

FACILITIES DEVELOPMENT MANUAL

Wisconsin Department of Transportation

TABLE OF CONTENTS

Chapter 4: Highway Systems

Section 4-1 Introduction and Definitions

4-1-1	Background
4-1-5	Jurisdictional Relationships
5.1	State Trunk Highways
5.2	Connecting Highways
5.3	County Trunk Highways
5.4	State Park, Forest, and Institution Roads
5.5	National Forest Road System
5.6	Local Roads and Streets
4-1-10	Special Statutory Highways
10.1	Silent Cross Memorial Highway
10.2	32nd Division Memorial Highway
10.3	National Parkways
10.4	Rustic Roads
10.5	Controlled Access Highways
10.6	National System of Interstate and Defense Highways
10.7	Freeways and Expressways
4-1-15	Functional Classification System
15.1	Definitions
15.2	System Changes
4-1-20	Federal Aid System
20.1	Background
20.2	National Highway System
20.3	System Updates
Attachment 20.1..... National Highway System Intermodal Connector Route Listing	

Section 4-5 System Alterations

4-5-1	State Trunk Highways
1.1	Background
1.2	Definitions
1.3	Jurisdictional Reassignment Of State Trunk Highways
1.4	Jurisdictional Transfers (JT)
1.5	State Highway Change, WI Statue 84.02(3)
1.6	Other Jurisdictional Reassignment Considerations
1.7	State Highway Jurisdictional Reassignment Documentation
1.8	Department Approval Process for JT or STH Changes
1.9	Documentation Routing and Filing within the Department
Attachment 1.1..... Reference Pointer for Jurisdictional Transfer Template	
Attachment 1.2..... Template 1 - Wisconsin Statute 84.02(8) Jurisdictional Transfer	
Attachment 1.3..... Template 2 - STH Change < 2.5 Miles in Length	
Attachment 1.4..... Template 2.1 - Notice of Intent to Change (NOITC) < 2.5 Miles in Length	
Attachment 1.5..... Template 3 - STH Change Non-Major > 2.5 Miles and < 5 Miles	
Attachment 1.6..... Template 4 - STH Change Major Project > 2.5 Miles and < 5 Miles	
Attachment 1.7..... Template 5 - STH Change > 5 miles	
Attachment 1.8..... Template 6 - Other Considerations	
Attachment 1.9..... Template 7 - Reference Pointer for STH Change Templates	
4-5-5	Connecting Highways
5.1	Scope
5.2	Lane Mile Definition and Payments
5.3	Qualifying Criteria for Eligibility for Lane Mile Definition
5.4	Connecting Highway Changes - Designation and Rescission
5.5	Department Approval Process for Making Connecting Highway Changes
5.6	Documentation Procedures and Templates

5.7.....	General Rules and Explanations on the Use of CH Templates
5.8.....	Documentation Routing and Filing Internal to Department
Attachment 5.1.....	Template CH1 - Connecting Highway Designation
Attachment 5.2.....	Template CH2 - CH Rescission Reverts Underlying Highway to Local Jurisdiction
Attachment 5.3.....	Template CH3 - CH Rescission Reverts Underlying Highway to Local Jurisdiction and then JT to STH
Attachment 5.4.....	Template CH4 - Connecting Highway Change Rescission Reverts to STH
Attachment 5.5.....	Template CH5 - Connecting Highway Change Rescission Reverts to STH and then JT to Local Jurisdiction
4-5-10.....	County Trunk Highways
10.1.....	Scope
10.2.....	Jurisdictional Alterations
10.3.....	Physical Alterations or Laying of New County Highways On New Location
10.4.....	Department Approval Process for CTH Changes
10.5.....	Documentation Routing and Filing Within the Department
4-5-15.....	City, Village and Town Roads
15.1.....	Scope
15.2.....	Local System Alterations Initiated by City, Village, and Town Government Requiring Department Involvement
15.3.....	Local System Alterations Initiated by Department
15.4.....	Department Approval Process for Local Road Changes Under Wis. Stat. 84.29 and 84.295
15.5.....	Documentation Routing and Filing within the Department
Attachment 15.1....	Example - Alteration to New Service Road on New Location
Attachment 15.2....	Example - Alteration Considered an Extension
Attachment 15.3....	Example - Alteration Considered a Relocate and Vacate
Attachment 15.4....	Template LRA1 - State - Local Agreement to Disconnect Local Road
Attachment 15.5....	Template LRA2 - New Frontage Road under State Jurisdictional Authority
Attachment 15.6....	Template LRA3 - New Frontage Road Petition and Agreed to Local Jurisdiction
Attachment 15.7....	Template LRA4 - Local Road Assignment under State Jurisdictional Authority

Section 4-10 Special Bridges

4-10-1.....	Intrastate Bridges
1.1.....	Definition
1.2.....	Background -Special Bridge Legislation
1.3.....	Bridge Classes
Attachment 1.1.....	The Division of Transportation Before the Highway Commission
4-10-5.....	Interstate Bridges
5.1.....	Definition
5.2.....	Scope
Attachment 5.1.....	The Division of Transportation Facilities Finds and Determines

Section 4-15 Detours and Temporary Routes

4-15-1.....	Detours
1.1.....	Definition
1.2.....	Initiated by Wisconsin DOT
1.3.....	Initiated by Local Units of Government
4-15-5.....	Temporary Routes



FDM 4-1-1 Background

July 2, 1979

From the early territorial days and through several decades of statehood, the development and improvement of highways was strictly a function of the local governments (towns and counties). With the enactment of the revised statutes of 1849, the Legislature had conferred sufficient authority on the counties and towns for the location, construction, and maintenance of all public highways deemed necessary. It was evident that then, as now, the development and upkeep of highways was a heavy financial obligation, and assistance from the state was sought. The state government, although it had always encouraged the development of good roads, could extend no assistance to the local governments because of a constitutional provision prohibiting the state from participating in works of internal improvement.

The constitutional amendment of 1908 gave authority to the state government to participate in works of internal improvement. This was shortly followed in 1911 by the creation of the State Highway Commission.

From that time to the present a modern network of highways, roads, and streets has evolved to accommodate the transportation needs of Wisconsin. The present system consists of the State Trunk Highway System, local roads (including county trunk highways and town roads), and city streets. These are all classified into the various functional categories in accordance with their traffic-handling and service characteristics. Upon the local road, city street, and state trunk highway systems are superimposed the various statutory categories and funding systems, all of which will be treated in this Chapter.

FDM 4-1-5 Jurisdictional Relationships

May 15, 2019

All public roads and streets are administered by a governmental unit under authority established by state or federal statute.

5.1 State Trunk Highways

This system of highways, which includes the National System of Interstate and Defense Highways (Interstate System) and the U S numbered highways, constitutes the primary intercounty and intercity highways in Wisconsin. It is administered by the Department of Transportation per authority vested under Section 84 of the Wisconsin Statutes.

Highways of the State Trunk Highway System are designated by number. (Refer to the annual list of "Signed Terminations of U.S. and State Trunk Highway Routes" prepared by the Bureau of Highway Operations), Wisconsin originated this system and inaugurated it in 1918. Except for the U S numbered highways and the Interstate System, continuity in the numbering across state lines is not practiced.

U. S. Numbered Highways: The system of U S numbered highways is for marking and signing purposes only. This system of highways was introduced in 1925 by the federal government in cooperation with the states and provides a highway network that crosses the continental United States. The highways were marked and numbered continuously without regard for state boundaries, using the familiar shield bearing on the upper portion an abbreviation of the name of the state in which the particular section of highway was located, and the letters "U S" and the route number of the highway underneath. Designation of these highways as U S numbered highways does not give them any advantage insofar as making additional funds available for their improvement.

Interstate System: The Interstate System is the result of legislation enacted by the United States Congress in 1944 through 1956. Interstate highways are to be constructed in accordance with established national design criteria to provide uninterrupted traffic flow with controlled access, in the interest of the nation's economy and defense.

5.1.1 Corridors 2030 Routes

The State Trunk Highway system is divided into a hierarchy of sub-systems ranked in decreasing order of importance about statewide mobility and economic activity:

- Corridors 2030 Backbone routes,
- Corridors 2030 Connector routes,
- Other Principal Arterials, Minor Arterials, and Collectors and Local Function Roads.

The two most important sub-systems of the State Trunk Highway system are the routes that comprise the

approximately 3,650-mile Corridors 2030 network. These sub-systems are: a multi-lane Backbone system and a 2- and 4-lane Connector system. The [Corridors 2030 network](#) defines a system of high quality 2-lane and multi-lane highways serving virtually all Wisconsin communities with populations greater than 5,000.

The Corridors 2030 Backbone sub-system consists of an approximately 1,550-mile network of highways connecting all major populations and economic regions of the state and tying them to the national transportation network. Over 75% of these routes are currently freeways or expressways; the rest are still 2-lane highways that will be upgraded to multi-lane divided facilities in the future.

The Corridors 2030 Connector sub-system includes a 2,100-mile network of high-quality highways, mostly 2-lane routes, directly linking other significant economic and tourism centers to the Backbone network.

5.2 Connecting Highways

This is a system of marking and signing to provide continuous routes for State Trunk Highway System traffic over the streets or highways in any municipality for which the municipality will be responsible for maintenance, traffic control, and the maintenance and operation of any swing or lift bridge. The connecting highway is not a part of the State Trunk Highway System but is a connection between the termini of that System, which are usually established at or near the corporate limits of municipalities.

5.3 County Trunk Highways

The County Trunk Highway System, established in 1925, forms the secondary system of highways within the state and constitutes the interconnecting highways supplementing the State Trunk Highway System. It is comprised mainly of highways of secondary through-traffic importance and generally consists of highways that provide, and facilitate, local service.

This system of highways is administered by the county in which the county trunk highway is located per authority vested under Section 83 of the Wisconsin Statutes. The County Trunk Highway System includes all highways that have been selected by the county boards and approved by the Department in accordance with Section 83.025.

Highways of the County Trunk Highway System are designated alphabetically, and the marking and signing is uniform throughout the state. Continuity of the lettered route across county lines is encouraged by statute.

Improvements or construction of highways on the County Trunk Highway System must conform to the lower geometric design criteria established in Trans. 205 of the Wisconsin Administrative Code and enumerated in [Chapter 11](#) of this Manual.

Other roads administered by the county are institution roads and park roads located on county-administered lands.

5.4 State Park, Forest, and Institution Roads

These are the various incidental public roads that provide service and access to state parks, state forests, and state institutions (University of Wisconsin; state charitable, health, penal institutions, etc.). Jurisdiction over these roads is vested in the respective state boards, commissions, departments, or offices in accordance with the provisions of Section 84 of the Wisconsin Statutes.

5.5 National Forest Road System

All projects (maintenance, improvement, etc.) on roads, streets, and highways within the boundaries of national forests (the Chequamegon and the Nicolet in Wisconsin), and in certain instances, those roads and highways in the vicinity of, or adjacent to, the national forests as well, have a potential effect upon the national forests, which are under the jurisdiction of the U.S. Department of Agriculture, National Forest Service. WisDOT's operating procedures for administering and coordinating projects within the national forests are specified in the "Forest Highway Cooperative Agreement" and the "Memorandum of Understanding, which are included in Chapter 5 of this Manual.

Many roads, streets, and highways within, and adjacent to, the National Forests are also a part of either the Forest Highway System or the Forest Development Road System.

Forest Highway System: Forest highways are those federal-aid primary or federal-aid secondary routes within, adjoining, or adjacent to the national forest that have been designated as part of the Forest Highway System in accordance with the provisions of 23 USC 204 and 23 CFR 660. The Federal-Aid System maps prepared by the Division of Transportation Investment Management show these designated routes.

Forest Development Road System: Forest development roads are those access and service type roadways within the national forests that primarily serve to aid in the administration, protection, utilization, and development of the forest and its resources. Typically, on the town road systems, these roads provide access

for recreation, logging, fire protection, etc.

5.6 Local Roads and Streets

The balance of the public roads in Wisconsin are the town roads and the city and village streets. Responsibility for the administration and maintenance of these roads is vested in the towns and incorporated municipalities in which the local roads or streets are located, in accordance with the provisions of Sections 80, 81, and 86 of the Wisconsin Statutes. Local roads and streets constitute the bulk of the public road mileage in the state.

Improvement or construction of town roads must conform to the lower design criteria as specified in Section 86.26 of the Wisconsin Statutes and enumerated in [Chapter 11](#) of this Manual. City and village streets have no comparable established statutory design criteria.

FDM 4-1-10 Special Statutory Highways

May 15, 2019

Specific legislation has been enacted to confer special status upon various roads, streets, and highways, as follows:

10.1 Silent Cross Memorial Highway

Section 84.103 of the Wisconsin Statutes established "...the 'Silent Cross Memorial Highway' as a living memorial to and in honor of our soldiers, living and dead, of all wars in which the United States of America has engaged. The highway shall consist of a horizontal and a vertical member." The vertical member corresponds to U.S. Highway 51 and the horizontal member between Milwaukee and Madison, to I.H. 94. From Madison the Statutes specify, "...thence proceeding westerly, leaving the state at La Crosse or Prairie du Chien." All aspects of this highway, including the nature of the facility, its capacity, aesthetics, etc., are specified in the statute.

10.2 32nd Division Memorial Highway

Section 84.104 of the Wisconsin Statutes established that, "In order to commemorate the 32nd Infantry Division, also known as The Red Arrow Division, which, while composed mainly of men from Wisconsin, Illinois and Michigan, brought fame and glory to these states during World Wars I and II by their sacrifice, devotion and bravery and which is now established as a Wisconsin national guard division, the highway commission is directed to establish a highway memorial designated route 32 by renumbering certain existing highways linking Illinois and Michigan through Wisconsin." In addition to the numbering of the route, "...the highway markers on this highway carry a red arrow...and historical markers are directed to be erected and maintained along the highway in honor of the 32nd Division and its members."

10.3 National Parkways

Section 84.105 of the Wisconsin Statutes established legislation enabling the Department to cooperate in the planning and developing of all national parkways that may be proposed for development in Wisconsin. The term "national parkway" as used in this statute shall mean and include the Great River Road along the Mississippi River. Information pertaining to investigations, surveys, studies, and departmental actions are covered in this statute. Procedures for the implementation of National Parkways and Great River Road programs are contained in FHPM 6-9-3 and FHPM 6-9-15, respectively.

10.4 Rustic Roads

Section 83.42 of the Wisconsin Statutes established the Rustic Road System: "In order to create and preserve rustic and scenic roads for vehicular, bicycle and pedestrian travel in unhurried, quiet and leisurely enjoyment; to protect and preserve recreational driving, culture, beauty, trees, vegetation and wildlife by establishing protective standards of rustic road design, access, speed, maintenance and identification, which will promote a continuous system of rustic roads and scenic easements for the public health and welfare...."

The underlying authority for administration of the Rustic Road System is the county highway committee. Reference should be made to the Wisconsin Administrative Code, Chapters RR 1 through RR 11, for a description of the qualifications for rustic road designation, the procedure for such designation, maintenance policies, etc.

10.5 Controlled Access Highways

In accordance with Section 84.25 of the Wisconsin Statutes, "The legislature declares that the effective control of traffic entering upon or leaving intensively traveled highways is necessary in the interest of public safety, convenience and the general welfare. The department is authorized to designate as controlled-access highways the rural portions of the state trunk system on which, after traffic engineering surveys, investigations and studies, it shall find, determine and declare that the average traffic potential is in excess of 2,000 vehicles per 24-hour day." Designation as a controlled access highway requires that a public hearing be held on the matter prior to making such a determination. Refer to [FDM 6-10-1](#) of this Manual for a further discussion of public

hearing requirements.

Designation as controlled access highways of portions of the State Trunk Highway System is limited by statute to 1,500 miles. The records of all such designations are maintained in the Central Office Design Section, and the implementation of all controlled access designations should be coordinated through that Section. Refer to [Chapter 12](#) of this Manual for a further discussion of controlled access highways.

10.6 National System of Interstate and Defense Highways

Section 84.29 of the Wisconsin Statutes authorizes all state agencies and units of state and local government to cooperate with agencies of the federal government in the planning, developing, and constructing of portions of the Interstate System that may be located wholly or partially within Wisconsin. The Statutes further provide the Department with the authority to exercise jurisdiction over such portions of the Interstate System:

"Upon finding by the department that the development of any proposed highway as a route of the national system of interstate highways...or any portion thereof, including the laying out, construction, maintenance and operation of any part thereof as a freeway or expressway, is in the promotion of the public and social welfare of the state and for the benefit of public travel, the department is empowered and it shall have full authority to lay out, construct, operate and maintain such highway as a state trunk highway. Except as otherwise provided by this section, all provisions of law relative to the acquisition of land for highway purposes and for surveys, plans, establishing, laying out, widening, enlarging, extending, constructing, reconstructing, improving, maintaining and financing of state trunk highways shall apply to the interstate highways undertaken in this state."

In addition to establishing existing state trunk highways or new locations as portions of the Interstate System, the Department is authorized to lay out and establish any such portions of the Interstate System as freeways or expressways.

The United States Congress first established the Interstate System in 1944 and with subsequent amending legislation has authorized a system of 42,500 miles of highways connecting, by routes as directly as practicable, the principal metropolitan areas, cities, and industrial centers to serve the national defense. It also connects at suitable border points with routes of continental importance in the Dominion of Canada and the Republic of Mexico.

10.7 Freeways and Expressways

Section 84.295 of the Wisconsin Statutes provides for "...the development of a well-balanced and integrated state trunk highway system further modernized and improved to adequate standards to provide needed increased traffic capacity, relieve the congestion on over-taxed existing highways, and otherwise more adequately serve the present and anticipated future needs of highway travel, and toward that end to prevent conflicting costly economic development on areas of lands to be available as right of way when needed for future highway construction."

The Statutes further provide that, "Where the department finds that the volume and character of the traffic to be served thereby warrant the construction or the acquisition of right-of-way for the ultimate construction of a highway to accommodate 4 or more lanes for moving traffic and that such development is in the public interest, it may by order designate as freeways or expressways segments of state trunk highways having currently assignable traffic volumes in excess of 4,000 vehicles per day. Except as otherwise provided by this section, all provisions of law relative to the acquisition or dedication by subdivision plat or otherwise, of land and interests in land for highway purposes, and relative to surveys, plans, establishing, laying out, widening, enlarging, extending, constructing, improving, maintaining and financing of state trunk highways shall apply to the segments designated freeways or expressways pursuant to this section."

Section 84.295(10) provides the Department with the authority to preserve corridor for the development of future freeways and expressways by establishment of the approximate locations and widths of rights-of-way for such future facilities. Public hearing requirements under this subsection are defined in [FDM 6-10-1](#) of this Manual.

FDM 4-1-15 Functional Classification System

May 15, 2019

15.1 Definitions

A functionally classified road system is one in which streets and highways are grouped into classes according to the character of service they provide, ranging from a high degree of travel mobility to land access functions. At the upper limit of the system (principal arterials, for example), are those facilities that emphasize traffic mobility (long, uninterrupted travel), whereas at the lower limit are those local roads and streets that emphasize access.

Definitions of the functional classifications are as follows:

15.1.1 Rural Classifications

Principal Arterials: Principal arterials serve corridor movements having trip length and travel density characteristics of an interstate or interregional nature. These routes generally serve all urban areas greater than 5,000 population. The rural principal arterials are further subdivided into (1) interstate highways and (2) other principal arterials.

Minor Arterials: Minor arterials, in conjunction with the principal arterials, serve cities, large communities, and other major traffic generators providing intraregional and interarea traffic movements.

Major Collectors: Major collectors provide service to moderate sized communities, and other intra-area traffic generators, and link those generators to nearby larger population centers or higher function routes.

Minor Collectors: Minor collectors provide service to all remaining smaller communities, link the locally important traffic generators with their rural hinterland, and are spaced consistent with population density to collect traffic from local roads and bring all developed areas within a reasonable distance of a collector road.

Local Roads: Local roads provide access to adjacent land and provide for travel over relatively short distances on an inter-township or intra-township basis. All roads not classified as arterials or collectors are local function roads.

15.1.2 Urban Classifications

Principal Arterials: Principal arterials serve the major centers of activity of an urban area, the highest traffic volume corridors, and the longest trip desires, and carry a high proportion of the total urban area travel on a minimum of mileage. The urban principal arterials are connected to the system of rural principal and minor arterials. Within this category the urban principal arterials are subdivided into (1) interstate highways, (2) other freeways and expressways (connecting links of rural principal arterials, connecting links of rural minor arterials, and non-connecting links), and (3) other principal arterials (connecting links of rural principal arterials, connecting links of rural minor arterials, and non-connecting links).

Minor Arterials: Minor arterials provide intracommunity continuity and service to trips of moderate length, with more emphasis on land access than principal arterials. The minor arterial system interconnects with the urban arterial system and provides system connections to the rural collectors.

Collectors: Collectors provide both land access service and traffic circulation within residential neighborhoods, commercial areas, and industrial areas. The collector system penetrates residential neighborhoods, distributing trips from the arterials through the area to the local streets. The collectors also collect traffic from the local streets in residential neighborhoods and channel it onto the arterial system. In the central business district, and in other areas of like development and traffic density, the collector system may include the street grid, which forms the basic unit for traffic circulation.

Local Streets: Local streets comprise all facilities not on one of the higher systems. They serve primarily to provide direct access to abutting land and access to the higher order systems. Local streets offer the lowest level of mobility, and service to through-traffic movement on this system is usually discouraged.

The Federal-Aid Highway Act of 1973 set forth policies and procedures for implementing the functional realignment of the Federal-Aid Highway System based on the functional usage anticipated during the 1980-1985 period. The Wisconsin DOT, in cooperation with appropriate local officials, has the primary responsibility for establishing and periodically updating a statewide highway functional system based on anticipated functional usage for the specified period. The functional system became effective July 1, 1976, and it is based upon anticipated functional usage for 1980. Functional usage is determined in accordance with the functional concepts, criteria, and procedures established in Volume 20, Appendix 12, of the Federal Highway Administration's "Highway Planning and Program Manual."

Beyond the federal requirements for functional classification and subsequent realignment of the respective Federal-Aid Systems, Chapter 29, Wisconsin Laws of 1977, created Section 86.30, mandating that distribution of state transportation-related financial aids to local units of government be based upon current functional usage and classification. These statutes provide that uniform criteria be applied to assure compatibility between state and federal functional systems, and are briefly enumerated as follows:

1. Population centers within and without the state, stratified and ranked according to size.
2. Important traffic-generating activities, including, but not limited to, recreational, agricultural, governmental, business, and industrial activity centers.
3. Directness of travel and distance between points of economic importance.
4. Lengths of trips.

5. Character and volume of traffic.
6. Appropriate spacing (between facilities).
7. System continuity.

The basic difference between the federally approved functional system and that adopted for computation of state aids is that the federal system represents functional usage as projected for a defined future year and it includes planned routes, whereas the state aids systems is based upon certified plats of the local units, which delineate current usage.

For a detailed description of the application of the respective criteria to state aids functional classification, refer to Chapter Hy 35 of the Wisconsin Administrative Code, wherein the details of the implementation of Section 86.30 are delineated.

15.2 System Changes

All reclassifications of the present system require ultimate Federal Highway Administration approval. WisDOT's submittal to FHWA shall include appropriate maps showing the functional systems and the proposed alterations, statistics regarding the mileage of the functional systems, and a statement that the study was conducted in cooperation with appropriate local officials. Changes in the functional systems are initiated by the Region and coordinated through the Division of Transportation Investment Management, Bureau of System Planning. All changes to the functional systems are directly related to federal-aid eligibility; therefore, the federal-aid ramifications of such changes must be considered. (Should such changes affect subsequent changes in the "federal-aid systems," they must be coordinated with the Design Section.)

Maps of the functional systems are available through the Regional Planning Sections or the Bureau of System Planning.

FDM 4-1-20 Federal Aid System

May 15, 2019

20.1 Background

During the 1970's and 1980s, the Federal Aid Highway Program was directed primarily toward the construction and improvement of four Federal-aid systems: Interstate, Primary, Secondary, and Urban. The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) completely restructured the Federal-Aid Program, abolishing the four systems and creating instead the National Highway System (NHS) and a flexible Surface Transportation Program (STP) which is available for all roads except those functionally classified as rural minor collectors or local streets. About 25% of total roadway mileage in Wisconsin is eligible for federal-aid.

20.2 National Highway System

The NHS includes all Interstate routes, a large percentage of roads classified as Rural and Urban Principal Arterials and roads important for national defense. It serves major population centers, airports, water ports, public transportation facilities truck traffic, intermodal transportation facilities and other major travel generators.

The NHS has two components: the Base System and the Intermodal Connector System. The rural component matches the state's Corridors 2030 network; the urban component consists of Corridors 2030 connections through urban areas as well as other important local routes. While the Base System is composed primarily of Interstate and state truck highways, it does include approximately 100 miles of roadways under local jurisdiction, located mainly in larger urbanized areas.

The Intermodal Connectors are the roads which provide the most direct access from the Base System to passenger and freight terminals. FHWA has approved 90 miles of connections to 22 intermodal facilities in Wisconsin. These are listed in [Attachment 20.1](#). All states' Intermodal Connectors were submitted to Congress in May of 1996. It is anticipated that Congress will act on them in a 1997 legislative session.

The Division of Transportation Investment Management, Bureau of Planning and Economic Development maintains a National Highway Systems web page that contains further information and links to FHWA NHS mapping for Wisconsin and other states. The page also contains maps of Wisconsin's existing and planned urban NHS routes:

<https://wisconsindot.gov/Pages/projects/data-plan/plan-res/nhs.aspx>

Federal-aid eligibility is again determined by system category. NHS funds are reserved for use on the National Highway System. Surface Transportation Program (STP) funds can be used on the NHS but are also available for roads not on the NHS. Funds eligibility for roads not on the National Highway System continues to be determined by the functional classification of the route, as discussed in [FDM 4-1-15](#). Specific rules for federal-aid eligibility and participation are presented in the Program Management Manual.

20.3 System Updates

At any time, WisDOT may request that FHWA approve a revision to Wisconsin's National Highway System network. Recommendations for revisions to the NHS should be sent to the DTIM Bureau of Planning for evaluation, processing, and submittal to FHWA. Changes to the NHS due to relocations/bypasses should be sent to the Bureau of Planning for processing once a final location for the relocated roadway has been determined.

Eligibility for Surface Transportation Program funds is based on functional classification and, therefore, changes whenever functional systems are updated (following the process described in [FDM 4-1-15](#)).

LIST OF ATTACHMENTS

[Attachment 20.1](#) National Highway System Intermodal Connector Route Listing

**National Highway System
Intermodal Connector Route Listing**

Rte No.	Highway	Termini
<u>Connections to Airports:</u>		
A47-1	International Lane	Connection from Packers Ave (STH 113) to Dane County International Airport (Madison)
A46-1	20 th Ave	Connection from STH 44 to Wittman Field (Oshkosh)
A57-1	Mitchell Field Main Access Rd	Connection from Howell Ave (STH 38) to Mitchell International Airport (Milwaukee)
<u>Connections to Intercity Bus Terminals:</u>		
B47-1	Broom/Lake/Langdon/Park/Bassett/Wilson	Intercity bus route for VanGalder. Connection to Memorial Union on University of Wisconsin campus. (Madison)
B47-2	W Washington/Proudfit (USH 151) / North Shore (USH 151)	Intercity bus route for Greyhound. Connections to depot at intersection of Bedford and W Washington (Madison)
B57-1	W. Tory Hill/W Michigan/N 6 th /N 7 th /W Wisconsin Ave	Intercity bus routes for Greyhound and Badger. Connections to depots from North-South & East - West freeways. (Milwaukee)
<u>Connections to Ferry Docks:</u>		
F01-1	STH 13/Washington St.	Connection from USH 2 West of Ashland to Bayfield ferry dock. (Bayfield County)
F02-1	STH 42	Connection from STH 57 North of Sturgeon Bay to ferry dock at Gills Rock. (Door County)
F48-1	10 th St/8 th St/Madison/ Lakeview (BUS 10)	Connection from Washington St to ferry dock (Manitowoc)
<u>Connections to Port Facilities:</u>		
P33-1	Bylsby/Hurlbut/Atkinson	Connection to port facilities north of IH 43 (Green Bay)
P33-2	Prairie/Alexander/Mather/James/McDonald/Broadway	Connection to port facilities south of I 43 & north STH 54/Mason St (Green Bay)
P33-3	Broadway/7 th St/9 th St/State St Motor St/Lombardi/STH 32 (Ashland)	Connection to port facilities & Truck Rail facility south STH 54/Mason St and North STH 172
P42-1	Front St/King St	Connection from USH 53 to Cargill port site (LaCrosse)
P42-2	Clinton (CTH B)/Bainbridge	Connection from USH 53 to French Island Port facilities (LaCrosse)
P57-1	E Becher/E Bay/ Lincoln Viaduct	Connection from IH 94 to Lincoln Memorial Drive; Designated Truck Route (Milwaukee)
P57-2	Carferry Dr	Connection from IH 794 to port facilities (Milwaukee)
P57-3	Bay St/Harbor Dr/Lincoln Memorial/Scott St	Connection from through truck route and IH 794 to several port facilities and truck-rail facility (Milwaukee)

**National Highway System
Intermodal Connector Route Listing**

Rte No.	Highway	Termini
P70-1	Main Blackhawk/Villa Louis	Connection from USH 18 to port facilities (Prairie du Chien)
P86-1	Dock St/N First St/Tower Ave	Connection from STH 35 to port facilities (Superior)
P86-2	N 5 th St/Main St	Connection from USH 53 to port facilities (Superior)
P86-3	Belknap/Susquehanna/9 th St	Connection from USH 2 to port facilities (Superior)
<u>Connections to Rail Stations:</u>		
T41-1	54 th St	Connection to Commuter Rail Station from STH 32 (Kenosha)
T57-1	ST Paul/Plankinton/Clybourn	Connection to Amtrak Station from IH 94 (Milwaukee)
T71-1	Wisconsin ST (CTH H)	Connection to Amtrak Station from STH 11, (Sturtevant, Racine Urbanized Area)



FDM 4-5-1 State Trunk Highways

February 16, 2021

1.1 Background

The State Trunk Highway System was established by the Wisconsin Legislature in 1917 to provide a network of primary inter-county and inter-city highways within the state. The original layout of 5,000 miles has now grown to 11,765 miles. The authority to administer the state highway system has been legislatively delegated to the Department under Chapters 84 and 86 of the Wisconsin State Statutes.

The Department has authority to make changes in the State Trunk Highway System by a number of means.

This section will look at how system reassignments to the state highway system can occur by any of the following means:

- Construction of a state highway on new location
- Jurisdictional reassignment of an existing state highway to local government jurisdiction
- Jurisdictional reassignment of an existing local highway to state jurisdiction

1.2 Definitions

For consistency purposes, the following definitions will be used for this chapter of the FDM.

Highway: Any public way for vehicular travel that has been established by statute, dedication, or prescription, and includes rights-of-way and any appurtenances (e.g. signing, bridges, drainage structures) necessary for public travel. Defined in Wis. Stat. § 990.01(12) as including “all public ways and thoroughfares and all bridges upon the same.”

Roadway: That portion of the highway between the regularly established curb lines or shoulder points which is improved, designated, or ordinarily used for vehicular travel.

Rights of Way: The land or interest therein acquired for or devoted to a highway.

Jurisdiction: The authority and obligation to administer, control, construct, maintain, and operate a highway pursuant to applicable WI state statutes.

Jurisdictional Authority: The unit of government having jurisdiction of a public highway.

Maintaining Authority: This is generally understood to be the same as the jurisdictional authority for a highway. A jurisdictional authority may enter into agreements with other units of government or private contractors to perform maintenance activities on its highways. These are typically contracts for limited scope of work which do not cede any jurisdictional authority and should appropriately be referred to as maintenance agreements. Whenever the term maintaining authority is used, one must determine if intended to mean jurisdictional authority, or if being inappropriately used to describe a maintenance agreement.

Unit of Government, or Level of Government: The public road system is identified by the unit of government having assigned jurisdictional authority. Table 5.1 shows the relationship between units of government, the highway system they have jurisdictional authority over, and the primary Wisconsin state statutes which grant that authority.

Table 5.1 State System, Highway Authority and State Statute Relationships

SYSTEM	HIGHWAY AUTHORITY	STATUTE
State	Wisconsin DOT	Chapter 84 & 86
County	County Board	Chapter 83
Town	Town Board	Chapter 82
Municipal	City or Village	Chapter 66
Tribal Roads	Tribal Nation	Chapter 86

Jurisdictional Reassignment: Act of changing the jurisdictional authority of a highway from one unit of government to another.

State Highway Change, §84.02(3) (a): A change in the state highway system resulting from constructing a state highway on new location.

Connecting Highway Change, §86.32(1): Applying designation, removing designation (i.e. rescission), or changing the limits where connecting highway designation currently exists.

Jurisdictional Transfer (JT) §84.02(7)(8), §86.257: A jurisdictional reassignment that requires a two-party agreement to complete.

Vacating: Actions that remove the public rights-of-way and public roadway status of a highway from the underlying right-of-way parcels for that highway.

Discontinuance: Discontinuance is the removal of the jurisdictional designation of a highway. When an authority discontinues a highway, it removes that highway from the authority's system. However, the reader is cautioned that discontinuance is used in varying contexts within the state statutes. Discontinuance may not terminate the public use of the highway if other levels of government have an underlying interest in the right-of-way or if it continues to serve abutting properties. The reader should consult with Office of General Counsel if there are questions on use of the term discontinuance within a specific statute.

Tribal Roads: Any public roadway within the boundaries of a reservation for one of the federally recognized US Native American Tribes and Bureau of Indian Affairs, and which are under the jurisdictional authority of the Tribe or the Bureau of Indian Affairs. Not all public roadways within a reservation are tribal roads.

Effective Change Date of State Highway Reassignment: The date which the Department approves the state highway reassignment.

Physical Change Date of a State Highway Reassignment: The date when the jurisdictional reassignment is to physically occur on the highway system itself. The physical change date does not have to be the effective change date.

1.3 Jurisdictional Reassignment of State Trunk Highways

Jurisdictional reassignments within the state highway system can occur by one of the following actions.

- Jurisdictional Transfer
- State Trunk Highway Change
- Connecting Highway Change

Jurisdictional reassignments and State Trunk Highway changes will be discussed in more detail in the remaining sections. Connecting highway change is discussed in [FDM 4-5-5](#).

1.4 Jurisdictional Transfers (JT)

By definition a jurisdictional transfer is a jurisdictional reassignment that requires a two-party agreement for it to occur. Jurisdictional transfer is often inappropriately interchanged with the term jurisdictional reassignment. Jurisdictional reassignment is any action that results in a change to the jurisdictional authority of a highway, while jurisdictional transfer is simply one type of action by which jurisdictional reassignment can occur.

Statutory references to jurisdictional transfer of state highways are included in:

- Wis. Stat. 84.02(8)
- Wis. Stat. 84.02(7)

- Wis. Stat. 84.16
- Wis. Stat. 86.257

The following subsection will discuss each of these statutory references to jurisdictional transfer in more detail.

1.4.1 Wis. Stat. 84.02(8) Jurisdictional Transfers: State-Local Agreements for Addition to or Deletion from State Highway System

Wis. Stat. 84.02(8) is the prescribed method for any jurisdictional transfer of a state highway to county trunk highway or vice versa. It provides the broad authority to negotiate the jurisdictional transfer of a state highway to local authority, or a local highway to state authority, at any time the Department feels it is appropriate to do so as follows:

(8) Jurisdictional transfers: state-local agreements.

- (a) The department may make additions or deletions to the state trunk highway system by entering into a jurisdictional transfer agreement with any local unit of government. Addition to or deletion of any part of the state trunk highway system under this subsection may be made without regard to any mileage limitation or procedural requirement imposed under this section or chapter 518, laws of 1947.*
- (b) The jurisdictional transfer agreement must be approved by the department and the governing body of any municipality or county board involved before the transfer of any highway becomes effective.*
- (c) A jurisdictional transfer agreement may contain any terms and conditions that the department and the local unit of government may deem necessary regarding maintenance or rehabilitation of any highway transferred.*

There are other Wisconsin state statutes which under certain circumstances grant the Department unilateral authority to make jurisdictional reassignments of state highways to local roads, local roads to state highway, or local roads to other local roads. Examples include the following:

- Wis. Stat. 84.295(5)(6)(7)(8) ...Freeway/Expressway Designation...Local to local system unilateral reassignments or vacating action. See FDM 4-5-20 and [FDM 7-40](#) for details.
- Wis. Stat. 84.02(3) ...State Highway Change...State to local or local to state unilateral reassignments. Discussed later in [FDM 4-5-1.5](#).

As a rule, the two-party jurisdictional transfer agreement authority pursuant to Wis. Stat. 84.02(8) should not be used where the statutes allow the Department unilateral authority to make a jurisdictional reassignment. These unilateral authorities are discussed in further detail later in [FDM 4-5-5](#) and [FDM 4-5-10](#).

1.4.2 Wis. Stat. 84.02 (7) Request for Jurisdictional Transfer Between the County Highway and State Highway System by County Petition

Wis. Stat. 84.02(7) allows a county to petition the Department to transfer portions of the County Trunk Highway System to the State Trunk Highway System, or vice versa, provided required average daily traffic (ADT) volumes are met, where it states:

*(7) **Additions from county trunk highways.** Whenever the traffic on any county trunk highway averages in any year 250 or more vehicles daily, the county board may by resolution request that such county trunk highway be added to the state trunk highway system. A copy of such resolution shall be filed with the department. If after investigation the department finds that the traffic on said county trunk highway meets the requirements of this subsection, it may by order add said highway to the state trunk highway system, but the total additions under this subsection shall not exceed 500 miles. Whenever the traffic on any portion of a state trunk highway averages in any year 150 or less vehicles daily, the county board of the county wherein such state trunk highway is situated may by resolution request that such be transferred to the county trunk highway system. A copy of such resolution shall be filed with the department. If after investigation the department finds that the traffic on said state trunk highway is as stated in said resolution, it may order said highway taken from the state trunk highway system and made a county trunk highway.*

If a county were to submit a Wis. Stat. 84.02(7) petition to jurisdictionally transfer a county or state highway, the Department is only obligated to consider that request and is not required by the statute to pursue that jurisdictional transfer.

Wis. Stat. 84.02(7) has not been used for many decades and is no longer a prescribed method by which the Department seeks to make jurisdictional alterations between the state and country highway system. Wis. Stat. 84.02(8) provides the Department the authority to jurisdictionally transfer any state highway to local jurisdiction or vice versa, and is the prescribed method for any jurisdictional transfer of a state highway to county trunk highway or vice versa. Wis. Stat. 84.02(8) is discussed in detail in [FDM 4-5-1.4.1](#).

1.4.3 Wis. Stat. 84.16 Jurisdictional Transfer of Wis. Stat. 84.10 Bridges

Wis. Stat. 84.16 applies uniquely to the jurisdictional transfer of state-owned bridges on the local highway system as defined under Wis. Stat. 84.10. These bridges are commonly referred to as '84.10 Bridges' and are categorized as such by the Department. Wis. Stat. 84.16 allows an existing '84.10 bridge' to be jurisdictionally reassigned from state to local jurisdiction but only by mutual consent through a jurisdictional transfer agreement as follows:

84.16 Jurisdictional transfers of bridges.

- (1) *The department may transfer its jurisdiction over bridges constructed, reconstructed or purchased under s. 84.11 before August 9, 1989, or under s. 84.12 to any local unit of government by entering into a jurisdictional transfer agreement with the local unit of government. Deletion of any part of the state trunk highway system under this section may be made without regard to any mileage limitation or procedural requirement imposed under s. 84.02 or chapter 518, laws of 1947.*
- (2) *The jurisdictional transfer agreement must be approved by the department and the governing body of any municipality or county board involved before the transfer of any bridge becomes effective.*
- (3) *A jurisdictional transfer agreement may contain any terms and conditions that the department and the local unit of government may deem necessary regarding maintenance or rehabilitation of any bridge transferred.*

Wis. Stat. 84.10 designation is bridge specific, not location specific. Once an existing '84.10 bridge' is removed or replaced by a new bridge, the Wis. Stat. 84.10 designation is likewise removed and any replacement bridge at that location becomes a local bridge, on the local highway system, under the jurisdictional authority of the underlying local unit of government. No jurisdictional transfer is required for this to occur. The jurisdictional transfer is only required for changing the jurisdictional authority on an existing Wis. Stat. 84.10 bridge. For WisDOT employees, this is further explained in WisDOT's Program Management Manual 3-25-10.

1.4.4 Wis. Stat. 86.257 Jurisdictional Transfer Involving Tribal Roads

Wis. Stat. 86.257 provides the Department authority to negotiate jurisdictional transfers of state highways to Native American tribes or agents of Native American tribes as follows:

86.257 Transfer of highways. *The department or a political subdivision, as defined in s. 86.31 (1) (d), may transfer jurisdiction and ownership of, or other property interest in, a highway that is under the jurisdiction of the department or political subdivision to a federally recognized American Indian tribe or band in this state or an agency of the United States government that is acting on behalf of a federally recognized American Indian tribe or band in this state by entering into a jurisdictional transfer agreement with the tribe or band or agency. The jurisdictional transfer agreement shall contain all of the following:*

- (1) *A dispute resolution procedure.*
- (2) *A provision that requires that the transferred highway remain open to the use of the public as a matter of right for the purposes of vehicular traffic unless the tribe or band or agency conducts proceedings, makes findings, and meets other conditions for discontinuation that would be applicable to the governing body of a 1st class city under s. 62.73, if the highway is located in a 1st class city; the governing body of a village or city, except a 1st class city, under s. 66.1003, if the highway is located in a village or city, except a 1st class city; or the governing body of a town under s. 82.10, if the highway is located in a town.*

Such jurisdictional transfers would result in state highways becoming tribal highways. Wis. Stat. 86.257 also discusses retention or termination of public use of a state highway when said highway is jurisdictionally transferred under this statutory authority.

Transferring any lands to and from tribal authority is a complicated process with extensive state and federal case law history. A jurisdictional transfer of highways is no exception to these legal complexities. For these reasons, consultation with Department Tribal Liaisons and Office of General Counsel should always occur prior to initiating any discussions with a Tribe or Bureau of Indian Affairs on jurisdictional reassignments of public highways under Wis. Stat. 86.257 or any other statute.

1.4.5 Jurisdictional Transfer Process

Typically, any jurisdictional transfer begins in the WisDOT Region Office in the Planning Unit. Coordination with longer-term systems planning efforts in the Bureau of Planning and Economic Development and roadway system data changes with the Bureau of State Highway programs is not required, though may be in the best interest of coordination.

Guidance on documentation and communication of JTs is included in Sections 1.8 and 1.9.

1.5 State Highway Change, WI Statue 84.02(3)

1.5.1 Definition of Terms and Statute Interpretations

The definition of a State Highway Change and the rules required to enact a State Highway Change are described in Wis. Stat. 84.02(3)(a) as follows:

84.02(3)(a) "... Changes may be made in the state trunk system by the department, if it deems that the public good is best served by making the changes. The department, in making the changes, may lay out new highways by the procedure under this subsection. Due notice shall be given to the localities concerned of the intention to make changes or discontinuances, and if the change proposes to lay a highway via a new location and the distance along such deviation from the existing location exceeds 2 1/2 miles, then a hearing in or near the region affected by the proposed change shall be held prior to making the change effective. The notice shall also be given to the secretary of natural resources either by registered mail or personally. Whenever the department decides to thus change more than 2 1/2 miles of the system the change shall not be effective until the decision of the department has been referred to and approved by the county board of each county in which any part of the proposed change is situated. A copy of the decision shall be filed in the office of the clerk of each county in which a change is made or proposed. Where the distance along the deviation from the existing location exceeds 5 miles the change shall constitute an addition to the state trunk highway system. The preexisting route shall continue to be a state trunk highway unless the county board of each county in which any part of the relocation lies and the department mutually agree to its discontinuance as a state trunk highway. Whenever such county board or boards and the department cannot so agree the department shall report the problem to the next ensuing session of the legislature for determination.

A summary of Wis. Stat. 84.02(3)(a) key authorities and determinations is as follows:

- It determines how a new highway constructed by the Department on new location can be designated a state highway.
- It determines how an existing state highway being replaced by a new highway on new location can be discontinued as a state highway or jurisdictionally reassigned to a local unit of government.
- It determines the rules for designating or discontinuing a state trunk highway depending on the length of state highway being built on new location.

Key definition of terms in Wis. Stat. 84.02(3)(a) are as follows.

‘New location’ - That portion of the new state highway being constructed on new right-of-way that is not contiguous with the existing right-of-way of the current state highway. See [Figure 5.1](#).

‘Distance along Such Deviations from Existing Location’ - The centerline distance of the new highway between any two successive points where the new right-of-way transitions from being contiguous to non-contiguous with the existing highway's right-of-way. If there are multiple such deviations within a project, each deviation is measured independently to determine if it meets the mileage rules stated in Wis. Stat. 84.02(3). It is not the cumulative total of all independent non-contiguous segment of new right-of-way within a project that makes this determination. See [Figure 5.2](#).

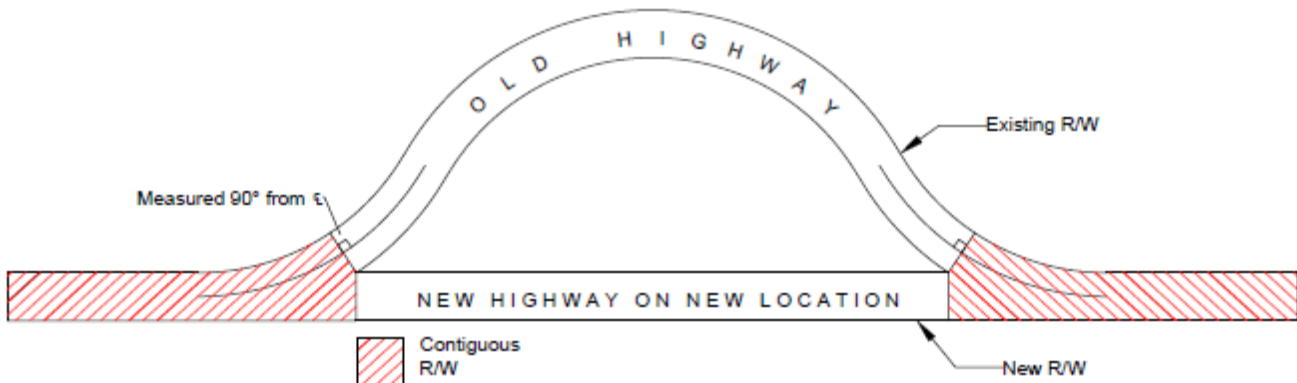


Figure 5.1 New Highway Constructed on New Right-of-Way

For clarity, the statutory phrase ‘distance along such deviations from existing location’ will be referred to as the

'length of highway being constructed on new location' for the remainder of this chapter.

The next sections will describe how the length of new highway being built on new location statutorily defines the rules which govern:

1. Designating the new highway constructed on new location as a state highway.
2. Discontinuing or jurisdictionally reassigning the existing state highway being replaced by the new highway being constructed on new location.

1.5.2 STH Designation of New Highway Under a State Highway Change

1.5.2.1 Length of Highway on new Location is 2-1/2 miles or Less

In many cases, highway changes of less than 2-1/2 miles may be so short that they are considered minor alterations. Minor alterations are changes in highway location that meet any of the following conditions, and which then do not require official state highway change action:

- Alteration occurs entirely within existing highway right-of-way
- Any additional right-of-way required remains contiguous to existing right-of-way
- Additional right-of-way may be non-contiguous for minimal lengths or contained within a singular property

Minor alterations that include new right-of-way only need a relocation order and a Department Transportation Project Plat to make those changes.

If the changes go beyond those defined for minor alterations, Wis.Stat. 84.02(3) requires specific STH Change actions to occur. However, when the length of highway being constructed on new location is 2-1/2 miles or less, Wis. Stat. 84.02(3) only requires that:

"Due notice be given to the localities concerned of the intention to make changes or discontinuances..."

"Due notice" is accomplished by use of a Notice of Intent to Change (NOITC) that is published as a Class III legal notice in area newspapers pursuant to Wis. Stat. 985.07(b)(3). Once the NOITC requirements have been met, the Department has the unilateral authority to so order that STH Change.

1.5.2.2 Length of Highway on new Location is Greater than 2-1/2 miles but Less Than 5 Miles

When the length of state highway on new location is greater than 2-1/2 miles but less than 5 miles, Wis. Stat. 84.02(3)(a) adds the following rules that were not required when the length was 2-1/2 miles or less.

- *"...if [length] exceeds 2-1/2 miles, then a hearing in or near the region affected by the proposed change shall be held prior to making the change effective."*
- *"...the notice shall also be given to the secretary of natural resources either by registered mail or personally..."*
- *"...the change shall not be effective until the decision of the department has been referred to and approved by the county board of each county in which any part of the proposed change is situated. A copy of the decision shall be filed in the office of the clerk of each county in which a change is made or proposed."*

The public hearing for the state highway change and notification of WIDNR Secretary of that public hearing are self-explanatory. That public hearing process also fulfills the requirement for giving 'due notice' to local units of government of the proposed STH change. FDM Chapter 6 provides guidance for holding a public hearing for a state highway change.

The requirement for county board referral and approval is significant, and has the potential be an obstacle to project approval. The Department should get memorandums of agreement in place prior to moving such a project into the delivery process to avoid negative risks to project scope, budgets, and delivery schedules; as well as undesirable political controversy.

There are situations where this requirement for county board approval for a state highway change can be superseded by other preceding statutory actions. The Department's Office of General Counsel has determined that if the need for a state highway change action was initiated by a separate WI State Legislative directive, such action would supersede and eliminate the Wis. Stat. 84.02(3) requirement for county board approval of that state highway change. Such situations would occur when a state highway change is required because of a Major Project approved by the WI State Legislature pursuant to Wis. Stat. 84.103, or any improvement project individually mandated (i.e. "mandated") by specific WI State legislative action.

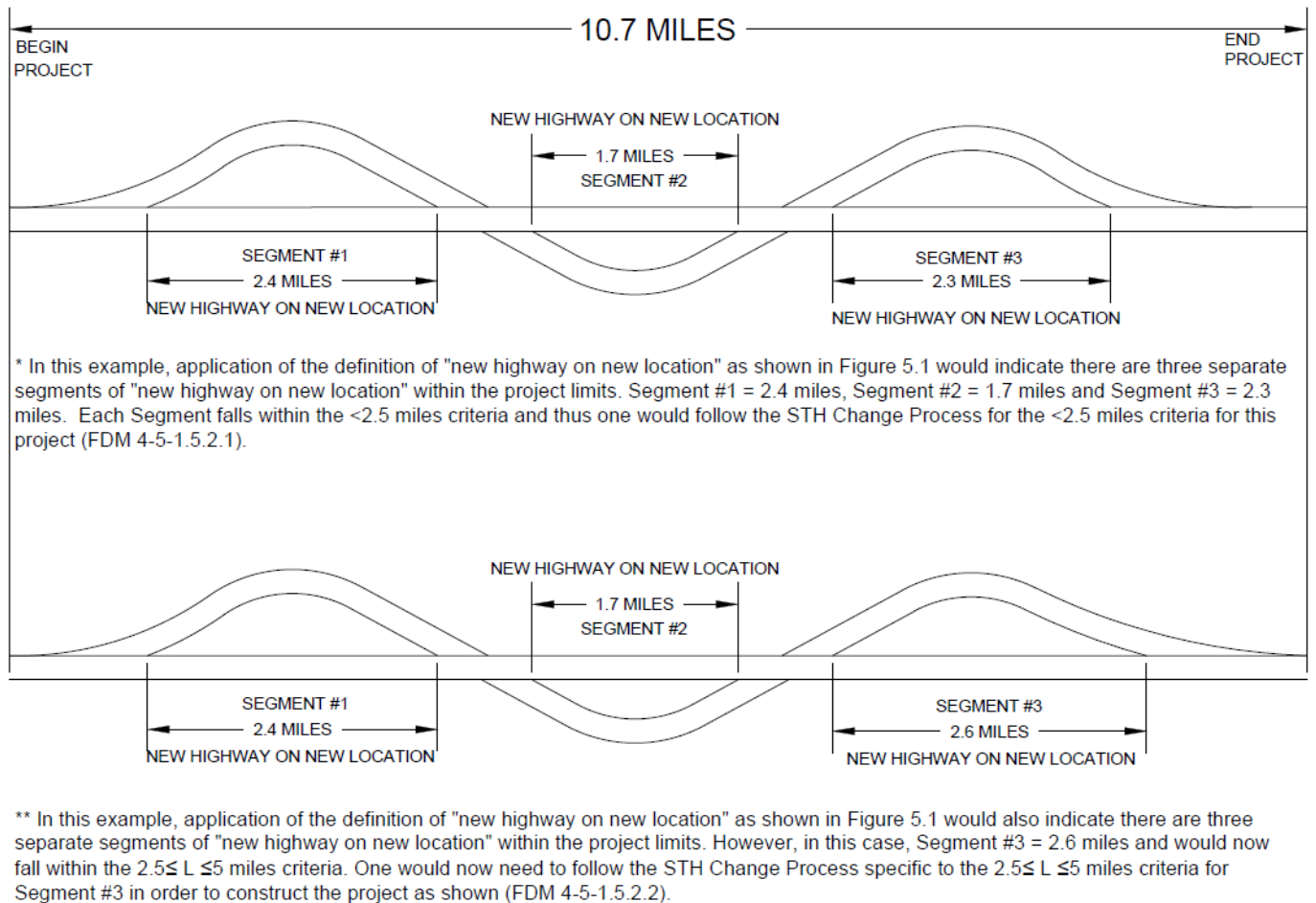


Figure 5.2 Examples for Length of Highway on New Location

1.5.2.3 Length of Highway on new Location Greater than 5 Miles

When the length of new highway on new location is greater than 5 miles, Wis. Stat. 84.02(3) no longer requires county board approval for designating that new highway as a state highway, where it states:

"...Where the distance along the deviation from the existing location exceeds 5 miles the change shall constitute an addition to the state trunk highway system."

A public hearing is required for this state highway change. That public hearing process also fulfills the requirement of giving 'due notice' to local units of government of the proposed STH Change. FDM Chapter 6 provides guidance for holding a public hearing for a state highway change.

Once the public hearing requirements have been met, the Department has the unilateral authority to so order this STH change addition of a new highway on new location greater than 5 miles.

1.5.3 Removing State Highway Designation Under a State Highway Change

When a state highway change adds a new state highway on new location, it most often also requires a Department decision on the disposition of the existing state highway the new highway is replacing. The disposition decision for that existing highway could be to:

1. Keep the existing highway as a state trunk highway under a different state highway number.
2. Jurisdictionally reassign the existing highway to local highway jurisdiction.
3. Discontinue or vacate the highway

1.5.3.1 Keep the Existing Highway as a State Highway Under a Different State Highway Number

Keeping the old state highway as a state trunk highway under a different state highway number is not a state highway change action specifically referenced in Wis. Stat. 84.02(3). Rather, it is one possible outcome from a state highway change action and would follow the process defined in the Traffic Engineering Operations and Safety Manual (TEOpS, formerly the Traffic Guidelines Manual) [TEOpS 1-11-1](#) that is used anytime the Department wishes to change the state highway route number on an existing state highway.

State highway route number changes occurring because of a state highway change shall be included in the official state highway change documents. [FDM 4-5-1.6.7](#) (Highway Routing Naming Conventions) provides instructions on how and where the [TEOpS 1-11-1](#) documentation for a state highway route numbering change shall be attached to the official STH Change documentation described in [FDM 4-5-1.8](#).

1.5.3.2 Jurisdictionally Reassign the Existing Highway to Local Highway Jurisdiction

The process to jurisdictionally reassign the existing state highway to local highway jurisdiction is dependent upon the length of new highway on new location as described in [FDM 4-5-1.5.2](#). The following information is provided for each of the three scenarios.

1.5.3.2.1 If Length of Highway on New Location is 2-1/2 Miles or Less

Wis. Stat. 84.02(3) does not specify any rules for the jurisdictional reassignment of an existing state highway when the length of new highway constructed on new location is 2-1/2 miles or less. Therefore, the Department has the authority to unilaterally reassign the jurisdiction of the existing state highway to the local unit of government it deems most appropriate.

However, case law and WisDOT Office of General Counsel (OGC) opinions have also determined that when state highway designation is removed from a highway, the appropriate jurisdictional recipient of that highway may be legally dependent on the chain of title of the right-of-way for that highway. Situations where this needs to be considered are as follows:

- The underlying right-of-way is in fee title but not titled in the name of the Department.
- The underlying right-of-way is titled to the Department, but is in easement rather than fee title; and the roadway was previously a local highway before becoming a state highway.

The chain of title of the right-of-way which would not affect Department authority to unilaterally reassign jurisdiction of a state highway would be if:

- The underlying right-of-way was originally purchased fee title by Department and the highway has always been a state highway.
- The right-of-way was originally purchased by a local unit government, but there are subsequent recorded deeds that transferred title of the right-of-way to the Department.

Region Real Estate and OGC should be involved in reviewing all deeds of record for the highway being considered for jurisdictional reassignment under a state highway change (or any other reason) to ensure there is no conflict between what those records may require and to whom the Department wishes to jurisdictionally reassign the highway.

The official State Highway Change documents (described in [FDM 4-5-1.9](#)) shall identify if the jurisdictional reassignment occurred by unilateral authority of the Department, or by a determined reversion based on chain of title of underlying right-of-way. In either situation, no jurisdictional transfer agreement pursuant to 84.03(8) should be used. The approval of the State Highway Change by the Department executes the jurisdictional reassignment of the state highway to local jurisdiction, whether by unilateral Department authority or by reversion based on chain of title of underlying right-of-way.

However, it must be noted that should the Department desire to retain any specific rights or authorities on the highway being jurisdictionally reassigned, it must use a jurisdictional transfer agreement to do so. Using the State Highway Change executing document to execute a jurisdictional reassignment is only valid if the subject highway being reassigned is done so without any reservations or retentions on the part of the Department.

1.5.3.2.2 Highway on New Location Greater Than 2-1/2 Miles and Less Than 5 Miles

The length of new highway under these criterion places two additional requirements upon the Department if it wishes to discontinue the state highway designation on the existing state highway as part of a Wis. Stat. 84.02(3) state highway change. They are as follows:

1. A jurisdictional transfer pursuant to 84.03(8) is required for the Department to jurisdictionally reassign the existing state highway route to local government jurisdictional authority.
2. The County is made part of the approval process for state highway discontinuance per the following from WI Statute 84.02(3):

"The preexisting route shall continue to be a state trunk highway unless the county board of each county in which any part of the relocation lies and the department mutually agree to its discontinuance as a state trunk highway."

However, if the Department and county(s) cannot mutually agree on the state highway change being proposed, Wis. Stat. 84.02(3) allows the Department to take its state highway change

recommendation to the Wisconsin state legislature for determination, where it states:

“Whenever such county board or boards and the department cannot so agree the department shall report the problem to the next ensuing session of the legislature for determination.”

If this step should ever be taken, the Department should include documentation supporting its rationale for why the State Highway Change should occur and what improvements or financial considerations it is offering the local unit for any jurisdictional reassignment being proposed. All documentation must be reviewed and cleared at the Administrator, Office of General Counsel, and Secretary’s Office before it is submitted to the Legislature.

1.5.3.2.3 Highway on New Location Greater Than 5 Miles

The requirements under this criterion are the same as those noted in the previous section (FDM 4-5-1.5.3.2.2).

1.5.3.3 Discontinue or Vacate Existing Highway

Wisconsin State statutes create some confusion by interchangeably using the terms ‘discontinue’ and ‘vacate’ when discussing highways, right-of-way, and other public ways such as alleys.

The statutory use of the term ‘vacate’ is highly consistent and is understood to refer to government action which ends the public use of a property for highway purposes.

However, statutory use of the term ‘discontinue’ or discontinuance’ is more varied. Attorney General Opinions, common law, and Wis. Stat. 84.02(3) use discontinuance to mean the removal of a state highway from existence or removal of state trunk highway designation from a highway.

When the Department decides to ‘discontinue’ a state highway, the resulting jurisdictional status of that highway depends on the title record of that underlying right of way. If underlying right-of-way is held in fee or highway easement in the Department’s name, discontinuance by the Department ends the public status of that highway unless it is jurisdictionally reassigned by the Department to a local unit of government. If no jurisdictional reassignment occurs, disposition of the underlying right-of-way would then follow these rules:

- If the right-of-way was held in fee in the Department’s name, the right-of-way designation is extinguished and it becomes surplus land under State Statute 84.09(5).
- If the right-of-way was held in easement in the Department’s name, the right-of-way may simply revert to private ownership pursuant to State Statute 66.1005(1) depending on how the easement language is written. OGC should be consulted for final determination of easement language.
- If the right-of-way is held in fee or highway easement in the name of any local unit of government, the jurisdictional authority for the highway reverts to that local unit of government.

If there are no recorded deeds for the underlying right-of-way and the highway has always been a state highway, it is assumed the Department holds title by virtue of its use as a highway. Discontinuance by the Department would end the state highway designation and, in most cases, cause the right-of-way to revert to private ownership. However, if this highway had been under local jurisdictional authority at some point in the past, it may statutorily revert to that previous local authority. OGC should be consulted for final interpretations in these situations.

1.6 Other Jurisdictional Reassignment Considerations

The previous sections focused primarily on how Wisconsin state statutes provide legal authority to the Department for making highway jurisdictional reassignments. The following factors should be evaluated to determine if they impact the reassignment:

- Ownership and disposition of underlying right-of-way
- Access Control
- Utilities and Other Non-Access Permits
- Maintaining Authority and Maintenance Agreements
- Facilities to be retained by the Department
- Capitalization of Maintenance Start Up Costs When Jurisdictional Reassignment Results in Net Gain of System Miles
- Highway routing naming conventions
- Traffic Operations
- Synchronizing General Transportation Aid (GTA) Payments
- Historical Preservation
- Highway Improvement Cost-to-Cure

These factors apply to a state highway being discontinued or jurisdictionally reassigned, and to any local highway being altered, vacated, or jurisdictionally reassigned to the state highway system.

Wis. Stat. 84.02(8) (c) provides the basis to determine parameters of a jurisdictional transfer:

"A jurisdictional transfer agreement may contain any terms and conditions that the department and the local unit of government may deem necessary regarding maintenance or rehabilitation of any highway transferred."

WisDOT staff should use the State Jurisdictional Transfer Job Aid to identify and document specific considerations regarding a proposed or potential Jurisdictional Transfer on State Highway.

<https://wigov.sharepoint.com/sites/dot-dtsd/mydtsd/planning/SitePages/HSM.aspx> (internal link)

1.6.1 Ownership and Disposition of Right-of-Way

[FDM 4-5-1.5.3.3](#) (Discontinuing or Vacating a Highway) described how the historical title record of the state highway right-of-way may legally determine who the Department should jurisdictionally reassign a highway to, or whether the Department can legally reassign its interests in the underlying right-of-way.

It needs to be clearly understood that a jurisdictional reassignment action, whether by jurisdictional transfer or by state highway change, does not in, and of itself, automatically reassign ownership of any underlying right-of-way. Jurisdictional reassignment only changes the jurisdictional authority for that highway. Jurisdictional authority is the right and obligation to administer, control, construct, maintain, and operate a highway pursuant to applicable Wisconsin state statutes, but does not inherently include the authority to dispose of any underlying right-of-way. The right to dispose of underlying right-of-way is retained by the owner of that right-of-way who is identified through the historical title record for that right-of-way.

In 2006, the Wisconsin legislature added a provision under 84.09(5) that prescribes a statutory process the Department must follow to dispose of "...property [that] is no longer necessary for the state's use for transportation purposes." This provision creates a significant firewall that essentially precludes the Department from quit claiming its rights to the underlying right-of-way of any state highway being jurisdictionally reassigned. Those rights must be retained by the Department until such time the Department determines they are no longer needed for state transportation purpose, declares it excess right-of-way or surplus lands or rights, manages the marketing of those lands or rights, and assumes any proceeds from that sale.

The following scenarios are helpful in understanding how title record and Wis. Stat. 84.09(5) affect disposal of underlying right-of-way in conjunction with a jurisdictional reassignment or state highway discontinuance.

- If underlying right-of-way lands or rights of the state highway are held by recorded easement or fee title in the name of a local unit of government, conveyance of rights by the Department is not applicable since the right-of-way ownership already lies with the local unit.
- If the right-of-way lands or rights are owned fee title by the state, then pursuant to Wis. Stat. 84.09(5) the Department cannot convey any of the underlying right-of-way ownership to the jurisdictional reassignment recipient. The right-of-way must remain under state ownership until such time it is declared excess or surplus by the Department, at which point it can be sold.
- If the right-of-way land or rights are owned by easement in the name of the state, then one needs to consult with OGC to determine the nature of that easement language. It may be determined they have state value and fall under Wis. Stat. 84.09(5) or they may simply extinguish with no value and return to underlying private ownership.

It is also a good practice to review the existing right-of-way of the state highway being jurisdictionally reassigned to determine if there are any parcels that could be declared excess and sold prior to the jurisdictional reassignment. It is a much cleaner process to do this prior to a jurisdictional reassignment rather than after.

The Regional Technical Services Real Estate Section needs to be involved in all these discussions regarding excess right-of-way.

1.6.2 Access Control

The Department has an obligation to identify which access controls are present on any highway being jurisdictionally reassigned to or from state highway status, and ensure the local recipient understands if and how these controls are affected by the reassignment. Some types of access controls transfer with the reassignment, some require separate actions to transfer, while some may simply extinguish.

The Department also needs to consider whether it should retain jurisdictional authority over any access controls on the state highway being jurisdictionally reassigned. This can be important when the state highway being reassigned intersects with or will continue to have operational proximity to, the remaining state highway system. [FDM 11-5-5](#) and [FDM Chapter 7](#) provide information on desired access control on local roadways that intersect with, or are in close proximity to a state highway.

Different actions may be required on the part of the Department to retain jurisdictional authority over access control on a reassigned highway depending on which type of access control is seeking to be retained.

The following information describes in more detail how various state highway access controls are affected by jurisdictional reassignments, and what actions may be required for the Department to retain jurisdictional authority of those controls on a state highway being jurisdictional reassigned.

- **Wis. Stat. 86.07 Permitted Access** - Department state highway access permits issued pursuant to Wis. Stat. 86.07 remain in full legal effect when a state highway is reassigned to local jurisdiction. The authority to maintain and manage these permits goes with the jurisdictional reassignment to the recipient local unit of government.
If the Department wishes to retain jurisdictional control of these access permits, it needs to specifically include that in a jurisdictional transfer agreement with the recipient local unit.
- **Wis. Stat. 84.09, Purchased Access Rights** - Access rights or controls purchased under Wis. Stat. 84.09 become part of the title record of the underlying property and thus run with the property title regardless of who is the jurisdictional authority of the highway. Therefore, the purchased access controls described in a recorded deed remain in effect after any jurisdictional reassignment. The only exception would be if the deed language specifically stated the purchased access control was only valid so long as the highway remained under the jurisdictional authority of the party who acquired those access rights.
Access rights acquired by the Department on a state highway are also governed by Wis. Stat. 84.09(5). The local unit recipient of a jurisdictionally reassigned state highway cannot unilaterally release any access rights on that highway that were originally purchased by the Department. Wis. Stat. 84.09(5) states it is the Department who must declare those rights are no longer needed for state transportation purposes, manage the marketing or negotiation of those rights back to the landowner, and assume any proceeds from the sale of those rights.
- **Wis. Stat. 84.25 Controlled Access Highway** - Wis. Stat. 84.25 is an authority granted solely to the Department for use on active state highways, therefore access authorizations issued by the Department pursuant to Wis. Stat. 84.25 extinguish with a jurisdictional reassignment unless separate actions are taken by the local unit of government to retain those authorizations.

[FDM 7-15-10](#) provides information on the process local governments can follow to retain the full effect of the Wis. Stat. 84.25 authorizations on the highway being reassigned to local jurisdiction.

If the Department desires to retain the effect of Wis. Stat. 84.25 authorizations falling within the highway being reassigned to local jurisdiction, it would have the following options:

- Remove the Wis. Stat. 84.25 designation and purchase the access control under Wis. Stat. 84.09.
- Have the recipient local unit perpetuate the Wis. Stat. 84.25 controls under local authority, and through a jurisdictional transfer agreement gives the Department jurisdictional authority over those controls. Consultation with OGC is required to determine if authority perpetuated by local unit is delegable to the Department.

Consult with the Region Access Management Coordinator or State Highway Access Engineer when drafting the appropriate access language for these types of actions.

1.6.3 Utilities and Other Non-Access Permits

All existing utility permits issued by the Department on a state highway remain in full effect after that highway is jurisdictionally reassigned. The permit authority for managing those permits moves with the jurisdictional authority for the highway.

1.6.4 Maintaining Authority and Maintenance Agreements

Previously it was discussed how definitions for 'maintaining authority', 'jurisdictional authority', and 'maintenance agreements' get confused and inappropriately interchanged. Maintaining authority should be considered the same as jurisdictional authority. A jurisdictional or maintaining authority can enter into a maintenance agreement with another unit of government to perform any manner of maintenance work on its system. These maintenance agreements are simply contracts to do work on the system and do not move jurisdictional or maintaining authority from one unit of government to another.

Maintenance agreements should be considered when a jurisdictional reassignment creates another connection to, or close operational proximity between the state and local highway system. There may be maintenance and operational benefits for the Department to be responsible for certain aspects of maintenance such as snow plowing on a segment of local highway, or vice versa.

The Region Operations Section should be involved in the determination and negotiation of any such maintenance agreement.

When a new state highway is built on new location, most often the existing highway will continue to serve as the state highway until the new highway is completed. This would be a state highway change where the existing state highway could be jurisdictionally reassigned to local jurisdiction with the cost to cure for that reassignment being a Department let improvement project. If there is a late season completion of the new highway, it could preclude the cost to cure let project from occurring until the following construction season. This creates an extended delay between the physical date of the jurisdictional reassignment (i.e. when the new state highway is opened for traffic) and when the existing route receives cost to cure improvements; and opens the question of who is responsible for covering the cost and effort to maintain the existing highway until it can be reconstructed.

This jurisdictional reassignment documentation must clearly delineate:

- Whether the recipient local unit or the Department is responsible for the daily maintenance of the reassigned state highway during that time between the reassignment physical date and cost to cure construction.
- Whether said responsibilities are being covered through physical effort or financial compensation.

1.6.5 Facilities to be Retained by the Department

There may be reasons for WisDOT to retain jurisdictional or maintaining authority over certain facilities on the highway or within right-of-way of the highway being reassigned. Retaining facilities is done infrequently and usually involves the types identified in [FDM 4-5-1.6.8](#) (Traffic Operations).

Retention of facilities is generally reserved for those intending to be retained by the Department in perpetuity or until such time the Department decides to remove them. This section is not intended to cover the short-term retention of an item until it is eventually replaced. Such items should be covered as a negotiated cost-to-cure element.

1.6.6 Capitalization of Maintenance Start Up Costs when Jurisdictional Reassignment Results in Net Gain of System Miles

If a jurisdictional reassignment from state highway to local jurisdiction results in a net gain of system miles to that local unit, there may be 'cost-to-cure' consideration to help cover acquisition of additional equipment and manpower to maintain those additional system miles.

'Net gain' means the local unit ends up with more lane miles under its jurisdictional authority after the jurisdictional reassignment than it had before. This occurs when a state highway is relocated under a state highway change, and the old state highway is reassigned to local jurisdiction; or a new local roadway is constructed as part of a state highway project. In both cases, the local unit is taking on new miles while reassigning none of its own away.

This 'Maintenance Capitalization Start Up' cost-to-cure is only intended to help defray the one-time, initial capitalization costs of adding equipment, personnel, or materials to maintain these additional system miles. Long term future maintenance costs are not eligible for consideration under this item.

The cost basis for determining this item is the Department's average annual cost per mile data for its annual Routine Maintenance Agreements (RMA) with the counties to performance state highway maintenance. Annual average RMA costs are maintained by DTSD Bureau of Highway Maintenance. The cost data is categorized by different classes of roadway, allowing one to correlate the type of roadway being jurisdictionally reassigned with the appropriate RMA cost per mile.

The Regional Operation Sections should be contacted to provide the current and appropriate data.

The cost-to-cure for this element is then computed as:

$$\text{Maintenance Start-Up Capitalization} = \text{Average RMA Cost/Mile} \times \text{Net Increase of Miles} \times 5 \text{ years}$$

This cost-to-cure is limited to a 5-year future horizon after which it is assumed the annual costs are normalized within the local budget for its local highway system, and Department General Transportation Aids payments.

1.6.7 Highway Routing Naming Conventions

Reassignment documentation shall include identification of the naming conventions placed on any roadway being jurisdictionally reassigned or any other highway whose naming convention will be altered because of the jurisdictional reassignments. Routing considerations include but are not limited to the following:

- Designating the state highway being reassigned to local jurisdiction as a state highway business route pursuant to [TEOps 2-4-19.1](#), Wis. Stat. 84.02(4), and 84.02(6).
- Concurrent routing of a local highway with a state highway.

- Identifying the date when the highway routing conventions will be active on those routes. Typically, that would be the physical date of the jurisdictional reassignment, but not always.

Pursuant to [FDM 4-5-1.5.3.1](#), the Department can choose to keep the existing state highway as a state highway under a new state highway number. Re-numbering a state highway is not a state highway change action pursuant to Wis. Stat. 84.02(3). It is merely one possible outcome from a state highway change action. Therefore, this item is treated as an "Other Consideration" rather than a statutorily described or required action pursuant to Wis. Stat. 84.02(3).

Region and Central Office Operation should be consulted on these items.

1.6.8 Traffic Operations

The Department must consider whether operational assets (e.g. signs, signals, or intelligent transportation systems (ITS)) located on the state highway being jurisdictionally reassigned should be retained under the jurisdictional authority of the Department. Examples where this should be considered include, but are not limited to:

- Signals at the first intersection off a state highway.
- Type 1 (i.e. 'Big Green') signs or sign bridges providing direction to the state highway system, or destinations deemed to have state importance.
- ITS systems that control traffic on to or off of a nearby state highway.

While the Department does have authority to place signs, ITS, and other operational assets on the local system, it is prudent to document in the jurisdictional reassignment which operational assets from the reassigned state highway are being retained under the jurisdictional authority of the Department. This helps minimize the potential for future debates on the matter after the reassignment has occurred.

Another item of consideration is changing the route designation signage (i.e. STH signs to local road names or numbers, or vice versa) on the reassigned route. The signing changes need to be quantified and then either included in the highway improvement cost to cure ([FDM 4-5-1.7](#)) or the party identified who will physically acquire and change signing.

1.6.9 Synchronizing General Transportation Aid (GTA) Payments

The date a local unit receives its first General Transportation Aids (GTA) payment after a jurisdictional assignment depends on the effective and physical date of that action. The documentation process to initiate GTA payments does not occur until the effective or physical date occurs. If they occur just after a GTA payment cycle commences, it could be up to two years before the local unit receives its first GTA payment for the reassigned miles.

The Region should consult with DTIM BSHP Local Roads Section and DTIM BTLR Local Roads and Finance Section to determine when the first GTA payment will occur based on the physical date of a jurisdictional reassignment. The number of months after the physical date where no GTA funds will be received can then be determined, and a prorated amount of a GTA payment to cover those months calculated.

A GTA cost-to-cure amount is then computed as follows:

$$\text{Prorated GTA Payment till Regular GTA Cycle Starts} = (\text{Months before start of 1st GTA Payment Cycle} / 12 \text{ months per year}) \times (\text{GTA rate per mile}) \times (\text{Length in Miles of Reassigned Highway})$$

The GTA rate per mile can be determined from Department GTA data on similar local roadways within the local unit, the Region, or statewide. These can be obtained from DTIM BTLR Local Roads and Finance Section.

It is important to note that the opposite concept also applies. GTA or connecting highway aids to the local unit should be appropriately stopped when a local highway is reassigned to state jurisdiction. The Region should contact DTIM BTLR Local Roads and Finance Section to ensure those payments are appropriately terminated as of the physical date of the jurisdictional transfer.

1.6.10 Historical Preservation

Wis. Stat. 44.41 Protection and Use of State Agency Property includes (3) which states the following,

“(3) PROTECTION OF LISTED PROPERTY. If a state agency transfers or sells any listed property, it shall reserve a conservation easement under s. 700.40, to be transferred and held by the state historical society, which secures the right of the historical society to preserve and maintain that property. The state historical society shall establish a form for that conservation easement and provide copies of that form to every state agency.”

The definition of 'listed properties' is defined in the Wis. Stat. 44.45 (1) and (2) as, ‘...the list of locally

designated historic places...[that] the state historical society shall maintain, publish, and disseminate..."

The net effect of this statute is that it requires the Department to review any state highway being considered for jurisdictional reassignment and identify any historic properties or sites pursuant to Wis. Stat. 44.45 that are within the right-of-way of that highway. If any such sites are found, the Department is obligated to follow the procedures prescribed in Wis. Stat. 44.41(3) before the jurisdictional reassignment of that state highway can occur. Documentation on how the obligations pursuant to Wis. Stat. 44.41 were concluded shall be made part of the Special Considerations.

If no historical properties or sites pursuant to Wis. Stat. 44.45 are identified within the right-of-way of the state highway being consider for jurisdictional reassignment, this negative finding shall be included in the Special Considerations to document that the Department had pursued the requisite review.

DTSD Bureau of Technical Services Environmental Services Section and Office of General Counsel shall be consulted anytime Wis. Stat. 44.41 and 44.45 are identified as part of a jurisdictional reassignment.

1.6.11 Highway Improvement Cost-to-Cure

Historically, parties involved in jurisdictional reassignment of public highways have understood that the involved highways should be reassigned in reasonable condition. Reasonable condition can be achieved through an improvement project on that highway, or a cash payment to cover the agreed cost of improvements necessary to return that highway to reasonable condition.

Historically, reasonable condition has been that level of treatment adequate for a 15-year improvement cycle. The Department method for arriving at the reasonable condition determination is conceptually quite simple, and is answered by the question, "What would the Department have spent over the next 15 years if it had kept this route as a STH." (WIDOT Program Management Manual, April 18, 1989).

1.6.11.1 Rules Governing Reasonable Cost-to-Cure for Highway Improvement Costs

1. Project scope, as a rule, is limited to no more than a 'perpetuation' of the existing features of the highway being reassigned.

Reassignments resulting from of a state highway being relocated (i.e. STH Change) or being routed to another highway (i.e. STH route change), typically reduces the traffic volume on the old highway as state traffic moves to the new route. As such, there would be no engineering basis to support relocation or expansion considerations as part of the reassignment action.

There may be considerations for some geometric changes to eliminate a lower-minimum highway element, or a spot location with significant crash history. However, these should be rare occurrences since state highways are generally built to upper minimum design criteria than those for local roads. Any exceptions should be fully vetted at the Departmental level before approved and included in a cost-to-cure agreement.

The situation is different when a local road is being reassigned to the Department since local roads may not be built to state highway design or access criteria. The Department should not accept reassignment of any local road that does not meet lower minimum Department design criteria for a state highway. Improvements necessary to bring the local road up to at least lower minimum state highway design criteria should be part of the local cost-to-cure to the Department.

2. Cost estimate is based on current Department bid item cost data and design criteria.
3. Cost to cure is constrained to only those items directly related to improvements necessary on the specific highway being reassigned.
4. All applicable Department Cost Share Policy rules are applied to all relevant items in the cost-to-cure estimates.

A cash payment for a reassignment cost-to-cure shall exclude any costs the local unit of government would have been required pay on any state highway improvement project. Any improvement project let for the reassignment cost-to-cure shall include all Department cost share requirements in that project agreement.

5. Cost-to-Cure for bridges and post-reassignment funding under the WisDOT Local Bridge Program.

If the used life of a state highway bridge is included in the state highway reassignment cost-to-cure, it must be clearly identified in the reassignment documentation so as to provide a record for future reference to prevent 'double-dipping' from Local Bridge Program funds at some future date.

Example:

A bridge with a \$2,000,000 replacement cost is determined to have 20% remaining life (i.e. 80% used life) remaining at the time of jurisdictional reassignment.

The bridge cost-to-cure would then be the 80% used life x \$2,000,000 replacement cost = \$1,600,000. If that \$1,600,000 is included in the reassignment cost-to-cure cash payment, the recipient local unit has then been made 100% whole for that bridge. Thus, it would be inappropriate to provide Local Program Bridge funding for future replacement or reconstruction of that bridge, since that was already provided in the reassignment cost-to-cure.

1.6.11.2 Determining Highway Improvement Cost-to-Cure

Cost-to Cure for highway improvements follows these basic rules and steps:

- Develop a project estimate for the improvement project(s) necessary to achieve a 15-year life cycle on the highway reassigned. This could be a single 15-year life cycle improvement with a 15-year life such as a pavement replacement, or a series of improvements over a period of years which cumulatively achieve a 15-year life, such as two successive 8-year resurfacing projects.
- Cost estimates are always done in current year dollars.
- Items which have replacement schedules that may not fit within a 15-year life cycle, such as lighting or signal systems, can be analyzed independently and made additive to the 15-year life cycle cost-to-cure. Cost-to-cure for these items would be its percent used life multiplied by current year replacement cost.
- Apply all current Department Cost Share rules to the appropriate items within the cost-to-cure estimate.

The best situation is if at the time of reassignment, the highways involved are all at the end of their life cycle. This allows the current year estimate to be the cost-to-cure estimate and everything matches. However, in many cases the highway being reassigned may have remaining years of life. Remaining life must be accounted for in one of the following ways:

- If cost-to-cure is a cash payment provided in the current year, its value would need to be reduced by the value of remaining life in the highway.
- Schedule the full cost-to-cure payment or letting of a commensurate improvement project to coincide with the year the remaining life of the highway approaches zero.

1.6.11.3 Scheduling Cost-to-Cure Payments

Ideally, a single cost-to-cure payment is issued to coincide more or less with the physical date of the jurisdictional reassignment. This is generally the easiest for all parties to understand and is most efficient from a financial management perspective. However, as indicated in the previous section, there may be reasons why cost-to-cure payments are deferred, such as:

- There is remaining life in the highway being reassigned and the desire is to receive the full cost-to-cure payment when the remaining life approaches zero. This should be avoided if possible since it can create the misperception that the reassignment is not actually completed until the cost-to-cure payment occurs. The preferred method is to include simply reduce the current year cost-to-cure payment by the remaining life value, and make the payment coincide with the physical date of the reassignment.
- The size of some cost-to-cure payments is large enough to create a budgetary cash flow problem for the Department. The Department can negotiate to do a series of payments over a period of years to achieve the 100% cost-to-cure obligation.

Scheduling of jurisdictional reassignment cost-to-cure payments must be done with the full knowledge, involvement, and approval of DTIM BSHP to ensure it is within the accepted rules and goals of the entire state highway program.

1.6.11.4 Summary Statement on Highway Improvement Cost-to-Cure

This section on Highway Improvement Cost-to-Cure is not intended to be a detailed user manual, but rather a basic outline of the process and guidelines to be followed. Developing highway improvement cost-to-cure estimates can be an extended and complex effort; that can become politically infused and engage the Department's highest level of management. Therefore, it is important that DTIM BSHP and any standing Jurisdictional Reassignment Committee be fully engaged at the earliest possible date to help validate appropriate scope and direction for development of any jurisdictional reassignment highway improvement cost-to-cure.

It is also important to involve DTIM BSHP and any standing Jurisdictional Reassignment Committee on

determination of whether the cost-to-cure should be accomplished through a let improvement project or by cash payment. Generally, it is most desirable for the Department to resolve reassignment cost-to-cure with a cash payment since that provides a very clear milestone event to mark the end of Department involvement with that highway, whereas a let improvement project may generate future questions on implied project warranties should there be premature deterioration of any item in that let project.

1.7 State Highway Jurisdictional Reassignment Documentation

While the Wisconsin State Statutes do not prescribe a specific format for official documentation for State Highway Changes pursuant to Wis. Stat. 84.02(3) or for Jurisdictional Transfers pursuant to Wis. Stat. 84.02(8); the Department has established standardized template documents to help ensure a consistent format for preparation, filing, and record keeping of these jurisdictional reassignment actions.

Templates are managed by DTSD Bureau of Project Development Design Standards and Oversight Section, Design Project Oversight Unit. They should be contacted for the most current and appropriate template for the jurisdictional reassignment action occurring.

1.7.1 Documentation for Jurisdictional Transfers, Wis. Stat. 84.02(8)

Template 1 - Wis. Stat. 84.02(8) Jurisdictional Transfer

The template document for a jurisdictional transfer pursuant to Wis. Stat. 84.02(8) includes a section for either jurisdictionally transferring a local roadway to Department jurisdiction as a state highway, or a state highway to a local unit of government as a local roadway. Depending on which is occurring, the template document is used or modified as follows:

- If both transfers are occurring under a single jurisdictional transfer action, then the template document can be used as is.
- If there is only a state highway to local highway jurisdictional transfer occurring, then delete the section on local highway to state highway jurisdictional transfer. No other changes to the template are required.
- If there is only a local highway to state highway jurisdictional transfer occurring, then delete the section on state highway to local highway jurisdictional transfer. No other changes to the template are required.

1.7.2 Documentation for State Highway Change, Wis. Stat. 84.02(3) ([Attachment 1.2](#))

[FDM 4-5-1.5](#) described the different requirements for a state highway change depending on the length of new highway being constructed on new location. Template documents for each of these different variants has been developed and should be used accordingly. The following provides a brief summary of what is different within each of the STH Change templates.

Template 2 - STH Change, less than 2-1/2 miles in length ([Attachment 1.3](#) and refer to [FDM 4-5-1.5.2.1](#))

On STH Changes where the new highway on new location is 2-1/2 miles or less, the Department has the unilateral authority to add or remove state trunk highways under that STH Change. Template 2 allows for either the addition (i.e. Section 3) or removal (i.e. Section 4) action.

If the STH Change is only adding a state highway segment, then delete all wording within Section 4 and Section 5, and replace with the following statement, *"No state trunk highway removals are occurring as part of this state highway change action."*

Template 3 - STH Change, Non-Major - Greater than 2-1/2 miles but less than 5 miles in length ([Attachment 1.5](#) and refer to [FDM 4-5-1.5.2.2](#))

This template is only applicable when no Major Project is involved in the state highway change. If there is a Major Highway Project involved, then refer to Template 4.

This template adds reference to the statutory requirement of obtaining County Board approval for either the addition of a new highway on new location to the state highway system (i.e. Section 3) or discontinuing an existing state highway from the state highway system (i.e. Section 4).

Pursuant to statutory requirements noted, Section 4 now requires documentation of the County Board approval action and that it be added as an Attachment to the completed Template 3.

Pursuant to statutory requirements noted therein, Section 5 requires documentation of the jurisdictional transfer of any existing state highway that occurred as part of this STH Change action. The proper documentation would be a completed Template 1 - Wis. Stat. 84.02(8) Jurisdictional Transfer Documentation, described in [FDM 4-5-1.8](#).

If the STH Change is only adding a state highway segment, then delete all wording within Section 4 and Section 5, and replace with the following statement, *“No state trunk highway removals are occurring as part of this state highway change action.”*

Template 4 - STH Change, Major Project - Greater than 2-1/2 miles but less than 5 miles in length ([Attachment 1.6](#) and refer to [FDM 4-5-1.5.2.2](#))

This template is applicable if the STH Change addition was a result of project specifically approved by the state legislature such as a Major Project. *If there is no Major Project involved in the STH Change addition, then refer to Template 3.*

Section 3 has been modified to include the appropriate language and statutory references on how the STH Change addition would be exempted from the County Board approval requirement because it was a result of a Major Project.

If the STH Change is only adding a state highway segment, then delete all wording within Section 4 and Section 5, and replace with the following statement, *“No state trunk highway removals are occurring as part of this state highway change action.”*

Template 5 - STH Change - Greater than 5 miles in length ([Attachment 1.7](#) and refer to [FDM 4-5-1.5.2.3](#))

If the new highway on new location is greater than 5 miles, the statutes no longer require County Board approval for STH Change additions to the state highway system.

Section 3 of this template has been modified to reflect this change.

Template 6 - Other Considerations ([Attachment 1.8](#))

Template 6 Other Considerations is set up to include the most commonly occurring "Other Considerations" that may arise on any jurisdictional reassignment action. The template also includes a "Miscellaneous Section" that allows one to include any topic beyond those specifically included in the template.

Each section within Template 6 includes brief instructions or a reference to the appropriate section in the FDM where further instructions on what should be included in that respective section can be found.

If the jurisdictional reassignment does not require one of the items identified in Template 6, simply leave it blank or add the statement, *“Not applicable for this state highway change”*.

1.8 Department Approval and Communication Processes for JT or STH Changes

This section describes the steps for final approval of either a jurisdictional transfer or state highway change action. It is emphasized that during the development of any jurisdictional reassignment, documentation for that action should be periodically sent up this same review path to ensure there is Department-wide concurrence on the agreement before final documents are submitted. Final approval should not be the first time that required signatories are made aware of the jurisdictional reassignment and its associated agreements.

The final approval process requires the following items and steps to conclude:

- Region has original reassignment documentation signed by the local unit of government, if required. Documentation and signatures may be completed electronically.
- Documentation is then sent to the DTSD Bureau of Project Development Project Services Section (DTSD BPD) for their review and concurrence on the completeness and accuracy of the documentation.
- Documentation is then sent to the Administrator of the Division of Transportation System Development for Department signatory approval. Statutorily this approval is granted to the Secretary, who in turn has delegated this authority to the DTSD Administrator.
- Documentation with Department signatory approval returned to DTSD BPD who retains one copy in their office for proper filing under permanent record retention for the Department.
- DTSD BPD sends documentation with Department signatory approval to Region who retains one copy for proper filing under permanent record retention within the Region office and sends one copy to recipient local unit.
- Region sends documentation with all signatures to recipient local unit. A paper copy is provided to the local unit of government upon request.

WisDOT staff should use the State Jurisdictional Transfer Job Aid to identify and document specific considerations regarding a proposed or potential Jurisdictional Transfer on State Highway. <https://wigov.sharepoint.com/sites/dot-dtsd/mydtsd/planning/SitePages/HSM.aspx> (internal link)

1.9 Documentation Routing and Filing within the Department

Once all approvals have been obtained, proper routing and filing of the action with the Department is crucial to ensure the jurisdictional reassignments are updated in all databases upon which local and state highway locations are defined.

DTSD Bureau of Project Development Design Standards and Oversight Section, Design Project Oversight Unit is responsible for internal Department distribution of approved jurisdictional reassignment documentation. Routing includes, but is not limited to, those sections and units within the Department who maintain the locational and attribute databases for the state and local highway systems. This is most particularly DTIM Bureau of State Highway Programs Data Management Section who manage the State Trunk Highway Network (STN) and Wisconsin Local Roads (WISLR) databases as well as DTIM Bureau of Planning and Economic Development (BPED), who manage various datasets and communications regarding the State Highway system

Additionally, the Region is responsible for informing other region sections and units of highway changes. These groups include but are not limited to Access Management, Programming, Scoping, Operations, Signals, Maintenance, Utilities, and Project Development.

LIST OF ATTACHMENTS

Attachment 1.1	Reference Pointer for Jurisdictional Transfer Template
Attachment 1.2	Template 1 - Wisconsin Statute 84.02(8) Jurisdictional Transfer
Attachment 1.3	Template 2 - STH Change, < 2.5 Miles in Length
Attachment 1.4	Template 2.1 - Notice of Intent to Change (NOITC) < 2.5 Miles in Length
Attachment 1.5	Template 3 - STH Change, Non-Major - > 2.5 Miles and < 5 Miles
Attachment 1.6	Template 4 - STH Change, Major Project - > 2.5 Miles and < 5 Miles
Attachment 1.7	Template 5 - STH Change, > 5 miles
Attachment 1.8	Template 6 - Other Considerations
Attachment 1.9	Template 7 - Reference Pointer for STH Change Templates

FDM 4-5-5 Connecting Highways

May 15, 2019

5.1 Scope

Wis. Stat. 86.32 provides that, *"The Department (WisDOT) may designate, or rescind the designation of, certain marked routes of the state trunk highway system over the streets or highways of any municipality for which the municipality will be responsible for maintenance and traffic control and the maintenance and operation of any swing or lift bridge. Such maintenance and traffic control shall be subject to review and approval by the Department (WisDOT). Those marked routes of the state trunk highway system designated as connecting streets prior to the effective date of this act (1977), shall become the connecting highways in municipalities which are eligible for aids payments under this section...."*

Wis. Stat. 84.02(11) states that, *"The state trunk highway system shall not include the marked routes thereof over the streets or highways in municipalities which the department has designated as being connecting highways. Those municipal streets or highways so excluded as state trunk highways but marked as such and designated as connecting highways are further described and the aids determined therefor under Wis. Stat. 86.32."*

This simply means that connecting highways are included in the state highway system log, but have their mileage uniquely and separately tracked.

Connecting highway aids payments are computed in accordance with the provisions of Section 86.32 and are based upon the population of the municipality and the character and lane miles of connecting highways under the municipality's jurisdiction.

As specified in Section 86.32, *"For the purpose of this section, the term "lane miles" means miles of through traffic carrying lanes and does not include lanes on which parking is permitted. Lane miles on any section of connecting highway which have been certified by the department (WisDOT) for payment purposes under this section shall not be increased unless they are needed for through traffic and approved by the department (WisDOT)...."*

Segments of the state highway system identified as 'connecting streets' prior to January 1, 1977 were made

eligible for lane mile maintenance aids payments on January 1, 1977. The connecting highway lanes are annually certified by the Department on January 1 of each calendar year, and become the lane miles eligible for connecting highway payments in the following fiscal year.

5.2 Lane Mile Definition and Payments

Section 86.32(2)(a) describes how connecting highway lane mile payments are computed. Section 86.32(2) (b) describes how lanes miles are defined as follows:

- Lane miles do not include auxiliary lanes, tapered lane sections of any type, nor any lanes on which any parking is permitted.
- On divided highways or one-way pairs,
 - The "first two lanes of a highway" include one lane in each direction of travel of said highway. Example would be a 4-lane divided highway where the driving lane in each direction is included, but the passing lane in each direction would not be.
 - The "second two lanes" include one more lane in each direction of travel of said highway. Example would be a 4-lane divided highway where both lanes in each direction are included.
 - The "third two lanes and any additional lanes" include all lanes over two lanes in each direction of travel. Example would be a 6-lane divided highway where all lanes in each direction would be included.
- A through traffic-carrying lane may be as short as one block such as the segment between the ramps of an interchange. However, normally such lanes must be needed for the entire distance between crossing arterials and collectors or combinations thereof.

Connecting highway mileage distances are measured as follows:

- Mileage is measured in both the cardinal and non-cardinal direction for divided routes.
- Where lanes are added or dropped, measurement shall begin and end where the normal lane width begins and ends. Tapers at the termini of such lanes are not to be included in the lane mileage.
- Lane miles are not to be measured across bridges being maintained by the state, or for which the municipality is being reimbursed specifically for bridge operation and maintenance.

WisDOT staff can review the Department's Program Management Manual for more information on this topic.

5.3 Qualifying Criteria for Eligibility for Lane Mile Definition

The "Need" for adding lanes for through traffic is determined by traffic volume and capacity. For any added through lane to be eligible for connecting highway lane-mile payments, the current traffic volume on that highway must exceed the service volume at Level of Service D as defined by procedures set forth in the Highway Capacity Manual.

If parking is removed in order to add through lanes, those added lanes must still meet the Level of Service D requirement to be eligible for any connecting highway lane-mile payments.

Added through lanes created by revising lane markings or other lane delineations will not be recognized for lane-mile payments unless those added lanes meet the Level of Service D criteria.

If an existing connecting highway is reconstructed with additional through lanes, those additional lanes will not be recognized for lane-mile payments unless those added lanes meet the Level of Service D criteria.

All requests for lane-mile payments on added lanes on a connecting highway are submitted to the Region for review and recommendation for approval or denial. The Regional review and recommendation is then submitted to the Project Development Section for subsequent action by the Deputy Administrator-Statewide Bureaus of the Division of Transportation System Development. (Establishment of the level of service determinations may be coordinated with the Division of Transportation Investment Management).

WisDOT staff can review the Department's Program Management Manual for more information on this topic.

5.4 Connecting Highway Changes - Designation and Rescission

[FDM 4-5-5.2](#) and [FDM 4-5-5.3](#) pre-suppose that connecting highway designation is already in place and one is simply adding or deleting eligible lane miles on that designated connecting highway. This section looks at the processes, procedures, and issues for initially designating a highway as a connecting highway, or in the future rescinding that connecting highway designation. Such actions are commonly referred to as a 'connecting highway change'.

A connecting highway change does not follow the formal procedures established in Section 84.02(3) of the Wisconsin Statutes for making changes in the State Trunk Highway System, i.e. State Trunk Highway Change.

The statutory directives for making changes in the connecting highway system are provided solely to the Department and identified in Wis. Stat. 86.32 (1) where it states,

“The department may designate, or rescind the designation of, certain marked routes of the state trunk highway system over the streets or highways in any municipality for which the municipality will be responsible for maintenance and traffic control and the maintenance and operation of any swing or lift bridge.....The decision of the secretary to designate or rescind a designation may be appealed to the division of hearings and appeals, which may affirm, reverse or modify the secretary's decision.”

While Stat. 86.32 (1) clearly provides the Department with the unilateral authority to make changes in the connecting highway system, it also advises the Department to ‘cooperate’ with local units of government when making any changes to the connecting highway system where it further states,

“The character of travel service provided by a route, uniformity of maintenance, the effect on the maintaining agency, and the municipality's maintenance capability will be considerations by the secretary, in cooperation with the municipalities and counties in making changes in the connecting highways of the state trunk highway system in municipalities.”

To that end, the Department should use a fully transparent process that makes every effort to achieve political consensus with local units of government before implementing any connecting highway change.

5.4.1 Connecting Highway Change - Designation

Connecting highway designation can be placed on either an existing state highway or upon an existing local highway. Either action creates several resultant changes for both the Department and the local unit of government.

Placing connecting highway designation on an existing local roadway results in the following:

- Adds connecting highway aids and removes general transportation aids (GTA) on that highway.
- Allows Department improvement funds to be used on that highway pursuant to Department Cost Share Policy rules for connecting highways as defined in the Department's Facilities Development Manual (FDM) and Program Management Manual (PMM):
 - [FDM 04-1-10](#), PMM 04-01-10, PMM 03-25-5

Placing connecting highway designation on an existing state highway results in the following:

- Moves authority from the Department to the local unit for maintenance, permitting authority (i.e. utility, access, or work on right-of-way), and operational decisions for signing, marking, and intersection control.
- Adds connecting highway payments to the local unit.
- Changes the Department Cost Share Policy for that roadway to that of a connecting highway.

It is important the Department clearly articulate all of these changes with the local unit prior to making any connecting highway designation. It is advised that such communication be done in written form.

5.4.2 Connecting Highway Change - Rescission

Rescission of a connecting highway designation also creates a number of resultant changes that both the Department and local unit of government must be aware of.

First, rescission essentially reverses all the changes noted in the previous section that occur from the designation of a connecting highway.

Second, rescission requires answering the question of who is the jurisdictional authority of the underlying highway after rescission occurs. Rescission reverts jurisdictional authority back to what it was prior to that highway's original connecting highway designation. Depending on whether that may have been a state highway or local road, rescission may unintentionally create gaps in the state highway route system unless other jurisdictional reassignment actions also occur.

The following scenarios identify those potential outcomes and how they are resolved.

- Original Connecting Highway Designation Occurred on Existing State Highway
 - If connecting highway designation is rescinded on a portion or entire segment of connecting highway that was a state highway when original designation occurred, the rescinded portion would revert to a state highway.
 - If the intent is to make or keep the underlying highway a state highway, no gaps would occur in the resultant state highway route system. The rescission results in the connecting highway being shortened or eliminated, and the attached segment of state highway being lengthened.

- If the intent was to make the rescinded segment a local highway, it would require the Department to jurisdictionally transfer that segment to local jurisdiction.
- Original Connecting Highway Designation Occurred on Existing Local Roadway
 - If connecting highway designation is rescinded on a portion or entire segment of a connecting highway that was a local roadway when original designation occurred, the rescinded segment would revert to a local road.
 - If the intent was to make or keep the underlying highway a state highway, the rescinded segment would create a 'gap' in the state highway system on either end of that rescinded segment. A jurisdictional reassignment of that 'gap' of local highway to a state highway would be required to retain state highway routing continuity.
 - If the intent was to make the underlying roadway a local highway, no further action is required since rescission reverted it to a local road.

It is the responsibility of the Department to research, identify, and understand the historical record for jurisdictional authority of the highway prior to its original designation of a connecting highway in order to correctly identify the jurisdictional authority of that highway when connecting highway rescission occurs.

5.4.3 Cost to Cure Considerations When Make Connecting Highway Changes

Cost to cure needs to be considered whenever a connecting highway change is made. Cost to cure can be an obligation of either the Department or the local unit of government depending on the situation.

Cost to cure by the Department needs to be considered when the Department is rescinding connecting highway designation from a highway. Cost to cure would be for the depreciated use of that roadway that occurred from its use as a state highway while the route was a connecting highway.

Cost to cure by the local unit needs to be considered when:

- The local unit is requesting the Department move the connecting highway designation from one local street to another within its community. That new local road location should be in reasonable condition with applicable state highway design criteria for the Department to place connecting highway designation upon it. If not, the local unit should be responsible for cost to cure to achieve acceptable condition and design criteria.
- The local unit is requesting the Department remove the connecting highway designation from a local route and jurisdictionally assume that roadway as a state trunk highway. The Department needs to ensure the local unit has met all maintenance and improvement obligations required of them when that highway was a connecting highway. If not, the local unit should be responsible for cost to cure to compensate for their financial share of the depreciated condition of the roadway.

The cost to cure analysis for connecting highways is essentially the same process used for state highway reassignments as described in [FDM 4-5-1.7](#), except there are a few added nuances because of connecting highway status such as:

- Applying all Department and statutory local cost share requirements unique to connecting highways to the cost to cure elements.
 - [FDM 04-01-10](#), PMM 04-01-10, PMM 03-25-5
- Assessing whether the local unit has met its statutory obligation to appropriately maintain the connecting highway prior to having it jurisdictionally transferred to the state. If the local unit has not met those maintenance obligations, and said failure has directly contributed to the deteriorated condition of the roadway, the Department should include that resultant deterioration as part of the local cost to cure obligation.

Wis. Stat. 86.32 (4) also identifies one item that would be a statutorily defined cost to cure that can occur as part of a connecting highway change where it states the following:

"..., if lanes on which parking is permitted are required for through traffic and parking is no longer allowed, the department shall reimburse the municipality for the remaining life of those lanes based on a pavement life of 25 years and the original municipal cost for the lanes."

It is envisioned that in most cases, this reimbursement would be accomplished as part of a state highway improvement project. The state municipal cost share agreement for that project could include the value of past local investment on those lanes as an offset to any other local cost share obligations they may have on the project. If there is no near future improvement project available at the time the parking lane conversion occurs, or if value of past investment exceeds local unit cost share; a standalone payment could be used.

5.5 Department Approval Process for Making Connecting Highway Changes

Connecting highway changes are initiated by the Region and coordinated through the Project Development Section to the Administrator of the Division of Transportation System development. When a connecting highway change is not done as part of a State Trunk Highway System change, the action is coordinated through the Traffic Section to the Administrator of the Division of Transportation System Development. Changes affecting only connecting highways, as implemented by the Traffic Section, do not require public notice/public hearing as do changes involving the State Trunk Highway System. Connecting highway changes are typically coordinated with the Division of Transportation Investment Management Bureau of Planning and Economic Development, to assure compatibility with other systems. Connecting highway changes are made by minute entry and notification of the affected local unit(s) of government.

5.6 Documentation Procedures and Templates

Designation of a connecting highway only has one outcome, that being the creating of a connecting highway. However, [FDM 4-5-5.4.2](#) describes how rescission of connecting highway designation can result in the underlying highway reverting to either local or state highway jurisdictional authority, and where a subsequent jurisdictional transfer action may be required to move the highway to the desired, appropriate jurisdictional authority.

[FDM 4-5-5.4.2](#) describes the five (5) different possible connecting highway action paths that can occur. A unique TEMPLATE has been designed for each of these five (5) variants. Each TEMPLATE only requires the user to input information at prompted locations. No other additions or deletions to the TEMPLATE are required if the user chooses the correct TEMPLATE. These templates are managed by DTSD Bureau of Project Development Design Standards and Oversight Section, Design Project Oversight Unit. They should be contacted for the most current and appropriate template for the jurisdictional reassignment action occurring.

1. TEMPLATE CH1_DESIGNATION ([Attachment 5.1](#)) - Used only for the designation of a new connecting highway segment.
 - There is only one version of this template since connecting highway designation only has one resultant action of making that highway a connecting highway.
 - If a connecting highway rescission and designation are occurring simultaneously on the same highway, TEMPLATE CH1 shall only be used for the designation action. A separate rescission document, chosen from the four possible rescission outcomes described in TEMPLATE CH2 - CH 5 listed below, shall be used for the rescission action.
2. TEMPLATE CH2_RESCISSION TO LOCAL ([Attachment 5.2](#)) - Used only for rescinding designation of a connecting highway under the following conditions:
 - Upon rescission, the underlying highway reverts to local jurisdictional authority.
The Department and local unit of government agree that local jurisdictional authority is appropriate.
3. TEMPLATE CH3_RESCISSION TO STH ([Attachment 5.3](#)) - Used only for rescinding designation of a connecting highway under the following conditions:
 - Upon rescission, the underlying highway reverts to state highway jurisdictional authority.
 - The Department and local unit of government agree that state jurisdictional authority is appropriate.
4. TEMPLATE CH4_RESCISSION TO LOCAL JT TO STH ([Attachment 5.4](#)) - Used only for rescinding designation of a connecting highway under the following conditions:
 - Upon rescission, the underlying highway reverts to local jurisdictional authority.
 - The Department and local unit of government have agreed that that highway should be a state highway, which then requires a separate jurisdictional transfer action.
 - The separate jurisdictional transfer action must be included as an attachment to this connecting highway rescission.
5. TEMPLATE CH5_RESCISSION TO STH JT TO LOCAL ([Attachment 5.5](#)) - Used only for rescinding designation of a connecting highway under the following conditions:
 - Upon rescission, the underlying highway reverts to state highway jurisdictional authority.
 - The Department and local unit of government have agreed that that highway should be a local highway, which then requires a separate jurisdictional transfer action.
 - That separate jurisdictional transfer action must be included as an attachment to this connecting highway rescission.

5.7 General Rules and Explanations on the Use of CH Templates

[Attachment 1.1](#) is an example reference pointer document for jurisdictional transfer for CH templates. General instruction for filling out the CH Templates are as follows:

- No black font text shall be changed.
- Orange font indicates where the user needs to input data specific to their connecting highway change.

Title Block

Connecting Highway Change <#> is a chronological file number that creates a uniquely numbered record of all Connecting Highway Change actions by the Department. The <#> is assigned by the Bureau of Project Development.

<TERMINI DESCRIPTION> identifies the beginning and endpoint for the connecting highway action and should logically occur at public road intersections.

City and County <NAME> are self-explanatory

Section 1:

This is the introduction which provides a single sentence executive summary of where the connecting highway change action is occurring, and whether that action is a rescission or designation action.

Section 2

A description of the statutory authority by which the Department is making the connecting highway change.

- The Connecting Highway Change <#> is the same as that used in the title block of the TEMPLATE.

Section 3:

A description of whether a rescission or designation connecting highway action is occurring. There are five (5) different TEMPLATES which have been uniquely edited to cover each of the five (5) possible connecting highway actions. If the appropriate TEMPLATE is chosen, the only user action required is to fill in the <red field> prompts. No other additions or deletions to the TEMPLATE should occur.

The Segment <#> is not the same as the Connecting Highway Number identified in Title Block and Section 2. The Segment <#> is a user chosen number that correlates to a colored map showing the location of the connecting highway action. That colored reference map is referred to as [Attachment 1.1](#) and is a required part of the TEMPLATE.

If there are two or more designation actions occurring, a separate TEMPLATE and Connecting Highway Change <#> should be used for each action.

The other <red field> prompts in this section are self-explanatory.

Section 4

The Physical Date is the day the highway physically changes to the status described in Section 3) and requires the user to input that specific date.

The Effective Date is the day the connecting highway change action is approved by the Department, and will always be the date the Department signatory signs the TEMPLATE.

Section 5

OTHER CONSIDERATIONS are explained in [FDM 4-5-1.6](#).

Signature Block

By statute connecting highway changes are done by unilateral declaration of the Department. Therefore, there is only a signature block for the appropriate Department approval signatures included in the TEMPLATE. Any letter, resolution, or written document that identifies local agreement with the connecting highway action can be attached as a reference document if desired. It is NOT required.

5.8 Documentation Routing and Filing Internal to Department

All approved connecting highway change documents shall be routed via email within the Department by the Design Standards and Oversight Section to ensure the changes to the connecting highway system are updated in all databases upon which local and state highway locations are defined.

DTSD Bureau of Project Development Design Standards and Oversight Section, Design Project Oversight Unit is responsible for internal Department distribution of approved jurisdictional reassignment documentation. Routing includes but is not limited to those section and units within the Department who maintain the locational

and attribute databases for the state and local highway systems. This is most particularly DTIM Bureau of State Highway Programs Data Management Section who manage the State Trunk Highway Network (STN), Wisconsin Local Roads (WISLR), and Connecting Highway databases.

LIST OF ATTACHMENTS

Attachment 5.1	Template CH1 - Connecting Highway Designation
Attachment 5.2	Template CH2 - CH Rescission Reverts Underlying Highway to Local Jurisdiction
Attachment 5.3	Template CH3 - CH Rescission Reverts Underlying Highway to Local Jurisdiction and then JT to STH
Attachment 5.4	Template CH4 - Connecting Highway Change Rescission Reverts to STH
Attachment 5.5	Template CH5 - Connecting Highway Change Rescission Reverts to STH and then JT to Local Jurisdiction

FDM 4-5-10 County Trunk Highways

June 30, 2017

10.1 Scope

Wis. Stat. Chapter 83 is entirely dedicated to how routes within the Wisconsin Country Trunk Highway system are created, altered, and managed. Wis. Stat. Chapter 84 primarily deals with state highways, but does contain some references specific to jurisdictionally transferring county trunk highways to state highways or vice versa. This section of the FDM focuses on those sections of these statutes where Department approval or interaction is required for country trunk highway alterations to occur.

10.2 Jurisdictional Alterations

This section deals with jurisdictional alterations to existing county trunk highways. The creating of new segments of country trunk highway on relocation will be covered in [FDM 4-5-10.3](#).

Wis. Stat. 84.02(7) allows a county to petition the Department to transfer portions of the County Trunk Highway System to the State Trunk Highway System, or vice versa. It is dependent on certain average daily traffic (ADT) volumes and requires agreement by the Department before it can occur. Wis. Stat. 84.02(7) has not been used for many decades and is no longer a prescribed method by which the Department seeks to make jurisdictional alterations between the state and country highway system.

Wis. Stat. 84.02(8) provides the Department the authority to jurisdictionally transfer any state highway to local jurisdiction or vice versa, and is the prescribed method for any jurisdictional transfer of a state highway to county trunk highway or vice versa. Wis. Stat. 84.02(8) is discussed in detail in [FDM 4-5-1.4](#).

Wis. Stat. 84.02(3) defines a State Highway Change and the certain criteria therein described which provide the Department unilateral authority to jurisdictionally reassign a state highway to local jurisdiction. Such actions could include reassigning a state highway to a county as a county trunk highway. Wis. Stat. 84.02(3) is discussed in detail in [FDM 4-5-1.5](#).

Wis. Stat. 83.025 provides the following regarding Department involvement in country trunk highway system alterations:

- 83.025(1) (a) allows the county board to make additions to the county highway system from a city or village street or town road, but only with the consent of the Department and the governing body of the city, village, or town in which that proposed addition is located. Similarly, the county board can only make deletions from the county trunk highway system with the approval of the Department, and approval of the governing body of the city, village, or town in which the proposed deletion is located. If multiple city, village, or towns are involved, it requires the approval of the majority of those city, village, or towns involved.
- 83.025(d) does allow counties with populations over 500,000 to make deletions from the county highway system within a city, village, or town without city, village, or town approval. These deletion actions still require the approval of the Department.
- 83.025 (1)(c) allows a governing body of a city or village by resolution to remove any city or village street from the county highway system, but where such removal is only applicable to that portion of the roadway lying wholly within the respective municipal boundaries.

Wis. Stat. 84.25 and Wis. Stat. 84.295 contain many Department authorities to make changes to the local system including country trunk highways. These are detailed in [FDM 4-5-15](#) and [FDM 7-40](#).

10.3 Physical Alterations or Laying of New County Highways on New Location

Wis. Stat. 83.025 (1) (a) of the Wisconsin Statutes provides that,

"Changes may be made in the county trunk system by the county board as provided in this section. The county board in making such changes may order the county highway committee to lay out new highways and acquire the interests necessary by the procedures under s. 83.08."

This portion of Wis. Stat. Section 83.025(1) (a) applies when creating an *entirely new county trunk highway on relocation*. No Department approval is required for this action by the county.

10.4 Department Approval Process for CTH Changes

For documentation of county highway changes because of a state highway jurisdictional transfer pursuant to Wis. Stat. 84.02(8) refer to [FDM 4-5-1.7.1](#).

For documentation of county highway changes because of a state highway change pursuant to Wis. Stat. 84.02(3) refer to [FDM 4-5-1.7.2](#).

For documentation of county highway changes because of requirements pursuant to Wis. Stat. 83.025, the county should provide a resolution to the requesting concurrence from the Department. The Regional offices typically work with the counties on such changes and associated documentation, which is then submitted to the Bureau of Data Resources for ultimate action by the Administrator of the Division of Transportation System Development.

For documentation of county highway changes as a result of Department actions pursuant to Wis. Stat. 84.29 or Wis. Stat. 84.295 refer to [FDM 4-5-15](#) and [FDM 7-40](#).

10.5 Documentation Routing and Filing Within the Department

Internal Department routing and filing of documentation of a county highway change is as follows:

- For those resulting from a state highway change pursuant to Wis. Stat. 84.02(8) or a state highway change pursuant to Wis. Stat. 84.02(3) refer to [FDM 4-5-1.9](#).
- For those resulting from Department actions pursuant to Wis. Stat. 84.29 Interstates or Wis. Stat. 84.295 Freeways or Expressways, refer to [FDM 4-5-15](#).
- For those resulting from County actions pursuant to Wis. Stat. 84.025, they should be routed as follows: The region office shall submit a copy of proposed changes to the Design Standards and Oversight Section for distribution within the Central Office to all appropriate Bureaus.

FDM 4-5-15 City, Village and Town Roads

May 15, 2019

15.1 Scope

The Town Road System represents the tertiary system of highways within the state and is under the jurisdiction of the respective town boards. City and village streets are the public thoroughfares within the boundaries of incorporated municipalities.

Chapter 82 of the Wisconsin State Statutes contains most of the rules for how town roads can be added, deleted, or altered within the public road system.

Chapter 66 of the Wisconsin State Statutes contains a variety of miscellaneous local road rules including but not limited to discontinuance of public roadway (66.1003), reversion of title (66.1005), public road reservation (66.1024), rights of abutting owners on local streets or alleys (66.1035), and establishing local roadway widths (66.1031).

[FDM 4-5-15](#) is intended to primarily focus on those aspects of local system alterations that require Department involvement or approvals. Department involvement can occur from either action initiated by local units of government, or by actions initiated by the Department.

15.2 Local System Alterations Initiated by City, Village, and Town Government Requiring Department Involvement

Alterations initiated by local units of government that require Department involvement or approvals are very limited.

- Wisconsin State Statute 66.1003(8)(a)(1) requires Department approval of any discontinuance of a public way within 1/4 mile of a state trunk highway.
- Department approval is required for any local road alteration that occurs within Department right-of-way or intersections with the state highway itself.

- Department approval is required to certify that local roadways are eligible for General Transportation Aids (GTA). However, GTA eligibility or ineligibility does not directly correlate to whether the roadway is or is not a public roadway. A public roadway can be deemed ineligible for GTA because it does not meet statutory or Department criteria for serviceability, maintenance, and property connectivity, but yet still retain its status as a public roadway.
- [FDM 4-5-10](#) County Highway System Alterations describes where Department approval may be required when changes are being made between city, village, or town roads, and the county trunk system.
- Petitioning the Department to make a specific change to the local system such as close a local road intersection with a state highway.
- Wis. Stat. 84.50 thru 52 contain the requirement that a Town get Department approval to construct a town road below the design criteria identified in those statutes, and establishment of Department authority to determine certain design and construction criteria for town roads in Wisconsin.

Chapter 82 and Chapter 66 go on to provide detail in the procedures required of local governments to make unilateral changes to city, village, or town roads. Rather than reiterate all those here, the reader should simply refer to those chapters of the Wisconsin State Statutes for that information.

15.3 Local System Alterations Initiated by Department

In addition to City, Village, and Town Roads, the remainder of FDM 4-5-15 also applies to country trunk highways.

15.3.1 Minor Alterations on STH Improvement Project

Wisconsin Statutes have provided the Department with broad authority in the administration of the STH System, and necessary minor alterations of local roads for approved state highway improvement projects require no authorization by the local unit. The adoption of the improvement project plan by the Department is sufficient documentation to authorize minor local road alterations required by that state highway improvement project.

Historically, minor alterations to a local roadway would include shifting intersection locations, realigning short stretches of intersecting local road for better intersection angle with the state trunk highway, connecting to new frontage or service roads, and the like. These types of minor alterations generally occur within the STH right-of-way where Department authority is very clear. However, if alterations require extensive new right-of-way or create significant new lengths of local roadway outside of existing state highway right-of-way, it may be determined that this is more than a minor alteration and where local agreement is desirable, if not necessary, to make that alteration. [FDM 4-5-1.5.2](#) has some additional information on minor alterations.

The Department should be openly discussing any proposed local system changes necessitated by a state highway improvement with affected local units of government, to gain their understanding, consensus, and ultimate agreement to those changes. Letters or resolutions of agreement would be desirable for the record. However, if local unit consensus is not achieved, and Department's use of its unilateral authority for the change is deemed necessary; clear documentation identifying the Department authority to make the change and why it is in the best interest of the public needs to do so, should be included in the project records and a copy forwarded to the affected local units.

15.3.2 State Highway Change Wis. Stat. 84.02(3)

[FDM 4-5-1.5](#) describes how Wis. Stat. 84.02(3) allows the Department to construct a new highway on relocation, and then discontinue the existing highway as a state highway. It further explains how under certain criteria the Department can by unilateral authority or jurisdictional transfer reassign an existing state highway to local jurisdiction, creating a local system alteration.

15.3.3 Interstate Wis. Stat. 84.29 and Freeway/Expressway State Highways Wis. Stat. 84.295

The Wisconsin State Statutes provide the Department broad authority to make alterations to the local road system when making improvements to the Interstate System pursuant to Wis. Stat. 84.29, and designated Freeways or Expressways pursuant to Wis. Stat. 84.295.

Authorities granted to the Department to make local road alterations pursuant to Wis. Stat. 84.29 and Wis. Stat. 84.295 include the following:

1. Vacation of local road, which includes disconnecting it from the state highway
2. Relocation of local road
3. Combining of local roads
4. Interchange with local road

5. Grade separation - local road under or over the state highway

Wis. Stat. 84.295 provides the additional authority to 'extend' a local road which Section 84.29 does not. However, Wis. Stat. 84.295(8) states the following:

(8) Establishing freeway status. After adoption of an order by the department laying out and establishing any portion of the interstate system as an expressway or freeway, the highway described in the order shall have the status of a freeway or expressway for all purposes of this section.

Thus, any declaring a highway an Interstate freeway or expressway pursuant to Wis. Stat. 84.29 Interstate makes that highway a Wis. Stat. 84.295 designated freeway or expressway as well, and eligible for all the authorities that go with that designation.

By definition, the term 'alter' pre-supposes the subject changes are occurring to an existing local road. Similarly, the terms 'vacate, relocate, combine' would also be understood to describe actions to an existing roadway. The Department needs to clearly document how its proposed local system alterations fit within these specific statutory definitions so there is no uncertainty regarding responsible jurisdictional authority for any roadway altered under Wis. Stat. 84.29 or Wis. Stat. 84.295.

New frontage or service roads constructed in conjunction with either Wis. Stat. 84.29 or 84.295 have no prior local road status, unless they can be identified as meeting the definition of an alteration. If the new frontage or service road cannot be defined as an alteration, it then has no prior local road status, and the appropriate local unit would need to petition the Department to assume jurisdiction of that new frontage road. In lieu of that petition and subsequent agreement by the Department, the frontage or service road would remain under the jurisdictional and maintaining authority of the Department.

Examples of where a change meets or doesn't meet the definition of an alteration are provided below.

- [Attachment 15.1](#). A new service road on new location is constructed on a Wis. Stat. 84.29 or 84.295 highway to connect two local roads which previously intersected that highway but now overpass it. If the new segment of roadway is connected as shown in Attachment 15.1, it would not meet any definition of an alteration and would require local petition to move it to local jurisdiction.
- [Attachment 15.2](#). This would be considered an 'extension' under Wis. Stat. 84.295 and thus an alteration to existing local road and assignable by Department order to local jurisdiction. However, Wis. Stat. 84.29 does not include 'extension' in its criteria and thus would require local petition to assign it to local jurisdiction on an Interstate project.
- [Attachment 15.3](#). This would be considered a 'relocate' and 'vacate' under both Wis. Stat. 84.29 and 84.295, and the new road would be assignable by Department order to local jurisdiction.

Before any summary orders are issued, the Department should be working cooperatively with affected local units of government to explain the proposed alterations, and hopefully secure an indication of local concurrence. In almost all cases, local system alterations from Department projects done under Wis. Stat. 84.29 or Wis. Stat. 84.295 are Interstate or Freeway/Expressway projects preceded by detailed planning, preliminary design, and environmental documentation; and where extensive local official and public input would occur before any summary orders would be issued by the Department. [FDM 7-40-1](#) provides a more detailed explanation of the process for issuing these summary orders.

Wis. Stat. 84.29 and 84.295 also afford local units of government the opportunity to petition the Department to use its authorities to make local systems alterations identified in those statutes. If the Department is agreeable to the petitioned alteration, it can make that alteration through a summary order or by a two-party agreement with the local unit. If a summary order is used, the local unit's petitioning resolution shall by policy be attached as a reference document to provide a record that the alteration was done with local initiation and concurrence.

Wis. Stat. 84.29 and 84.295 also allow the Department to enter into maintenance agreements with local units of government having jurisdiction over local roads impacted by those statutes. The statutes state that in absence of a mutual agreement to the contrary, the altered road will be maintained by the unit of government having jurisdiction before the alteration was made, except that any portion deemed [by the Department] to be useful in the operation of, or access to the interstate, or designated freeway or expressway will be maintained by the state.

The defining of maintenance responsibility of both the state and the local unit of governments for all alterations shall be included in the text of any summary order so there is a written record of all such determinations. The distribution of responsibilities for altered local roads is generally specified as follows:

1. For grade separations of local roads with respect to the Interstate System, or designated Freeways or Expressways, the local unit is required to maintain and provide traffic service on the local road as reconstructed, except that the bridge structure is maintained by and under the jurisdictional authority of

the state.

2. For grade separations of local roads involving an interchange with the Interstate System, or designated Freeways or Expressways, the entire interchange, between, and including, ramp connections with the local road, is maintained by and under the jurisdictional authority of the state.
3. For local roads relocated to intersect with other roads, to eliminate their particular crossing of the Interstate System, or designated Freeways or Expressways, the local unit is required to maintain the relocated road after completion.
4. For new frontage roads constructed on the right-of-way of the Interstate System, or designated Freeways or Expressways, jurisdiction and maintenance may be retained by the state. If the new frontage road does not meet the definition of an alteration it is retained by the state unless the local unit petitions the state for transfer of jurisdiction. If it is an alteration to an existing local roadway, the Department can unilaterally assign that new frontage to the appropriate local unit.

Identification and development of local road alterations should be part of every phase of project development starting with initial planning studies, any future freeway or expressway mapping of the Department, environmental documentation, and preliminary design leading up to actual project approval.

Procedures for processing Wis. Stat. 84.29 or Wis. Stat. 84.295 Finding, Determinations, and Orders is covered in [FDM 7-40-1](#).

15.4 Department Approval Process for Local Road Changes Under Wis. Stat. 84.29 and 84.295

[FDM 7-40-1](#) describes the documentation required by the Department to officially designate a state highway a freeway or expressway pursuant to Wis. Stat. 84.295(3). That is done under a Finding, Determination, and Order (FD&O) action and document.

However, Wis. Stat. 84.295(4) thru (9) goes on to describe the variety of authorities the Department now has when constructing or reconstructing those designated freeways or expressways in the future. Those authorities include the alterations described [FDM 4-5-15.3](#). Templates have been created to help execute and document those types of alterations described. These templates are managed by DTSD Bureau of Project Development Design Standards and Oversight Section, Design Project Oversight Unit. They should be contacted for the most current and appropriate template for the jurisdictional reassignment action occurring. The templates for Wis. Stat. 84.29 and Wis. Stat. 84.295 are described as follows:

1. TEMPLATE LRA1 - State Local Agreement to Disconnect Local Road ([Attachment 15.4](#))

This template is used when a local unit and the Department have agreed to disconnect a local road from a Wis. Stat. 84.295 highway. It requires documentation of a resolution from the local unit petitioning for, or concurring with the disconnection of the local road from the Wis. Stat. 84.295 highway. Once that resolution is obtained, the action document is singularly signed by the Department as a summary order by agreement.

2. TEMPLATE LRA2 - New Frontage Road under State Jurisdictional Authority ([Attachment 15.5](#))

This template is used when the state is proposing to construct a frontage road on either a Wis. Stat. 84.29 Interstate or a Wis. Stat. 84.295 freeway or expressway; and intending to retain the Departmental jurisdictional authority of that frontage road. This document provides a record that the Department has executed the appropriate statutory authority to create this roadway as a non-state highway, and therefore, is allowed to spend state funds on its future maintenance and improvement needs so long as it remains under the jurisdictional authority of the Department.

3. TEMPLATE LRA3 - New Frontage Road Petition and Agreed to Local Jurisdiction ([Attachment 15.6](#))

This template is used when the state is proposing to construct a new frontage road on either a Wis. Stat. 84.29 or a Wis. Stat. 84.295 facility, but where a local unit of government has petitioned to place that road under its jurisdictional authority as a local roadway. This template requires documentation of the petition from the local unit. Once that resolution is obtained, the template then requires the signature of both the local unit and the Department.

4. TEMPLATE LRA4 - Local Road Alteration by Unilateral Department Action ([Attachment 15.7](#))

This template attempts to be a catch all for the various alteration authorities granted the Department under both Wis. Stat. 84.29 and Wis. Stat. 84.295. This template is only to be used when the action clearly meets the definition of an 'alteration' as described in [FDM 4-5-15.3](#). New local roads that don't meet the definition of an alteration should be using TEMPLATE LRA2 or TEMPLATE LRA3.

15.5 Documentation Routing and Filing within the Department

[FDM 7-40-1](#) describes the documentation routing of any Finding, Determination, and Order (FD&O) action that designates a highway a Wis. Stat. freeway or expressway.

Once all approvals have been obtained, proper routing and filing of the action within the Department is crucial to ensure the jurisdictional reassignments are updated in all databases upon which local and state highway locations are defined.

DTSD Bureau of Project Development Design Standards and Oversight Section, Design Project Oversight Unit is responsible for internal Department distribution of approved jurisdictional reassignment documentation. Routing includes, but is not limited to, those sections and units within the Department who maintain the locational and attribute databases for the state and local highway systems. This is most particularly DTIM Bureau of State Highway Programs Data Management Section who manage the State Trunk Highway Network (STN) and Wisconsin Local Roads (WISLR) databases.

LIST OF ATTACHMENTS

Attachment 15.1	Example - Alteration to New Service Road on New Location
Attachment 15.2	Example - Alteration Considered an Extension
Attachment 15.3	Example - Alteration Considered a Relocate and Vacate
Attachment 15.4	Template LRA1 - State - Local Agreement to Disconnect Local Road
Attachment 15.5	Template LRA2 - New Frontage Road under State Jurisdictional Authority
Attachment 15.6	Template LRA3 - New Frontage Road Petition and Agreed to Local Jurisdiction
Attachment 15.7	Template LRA4 - Local Road Assignment under State Jurisdictional Authority

STATE OF WISCONSIN
DEPARTMENT OF TRANSPORTATION
STATE TRUNK HIGHWAY JURISDICTIONAL TRANSFER NUMBER <#>
PERTAINING TO
<UNITED STATES/STATE TRUNK> HIGHWAY <USH/STH> <Number>
<Name> COUNTY

1. Introduction

The Wisconsin Department of Transportation (DEPARTMENT) has proposed a change to the State Trunk Highway System in the <City/Town> in <County> whereby:

- <USH/STH> <Number> will be jurisdictional transferred to <Municipality, Town, County><street, roadway, highway>.
- <Municipality, Town, County><street, roadway, highway> will be jurisdictionally transferred to the Department as <USH/STH> <Number>.

2. Statutory Authority for State Highway Jurisdictional Transfer

All determinations and decisions herein and hereafter described are made in accordance with Section 84.02(8)(a)(b)(c) of the Wisconsin State Statutes whereby the DEPARTMENT may make additions or deletions to the state trunk highway system by entering into a jurisdictional transfer agreement with any local unit of government, and may contain any terms and conditions that the department and the local unit of government may deem necessary regarding maintenance or rehabilitation of any highway transferred.

3. Determination and Description of State Highway Segment To Be Jurisdictionally Transferred by the Department to Local Jurisdiction

The DEPARTMENT hereby finds, determines and makes this decision that the public good and public travel will best be served to by removing from the State Trunk Highway System by jurisdictional transfer, the highway described as:

Segment <#>- <USH/STH> <highway number>

Beginning at the intersection point on the new location for <USH/STH Number> as laid out and to be constructed under WI Project ID <FIIPS project ID number>, and the <termini location and description of segment to ending termini> as laid out and to be constructed under WI Project ID <Number>; in the <town/municipality><county>, WI. Said segment is depicted on **Attachment 1** as **Segment <#>**.

The segment length of this removal from the state highway system is <length in miles to nearest one hundredth>

4. Determination and Description of Local Highway Segment To Be Jurisdictionally Transferred to the Department as a State Trunk Highway

The DEPARTMENT hereby finds, determines and makes this decision that the public good and public travel will best be served by adding to the State Trunk Highway System the following segment of local highway described as:

Segment <#>-< Municipality, Town, County> <street, roadway, highway name or number>.

Beginning at the intersecting point <termini location and description of segment to ending termini>.

Said segment is depicted on **Attachment 1** as **Segment <#>**.

The segment length of this addition to the state highway system is **<length in miles to nearest hundredth>**.

5. **Physical and Effective Date of Change**

The physical date for the addition to the State Trunk Highway the highway segment noted in Section 4 shall be the date **<insert proper date reference>**.

The physical date for removing from the State Trunk Highway the highway segment noted in Section 3 shall be the date **<insert proper date reference>**.

The effective date for the determination action of the addition to the State Trunk Highway System the highway segment noted in Section 4 is the signature date shown on the bottom of this document.

The effective date for the determination action for the removal from the State Trunk Highway system the segment noted in Section 3 is the signature date shown on the bottom of this document.

6. **Other Considerations**

The Department has determined that Other Considerations should be included with the state highway changes herein identified. See attached **TEMPLATE--6 Other Considerations**.

Approved for the Wisconsin Department of Transportation by:

<Name of Director>

Operations Director - Statewide Bureaus
Division of Transportation System Development

Date

Approved for **<municipality, town, county>**

<name><title>

<Municipality, town, county>, WI

Date

**STATE OF WISCONSIN
DEPARTMENT OF TRANSPORTATION
STATE TRUNK HIGHWAY JURISDICTIONAL TRANSFER NUMBER <#>
PERTAINING TO
<UNITED STATES/STATE TRUNK> HIGHWAY <USH/STH> <Number>
<Name> COUNTY**

1. Introduction

The Wisconsin Department of Transportation (DEPARTMENT) has proposed a change to a segment of the State Trunk Highway System in the <City/Town> in <County> whereby:

- A segment of <USH/STH> <Number> will be jurisdictional transferred to <Municipality, Town, County><street, roadway, highway>.
- <Municipality, Town, County><street, roadway, highway> will be jurisdictionally transferred to the Department as <USH/STH> <Number>.

2. Statutory Authority for State Highway Jurisdictional Transfers

All determinations and decisions herein and hereafter described are made in accordance with Section 84.02(8)(a)(b)(c) of the Wisconsin State Statutes whereby the DEPARTMENT may make additions or deletions to the state trunk highway system by entering into a jurisdictional transfer agreement with any local unit of government, and may contain any terms and conditions that the department and the local unit of government may deem necessary regarding maintenance or rehabilitation of any highway transferred.

3. Determination and Description of State Highway Segment To Be Jurisdictionally Transferred by the Department to Local Jurisdiction

The DEPARTMENT hereby finds, determines and makes this decision that the public good will best be served by removing from the State Trunk Highway System by jurisdictional transfer, the highway described as:

Segment <#>- <USH/STH> <highway number>

Beginning at the intersection point on the new location for <USH/STH Number> as laid out and to be constructed under WI Project ID <FIIPS project ID number>, and the <termini location and description of segment to ending termini> as laid out and to be constructed under WI Project ID <Number>; in the <town/municipality><county>, WI. Said segment is depicted on **Attachment 1** as **Segment <#>**

The segment length of this removal from the state highway system is <length in miles to nearest one hundredth>

4. Determination and Description of Local Highway Segment To Be Jurisdictionally Transferred to the Department as a State Trunk Highway

The DEPARTMENT hereby finds, determines and makes this decision that the public good will best be served by adding to the State Trunk Highway System the following segment of local highway described as:

Segment <#>-< Municipality, Town, County> <street, roadway, highway name or number>.

Beginning at the intersecting point <termini location and description of segment to ending termini>. Said segment is depicted on **Attachment 1** as **Segment <#>**.

The segment length of this addition to the state highway system is **<length in miles to nearest hundredth>**.

5. Physical and Effective Date of Change

The physical date for the addition to the State Trunk Highway of the highway segment noted in Section 4 shall be the date **<insert proper date reference>**.

The physical date for the removal from the State Trunk Highway of the highway segment noted in Section 3 shall be the date **<insert proper date reference>**.

The effective date for the determination action of the addition to the State Trunk Highway System of the highway segment noted in Section 4, is the signature date shown on the bottom of this document.

The effective date for the determination action for the removal from the State Trunk Highway system of the highway segment noted in Section 3, is the signature date shown on the bottom of this document.

6. Other Considerations

The Department has determined that Other Considerations should be included with the state highway changes herein identified. See attached **TEMPLATE 6 -- Other Considerations**.

Approved for the Wisconsin Department of Transportation by:

<Name>, Administrator
Division of Transportation System Development
Wisconsin Department of Transportation

Date

Approved for the **<municipality, town, county>**

<name><title>
<Municipality><town><county>, WI

Date

**STATE OF WISCONSIN
DEPARTMENT OF TRANSPORTATION
STATE TRUNK HIGHWAY SYSTEM CHANGE NUMBER <#>
PERTAINING TO
<UNITED STATES/STATE TRUNK> HIGHWAY <USH/STH> <Number>
<Name> COUNTY**

1. Introduction

The Wisconsin Department of Transportation (DEPARTMENT) has proposed a change to the State Trunk Highway System in the <City/Town> in <County> whereby a segment <USH/STH> <Number> will be relocated to a new alignment pursuant to Project ID <FIIPS project ID number>. The Notice of Intent to Change for the proposed relocation of <USH/STH> <Number>, was advertised in the <name of newspaper(s)> <day, month, date and year> as a Class III Legal Notice pursuant to Wis. Stat. 985.07(b)(3).

2. Statutory Authority of State Highway Change

All determinations and decisions herein and hereafter described are made in accordance with Section 84.02(1) and (3) (a) of the Wisconsin State Statutes whereby the DEPARTMENT is proposing to lay out and establish a segment of state trunk highway by way of a new location and having a distance along the deviation from the existing location of 2.5 miles or less.

3. Determination and Description of Highway Segment To Be Added To State Trunk Highway System

The DEPARTMENT hereby finds, determines and makes this decision that the public good will best be served by adding to the State Trunk Highway System, the highway described as:

Segment <#>- <USH/STH> <highway number>

Beginning at the intersection point on the new location for <USH/STH Number> as laid out and to be constructed under WI Project ID <FIIPS project ID number>, and the <termini location and description of segment to ending termini> as laid out and to be constructed under WI Project ID <Number>; in the <town/municipality><county>, WI. Said segment is depicted on Attachment 1 as Segment <#>

The segment length of this addition is <length in miles to nearest one hundredth>

4. Determination and Description of Highway Segment To Be Removed From State Trunk Highway System

The DEPARTMENT hereby finds, determines and makes this decision that the public good will best be served by removing from the State Trunk Highway System the following segment of highway described as:

Segment <#>-<USH/STH> <highway number>:

Beginning at the intersecting point <termini location and description of segment to ending termini>. Said segment is depicted on Attachment 1 as Segment <#>.

The segment length of this removal is <length in miles to nearest hundredth>.

5. Disposition of Highway Segment Where STH Designation Has Been Removed

Segment 1-<highway number> as described in Section 4, is hereby assigned as a <county/municipal>road to <assigned county/municipality> <name of county> County, Wisconsin.

6. Physical and Effective Date of Change

The physical date for the addition to the State Trunk Highway as noted in Section 3 shall be the date <insert proper date reference>.

The physical date for discontinuance of the State Trunk Highway as noted in Section 4 shall be the date <insert proper date reference>.

The effective date for the determination action of the addition to the State Trunk Highway System as noted in Section 3 is the signature date shown on the bottom of this document.

The effective date for the determination action for the discontinuance from the State Trunk Highway system as noted in Section 4 is the signature date shown on the bottom of this document.

7. Other Considerations

The Department has determined that Other Considerations should be included with the state highway changes herein identified. See attached **TEMPLATE – 6, OTHER CONSIDERATIONS**.

Approved for the Wisconsin Department of Transportation by:

<Name>, Administrator
Division of Transportation System Development
Wisconsin Department of Transportation

Date

**STATE OF WISCONSIN
DEPARTMENT OF TRANSPORTATION
NOTICE OF INTENT TO CHANGE
STATE TRUNK HIGHWAY SYSTEM CHANGE NUMBER <#>
PERTAINING TO
<UNITED STATES/STATE TRUNK> HIGHWAY <USH/STH> <Number>
<Name> COUNTY**

1. Introduction

The Wisconsin Department of Transportation (DEPARTMENT) has proposed a change to the State Trunk Highway System in the <City/Town> in <County> whereby a segment <USH/STH> <Number> will be relocated to a new alignment pursuant to Project ID < FIIPS project ID number>.

2. Statutory Authority of State Highway Change

All determinations for the proposed state highway change herein and hereafter described are made in accordance with Section 84.02(1) and (3) (a) of the Wisconsin State Statutes whereby the DEPARTMENT is proposing to lay out and establish a segment of state trunk highway by way of a new location.

3. Determination and Description of Highway Segment Proposed To Be Added To State Trunk Highway System

The DEPARTMENT hereby notifies local municipalities and the general public of its proposed intent to make a state highway change, and its determination that the public good will best be served by adding to the State Trunk Highway System, the highway described as:

Segment <#>- <USH/STH> <highway number>

Beginning at the intersection point on the new location for <USH/STH Number> as laid out and to be constructed under WI Project ID <FIIPS project ID number>, and the <termini location and description of segment to ending termini> as laid out and to be constructed under WI Project ID <Number>; in the <town/municipality><county>, WI. Said segment is depicted on **Attachment 1 as Segment <#>**

The segment length of this addition is <length in miles to nearest one hundredth>

4. Determination and Description of Highway Segment To Be Removed From State Trunk Highway System

The DEPARTMENT hereby notifies local municipalities and the general public of its proposed intent to make a state highway change, and its determination that the public good will best be served by removing from the State Trunk Highway System the following segment of highway described as:

Segment <#>-<USH/STH> <highway number>:

Beginning at the intersecting point <termini location and description of segment to ending termini>. Said segment is depicted on **Attachment 1 as Segment <#>**.

The segment length of this removal is <length in miles to nearest hundredth>.

**STATE OF WISCONSIN
DEPARTMENT OF TRANSPORTATION
STATE TRUNK HIGHWAY SYSTEM CHANGE NUMBER <#>
PERTAINING TO
<UNITED STATES/STATE TRUNK> HIGHWAY <USH/STH> <Number>
<Name> COUNTY**

1. Introduction

The Wisconsin Department of Transportation (DEPARTMENT) has proposed a change to the State Trunk Highway System in the <City/Town> in <County> whereby a segment of <USH/STH> <Number> will be relocated to a new alignment pursuant to Project ID <FIIPS project ID number>. The Notice of Intent for the proposed relocation of <USH/STH> <Number>, was advertised in the local newspapers and presented at a public hearing on <day, month, date and year> at <location of Hearing>.

2. Statutory Authority of State Highway Change

All determinations and decisions herein and hereafter described are made in accordance with Section 84.02(1) and (3) (a) of the Wisconsin State Statutes whereby the DEPARTMENT is proposing to lay out and establish a segment of state trunk highway by way of a new location and having a distance along the deviation from the existing location of **greater than 2.5 miles but less than 5 miles**.

3. Determination and Description of Highway Segment To Be Added To State Trunk Highway System

The DEPARTMENT hereby finds, determines and makes this decision that the public good will best be served by adding to the State Trunk Highway System, the highway described as:

Segment <#>-<USH/STH> <highway number>

Beginning at the intersection point on the new location for <USH/STH Number> as laid out and to be constructed under WI Project ID <FIIPS project ID number>, and the <termini location and description of segment to ending termini> as laid out and to be constructed under WI Project ID <Number>; in the <town/municipality><county>, WI. Said segment is depicted on **Attachment 1** as **Segment <#>**.

The segment length of this addition is <length in miles to nearest one hundredth>.

Pursuant to Wis. Stat. 84.02(3), when a segment of new highway on new location is greater than 2-1/2 miles but less than 5 miles, county board approval is required to make this new highway on new location a state highway.

See Attachment 2 for a copy of the <county name> Board approval for adding the subject segment of new highway on new location to the state highway system.

4. Determination and Description of Highway Segment To Be Removed From State Trunk Highway System

The DEPARTMENT hereby finds, determines and makes this decision that the public good will best be served by removing from the State Trunk Highway System the following segment of highway described as:

Segment <#>-<USH/STH> <highway number>:

Pursuant to Wis. Stat. 84.02(3), when a segment of new highway on new location is greater than 2-1/2 miles but less than 5 miles, county board approval is required to discontinue the existing highway from the state highway system.

See Attachment 3 for a copy of the <county name> Board approval for discontinuing the subject segment of existing state highway from the state highway system.

Beginning at the intersecting point <termini location and description of segment to ending termini>. Segment is depicted on **Attachment 1** as **Segment <#>**.

The segment length of this removal is <length in miles to nearest hundredth>.

5. Disposition of Highway Segment Where STH Designation Has Been Removed

Pursuant to Wis. Stat. 84.02(3) where a segment of new highway on new location is greater than 2-1/2 miles but less than 5 miles, a jurisdictional transfer is required to remove the existing highway from the state highway system.

See attached **TEMPLATE-1 JURISDICTIONAL TRANSFER**, for a copy of the jurisdictional transfer pursuant to Wis. Stat. 84.02(8) between the Department and <county, town, or municipality name> <name of county> County, Wisconsin for removing Segment 2-<highway number> as described in Section 4 from the state highway system.

6. Physical and Effective Date of Change

The physical date for the addition to the State Trunk Highway as noted in Section 3 shall be the date <insert proper date reference>.

The physical date for discontinuance of the State Trunk Highway as noted in Section 4 shall be the date <insert proper date reference>.

The effective date for the determination action of the addition to the State Trunk Highway System as noted in Section 3 is the signature date shown on the bottom of this document.

The effective date for the determination action for the discontinuance from the State Trunk Highway system as noted in Section 4 is the signature date shown on the bottom of this document.

7. Other Considerations

The Department has determined that Other Considerations should be included with the state highway changes herein identified. See attached **TEMPLATE- 6, OTHER CONSIDERATIONS**.

Approved for the Wisconsin Department of Transportation by:

<Name>, Administrator
Division of Transportation System Development
Wisconsin Department of Transportation

Date

**STATE OF WISCONSIN
DEPARTMENT OF TRANSPORTATION
STATE TRUNK HIGHWAY SYSTEM CHANGE NUMBER <#>
PERTAINING TO
<UNITED STATES/STATE TRUNK> HIGHWAY <USH/STH> <Number>
<Name> COUNTY**

1. Introduction

The Wisconsin Department of Transportation (DEPARTMENT) has proposed a change to a segment of the State Trunk Highway System in the <City/Town> in <County> whereby <USH/STH> <Number> will be relocated to a new alignment pursuant to Project ID < FIIPS project ID number>. The Notice of Intent of for the relocation of <USH/STH> <Number>, was advertised in the <name of newspaper(s)> and presented at a public hearing on <day, month, date and year> at <location of Hearing>.

2. Statutory Authority of State Highway Change

All determinations and decisions herein and hereafter described are made in accordance with Section 84.02(1) and (3) (a) of the Wisconsin State Statutes whereby the DEPARTMENT is proposing to lay out and establish a segment of state trunk highway by way of a new location and having a distance along the deviation from the existing location of **lgreater than 2.5 miles but less than 5 miles.**

3. Determination and Description of Highway Segment To Be Added To State Trunk Highway System

The DEPARTMENT hereby finds, determines and makes this decision that the public good will best be served by adding to the State Trunk Highway System, the highway described as:

Segment <#>-<USH/STH> <highway number>

Beginning at the intersection point on the new location for <USH/STH Number> as laid out and to be constructed under WI Project ID <FIIPS project ID number>, and the <termini location and description of segment to ending termini> as laid out and to be constructed under WI Project ID <Number>; in the <municipality>, <county>, WI. Said segment is depicted on **Attachment 1 as Segment <#>.**

The segment length of this addition is <length in miles to nearest one hundredth>

Pursuant to Wis. Stat. 84.02(3), when a segment of new highway on new location is greater than 2-1/2 miles but less than 5 miles, county board approval is required to make this new highway on new location a state highway. However, pursuant to Department's Office of General Counsel, if the state highway change was a result of a legislatively directed project such as a Major Project under Wis. Stat. 84.013, that legislative action supersedes the Wis. Stat. 84.02(3) requirement for county board approval.

The subject state highway change described in Section 3 is a result of WI Project ID <FIIPS project ID number> which is a Major Project pursuant to Wis. Statute 84.02(3) and thus exempts the state highway addition from the Wis. Stat. 84.02(3) requirement of county board approval.

4. Determination and Description of Highway Segment To Be Removed From State Trunk Highway System

The DEPARTMENT hereby finds, determines and makes this decision that the public good will best be served by removing from the State Trunk Highway System the following segment of highway described as:

Segment <#> <USH/STH> <highway number>:

Beginning at the intersecting point <termini location and description of segment to ending termini>. Segment is depicted on **Attachment 1** as **Segment <#>**.

The segment length of this removal is <length in miles to nearest hundredth>.

Pursuant to Wis. Stat. 84.02(3), when a segment of new highway on new location is greater than 2-1/2 miles but less than 5 miles, county board approval is required to discontinue the existing highway from the state highway system.

Attachment 2 is the document of official action by the County Board approving the discontinuance of state highway designation on Segment <#> as herein described in Section 4.

5. Disposition of Highway Segment Where STH Designation Has Been Removed

Pursuant to Wis. Stat. 84.02(3) where a segment of new highway on new location is greater than 2-1/2 miles but less than 5 miles, a jurisdictional transfer is required to remove the existing highway from the state highway system.

See attached **TEMPLATE 1 – JURISDICTIONAL TRANSFER** for a copy of the jurisdictional transfer pursuant to Wis. Stat. 84.02(8) between the Department and <municipality> <County> County, Wisconsin for removing Segment 2 - <highway number> as described in Section 4.

6. Physical and Effective Date of Change

The physical date for the addition to the State Trunk Highway as noted in Section 3 shall be the date <insert proper date reference>.

The physical date for discontinuance of the State Trunk Highway as noted in Section 4 shall be the date <insert proper date reference>.

The effective date for the determination action of the addition to the State Trunk Highway System as noted in Section 3 is the signature date shown on the bottom of this document.

The effective date for the determination action for the discontinuance from the State Trunk Highway system as noted in Section 4 is the signature date shown on the bottom of this document.

7. Other Considerations

The Department has determined that Other Considerations should be included with the state highway changes herein identified. See Attachment 4 for Other Considerations.

Approved for the Wisconsin Department of Transportation by:

<Name >, Administrator
Division of Transportation System Development
Wisconsin Department of Transportation

Date

**STATE OF WISCONSIN
DEPARTMENT OF TRANSPORTATION
STATE TRUNK HIGHWAY SYSTEM CHANGE NUMBER <#>
PERTAINING TO
<UNITED STATES/STATE TRUNK> HIGHWAY <USH/STH> <Number>
<Name> COUNTY**

1. Introduction

The Wisconsin Department of Transportation (DEPARTMENT) has proposed a change to a segment of the State Trunk Highway System in the <City/Town> in <County> whereby <USH/STH> <Number> will be relocated to a new alignment pursuant to Project ID < FIIPS project ID number>. The proposed relocation of <USH/STH> <Number>, was advertised in the local newspapers and presented at a public hearing on <day, month, date and year> at <location of Hearing>.

2. Statutory Authority of State Highway Change

All determinations and decisions herein and hereafter described are made in accordance with Section 84.02(1) and (3) (a) of the Wisconsin State Statutes whereby the DEPARTMENT is proposing to lay out and establish a segment of state trunk highway by way of a new location and having a distance along the deviation from the existing location of **greater than 5 miles.**

3. Determination and Description of Highway Segment To Be Added To State Trunk Highway System

The DEPARTMENT hereby finds, determines and makes this decision that the public good will best be served by adding to the State Trunk Highway System, the highway described as:

Segment <#>-<USH/STH> <highway number>

Beginning at the intersection point on the new location for <USH/STH Number> as laid out and to be constructed under WI Project ID <FIIPS project ID number>, and the **<termini location and description of segment to ending termini>** as laid out and to be constructed under WI Project ID <Number>; in the <town/municipality><county>, WI. Said segment is depicted on **Attachment 1 as Segment <#>.**

The segment length of this addition is <length in miles to nearest one hundredth>

Pursuant to Wis. Stat. 84.02(3) where the distance along the deviation from the existing location exceeds 5 miles the change as determined by the Department shall constitute an addition to the state trunk highway system.

4. Determination and Description of Highway Segment To Be Removed From State Trunk Highway System

The DEPARTMENT hereby finds, determines and makes this decision that the public good will best be served by removing from the State Trunk Highway System the following segment of highway described as:

Segment <#>-<USH/STH> <highway number>:

Beginning at the intersecting point **<termini location and description of segment to ending termini>**. Segment is depicted on **Attachment 1 as Segment <#>.**

The segment length of this removal is <length in miles to nearest hundredth>.

Pursuant to Wis. Stat. 84.02(3) where the distance along the deviation from the existing location of exceeds 5 miles, the pre-existing route shall continue to be a state trunk highway unless the county board in each county in which any part of the relocation lies and the Department mutually agree to its discontinuance as a state trunk highway.

Attachment 2 is the document of official action by the County Board approving the discontinuance of a state highway on Segment <#> as herein described in Section 4.

5. Disposition of Highway Segment Where STH Designation Has Been Removed

Pursuant to Wis. Stat. 84.02(3) should the county board(s) and the Department mutually agree to the discontinuance of the existing state highway, a jurisdictional transfer is then required to remove that discontinued state highway identified in Section 4 from the state highway system.

See attached **TEMPLATE – 1, JURISDICTIONAL TRANSFER** for a copy of the jurisdictional transfer pursuant to Wis. Stat. 84.02(8) between the Department and <county, town, or municipality name> <name of county> County, Wisconsin for removing Segment 2-<highway number> as described in Section 4 from the state highway system.

6. Physical and Effective Date of Change

The physical date for the addition to the State Trunk Highway as noted in Section 3 shall be the date <insert proper date reference>.

The physical date for discontinuance of the State Trunk Highway as noted in Section 4 shall be the date <insert proper date reference>.

The effective date for the determination action of the addition to the State Trunk Highway System as noted in Section 3 is the signature date shown on the bottom of this document.

The effective date for the determination action for the discontinuance from the State Trunk Highway system as noted in Section 4 is the signature date shown on the bottom of this document.

7. Other Considerations

The Department has determined that Other Considerations should be included with the state highway changes herein identified. See attached **TEMPLATE – 6, OTHER CONSIDERATIONS**.

Approved for the Wisconsin Department of Transportation by:

 <Name>, Administrator
 Division of Transportation System Development
 Wisconsin Department of Transportation

 Date

OTHER CONSIDERATIONS
<CONNECTING HIGHWAY CHANGE> <#>
<STATE HIGHWAY CHANGE> <#>
<JURISDICTIONAL TRANSFER AGREEMENT> <#>

SECTION I

RIGHT-OF-WAY

Identify any agreements on disposition or retention of any right-of-way interests. If additional documents were required to execute these actions, they should be referenced here as separate attachments to this **Other Considerations** template.

See FDM 4-5-1.6.1

SECTION II

ACCESS

Identify any specific access rights on the state highway being reassigned which the Department wishes to retain after said state highway has been reassigned.

See FDM 4-5-1.6.2.

SECTION III

UTILITIES AND OTHER NON-ACCESS PERMITS

Identify any agreements or disposition regarding utilities. Typically there is no need for any such agreements since utility permits runs with the underlying r/w.

See FDM 4-5-1.6.3.

SECTION IV

HIGHWAY MAINTENANCE AGREEMENTS

Include as attachments any maintenance agreements ordered by the Department or signed by mutual agreement with a local unit. Maintenance agreements ordered by the Department must have an authorized Department signature to be valid, and it is a copy of this signed order that should be attached to this document.

See FDM 4-5-1.6.4

 For the DEPARTMENT
 <Name>, Administrator
 Division of Transportation System Development,
 Wisconsin Department of Transportation

 Date

DAILY MAINTENANCE RESPONSIBILITY

This would include any agreements on who is responsible for routine maintenance on the reassigned highway between the effective and physical date of the reassignment. Generally that is the Department.

In some cases, the let contract or cash equivalency payment may occur at an agreed point in time after the physical date of the reassignment, and where there may be agreements for the original jurisdictional authority to continue to provide the routine maintenance until that time. Include those agreements here.

See FDM 4-5-1.6.4

SECTION V**FACILITIES TO BE JURISDICTIONALLY RETAINED BY THE DEPARTMENT**

If any appurtenances on the state highway being reassigned are desired to be retained by the Department, they need to be specifically listed here. Elements which have unique naming conventions such as Bridges, Culverts, or Sign Bridges should be identified by their B-X-X, C-X-X, and S-X-X numbers respectively. See FDM 4-5-1.6.5

Items being retained that are in a Department inventory systems which uses a unique database reference for each inventory item, should use that unique reference to identify each item within that inventory being retained. See FDM 4-5-1.6.8

An appurtenance which lacks a specific inventory reference number needs to have its location accurately described to avoid any future confusion regarding its retention or reassignment.

SECTION VI**CAPITALIZATION OF MAINTENANCE COSTS FOR ADDITIONAL NET MILES ASSIGNED**

Identify the cash value of the highway maintenance start up capitalization cost to cure pursuant to FDM 4-5-1.6.9. No detailed math should be shown here for how that cash value was determined. The following statement should be used.

The DEPARTMENT will provide a lump sum payment of <cash value> to the <municipality or county> this subject cost.

See FDM 4-5-1.6.6

For the DEPARTMENT
<Name>, Administrator
Division of Transportation System Development,
Wisconsin Department of Transportation

Date

Page 2 of 5

SECTION VII**SYSTEM ROUTING AND NAMING CONVENTIONS**

This would include any of the following:

- Concurrent routing of a state and local highway as a result of the reassignment.
- Business Route designation on any local highway.
- Identification of responsible party for cost and installation of any signing to accommodate these routing determinations.
- Identification of when the routing changes will be put into effect. Typically that would be the physical date of the reassignment, but not always.

See FDM 4-5-1.6.7

SECTION VIII**TRAFFIC OPERATIONS**

This item deals specifically with signals, ITS, and signing on the highway being reassigned to local jurisdiction. It clearly crosses into **SECTION V -- FACILITIES TO BE JURISDICTIONALLY RETAINED BY THE DEPARTMENT** and **SECTION IV -- MAINTENANCE AGREEMENTS** and arguably could be included in those sections. It is given its own separate item to highlight the importance of looking specifically at the traffic operational elements and the importance they may have on state highways which intersect the highway being reassigned to local jurisdiction.

It also deals with ensuring the quantification and assigning of both the financial and physical responsibility for changing the route signage for the highway being reassigned to local jurisdiction.

See FDM 4-5-1.6.8

SECTION IX**SYNCHRONIZING GENERAL TRANSPORTATION AID (GTA) PAYMENTS**

Identify the amount of General Transportation Aids (GTA) to cover any gap between the time of the physical date of the jurisdictional reassignment and the period of time the first regularly scheduled GTA payment for the reassigned highway will occur. The following statement should be used.

The DEPARTMENT will provide a single, one-time payment of <cash value> to the <municipality or county> to cover the gap between the physical date of the jurisdictional reassignment and time period covered by the first regularly scheduled GTA payment for that roadway.

See FDM 4-5-1.6.9

This is also the section where the Department would identify when the last GTA payment would occur based on the physical date of the jurisdictional reassignment.

For the DEPARTMENT
<Name>, Administrator
Division of Transportation System Development,
Wisconsin Department of Transportation

Date

Page 3 of 5

SECTION X**HISTORICAL PRESERVATION**

This section shall include written reference to the fact the Department reviewed the right-of-way of the state highway being jurisdictionally reassigned for historically listed sites or properties pursuant to Wis. Stat. 44.41 and 45, and:

- 1) No historical sites or properties were identified. This section shall state the Department review was completed and that no sites pursuant to Wis. Stat. 44.45 were identified.
- 2) One or more historical sites or properties were identified. This section will describe the actions taken to be compliant with Wis. Stat. 44.41 and include as reference attachments any letters, documents, or agreements to that effect.

See FDM 4-5-1.6.9

SECTION XI**REHABILITATION/RECONSTRUCTION TREATMENTS****Segment Designation**

If there are different treatments on different sub-segments of the highway segments referenced in Section 3 or Section 4 of the STH Change or Jurisdictional Transfer Templates, each sub-segment should be referenced separately as Sub-Segment #-A, #-B, #-C, where # is the segment number referenced in Section 2 of the templates. Each sub-segment referenced must have a detailed description of its beginning and ending points. A reference map should be attached which visually depicts the limits of each Segment and any of its sub-Segments.

Roadway Rehabilitation

Include a detailed, description of the treatments that were agreed to as part of the cost to cure. It is better to include more detail on agreed treatments than too little. The appropriate format to use would be a completed project scoping document as used by the Department for documenting completed scope on any scheduled state highway improvement project.

Include specific statement as to whether the Department is going to provide this rehabilitation by a Department let contract or by a cash equivalency payment.

If cost to cure is going to be done via a let contract, then one shall include:

- Any and all cost share agreements for the work to be performed.
- The FY in which the let project will occur.
- Identified responsible party for the design, letting and construction management of the project.

If it is a cash equivalency payment include:

- Value of the cash equivalency in current year dollars.

For the DEPARTMENT
<Name>, Administrator
Division of Transportation System Development,
Wisconsin Department of Transportation

Date

- Clear statement that all Department cost share policies apply to any agreed rehabilitation treatments.
- The FY in which the cash equivalency payment will be made.
- Explicit statement as to if and how any inflation will be accounted for between current year dollars and date of payment.

See FDM 4-5-1.7

SECTION XII

MISCELLANEOUS ITEMS

For the DEPARTMENT
<Name>, Administrator
Division of Transportation System Development,
Wisconsin Department of Transportation

Date

Page 5 of 5

STATE OF WISCONSIN
DEPARTMENT OF TRANSPORTATION
STATE TRUNK HIGHWAY SYSTEM CHANGE NUMBER <#>
PERTAINING TO
<UNITED STATES/STATE TRUNK> HIGHWAY <USH/STH> <Number>
<Name> COUNTY

1. Introduction

The Wisconsin Department of Transportation (DEPARTMENT) has proposed a change to the State Trunk Highway System in the <City/Town> in <County> whereby <USH/STH> <Number> will be relocated to a new alignment pursuant to Project ID <FIIPS project ID number>. The Notice of Intent of for the relocation of <USH/STH> <Number>, was advertised in the <name of newspaper(s)> and presented at a public hearing on <day, month, date and year> at <location of Hearing> _____

2. Statutory Authority of State Highway Change

All determinations and decisions herein and hereafter described are made in accordance with Section 84.02(1) and (3) (a) of the Wisconsin State Statutes whereby the DEPARTMENT is proposing to lay out and establish a segment of state trunk highway by way of a new location and having a distance along the deviation from the existing location of **greater than 2.5 miles but less than 5 miles**.

3. Determination and Description of Highway Segment To Be Added To State Trunk Highway System

The DEPARTMENT hereby finds, determines and makes this decision that the public good and public travel will best be served by adding to the State Trunk Highway System, the highway described as:

Segment <#>-<USH/STH> <highway number>

Beginning at the intersection point on the new location for <USH/STH Number> as laid out and to be constructed under WI Project ID <FIIPS project ID number>, and the <termini location and description of segment to ending termini> as laid out and to be constructed under WI Project ID <Number>; in the <town/municipality><county>, WI.

Said segment is depicted on **Attachment 1** as **Segment <#>**

The segment length of this addition is <length in miles to nearest one hundredth>

<Depending on the length of new highway on new location, there may be additional requirements. These are included as appropriate in Templates 2 thru 5. See the explanations for each individual template for more specific information.>

4. **Determination and Description of Highway Segment To Be Removed From State Trunk Highway System**

The DEPARTMENT hereby finds, determines and makes this decision that the public good and public travel will best be served by removing from the State Trunk Highway System the following segment of highway ~~road~~ described as:

Segment <#> <USH/STH> <highway number>:

Beginning at the intersecting point <termini location and description of segment to ending termini>. Segment is depicted on **Attachment 1** as **Segment <#>**.

The segment length of this removal is <length in miles to nearest hundredth>

<Depending on the length of new highway on new location, there may be additional requirements. These are included as appropriate in Templates 2 thru 5. See the explanations for each individual template for more specific information. If it is not in the template...it is not needed. >

5. **Disposition of Highway Segment Where STH Designation Has Been Removed**

The DEPARTMENT hereby finds, determines and makes this decision that the public good and public travel will best be served by removing from the State Trunk Highway System the following segment of highway described in Section 3.

<Depending on the length of new highway on new location, a jurisdictional transfer may be required to move the existing state highway from the state highway system. This requirement is included as appropriate in Templates 2 thru 5. If it is not in the template...it is not needed. >

6. **Physical and Effective Date of Change**

The physical date for the addition to the State Trunk Highway as noted in Section 3 shall be the date <insert proper date reference>.

The physical date for discontinuance of the State Trunk Highway as noted in Section 4 shall be the date <insert proper date reference>.

The effective date for the determination action of the addition to the State Trunk Highway System as noted in Section 3 is the signature date shown on the bottom of this document.

The effective date for the determination action for the discontinuance from the State Trunk Highway system as noted in Section 4 is the signature date shown on the bottom of this document.

7. **Other Considerations**

The Department has determined that Other Considerations should be included with the state highway changes herein identified. See Attachment 4 for Other Considerations.

Approved for the Wisconsin Department of Transportation by:

<Name of Director>

Operations Director - Statewide Bureaus
Division of Transportation System Development

Date

**AGREEMENT FOR
CONNECTING HIGHWAY CHANGE NUMBER <#>
PERTAINING TO
STATE TRUNK HIGHWAY (STH) <#>
<TERMINI DESCRIPTION>
CITY OF <NAME>
<NAME> COUNTY**

1. Introduction

The Wisconsin Department of Transportation (DEPARTMENT) has proposed a Connecting Highway Change in the city <Name of Municipality> (CITY) in <County Name> County, whereby:

- A portion of <USH/STH> <Number> will be designated as a Connecting Highway.

2. Statutory Authority of State Highway Change

All determinations and decisions herein and hereafter described are made in accordance with Section 86.32(1) of the Wisconsin State Statutes whereby the DEPARTMENT is proposing Connecting Highway Change Number <#> to <add> a segment of Connecting Highway in the CITY.

3. Determination and Description of Highway Segment To Be Designated A Connecting Highway

The DEPARTMENT hereby finds, determines and makes this decision that the public good will best be served by designating as a Connecting Highway, the highway described as:

Segment <#>- <USH/STH> <highway number>

Beginning at a point on <USH/STH Number> <termini location and description of segment to ending termini>. Said segment is depicted on **Attachment 1** as **Segment <#>**.

The segment length of this addition is <length in miles to nearest one hundredth>

4. Physical and Effective Date of Change

The physical date for the Connecting Highway designation described in Section 3 shall be the date <insert proper date reference>.

The effective date for the determination action for the Connecting Highway designation described in Section 3 is the signature date shown on the bottom of this document.

5. Other Considerations

The Department has determined that Other Considerations should be included with the Connecting Highway Change herein identified. See attached **TEMPLATE – 6, OTHER CONSIDERATIONS**.

Approved for the Wisconsin Department of Transportation by:

<Name>, Administrator
Division of Transportation System Development
Wisconsin Department of Transportation

Date

<Name of Mayor/Administrator>
<Mayor/Administrator>
<City>

Date

**AGREEMENT FOR
CONNECTING HIGHWAY CHANGE NUMBER <#>
PERTAINING TO
STATE TRUNK HIGHWAY (STH) <#>
<TERMINI DESCRIPTION>
CITY OF <NAME>
<NAME> COUNTY**

1. Introduction

The Wisconsin Department of Transportation (DEPARTMENT) has proposed a Connecting Highway Change in the city <Name of Municipality> (CITY) in <County Name> County, whereby:

- Connecting Highway designation will be rescinded from a portion of <USH/STH> <Number>.

2. Statutory Authority of State Highway Change

All determinations and decisions herein and hereafter described are made in accordance with Section 86.32(1) of the Wisconsin State Statutes whereby the DEPARTMENT is proposing Connecting Highway Change Number <#> to <rescind> a segment of Connecting Highway in the CITY.

3. Determination and Description of Highway Segment Where Connecting Highway Designation Is To Be Rescinded

The DEPARTMENT hereby finds, determines and makes this decision that the public good will best be served by rescinding Connecting Highway designation from the following segment of highway described as:

Segment <#>-<USH/STH> <highway number>:

Beginning at a point on <USH/STH Number> <termini location and description of segment to ending termini>. Said segment is depicted on **Attachment 1** as **Segment <#>**.

The segment length of this removal is <length in miles to nearest hundredth>.

4. Disposition of Highway Segment Where Connecting Highway Designation Was Rescinded

The Department has determined that upon rescission of connecting highway designation the underlying highway will revert to local jurisdiction as a <city, village> roadway.

5. Physical and Effective Date of Change

The physical date for the rescission of the Connecting Highway as noted in Section 4 shall be the date <insert proper date reference>.

The effective date for the determination action to rescind Connecting Highway designation from the highway segment described in Section 4 is the signature date shown on the bottom of this document.

6. Other Considerations

The Department has determined that Other Considerations should be included with the Connecting Highway Changes herein identified. See attached **TEMPLATE – 6, OTHER CONSIDERATIONS**.

Approved for the Wisconsin Department of Transportation by:

<Name>, Administrator
Division of Transportation System Development
Wisconsin Department of Transportation

Date

**AGREEMENT FOR
CONNECTING HIGHWAY CHANGE NUMBER <#>
PERTAINING TO
STATE TRUNK HIGHWAY (STH) <#>
<TERMINI DESCRIPTION>
CITY OF <NAME>
<NAME> COUNTY**

1. Introduction

The Wisconsin Department of Transportation (DEPARTMENT) has proposed a Connecting Highway Change in the city <Name of Municipality> (CITY) in <County Name> County, whereby:

- Connecting Highway designation will be rescinded from a portion of <USH/STH> <Number>.

2. Statutory Authority of State Highway Change

All determinations and decisions herein and hereafter described are made in accordance with Section 86.32(1) of the Wisconsin State Statutes whereby the DEPARTMENT is proposing Connecting Highway Change Number <#> to <rescind> a segment of Connecting Highway in the CITY.

3. Determination and Description of Highway Segment Where Connecting Highway Designation Is To Be Rescinded

The DEPARTMENT hereby finds, determines and makes this decision that the public good will best be served by rescinding Connecting Highway designation from the following segment of highway described as:

Segment <#>-<USH/STH> <highway number>:

Beginning at a point on <USH/STH Number> <termini location and description of segment to ending termini>. Said segment is depicted on **Attachment 1** as **Segment <#>**.

The segment length of this rescission is <length in miles to nearest hundredth>.

4. Disposition of Highway Segment Where Connecting Highway Designation Was Rescinded

The Department has determined that upon rescission of the connecting highway designation the underlying highway will revert to a local highway under the sole jurisdictional authority of the <city, village>. The <city, village> and the Department have agreed that said highway should be a state highway under Department jurisdiction. To that end, the Department and the <city, village> have signed Jurisdictional Transfer Agreement # <insert assigned JT #> which is attached as Reference Document #1.

5. Physical and Effective Date of Change

The physical date for the rescission of the Connecting Highway as noted in Section 4 shall be the date **<insert proper date reference>**.

The effective date for the determination action to rescind Connecting Highway designation from the highway segment described in Section 4 is the signature date shown on the bottom of this document.

6. Other Considerations

The Department has determined that Other Considerations should be included with the Connecting Highway Changes herein identified. See attached **TEMPLATE – 6, OTHER CONSIDERATIONS**.

Approved for the Wisconsin Department of Transportation by:

<Name>, Administrator
Division of Transportation System Development
Wisconsin Department of Transportation

Date

**AGREEMENT FOR
CONNECTING HIGHWAY CHANGE NUMBER <#>
PERTAINING TO
STATE TRUNK HIGHWAY (STH) <#>
<TERMINI DESCRIPTION>
CITY OF <NAME>
<NAME> COUNTY**

1. Introduction

The Wisconsin Department of Transportation (DEPARTMENT) has proposed a Connecting Highway Change in the city <Name of Municipality> (CITY) in <County Name> County, whereby:

- Connecting Highway designation will be rescinded from a portion of <USH/STH> <Number>.

2. Statutory Authority of State Highway Change

All determinations and decisions herein and hereafter described are made in accordance with Section 86.32(1) of the Wisconsin State Statutes whereby the DEPARTMENT is proposing Connecting Highway Change Number <#> to <rescind> a segment of Connecting Highway in the CITY.

1. Determination and Description of Highway Segment Where Connecting Highway Designation Is To Be Rescinded

The DEPARTMENT hereby finds, determines and makes this decision that the public good will best be served by rescinding Connecting Highway designation from the following segment of highway described as:

Segment <#>-<USH/STH> <highway number>:

Beginning at a point on <USH/STH Number> <termini location and description of segment to ending termini>. Said segment is depicted on **Attachment 1** as **Segment <#>**.

The segment length of this removal is <length in miles to nearest hundredth>.

2. Disposition of Highway Segment Where Connecting Highway Designation Was Rescinded

The Department has determined that upon rescission of the connecting highway designation the underlying highway will revert to a state trunk highway under the sole jurisdictional authority of the Department.

3. Physical and Effective Date of Change

The physical date for the rescission of the Connecting Highway as noted in Section 4 shall be the date <insert proper date reference>.

The effective date for the determination action to rescind Connecting Highway designation from the highway segment described in Section 4 is the signature date shown on the bottom of this document.

4. Other Considerations

The Department has determined that Other Considerations should be included with the Connecting Highway Changes herein identified. See attached **TEMPLATE – 6, OTHER CONSIDERATIONS**.

Approved for the Wisconsin Department of Transportation by:

<Name>, Administrator
Division of Transportation System Development
Wisconsin Department of Transportation

Date

**AGREEMENT FOR
CONNECTING HIGHWAY CHANGE NUMBER <#>
PERTAINING TO
STATE TRUNK HIGHWAY (STH) <#>
<TERMINI DESCRIPTION>
CITY OF <NAME>
<NAME> COUNTY**

1. Introduction

The Wisconsin Department of Transportation (DEPARTMENT) has proposed a Connecting Highway Change in the city <Name of Municipality> (CITY) in <County Name> County, whereby:

- Connecting Highway System will be rescinded from a portion of <USH/STH> <Number>.

2. Statutory Authority of State Highway Change

All determinations and decisions herein and hereafter described are made in accordance with Section 86.32(1) of the Wisconsin State Statutes whereby the DEPARTMENT is proposing Connecting Highway Change Number <#> to <rescind> a segment of Connecting Highway in the CITY.

3. Determination and Description of Highway Segment Where Connecting Highway Designation Is To Be Rescinded

The DEPARTMENT hereby finds, determines and makes this decision that the public good will best be served by rescinding Connecting Highway designation from the following segment of highway described as:

Segment <#>-<USH/STH> <highway number>:

Beginning at a point on <USH/STH Number> <termini location and description of segment to ending termini>. Said segment is depicted on **Attachment 1** as **Segment <#>**.

The segment length of this removal is <length in miles to nearest hundredth>.

4. Disposition of Highway Segment Where Connecting Highway Designation Was Rescinded

The Department has determined that upon rescission of the connecting highway designation the underlying highway will revert to a state trunk highway under the sole jurisdictional authority of the Department. The <city, village> and the Department have agreed that said highway should be a local roadway under local jurisdiction. To that end, the Department and the <city, village> have signed Jurisdictional Transfer Agreement # <insert assigned JT #> which is attached as Reference Document #1.

5. Physical and Effective Date of Change

The physical date for the rescission of the Connecting Highway as noted in Section 4 shall be the date <insert proper date reference>.

The effective date for the determination action to rescind Connecting Highway designation from the highway segment described in Section 4 is the signature date shown on the bottom of this document.

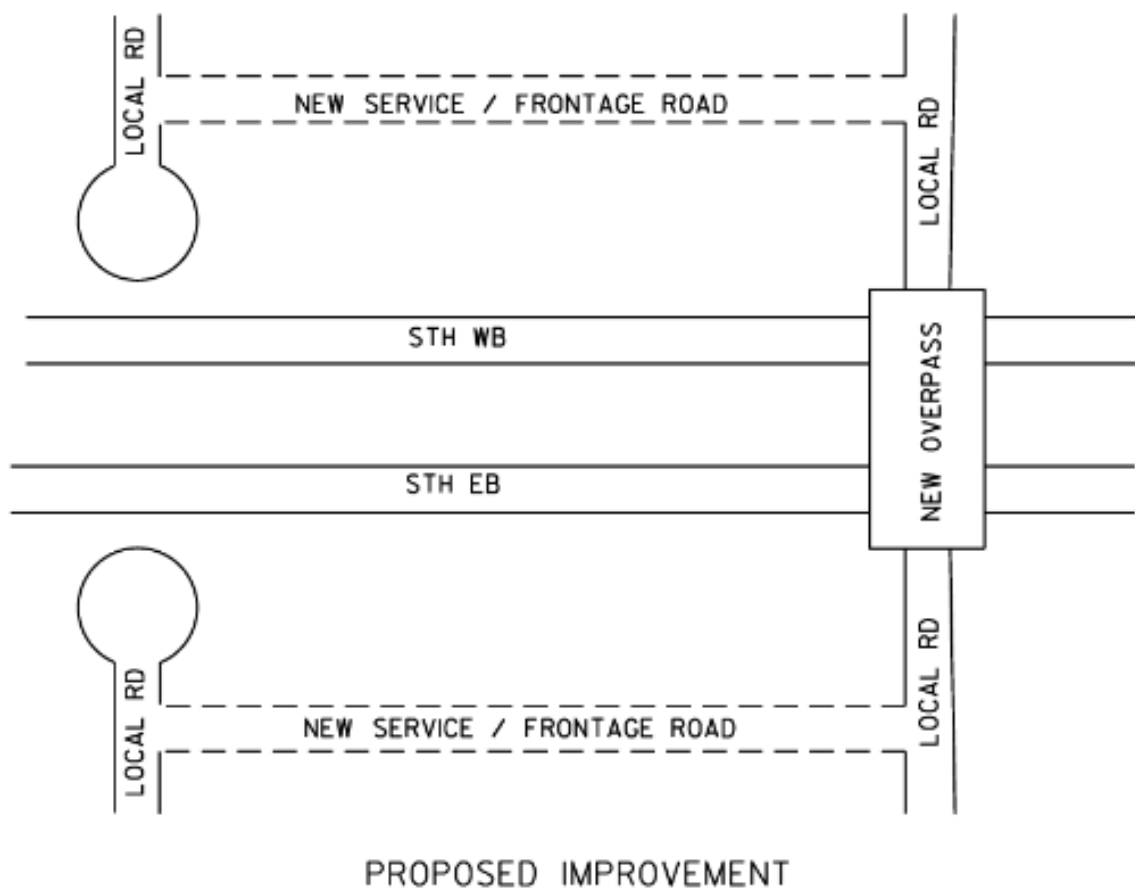
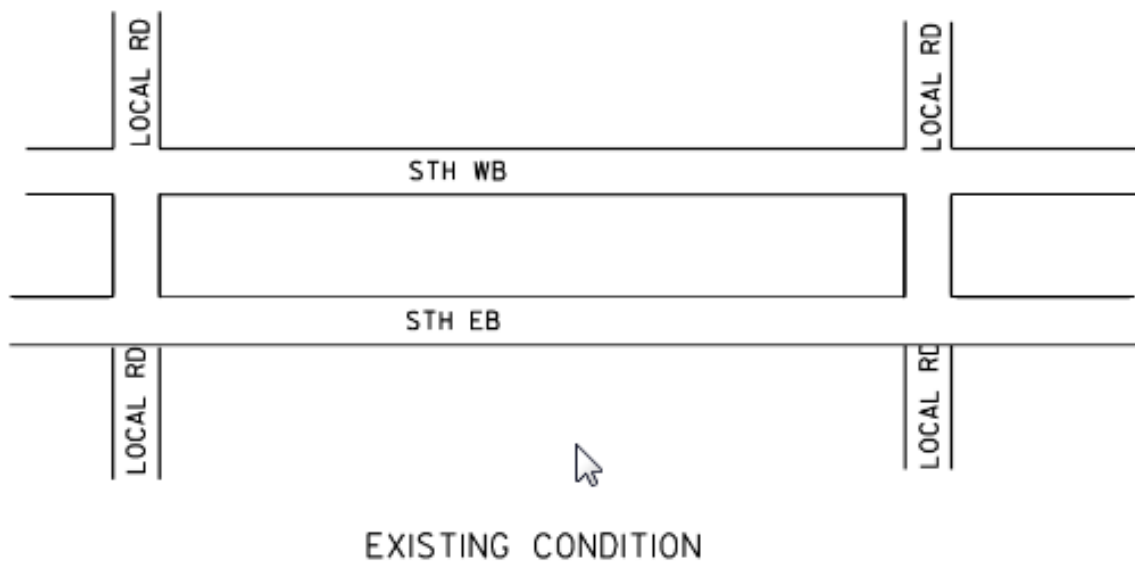
1. Other Considerations

The Department has determined that Other Considerations should be included with the Connecting Highway Changes herein identified. See attached **TEMPLATE – 6, OTHER CONSIDERATIONS**.

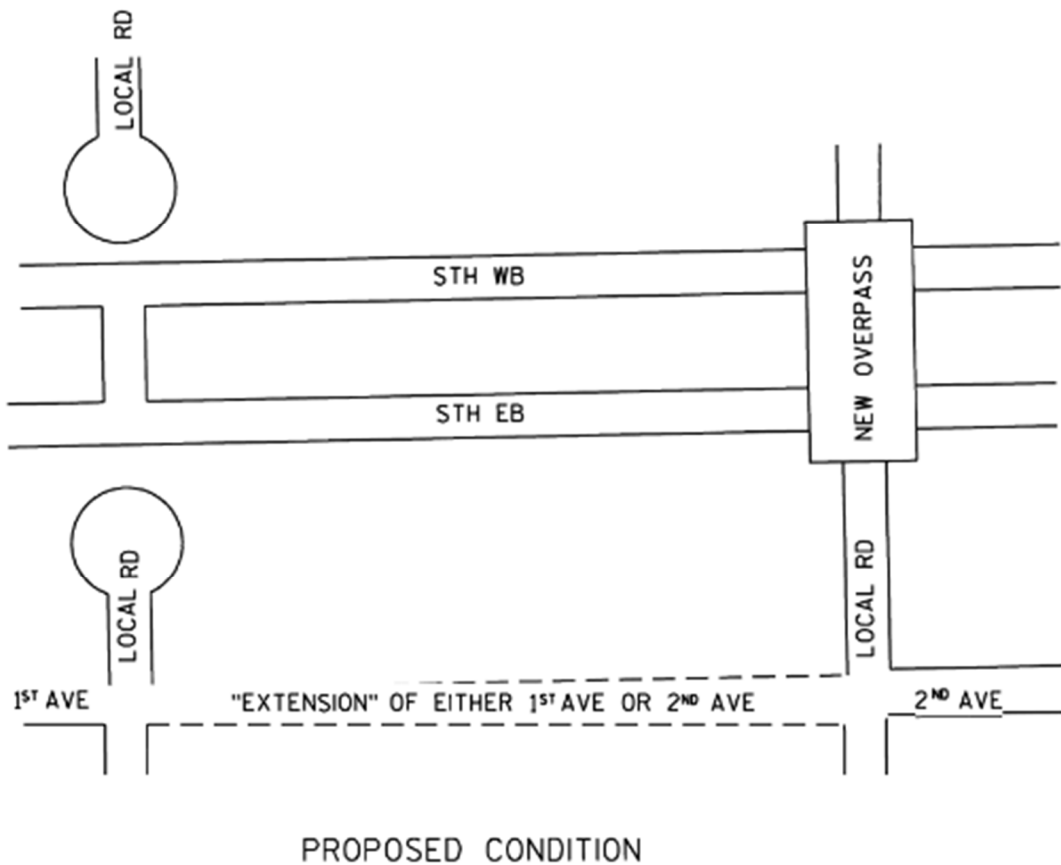
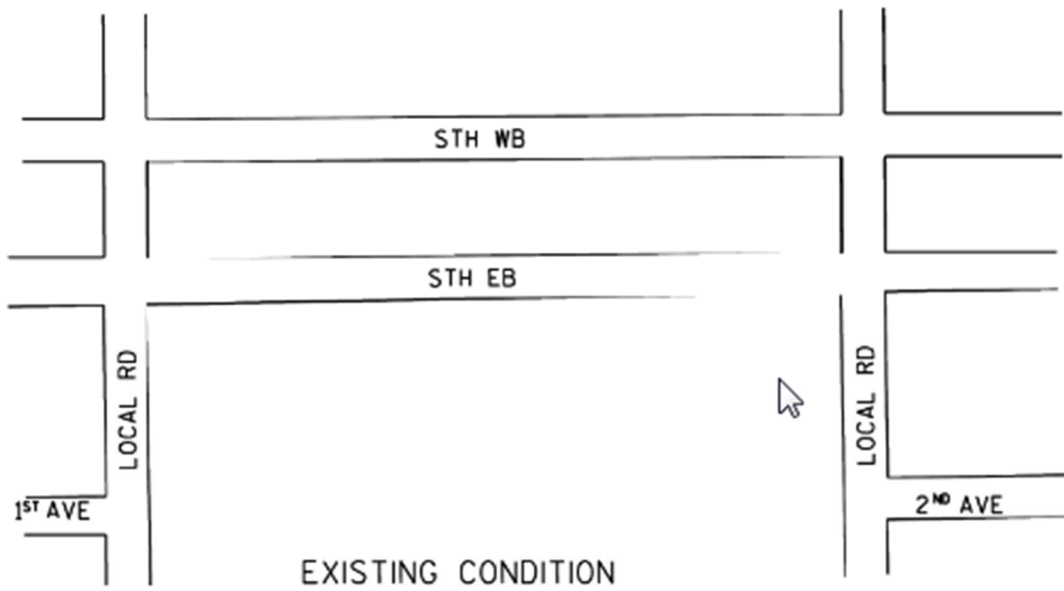
Approved for the Wisconsin Department of Transportation by:

<Name>, Administrator
Division of Transportation System Development
Wisconsin Department of Transportation

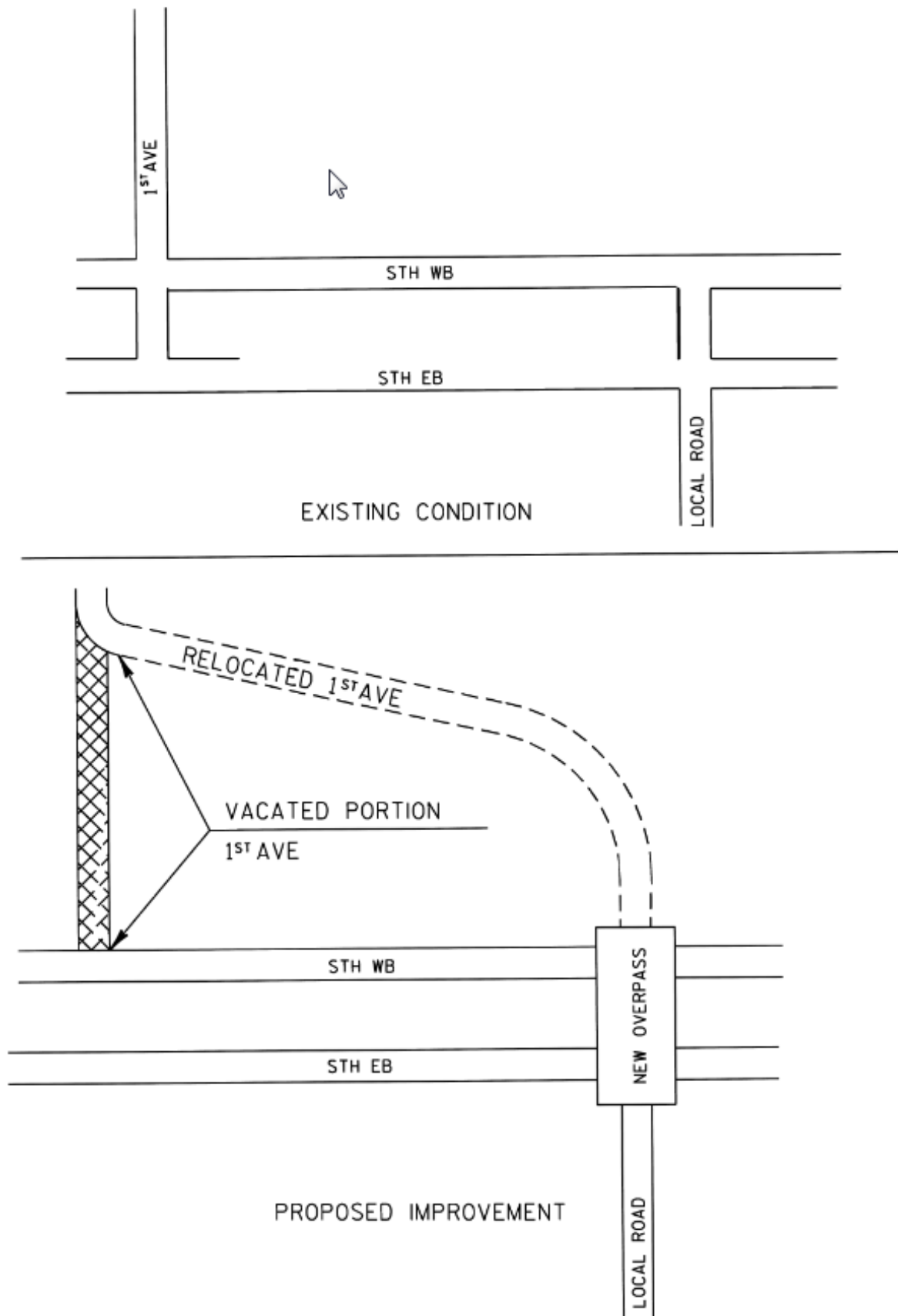
Date



Example - Alteration to New Service Road on New Location



Example - Alteration Considered an Extension



Example - Alteration Considered a Relocate and Vacate

**STATE-LOCAL AGREEMENT
FOR
DISCONNECTING LOCAL ROAD CONNECTION
TO
WIS. STAT. 84.295 FREEWAY/EXPRESSWAY OR
WIS. STAT. 84.29 INTERSTATE
PERTAINING TO
<name of STH/Interstate> AND <name of local street>
<town, or municipality>
<county>, WISCONSIN**

Introduction

The Wisconsin Department of Transportation (DEPARTMENT) and the <town, municipality>, <county>, Wisconsin (<TOWN, CITY, VILLAGE, COUNTY>) have mutually agreed to disconnect <name of road> from its intersection with <STH/Interstate>.

Statutory Authority for Removing Local Road Connections from Wis. Stat. 84.295 Freeways/Expressways by Agreement

In accordance with Wisconsin State Statute 84.295 (7) **Authority to Relocate and Close Highways** which states, 'The Department may enter into...agreements with...any county or municipality having jurisdiction over any highway, and, [by] such agreement relocate or extend any such highway or close the same at or near the point of intersection with any freeway or expressway.'; and with Wisconsin State Statute 84.29 (6)(a) **Power to Relocate or Close Highways** which states, 'The Department may...enter into an agreement with...any county or municipality having jurisdiction over any highway and, as provided in such agreement, to relocate any such highway or to close the same at or near the point of intersection with any interstate highway.'

Concurrence to Accept Local Road by Local Unit

The DEPARTMENT and the TOWN mutually agree to that the newly constructed public road identified as <name of road> in the <town, municipality>, <county> as depicted on **Attachment 1**, shall be under the jurisdictional authority of <county, town, municipality>.

Attachment 2 is a resolution passed by the <county, town, municipality> signifying its agreement to the acceptance of jurisdictional authority for <name of road> in the <town, municipality>, <county> as shown on **Attachment 1**.

Effective Date of Disconnection of Local Road

The effective date for the disconnecting of <name of road> as shown in **Attachment 1** will be the signature date of duly assigned DEPARTMENT signatory below

Physical Date of the Disconnection of the Local Road

The physical date for the disconnecting of <name of road> Street as shown in **Attachment 1** to be determined by the DEPARTMENT and will occur only after all items under OTHER CONSIDERATIONS are concluded.

Other Considerations

In accordance with the authorities granted under Wisconsin State Statute 84.295(6)(7) and 84.29(6), the DEPARTMENT agrees to <insert specific Other Considerations. See FDM 4-5-1.6 and 1.7 for guidance on allowable Other Considerations. It is advised to use FDM 4-5-1 TEMPLATE 6 as an attachment to list and detail any Other Considerations for this agreement>

For the DEPARTMENT:

Systems Planning Chief
<Name of Department Region> Region
Wisconsin Department of Transportation

Date

**FINAL DETERMINATION AND ORDER
FOR
CREATING NEW PUBLIC FRONTAGE ROADS
ON
WIS. STAT. 84.295 FREEWAY/EXPRESSWAY OR
WIS. STAT. 84.29 INTERSTATE
PERTAINING TO
<name of STH/Interstate> AND <name of local street>
<town or municipality>
<county>, WISCONSIN**

Introduction

The Wisconsin Department of Transportation (DEPARTMENT) has authorized State Highway Project ID <ID #> (PROJECT) to <insert description of work type><STH/Interstate> in the <town, municipality>, <county>, Wisconsin. <insert description of why the work is creating a need for new frontage roads and future local road connections such as access alterations requiring closing or relocating private access points>

Statutory Authority for Creation of New Public Frontage Roads

In accordance with Wisconsin State Statute 84.29 (2) (3) (4) and 84.295(4) (5) which grants specific authority to the Wisconsin Department of Transportation (DEPARTMENT) lay out new public roadway in conjunction with construction of Interstate highways, the Department is creating and constructing the new public roadways depicted on **Attachment 1** under State Highway Project <ID #> and described in more detail in the following **Section 1** and **Section 2**.

New Public Frontage Roads

A public frontage road under the jurisdictional and maintenance authority of the DEPARTMENT is required as shown as Segment <#> on Attachment 1.

Effective And Physical Date Of Order

The effective date of this Order is the date it is signed by Department signatory.

The physical date of this Order shall be the day the PROJECT is opened to the traveling public upon completion of State Highway Project ID <ID #>.

Authorization For This Determination and Order

Signature and date in the places noted below hereby constitute final Determination and Order by the DEPARTMENT to the conditions herein contained. This document supersedes any other previous documents and resolutions in this matter.

For the DEPARTMENT:

Systems Planning Chief
<name of Department Region> Region
Wisconsin Department of Transportation

Date

**STATE – LOCAL AGREEMENT
FOR
CREATING NEW PUBLIC FRONTAGE ROADS
UNDER LOCAL JURISDICTIONAL AUTHORITY
ON
WIS. STAT. 84.295 FREEWAY/EXPRESSWAY OR
WIS. STAT. 84.29 INTERSTATE
PERTAINING TO
<name of STH/Interstate> AND <name of local street>
<town or municipality>
<county>, WISCONSIN**

Introduction

The Wisconsin Department of Transportation (DEPARTMENT) has authorized State Highway Project ID <ID #> (PROJECT) to <insert description of work type><STH/Interstate> in the <town, municipality>, <county>, Wisconsin. <insert description of why the work is creating a need for new frontage roads and future local road connections such as access alterations requiring closing or relocating private access points>

Statutory Authority for Creation of New Public Frontage Roads

In accordance with Wisconsin State Statute 84.29 (2) (3) (4) and 84.295(4) (5) which grants specific authority to the Wisconsin Department of Transportation (DEPARTMENT) lay out new public roadway in conjunction with construction of Interstate or designated Freeways or Expressways, the Department has found it necessary to construct the new public roadways State Highway Project <ID #> and described in more detail in the following sections. .

New Public Frontage Roads

A new public frontage road necessary for <insert description of why the frontage road is needed. It should match what was stated in the Introduction but could include more detail here if desired> and shown as Segment <#> on Attachment 1.

Petition by Local Unit for Assignment to Local Jurisdiction

The <town, municipality, county> has petitioned for local jurisdiction of the new frontage road identified as Segment <#> on Attachment 1 as evidenced by official action taken by <town, municipality, county> shown as Attachment 2.

Agreement by Department to the Petition for Assignment to Local Jurisdiction

The DEPARTMENT hereby agrees to and accepts the petition shown as Attachment 2 to move the new roadways identified as Segment <#> on Attachment 1 to local jurisdiction as requested.

Effective and Physical Date Of Agreement

The effective date of this agreement is the latest date signature date by either of the signatories to this agreement.

The physical date of this agreement shall be the day the PROJECT is opened to the traveling public upon completion of State Highway Project ID <ID #>.

Other Considerations

See attached Template 6.

Authorization for This Agreement

Signatures and dates in the places noted below hereby constitute final agreement between the DEPARTMENT and <town, municipality, county> to the conditions herein contained. This document supersedes any other previous documents and resolutions in this matter.

For the DEPARTMENT:

Systems Planning Chief
<Insert name of Department Region>Region
Wisconsin Department of Transportation

Date

For the <town, municipality, county>

<Insert appropriate title of local unit signatory>

Date

**FINAL DETERMINATION
FOR
SUMMARY ORDER BY THE DEPARTMENT FOR
ALTERATIONS TO LOCAL ROAD SYSTEM
AND
ASSIGNMENT OF HIGHWAY MAINTENANCE RESPONSIBILITIES
PERTAINING TO
<Name of USH/STH/Interstate>
<Municipality>
<County>, WISCONSIN**

Introduction

The Wisconsin Department of Transportation (DEPARTMENT) has authorized State Highway Project ID <ID #> to <insert description of work type> on <USH/STH/Interstate> a designated <choose one of the following><Wis. Stat. 84.295 Interstate><Wis. Stat. 84.295 Freeway or Expressway> in the <municipality>, <county> (COUNTY), Wisconsin. As part of that project, the Department has determined it necessary to use its statutory authorities granted to alter the existing local roadway system by summary order to <choose from one of the following <vacate, relocate, extend, combine, reassign jurisdictional authority, reassign maintenance responsibility>> portions of that local roadway.

Statutory Authority for Alteration of Local Road System

Wisconsin State Statute 84.29 (2) (3) (4) (8), and 84.295(4) (5) (6) (7) (8), grants specific authority to the DEPARTMENT whereby summary order it can vacate, relocate, extend, combine, reassign jurisdictional authority, and reassign maintenance responsibility of the non-State Trunk Highway system as part of certain improvements related to Wis. Stat. 84.29 Interstate and Wis. Stat. 84.295 Designed Freeway/Expressway highways.

Alteration by Summary Order of Department

The DEPARTMENT hereby orders the alterations as described below and shown in **Attachment 1** on the following routes in the <Municipality>, <county>, Wisconsin.

Segment <#> <choose one of the following <vacate, relocate, extend, combine, reassign jurisdictional authority, reassign maintenance responsibility>> <provide description the roadway segment including the beginning and end points of this alteration. If alteration is the combining or the assigning of jurisdictional authority or maintenance responsibility the description will need to include all the roads and units of government involved that alteration. > The jurisdictional authority of this roadway is the **<MUNICIPALITY, COUNTY>**.

<If more than one Segment is being altered within the specific municipality noted in the Title Block and Introduction, copy the previous paragraph to add another segment and edit appropriately.>

Effective and Physical Date Of Order

The effective date of this Order is the date it is signed by Department signatory.

The physical date of this Order shall be the day the PROJECT is opened to the traveling public upon completion of State Highway Project ID <ID #>.

Authorization for This Determination and Order

Signature and date in the places noted below hereby constitute final Determination and Order by the DEPARTMENT to the conditions herein contained. This document supersedes any other previous documents and resolutions in this matter.

For the DEPARTMENT:

Chief, Systems Planning
<Name> Region
Wisconsin Department of Transportation

Date



FDM 4-10-1 Intrastate Bridges

July 2, 1979

1.1 Definition

Intrastate bridges are defined as those bridges located totally within the boundaries of the state that have been or are to be constructed or reconstructed in accordance with the provisions of Section 84.11 of the Wisconsin Statutes, and maintained and operated by the Department pursuant to Sections 84.15(1) and (2) and 84.10, for those bridges that are or are not on the State Trunk Highway System, respectively.

1.2 Background -Special Bridge Legislation

Prior to 1911, successive territorial and then state legislatures held the authority to grant franchises for the construction of bridges by counties, towns, cities, and villages, and by private corporations. Many bridges were financed through collection of tolls, although some were "free" bridges and were financed through local public subscription. The Legislature of 1911 created the State Highway Commission and enacted the State Aid Highway Law, which provided the Commission with the authority to prepare plans and specifications for all bridges constructed with state and county aid, to give engineering advice regarding bridge work to local officials, and to review and approve (if found satisfactory) the plans for construction or repair of all town bridges for which the town had petitioned the county for financial aid. The Legislature of 1913 extended the authority of the Commission to include special bridges not on state highways. Under the provisions of this statute, if a bridge presented "unusual conditions," any town, village, city, or county could raise funds for the construction of said unusual bridge (across any navigable waterway or meandered stream) and petition the state for financial aid. For bridges greater than 300 feet in length, the town, village, or city was required to provide 40 percent; the county, 40 percent; and the state, the remaining 20 percent of the total cost. Special bridge legislation has evolved into the present statutes: Section 84.11, "Intrastate Bridges," and Section 84.12, "Interstate Bridges."

1.3 Bridge Classes

Section 84.11 separates intrastate bridge projects into two general categories:

1. Bridge projects 300 feet or more in length, not including approaches, located wholly or partially on the State Trunk Highway System, or on a street in a fourth class city (less than 10,000 population) not a portion of the State Trunk Highway System, but selected by the Department as a direct connection between portions of the State Trunk Highway System (i.e., a connecting highway); or the cost of the bridge portion as estimated by the Department in its finding and determination is \$75,000 or more; or there must be provided a movable span to permit navigation.
2. Bridge projects not eligible under 1 above in which the bridge portion necessarily must be 475 feet in length or more, not including approaches.

Proceedings for the construction of intrastate bridges may be initiated by any county, city, village, or town through the filing of a petition with the Department that states that the petitioner desires construction, specifies the approximate location of the bridge, and states that in the opinion of the petitioner the construction is necessary and that the bridge project is eligible for construction under the provisions of Section 84.11. Such petition may be filed by any county, city, village, or town in which a portion of the bridge project will be located, in the case of bridge classes under item 1 above; or it may be filed by any county, city, village, or town required to pay a portion of the construction, in the case of bridge classes under item 2 above. Proceedings may also be initiated by the Department through its motion, which specifies the approximate location of the bridge project, and which states that such construction appears necessary and eligible for construction under the provisions of Section 84.11.

Within 60 days of the receipt of petition from a local unit or adoption of a motion by the Department initiating proceedings in the matter, the Department shall fix a time and place for a hearing, and give notice of such hearing by publication of a Class 2 legal notice (two insertions in each newspaper) in the vicinity of the proposed project. [For specific requirements of notice distribution, refer to Section 84.11(3).] Such hearing may be held in any county, city, village, or town in which any part of the bridge project will be located. Refer to Chapter 6 of this Manual for details on the hearing process.

If the Department finds that upon completion of the hearing the construction is necessary, it shall determine the location for the bridge; and if the project so located is determined to be eligible for construction under the provisions of Section 84.11, the Department shall determine the character and kind of bridge most suitable for

such location, and estimate separately the cost of the bridge portion and the entire project. The Department shall also determine the respective costs to be borne by each county, city, village, or town required to provide any portion thereof as well as the portion to be paid by the state. In this regard, the Department's "Finding, Determination, and Order" is prepared in writing, entered in the "Minutes of the Division Administrator" (of the Division of Highways and Transportation Facilities), and certified copies are provided to the clerks of each county, city, village, or town in which part of the project is located, as well as with the Secretary of State and the State Treasurer. [Attachment 1.1](#) is an example of such a document.

For further information regarding the apportionment of costs, execution and control of the work, etc., refer to Section 84.11 of the Wisconsin Statutes.

LIST OF ATTACHMENTS

[Attachment 1.1](#) The Division of Transportation Before the Highway Commission

FDM 4-10-5 Interstate Bridges

July 2, 1979

5.1 Definition

An interstate bridge is defined as any structure located over any state boundary water that forms a connecting with the public road system of this state and the corresponding system of the adjoining state.

5.2 Scope

Interstate bridges are eligible for construction under the provisions of Section 84.12 of the Wisconsin Statutes. These bridges do not necessarily have to be on the State Trunk Highway System to be eligible for construction or reconstruction, in accordance with Section 84.12.

Proceedings for the construction of interstate bridges may be initiated by any county, city, village, or town through the filing of petition with the Department that states that the petitioner desires construction, specifies the approximate location of the bridge, and states that in the opinion of the petitioner the construction is necessary and is a bridge project eligible under Section 84.12. Such petition may be filed by any county, city, village, or town in which a portion of the bridge project will be located. Proceedings under this section may also be initiated by the Department on its own motion, stating the approximate location of the bridge project and that it appears to be necessary and eligible under Section 84.12.

Within 60 days of the receipt of petition from a local unit or adoption of a motion by the Department initiating proceedings in the matter, the Department shall fix a time and place for a hearing. The Department shall give notice and hold the hearing in the manner provided by Section 84.11(3). Refer to Chapter 6 of this Manual for details on the hearing process.

Upon completion of the hearing, if the Department finds that the construction is necessary and that provisions have or will be made by the adjoining state or its subdivisions to bear its or their portions of the cost of the project, the Department, in cooperation with the Transportation Department of the adjoining state, shall determine the location of the bridge, the character and kind of bridge, and other construction most suitable at such location; estimate the cost of the project; and determine the respective portions of costs to be paid by each state and its subdivisions. In this regard the Department's "Finding, Determination, and Order" is prepared in writing, entered in the "Minutes of the Division Administrator" (of the Division of Highways and Transportation Facilities), and certified copies are provided to the clerks of each county, city, village, and town in the state in which any portion of the bridge project will be located, with the Secretary of State, and the State Treasurer, and with the Transportation Department of the adjoining state. [Attachment 5.1](#) is an example of such a document.

For further information regarding apportionment of costs, execution and control of work, etc., to Section 84.12 of the Wisconsin Statutes.

LIST OF ATTACHMENTS

[Attachment 5.1](#) The Division of Transportation Facilities Finds and Determines

**STATE OF WISCONSIN DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS**

BEFORE THE HIGHWAY COMMISSION

IN THE MATTER OF A BRIDGE PROJECT CROSSING THE FOX RIVER IN THE VICINITY OF OSHKOSH AVENUE AND CONGRESS AVENUE IN THE CITY OF OSHKOSH WINNEBAGO, WISCONSIN

FINDING, DETERMINATION AND ORDER

IT APPEARING that this proceeding was initiated by a resolution adopted on December 20, 1973, by the Common Council of the City of Oshkosh, and filed with the Division of Highways pursuant to the provisions of Section 84.11, Wisconsin Statutes, on January 21, 1974; that said petition related to the construction of a bridge project across the Fox River in the City of Oshkosh in Winnebago County; that the said petition, as required by law, stated that the petitioner desires such construction, and that in the opinion of the petitioner such construction is necessary and that it is a bridge project eligible for construction under the provisions of Section 84.11, Wisconsin Statutes; that thereafter and within sixty (60) days the Commission fixed the 4th day of June, 1974 and the Oshkosh City Hall Chambers, City of Oshkosh, as the time and place for a hearing to be held thereon; that the commission gave ten days notice of said hearing by publication on May 7, 1974, and May 28, 1974, in the Oshkosh Northwestern, a newspaper published in the City of Oshkosh, Wisconsin, and by mailing on May 6, 1974, by certified mail a notice of said hearing properly addressed to the Clerk of the City of Oshkosh and to the Winnebago County Clerk in which city and county the bridge project will be located; that the said hearing was duly held at the time and place fixed and all persons desiring to do so were again given an opportunity to appear and to be heard.

NOW, THEREFORE, upon consideration of the proceedings had at said hearing and all proceedings had herein and matters pertinent thereto, the Commission

FINDS AND DETERMINES:

1. That all requirements of law which are conditions precedent to the issuance of this Finding, Determination and Order have been duly met;
2. That the construction is necessary;
3. That the location of the bridge project should be on the general location of the present bridge over the Fox River in Oshkosh and Congress Avenues, between Sawyer Street and High Avenue, in the City of Oshkosh, Winnebago County.
4. That the bridge project shall include construction of bridging across the Fox River and grading, surfacing, and incidental work that may be necessary to construct the approaches to the bridge; and removal of the existing Oshkosh Avenue/Congress Avenue Bridge;
5. That the length of the bridge portion must necessarily be in excess of 475 feet;
6. That the bridge project is eligible for construction under Section 84.11, Wisconsin Statutes;
7. That the character and kind of bridge most feasible is a double leaf bascule structure with four traffic lanes and with sidewalk on both sides of the crossing;
8. That the estimated cost of such bridge project is \$6,3000,000;
9. That the estimated cost of the bridge portion is \$6,000,000;
10. That the portion of the cost of the project to be paid by the City of Oshkosh is one third thereof, estimated to be \$2,100,000;
11. That the portion of the cost of the project to be paid by Winnebago County is one-third thereof, estimated to be \$2,100,000;

12. That the portion of the cost of the project to be paid by the State of Wisconsin is one-third thereof, estimated to be \$2,100,000.

Upon the foregoing,

1. That the petition of the City of Oshkosh by which this proceeding was initiated is ratified, approved, and confirmed;
2. That the construction of the bridge project herein concerned in accordance with and subject to all requirements of law, shall be commenced and shall proceed as soon as may be reasonable, and that, without limitation of the foregoing because of enumeration, surveys, plans, estimates, and layouts shall be prepared, bids advertised for and received, and contracts let and executed in relation thereto;
3. That a certified copy of this Finding, Determination and Order shall be filed on behalf of the Commission by the Vice Chairman thereof with the Clerks of Winnebago County and the City of Oshkosh in which the bridge project will be located, and also with the Secretary of State and the State Treasurer.

IN WITNESS THEREOF, this Finding, Determination and Order is executed at Madison, Wisconsin on June 13, 1977, under its official seal, by the Highway Commission.

/s/ Robert Huber

Chairman

/s/ Joseph Sweda

Commissioner

**STATE OF WISCONSIN DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS**

**IN THE MATTER OF A BRIDGE PROJECT CROSSING THE
MISSISSIPPI RIVER
ON HIGHWAY 61 AND 151
BETWEEN THE CITY OF DUBUQUE, DUBUQUE COUNTY, IOWA
AND THE TOWN OF JAMESTOWN, GRANT COUNTY, WISCONSIN**

FINDING, DETERMINATION AND ORDER

IT APPEARING that this proceeding was initiated by a resolution adopted on November 22, 1977, by the Department, pursuant to the provisions of Section 84.12, of the Wisconsin Statutes; that said resolution related to the construction of a bridge project across the Mississippi River between the City of Dubuque, in Dubuque County, in the State of Iowa, and the Town of Jamestown, in Grant County, in the State of Wisconsin; that the said resolution stated that the construction of the bridge project is necessary and that it is a bridge project eligible for construction under the provisions of Section 84.12, Wisconsin Statutes; and that thereafter, and within 60 days, the Department fixed 7:00 P.M. on the 15th day of March, 1978, at the Audobon School, in the City of Dubuque, Iowa, as the time and place for a hearing to be held thereon; that the Department gave notice of said hearing by publication of a class 3 Notice on February 8, 1978, again on March 1, 1978, and again on March 8, 1978, in the Tri-County Press, Cuba City, and in the Grant County Herald Independent, Lancaster, and on February 9, 1978, again on March 2, 1978, and again on March 9, 1978 in Platteville Journal, Platteville, and in the Wisconsin State Journal, Madison, and in the Dubuque Herald, Dubuque, Iowa, said newspapers being published in Grant County and Dane County, Wisconsin, and in Dubuque County, Iowa, and having a general circulation in Grant County, Wisconsin, and in Dubuque County, Iowa, in which the bridge project is to be located; and by mailing on February 6, 1978, by certified mail, a notice of said hearing properly addressed to the Iowa Department of Transportation and the clerk of each county, city, village and town in the State of Iowa and State of Wisconsin in which any part of the bridge project will be located; and that the said hearing was duly held at the time and place fixed and all persons desiring to do so were given an opportunity to appear and to be heard.

NOW, THEREFORE, upon consideration of the proceedings had at said hearing and all proceedings had herein and matters pertinent thereto, the Department

FINDS AND DETERMINES

1. That all requirements of law which are conditions precedent to the insurance of this Finding, Determination and Order have been duly met;
2. That the construction is necessary;
3. That the location of the bridge project should begin at or near the center of the west channel (Lake Peosta Channel) of the Mississippi River at its westerly end; and proceeding on new location by the way of a structure, crossing the City Island, to the east abutment of the structure over the east channel of the Mississippi River at its easterly end;
4. That the bridge project shall include the construction of bridging for all or part of two separate channels of the Mississippi River and the City Island, and shall include incidental work as may be necessary exclusive of all the ramps;
5. That the length of the bridge portions are necessarily in excess of 475 feet;
6. That the bridge project is eligible for construction under the provisions of Section 84.12 of the Wisconsin Statutes;
7. That the character and the kind of bridge most feasible crossing the City Island and part of the west channel of the Mississippi River is a continuous welded steel plate and prestressed concrete girder structure with four traffic lanes;
8. That the character and kind of bridge most feasible crossing the east channel of the Mississippi River is a steel tied arched structure with four traffic lanes;

9. That the total estimated cost of such bridge project is \$35,000,000;
10. That the cost of the total bridge project to be paid by the State of Wisconsin is 25% or approximately \$9,000,000.

Upon the foregoing,

IT IS ORDERED:

1. That the resolution of the Department by which this proceeding was initiated is ratified, approved, and confirmed;
2. That the construction of the bridge project herein concerned, in accordance with the subject to all requirements of law shall be commenced and shall proceed as soon as may be reasonable, and that, without limitation of the foregoing because of enumeration; surveys, plans, estimates, and layouts shall be prepared, bids advertised for and received, and contracts for construction awarded and executed in relation thereto;
3. That a certified copy of this Finding, Determination and Order shall be filed on behalf of the Department, with the clerk of each county, city, village or town in Wisconsin in which any portion of the bridge project will be located, and also with the Secretary of State, the State Treasurer, and the Iowa Department of Transportation at Ames, Iowa.

STATE OF WISCONSIN
DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

/s/ H. L. Fiedler

H. L. Fiedler
Acting Administrator



FDM 4-15-1 Detours

May 15, 2019

1.1 Definition

Detours, as defined in Section 84.02(10)(b) of the Wisconsin Statutes, are roads designated as temporary routes for maintaining traffic around a section of a highway temporarily closed for construction or a natural cause, and are routes designated for short duration. The detour may be improved or maintained to the extent necessary as part of the cost of constructing or maintaining the State Trunk Highway System.

Detours, as they relate to this Chapter, are not to be confused with the temporary state trunk highway routes. Temporary routes, as defined in Section 84.02(10)(a) of the Wisconsin Statutes, are established by the Department pending improvement of an officially laid out state trunk highway route not presently suitable for such use. Temporary routes are officially designated as part of the State Trunk Highway System and may remain in service for years. They are treated as state trunk highways in every respect except that they are not eligible to be constructed as state trunk highways (see [FDM 4-15-5](#)).

A detour provides a function that is essentially the same as a temporary route, but it is not carried on the official State Trunk Highway System (refer to Section 84.02(12) of the Wisconsin Statutes).

1.2 Initiated by Wisconsin DOT

The Department will provide detours for routing of traffic when the contract provides for the closing of the state trunk highway to through traffic during construction. The need to establish detour routes and traffic handling procedures should be formulated well in advance of the contract and be part of the overall traffic control plan for the project.

The selection of a detour route should be a cooperative effort between the Region's Design, Maintenance, Traffic, and Construction Sections, as necessary, during plan development. In the event the selected route is a county trunk highway or local road, the mutual agreement of the unit of government having jurisdiction over the road is solicited. A field review of the proposed route is jointly made by all parties concerned to appraise the existing condition of the route, make a determination of the extent of improvement necessary to make the route adequate for the increased traffic demands, estimate the cost of improvement, and resolve whether the work will be performed by county equipment and personnel or as a part of the general construction contract.

If a detour route could influence emergency vehicle traffic, the local police, fire, and ambulance services are given the opportunity to review and comment on the detour proposal either by letter or by a public information meeting. If a detour route could affect school bus operation, the affected school system is contacted to resolve any problems.

The Statutes provide that the Department is responsible for any damage to such roads resulting from their use as detours and require that upon cessation of their use as detours they be restored to a condition at least equal to that which existed prior to their use as a detour.

1.3 Initiated by Local Units of Government

Provisions for establishment of detours by local units of government are contained in Section 81.08 (authority of the town boards to establish detours on town roads) and in Section 83.19 (authority of the county highway commissioners to establish detours on county highways). The reader is referred to these sections for specific information in this regard. In the case of cities or villages establishing detours, Section 84.07(4) provides that, except in the case of an emergency, no city or village shall obstruct any street over which any state trunk highway is marked unless it first makes arrangements with the Department for marking a detour.

FDM 4-15-5 Temporary Routes

May 15, 2019

Many temporary routes were established through department actions or legislative enactments decades ago. A temporary route occurs when a STH system change has been adopted and the official system location is removed from the marked and traveled route to an unconstructed new location. Until the official location is constructed or an action is taken to reestablish the official system location on the marked and traveled route, any improvements involving the temporary route must comply with the provisions of section 84.02(10)(a) of the Wisconsin Statutes.

Section 84.02(10)(a) states in part: ...the temporary route shall be considered part of the state trunk highway system in every respect, except that it may not be constructed as a state trunk highway."

The term "constructed," as applied to current Six Year Program improvement category types, is interpreted to include all projects in the Major Project Program and to reconstruction projects in the Existing Highways Program. However, those projects in the State Highway Rehabilitation Maintenance Program, the Bridge Program, Resurfacing, Pavement Replacement, and Reconditioning in the existing Highway Program have been determined to be system applications or maintenance rather than "construction" as per the statute. Therefore, it is considered valid to apply STH System improvement funds toward all projects in these categories.

Definitions of the Existing Highways improvement category types are shown in [FDM 3-5](#).