes, these signs are located in a state highway right-of-way within the boundaries of the community.

Commonly, these signs demonstrate community pride, and will say something like, "welcome to (insert your community's name) - home of (insert high school mascot or famous person or unique product or natural feature)."

If your community wants to place a new welcome sign in a highway right-of-way, or wants to replace such a sign currently in a highway right-of-way, it can't, unless it is a sign meeting specifications delineated in the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD). The MUTCD compliant signs could be described as stamped out, metal cookie-cutter signs.

The State of Wisconsin is a party to the federal MUTCD, and publishes its own supplemental version called the Wisconsin Manual on Uniform Traffic Control Devices (WMUTCD). The stated goal of the MUTCD is to, "...ensure uniformity of traffic control devices across the nation. The use of uniform TCDs (messages, locations, sizes, shapes, and colors) helps reduce crashes and congestion, and improves the efficiency of the surface transportation system."

The threat for non-compliance with the MUTCD is loss of federal highway funding.

In the interest of full disclosure, there are other options for communities, but when the best option is placing a welcome sign in a right-of-way, then I think leaving that decision to a community should be permitted under state law.

Last session, I introduced 2015 Assembly Bill 550 on behalf of the City of Mauston. The city had four welcome signs they wanted to place at four entrances to the city, each in a state highway right-of-way within the limits of the city.

The city worked with the Wisconsin DOT and private property owners to gain easements on private property for three of their four welcome signs, rather than placing them on public land.

The best placement for the fourth sign was, and still is, determined to be on a state highway right-of-way.

My hope for the bill last session was for a reasonable solution for the city, and a policy change within the Wisconsin DOT that would accommodate all communities in Wisconsin.

Unfortunately, that did not happen.

Last session, many of our colleagues had expressed an interest in a bill that would be applicable across the state. This is why I have brought AB 716 forward, with a statewide application, this session.

An important change to the proposal is to designate a welcome sign as an “official sign”. This is a statutory term that is not well defined. With this bill, we begin to sculp out an example of what an “official sign” is.

One thing is clear, a welcome sign is not a traffic control device, and therefore should not be regulated as such.

In closing, I'd like to point out that this bill is supported by the League of Wisconsin Municipalities.

I respectfully request your recommendation for passage of AB 716 at the committee's next executive session.



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# HOWARD MARKLEIN

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STATE SENATOR • 17<sup>TH</sup> SENATE DISTRICT

**December 19, 2017**  
**Assembly Committee on Transportation**  
**Testimony on Assembly Bill (AB) 716**

Good morning!

Thank you Chair Ripp and committee members for hearing Assembly Bill 716 (AB 716), which would allow communities to place municipal welcome signs in the highway right-of-way.

Representative Brooks and I have been working on this topic since last session when we introduced 2015 Assembly Bill 550 (AB 550). This issue was brought to our attention by the City of Mauston, after they purchased four signs “Welcoming” visitors to the community. City Administrator Nathan Thiel is here today and will testify on the specifics of their experience.

Wisconsin Department of Transportation (DOT) regulates signs based on the Federal Highway Administration’s standards contained in the Manual on Uniform Traffic Control Devices (MUTCD). The purpose of the MUTCD is to ensure uniformity of traffic control devices across the nation. Ultimately, the goal is to promote safety and help avoid crashes or other delays on our roadways.

After listening to input in the previous session, we made two modifications to the proposal. AB 716 has statewide applicability, and is not community specific. Also, the bill defines a Welcome sign as an “official” sign, rather than a traffic control device.

Our local officials in Mauston, know their community and want to ensure the safety of their residents and visitors alike. I believe that local law enforcement and city officials should be trusted to make these decisions.

Thank you again for allowing me the opportunity to testify in support of this bill, and I would welcome any questions.

The City of Mauston in 2015 commissioned 4 community welcome signs with the intention of placing them at the entrances of the City. Coincidentally all roads leading into the City are State Highways and required us to secure a permit. We were surprised to learn that these signs were not allowed to be placed into the ROW and our permit was denied. This did not make sense given our awareness of several community welcome signs within the ROW.

Having already purchased the signs, a flat denial was not acceptable. We sought to understand better the reasons for denial. The principle reasons were:

1. The use of the word "Welcome" elevated it to an advertising sign, which are not allowable in the ROW. Interestingly, city slogans like your "Journey Begins Here" are allowable.
2. The size and design should comply with DOT standards (i.e. green metal sign with white lettering)

For this reason I contacted our state representatives. They encouraged we have several meetings with DOT staff, but we made little headway despite the City making several concessions and trying to find private property to place signs.

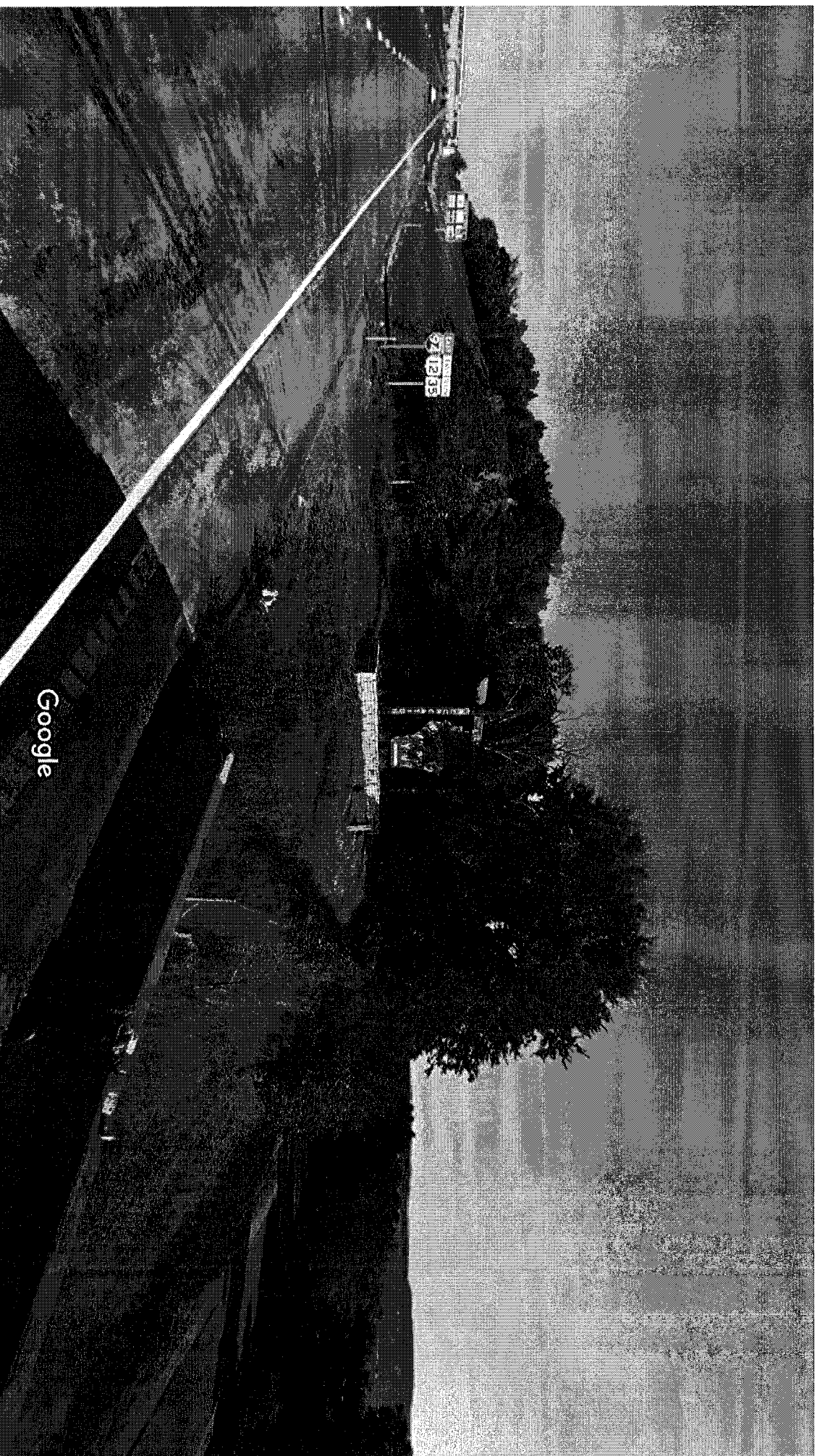
In fact, I testified before this committee with Rep Brooks for the passage of a similar bill in early 2016. The bill probably would have been made law by now, but we had conceded to DOT by withdrawing the bill in condition that we could get cooperation to place a welcome sign along HWY 82. Needless to say we still do not have a sign along HWY 82. While the City has found ways to secure easements or place signs outside of the ROW for three locations, the fourth location along HWY 82 has been unsuccessful. And to be perfectly honest, the

situation left the City of Mauston extremely limited in securing the other three solutions. For instance the sign along Hwy 58 north of town is visibly too low, and there are better and safer locations for that sign. The reason HWY 82 has been so difficult is the ROW is extremely wide and locating it on private property would place the welcome sign 100+ feet from a roadside. To simply welcome people to our community, we would need to either create much larger sign or, as I jokingly suggested last time we met, offer binoculars. The point is what should be simple has been extremely complicated.

Municipalities are government agencies; we are on the same team. Municipal staff is just as concerned with safety and has no intention of creating sign clutter. Believe it or not these issues keep more than DOT Engineers up at night.

I know welcoming people to our state is important. Attached is a picture from Google maps coming from Minnesota on I94. Note the use of the word "Welcome" and I am pretty certain this sign is in the ROW. I attended a conference in which a Cyclist advocate spoke and discussed how some states do a much better job than others in creating a sense of place and destination. Now he spoke from the perspective of a cyclist, but the story still resonates. He indicated how often cyclists like to stop and take a photo when they arrive at their destination. Let's not be the State that has a sterile brand by only using a DOT green highway placard or that parks the sign a 100 ft from the curb. I know municipalities want to do better than that, and I trust as representatives of the State you do as well. Thank you for your time and consideration.

# Google Maps · Hudson, Wisconsin



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Image capture: Aug 2013 © 2017 Google

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Street View - Aug 2013

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