



Highway Maintenance Manual
Chapter 02 Administration
Section 05 Authority
Subject 01 Official Documents

Bureau of Highway Maintenance
May 2015

1.0 Official Documents

In Wisconsin state government, three formal documents are expected to govern program administration: (1) Wisconsin Laws, (2) Wisconsin Administrative Codes, and (3) departmental manuals. These three documents are considered the official hierarchical documents.

There are also other administrative or personnel documents that describe program administration or job duties.

2.0 Wisconsin Laws

Numerous sections of the Wisconsin Statutes describe the state highway maintenance program.

The framework for program administration is found in seven sections. These sections have been duplicated, in their entirety, because they serve as the authority for maintenance policy throughout this manual.

1. [Section 84.07 Maintenance of state trunk highways](#). (1) ROUTINE MAINTENANCE.

Subject to sub. (1r), the state trunk highway system shall be maintained by the state at state expense. The department shall prescribe by rule specifications for such maintenance and may contract with any county highway committee or municipality to have all or certain parts of the work of maintaining the state trunk highways within or beyond the limits of the county or municipality, including interstate bridges, performed by the county or municipality, and any county or municipality may enter into such contract. Maintenance activities include the application of protective coatings, the removal and control of snow, the removal, treatment and sanding of ice, interim repair of highway surfaces and adjacent structures, and all other operations, activities and processes required on a regular, continuing basis for the preservation of the highways on the state trunk system, and including the care and protection of trees and other roadside vegetation and suitable planting to prevent soil erosion or to beautify highways pursuant to s. [66.1037](#), and all routine measures deemed necessary to provide adequate traffic service. Maintenance activities also include the installation, replacement, rehabilitation, or maintenance of highway signs, highway lighting, and pavement markings, and the maintenance of traffic control signals and intelligent transportation systems. The department may contract with a private entity for services or materials or both associated with the installation, replacement, rehabilitation, or maintenance of highway signs, highway lighting, and pavement markings and the maintenance of traffic control signals and intelligent transportation systems.

2. [Section 84.07 Maintenance of state trunk highways](#). (1b) EMERGENCY REPAIR AND PROTECTION OF STATE TRUNK HIGHWAYS.

To accomplish prompt repair, protection or preservation of any state trunk highway which has been closed or is being jeopardized by extraordinary damage by flood, structure failure, slides, or other extraordinary condition of necessity and emergency, the department may, if it is deemed for the best interest of the state, proceed at once to repair or protect the highway with forces and services of private constructors and agencies, summarily engaged by the department and cause said work to be done by negotiated contract or agreement without calling for competitive bids, provided that any such contract or agreement involving an estimated expenditure in excess of \$10,000 shall be subject to approval of the governor before it becomes effective.

3. [Section 84.07 Maintenance of state trunk highways](#). (1m) MASS TRANSIT SYSTEM, MAINTENANCE.

When the public mass transportation system uses a state trunk highway, such facilities shall be maintained by the state at state expense in accordance with this section. Maintenance shall be performed within the highway right-of-way, upon facilities and lands within the highway corridor, and upon such terminal and parking facilities as may be reasonably adjacent to the highway corridor.

4. Section 84.07 Maintenance of state trunk highways. (1r) SPONSORSHIP AGREEMENTS.

The department may enter into sponsorship agreements under s. 84.01 (36) that require the sponsor to perform maintenance activities, in accordance with the department's standards, for the benefit of the department.

5. Section 84.07 Maintenance of state trunk highways. (2) REPAYMENT FOR STATE WORK.

(a) Except as provided in par. (b), when any county or municipality maintains the state trunk highways within or beyond the limits of the county or municipality, including interstate bridges, in compliance with the arrangement with the department, the department shall pay the actual cost of the maintenance, including the allowance for materials and the use of county or municipal machinery and overhead expenses agreed upon in advance. Except as provided in par. (b), the payments shall be made upon presentation by the county highway committee or municipal clerk of a properly itemized and verified account. For payments made under this paragraph, the county highway committee or municipal clerk shall present the itemized accounts for maintenance work no later than one month following the period during which the work is performed.

(b) When any county or municipality maintains the state trunk highways within or beyond the limits of the county or municipality, including interstate bridges, in compliance with the arrangement with the department, the department and the county or municipality may agree to a payment method and terms other than that specified in par.(a), including payment according to a contract price for maintenance services rather than payment of the actual cost of the maintenance.

6. Section 84.07 Maintenance of state trunk highway. (5) COUNTY HIGHWAY DEPARTMENT MAINTENANCE CAPACITY AND FUNDING.

The department shall work cooperatively with county highway departments to determine an appropriate level of state work sufficient to fully utilize manpower and equipment needed for winter maintenance.

7. Section 83.015 County highway committee. (3) COST ACCOUNTING SYSTEM.

(a) Each county board, except in counties of a population of 500,000 or over, shall provide for and require the county highway committee and county highway department to use the system of cost accounting devised by the department of revenue.

(b) Any variations, adjustments, corrections and revisions in the system shall be made annually so as to be effective on January 1 of each year following the proposed change.

(c) Any changes so proposed in order to become effective shall be mutually agreed upon by the department and a majority of the county highway departments of the state.

(d) The department may insist on the adoption of the uniform system in any county before entering into agreements with such county for maintenance of state trunk highways.

3.0 Wisconsin Administrative Codes

Numerous administrative codes issued by the department apply to the state highway maintenance program. Administrative codes with specific application to the highway maintenance program include, but are not limited to, Trans. 200 Erection of Signs on Public Highways and Handicapped Parking Signs, Trans 201 Control of Outdoor Advertising Along and Visible from Highways on the Interstate and Federal Aid Primary Systems, Trans. 277 Highway Salt Storage Requirements and Trans 280 Roadside Vegetation Management.

Section 227.01(13)(e), Stats., generally exempts statements of policy relating to the construction or maintenance of highways or bridges from the requirement of s. 227.10(1), Stats., that such a policy be adopted by rule. This exemption has historically been taken.

4.0 Maintenance Manual

This chapter of the Highway Maintenance Manual addresses official documents. Other chapters of the manual prescribe specifications for maintenance work performed.