



**ASSEMBLY AMENDMENT 2,
TO 2003 ASSEMBLY BILL 159**

April 30, 2003 – Offered by COMMITTEE ON HIGHWAY SAFETY.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 7: delete lines 7 to 16.

3 **2.** Page 2, line 20: delete the material beginning with “from” and ending with
4 “highway.” on page 3, line 1, and substitute “to and from lodging in compliance with
5 an ordinance enacted under sub. (11m).”.

6 **3.** Page 4, line 18: delete the material beginning with that line and ending with
7 page 5, line 3, and substitute:

8 **“SECTION 7m. 23.33 (11m) of the statutes is created to read:**

9 **23.33 (11m) ORDINANCES FOR ACCESS TO RESIDENCES AND LODGING. (a) *Definition.***

10 In this subsection, “municipality” means county, town, city, or village.

11 (b) *On state trunk highways.* 1. Subject to subd. 3., a municipality may enact
12 an ordinance allowing the operation of all-terrain vehicles on a roadway and
13 shoulder of a state trunk highway for any portion of the highway that is within the

1 jurisdiction of the municipality for the purpose of traveling the shortest distance that
2 is necessary to go between a residence and the all-terrain vehicle route or all-terrain
3 vehicle trail that is closest to that residence.

4 2. Subject to subd. 3., a municipality may enact an ordinance allowing the
5 operation of all-terrain vehicles on a roadway and shoulder of a state trunk highway
6 for any portion of the highway that is within the jurisdiction of the municipality for
7 the purpose of traveling the shortest distance that is necessary to go between a
8 lodging establishment and the all-terrain vehicle route or all-terrain vehicle trail
9 that is closest to that lodging establishment if the municipality also enacts or has in
10 effect an ordinance enacted under subd. 1.

11 3. A county or town may not enact an ordinance under subd. 1. or 2. that will
12 allow the operation of all-terrain vehicles on a roadway and shoulder of a portion of
13 a state trunk highway that is more than one-quarter mile in length unless the county
14 or town has first received authorization from the department of transportation to
15 allow the operation of all-terrain vehicles on the roadway and shoulder of that
16 portion of the state trunk highway.

17 (c) *On other highways.* 1. A municipality may enact an ordinance allowing the
18 operation of all-terrain vehicles on a roadway and shoulder of a highway that is not
19 a state trunk highway for any portion of the highway that is within the jurisdiction
20 of the municipality for the purpose of traveling a distance of not more than 5 miles
21 to go between a residence and the all-terrain vehicle route or all-terrain vehicle trail
22 that is closest to that residence.

23 2. A municipality may enact an ordinance allowing the operation of all-terrain
24 vehicles on a roadway and shoulder of a highway that is not a state trunk highway
25 for any portion of the highway that is within the jurisdiction of the municipality for

1 the purpose of traveling a distance of not more than 5 miles to go between a lodging
2 establishment and the all-terrain vehicle route or all-terrain vehicle trail that is
3 closest to that lodging establishment if the municipality also enacts or has in effect
4 and ordinance enacted under subd. 1.

5 (d) *Model ordinances.* The department and the off-the-road vehicle council
6 shall jointly prepare model ordinances as examples of ordinances that a municipality
7 may enact under pars. (b) and (c).”

8 (END)