

State of Misconsin 2017 - 2018 LEGISLATURE

LRB-4084/1 ZDW:emw

2017 ASSEMBLY BILL 485

August 29, 2017 - Introduced by Representatives Novak, Tranel, Ballweg, E. Brooks, Duchow, Gannon, Horlacher, Jarchow, Kitchens, Kulp, Ripp, Summerfield, Spiros and Thiesfeldt, cosponsored by Senators Marklein, Testin, Harsdorf and Moulton. Referred to Committee on Transportation.

AN ACT to amend 23.33 (4) (b) and 23.33 (11) (am) 1.; and to create 23.33 (11)

(am) 4. of the statutes; relating to: municipal ordinances authorizing all-terrain vehicle and utility terrain vehicle operation on highways within the municipality.

Analysis by the Legislative Reference Bureau

This bill authorizes a municipality to enact an ordinance to authorize the operation of all-terrain vehicles (ATVs) and utility terrain vehicles (UTVs) on certain highways within the territorial boundaries of the municipality.

Under current law, no person may operate an ATV or UTV upon any interstate highway or, unless authorized by the Department of Transportation, any other freeway. A person may operate an ATV or UTV on any other highway only under certain limited circumstances.

Under this bill, a city, village, or town may enact an ordinance to authorize the operation of ATVs and UTVs on a highway that is not part of the national system of interstate and defense highways, that has a speed limit of 35 miles per hour or less, and that is located within the territorial boundaries of the city, village, or town regardless of whether the city, village, or town has jurisdiction over the highway.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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SECTION 1.	23.33 (4) (k) of	the	statutes	is	amended	to	read:
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23.33 (4) (b) Other highways; operation restricted. No person may operate an all-terrain vehicle or utility terrain vehicle on a highway except as authorized under pars. (d), (e), and (f) and sub. (11) (am) 2. or, 3., or 4. or as authorized by rules promulgated by the department and approved by the department of transportation.

Section 2. 23.33 (11) (am) 1. of the statutes is amended to read:

23.33 (11) (am) 1. Any county, town, city, or village may enact an ordinance that is in strict conformity with this section and rules promulgated by the department under this section if the ordinance encompasses all aspects encompassed by this section, except as provided in subds. 2. and, 3., and 4.

SECTION 3. 23.33 (11) (am) 4. of the statutes is created to read:

23.33 (11) (am) 4. A city, village, or town may enact an ordinance to authorize the operation of all-terrain vehicles and utility terrain vehicles on a highway that is not part of the national system of interstate and defense highways, that has a speed limit of 35 miles per hour or less, and that is located within the territorial boundaries of the city, village, or town regardless of whether the city, village, or town has jurisdiction over the highway.

18 (END)