



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

**2009 Wisconsin Act 311**  
[2009 Senate Bill 321]

**Low-Speed Vehicles**

Current law allows a municipality, by ordinance, to authorize the use of a Neighborhood Electric Vehicle (NEV) on roadways under its jurisdiction that have a speed limit of 35 miles per hour or less. However, if the roadway is a connecting highway or the roadway crosses a state trunk highway, the following must apply in order for the ordinance to be valid: (1) the municipality must provide written notice to the Department of Transportation (DOT) of the ordinance, including identification of any connecting highway or state trunk highway intersection to which the ordinance applies; and (2) within 21 days of receiving the notice, DOT consents or fails to object to the use of NEVs on the connecting highway or through the intersection crossing the state trunk highway.

2009 Wisconsin Act 311 allows the operation of a Low Speed Vehicle (LSV) on certain highways at 25 miles per hour or less and includes NEVs in the definition of LSV. In general, the Act allows the operation of LSVs on any highway that has a speed limit of 35 miles per hour or less that is under the jurisdiction, for maintenance purposes, of a municipality or county. Any municipality or county may prohibit the use of LSVs on highways under their jurisdiction by ordinance. The Act gives preference to a municipality's determination regarding LSV operation.

2009 Wisconsin Act 311 contains exceptions to the general rule for intersections crossing state trunk highways, connecting highways, expressways, freeways, or controlled-access highways. LSVs may be operated on a connecting highway only if the connecting highway has a speed limit of 25 miles per hour or less or the municipality or county with jurisdiction has adopted a valid ordinance. LSVs may be operated through intersections where the highway under the jurisdiction of the municipality or county crosses a state trunk highway or the connecting highway has a speed limit of 35 miles per hour or less and traffic at the intersection if controlled by traffic control signals.

2009 Wisconsin Act 311 exempts intersections where the highway crosses a freeway, expressway, or controlled-access highway from the general authorization. However, a municipality may adopt an ordinance authorizing the use of LSVs on any roadway that has a speed limit of 35 miles per hour or less located within the territorial boundaries of the municipality regardless of whether the

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

municipality has jurisdiction over the roadway, which may include intersections where the highway crosses an expressway, freeway, or controlled-access highway,

Operating an LSV in excess of 25 miles per hour on those roads not authorized under the Act may result in a fine of not more than \$200 and loss of two demerit points.

*Effective date:* October 1, 2010.

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June 28, 2010

HJF:jal