

2013 DRAFTING REQUEST

Bill

Received: **10/31/2013** Received By: **eshea**
Wanted: **As time permits** Same as LRB:
For: **Howard Marklein (608) 266-7502** By/Representing: **Crystal**
May Contact: Drafter: **eshea**
Subject: **Nat. Res. - boats snomos ATVs** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Rep.Marklein@legis.wisconsin.gov**
Carbon copy (CC) to: **elisabeth.shea@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

ATVs and UTVs on highway bridges

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	eshea 1/10/2014	scalvin 11/27/2013	rschluet 12/2/2013	_____	sbasford 12/2/2013		
/P2	eshea 1/15/2014	scalvin 1/10/2014	jfrantze 1/13/2014	_____	lparisi 1/13/2014		State S&L
/P3	eshea 1/22/2014	scalvin 1/21/2014	rschluet 1/22/2014	_____	lparisi 1/22/2014		State S&L
/1	chanaman	evinz	rschluet	_____	srose	mbarman	State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	2/3/2014	2/3/2014	1/23/2014	_____	1/23/2014	1/29/2014	S&L
		rschluet	2/3/2014	_____	lparisi	lparisi	State
				_____	2/3/2014	2/3/2014	S&L

FE Sent For:

→ 02-10-2014 (<END>
("1/2"))

Requested by
Crystal

Rush requested

2013 DRAFTING REQUEST

Bill

Received: **10/31/2013** Received By: **eshea**
Wanted: **As time permits** Same as LRB:
For: **Howard Marklein (608) 266-7502** By/Representing: **Crystal**
May Contact: Drafter: **eshea**
Subject: **Nat. Res. - boats snomos ATVs** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Rep.Marklein@legis.wisconsin.gov**
Carbon copy (CC) to: **elisabeth.shea@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

ATVs and UTVs on highway bridges ✓

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	eshea 1/10/2014	scalvin 11/27/2013	rschluet 12/2/2013	_____	sbasford 12/2/2013		
/P2	eshea 1/15/2014	scalvin 1/10/2014	jfrantze 1/13/2014	_____	lparisi 1/13/2014		State S&L
/P3	eshea 1/22/2014	scalvin 1/21/2014	rschluet 1/22/2014	_____	lparisi 1/22/2014		State S&L
/1		scalvin	rschluet	_____	srose	mbarman	State

12 eeV
2/3/14

12 eeV
2/3/14



<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
		1/23/2014	1/23/2014	_____	1/23/2014	1/29/2014	S&L

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: **10/31/2013** Received By: **eshea**
 Wanted: **As time permits** Same as LRB:
 For: **Howard Marklein (608) 266-7502** By/Representing: **Crystal**
 May Contact: Drafter: **eshea**
 Subject: **Nat. Res. - boats snomos ATVs** Addl. Drafters:
 Extra Copies:

Submit via email: **YES**
 Requester's email: **Rep.Marklein@legis.wisconsin.gov**
 Carbon copy (CC) to: **elisabeth.shea@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

ATVs and UTVs on highway bridges

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	eshea 1/10/2014	scalvin 11/27/2013	rschluet 12/2/2013	_____	sbasford 12/2/2013		
/P2	eshea 1/15/2014	scalvin 1/10/2014	jfrantze 1/13/2014	_____	lparisi 1/13/2014		State S&L
/P3	eshea 1/22/2014	scalvin 1/21/2014	rschluet 1/22/2014	_____	lparisi 1/22/2014		State S&L
/1		scalvin	rschluet	_____	srose		State

Vers. Drafted

Reviewed
1/23/2014

Typed
1/23/2014

Proofed

Submitted
1/23/2014

Jacketed

Required
S&L

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: **10/31/2013** Received By: **eshea**
 Wanted: **As time permits** Same as LRB:
 For: **Howard Marklein (608) 266-7502** By/Representing: **Crystal**
 May Contact: Drafter: **eshea**
 Subject: **Nat. Res. - boats snomos ATVs** Addl. Drafters:
 Extra Copies:

Submit via email: **YES**
 Requester's email: **Rep.Marklein@legis.wisconsin.gov**
 Carbon copy (CC) to: **elisabeth.shea@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

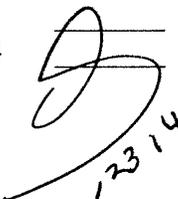
ATVs and UTVs on highway bridges ✓

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	eshea 1/10/2014	scalvin 11/27/2013	rschluet 12/2/2013	_____	sbasford 12/2/2013		
/P2	eshea 1/15/2014	scalvin 1/10/2014	jfrantze 1/13/2014	_____	lparisi 1/13/2014		State S&L
/P3		scalvin 1/21/2014	rschluet 1/22/2014	_____	lparisi 1/22/2014		State S&L

1 sac 01/23/2014 1 sac 01/23/2014  1,23,14

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: **10/31/2013** Received By: **eshea**
Wanted: **As time permits** Same as LRB:
For: **Howard Marklein (608) 266-7502** By/Representing: **Crystal**
May Contact: Drafter: **eshea**
Subject: **Nat. Res. - boats snomos ATVs** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Rep.Marklein@legis.wisconsin.gov**
Carbon copy (CC) to: **elisabeth.shea@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

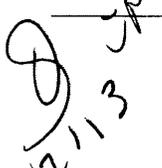
Topic:

ATVs and UTVs on highway bridges

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	eshea 1/10/2014	scalvin 11/27/2013	rschluet 12/2/2013	_____	sbasford 12/2/2013		
/P2		scalvin 1/10/2014	jfrantze 1/13/2014	_____	lparisi 1/13/2014		State S&L
FE Sent For:		1P3 sac 01/21/2014	1P3 sac 01/21/2014				

<END>

2013 DRAFTING REQUEST

Bill

Received: 10/31/2013 Received By: eshea
Wanted: As time permits Same as LRB:
For: Howard Marklein (608) 266-7502 By/Representing: Crystal
May Contact: Drafter: eshea
Subject: Nat. Res. - boats snomos ATVs Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Rep.Marklein@legis.wisconsin.gov
Carbon copy (CC) to: elisabeth.shea@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

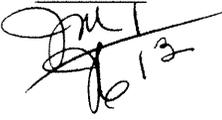
Topic:

ATVs and UTVs on state highway bridges

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	eshea 11/25/2013	scalvin 11/27/2013	rschluet 12/2/2013	_____	sbasford 12/2/2013		
FE Sent For:		/P2 sae 01/10/2014	/P2 sae 01/10/2014				

<END>

2013 DRAFTING REQUEST

Bill

Received: 10/31/2013 Received By: eshea
 Wanted: As time permits Same as LRB:
 For: Howard Marklein (608) 266-7502 By/Representing: Crystal
 May Contact: Drafter: eshea
 Subject: Nat. Res. - boats snomos ATVs Addl. Drafters:
 Extra Copies:

Submit via email: YES
 Requester's email: Rep.Marklein@legis.wisconsin.gov
 Carbon copy (CC) to: elisabeth.shea@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

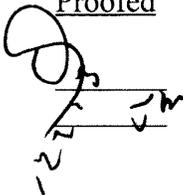
ATVs and UTVs on state highway bridges ✓

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/P1	eshea	/P1 sac 11/27/2013	/P1 sac 11/27/2013				
-----	-------	-----------------------	-----------------------	---	--	--	--

FE Sent For:

<END>

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

10/30/13 meeting with Rep. Marklien and Crystal (aide)

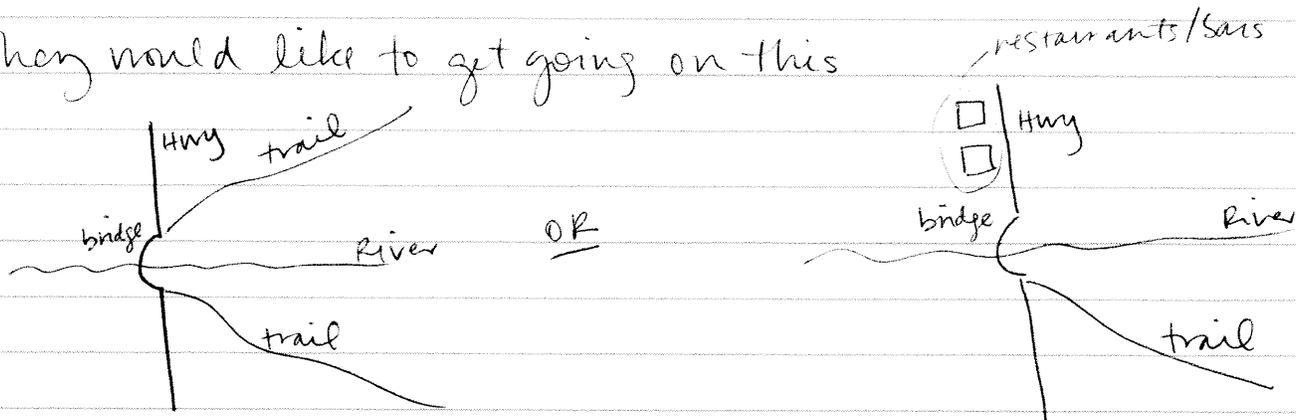
Problem: In Lafayette county There are 3 situations where an ATV trail approaches ~~to~~^{a hwy} crossing of a river ~~area~~, but ATVs/UTVs not allowed to cross a bridge on a hwy.

Request: Allow ATV/UTVs to cross state highway bridges.

Restrictions:

- at least 16 years old
- with consent of municipality
- speed limit 25 mph
- max bridge length 1,000 ft. If >1,000 ft, needs DOT approval.
- signage needed? I said I would direct question to Robin

They would like to get going on this



Shea, Elisabeth

From: Potts, Crystal
Sent: Wednesday, November 06, 2013 5:17 PM
To: Shea, Elisabeth
Cc: Potts, Crystal
Subject: RE: ATV/UTV draft

No, it is not necessary for these ATV/UTVs to get on the highway to reach these establishments on the other side. It is our understanding that these bridges would lead directly to these establishments.

Crystal Potts

Research Assistant
Committee Clerk, Assembly Committee on Ways & Means
Office of State Representative Howard Marklein
51st Assembly District
(608) 266-7502
Crystal.Potts@legis.wi.gov

From: Shea, Elisabeth
Sent: Friday, November 01, 2013 3:57 PM
To: Potts, Crystal
Subject: ATV/UTV draft

Crystal:

Nice to meet you the other day. I will be helping Robin Kite on the ATV/UTV bridge-crossing draft.

One question: For the situation in which an ATV/UTV crosses a state highway bridge to access restaurants or other business establishments on the other side, is there a need for the ATV/UTV to travel on the state highway beyond the bridge to reach those establishments, or is there a trail on the other side of the bridge leading to those establishments? I'm wondering if this draft needs to allow operating on a state highway for that purpose in addition to crossing a bridge.

Lis

Elisabeth H. Shea
Legislative Attorney
Wisconsin Legislative Reference Bureau
P.O. Box 2037
Madison, WI 53701-2037
(608) 266 - 5446
elisabeth.shea@legis.wisconsin.gov

Shea, Elisabeth

From: Potts, Crystal
Sent: Wednesday, November 13, 2013 11:00 AM
To: Shea, Elisabeth
Subject: RE: ATV/UTV draft

Lis:

It is my understanding that these bridges are officially closed in Lafayette County.

I hope this is helpful.

Thanks,

Crystal Potts

Research Assistant
Committee Clerk, Assembly Committee on Ways & Means
Office of State Representative Howard Marklein
51st Assembly District
(608) 266-7502
Crystal.Potts@legis.wi.gov

From: Shea, Elisabeth
Sent: Monday, November 04, 2013 4:35 PM
To: Potts, Crystal
Subject: RE: ATV/UTV draft

Hi Crystal,

I came across a provision that might simplify this draft. Under current law, it is legal for an ATV or UTV to cross a state highway bridge unless it is officially closed to ATV or UTV traffic. (See. s. 23.33 (4)(d)3.) Do you know if the bridges in the 3 scenarios in Lafayette County have been "officially closed" to ATV and UTV traffic? If so, we can address that in this draft. If not, then it should be legal for ATVs and UTVs to cross those bridges currently.

Lis

From: Potts, Crystal
Sent: Monday, November 04, 2013 11:06 AM
To: Shea, Elisabeth
Subject: RE: ATV/UTV draft

Liz:

Thanks for the question.

I don't believe so, but let me check with Rep. Marklein and get back to you in the next day or so.

Thanks,

Crystal Potts

Research Assistant
Committee Clerk, Assembly Committee on Ways & Means
Office of State Representative Howard Marklein
51st Assembly District
(608) 266-7502
Crystal.Potts@legis.wi.gov

From: Shea, Elisabeth
Sent: Friday, November 01, 2013 3:57 PM
To: Potts, Crystal
Subject: ATV/UTV draft

Crystal:

Nice to meet you the other day. I will be helping Robin Kite on the ATV/UTV bridge-crossing draft.

One question: For the situation in which an ATV/UTV crosses a state highway bridge to access restaurants or other business establishments on the other side, is there a need for the ATV/UTV to travel on the state highway beyond the bridge to reach those establishments, or is there a trail on the other side of the bridge leading to those establishments? I'm wondering if this draft needs to allow operating on a state highway for that purpose in addition to crossing a bridge.

Lis

Elisabeth H. Shea
Legislative Attorney
Wisconsin Legislative Reference Bureau
P.O. Box 2037
Madison, WI 53701-2037
(608) 266 - 5446
elisabeth.shea@legis.wisconsin.gov

1 crossing is made at a place where no obstruction prevents a quick and safe crossing,
2 and if the operator stops the vehicle prior to the crossing and yields the right-of-way
3 to other vehicles, pedestrians, and electric personal assistive mobility devices using
4 the roadway.

NOTE: NOTE: Missing text is shown in brackets. Corrective legislation is pending.NOTE:

History: 1985 a. 29; 1987 a. 200, 353, 399, 403; 1989 a. 31, 275, 359; 1991 a. 39, 303, 315; 1993 a. 16, 105, 119, 405; 1995 a. 27 ss. 1350 to 1351, 9126 (19); 1995 a. 436, 448; 1997 a. 27, 248, 283; 1999 a. 9; 2001 a. 16, 90, 106, 109; 2003 a. 30, 97, 251, 326; 2005 a. 25, 253, 481; 2007 a. 20 ss. 664m to 666m, 9121 (6) (a); 2007 a. 27, 209; 2009 a. 85, 175, 252, 367; 2011 a. 35, 51, 208, 258; 2013 a. 15, 20; s. 13.92 (1) (bm) 2.

5

(END)

INote

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3552/P1dn

EHS:/:....

Sac

- date -

Crystal:

As I mentioned, current law, under s. 23.33 (4) (d) 3., already allows ATVs and UTVs to cross a highway bridge as long as the roadway is not officially closed to ATVs and UTVs. This draft simply removes the exception that prohibits crossing bridges on a roadway that is officially closed to ATVs and UTVs.

Representative Marklein originally requested a number of safety restrictions in the draft. However, s. 23.33 (4) (d) 3. currently provides for certain safety measures relating to ATVs and UTVs crossing bridges. Let me know if these are sufficient or if you would like additional restrictions to apply.

This draft also makes a correction to s. 23.33 (4) (d) 3. that is in pending corrective legislation.

Elisabeth H. Shea
Legislative Attorney
Phone: (608) 266-5446
E-mail: elisabeth.shea@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3552/P1dn
EHS:sac:rs

December 2, 2013

Crystal:

As I mentioned, current law, under s. 23.33 (4) (d) 3., already allows ATVs and UTVs to cross a highway bridge as long as the roadway is not officially closed to ATVs and UTVs. This draft simply removes the exception that prohibits crossing bridges on a roadway that is officially closed to ATVs and UTVs.

Representative Marklein originally requested a number of safety restrictions in the draft. However, s. 23.33 (4) (d) 3. currently provides for certain safety measures relating to ATVs and UTVs crossing bridges. Let me know if these are sufficient or if you would like additional restrictions to apply.

This draft also makes a correction to s. 23.33 (4) (d) 3. that is in pending corrective legislation.

Elisabeth H. Shea
Legislative Attorney
Phone: (608) 266-5446
E-mail: elisabeth.shea@legis.wisconsin.gov

Shea, Elisabeth

From: Potts, Crystal
Sent: Monday, January 06, 2014 12:32 PM
To: Shea, Elisabeth
Subject: RE: Draft review: LRB -3552/P1 Topic: ATVs and UTVs on state highway bridges

Yes, please. If I am understanding your question correctly, we would like these additional safety limitation placed in the draft as well as local municipal approval.

Let me know if you have any other questions!

Thanks and stay warm!

Crystal Potts

Research Assistant
Committee Clerk, Assembly Committee on Ways & Means
Office of State Representative Howard Marklein
51st Assembly District
(608) 266-7502
Crystal.Potts@legis.wi.gov

From: Shea, Elisabeth
Sent: Friday, January 03, 2014 9:53 AM
To: Potts, Crystal
Subject: RE: Draft review: LRB -3552/P1 Topic: ATVs and UTVs on state highway bridges

Hi again, Crystal,

Rep. Marklein originally wanted certain safety limitations, including a speed limit of 25 mph and a requirement of being 16 or over. The P1 version did not include these because it made a very simple change to try to get at the problem. P2 will be a little more involved in order to allow for local approval and we can add these additional limitations if desired. Would you like me to do that?

Lis

From: Potts, Crystal
Sent: Thursday, January 02, 2014 1:43 PM
To: Shea, Elisabeth
Subject: RE: Draft review: LRB -3552/P1 Topic: ATVs and UTVs on state highway bridges

Thanks for your explanation, Lis. Of course you can contact the DNR about this question.

Let me know if there is anything you need from me in the meantime.

Crystal Potts

Research Assistant
Committee Clerk, Assembly Committee on Ways & Means
Office of State Representative Howard Marklein
51st Assembly District
(608) 266-7502
Crystal.Potts@legis.wi.gov

From: Shea, Elisabeth
Sent: Thursday, January 02, 2014 1:40 PM
To: Potts, Crystal
Subject: RE: Draft review: LRB -3552/P1 Topic: ATVs and UTVs on state highway bridges

Hi Crystal,

When looking into how to allow for local approval, I asked a drafter who drafts in the area of transportation about how a roadway is "officially closed" to ATV and UTV operation. He believes this is up to whatever government body is in charge of the roadway. So, for example, if it's a county road, the county could decide to officially close the road to ATVs and UTVs. If this is accurate, then in many cases local approval could simply mean that the local government opens the road or bridge to ATVs and UTVs. In fact, this situation would require no change to the statute at all, because ATVs and UTVs can already cross bridges that are not "officially closed." The only situation in which a separate local approval would be necessary if the road is a state highway.

With your permission, I will check with Gary Eddy, a DNR warden who is the ATV Administrator, to make sure this is in fact how roads are officially closed to ATVs and UTVs. Let me know if this sounds ok.

Lis

From: Potts, Crystal
Sent: Tuesday, December 10, 2013 3:54 PM
To: Shea, Elisabeth
Subject: FW: Draft review: LRB -3552/P1 Topic: ATVs and UTVs on state highway bridges

Lis:

I hope all is well with you.

Howard has looked over the draft and has the following suggestions to add:

- Bridges must be 1,000 feet in length or less
- Must have local approval by local government (county, city, village, etc.)

Please let me know if you have any questions.

Thanks,

Crystal Potts
Research Assistant
Committee Clerk, Assembly Committee on Ways & Means
Office of State Representative Howard Marklein
51st Assembly District
(608) 266-7502
Crystal.Potts@legis.wi.gov

From: LRB.Legal
Sent: Monday, December 02, 2013 10:25 AM
To: Rep.Marklein
Subject: Draft review: LRB -3552/P1 Topic: ATVs and UTVs on state highway bridges

Following is the PDF version of draft LRB -3552/P1 and drafter's note.

Shea, Elisabeth

From: Gary, Aaron
Sent: Sunday, January 05, 2014 10:55 PM
To: Shea, Elisabeth
Subject: ATVs/UTVs - closed highways

Hi Lis,

I could not find any stats directly addressing the issue of DOT's closure of highways/bridges to ATVs and UTVs. I believe the general grant of authority to close highways is 86.06, but it does not discuss ATVs and UTVs and really contemplates temporary closures. DOT also seems to have a general authority to restrict access (such as for pedestrians, bicycles, etc.) on freeways, expressways, and other controlled-access highways. None of these provisions seem to be directly relevant to our conversation.

Let me know if this is insufficient or if you need anything else. Thanks. Aaron



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-3552/P1 P2
EHS:sac: [signature]
RMR

In 1/10/13

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

D-NOTE

By 1/14/14

gen act

1 AN ACT to amend 23.33 (4) (d) 3. of the statutes; relating to: the operation of
2 all-terrain vehicles and utility terrain vehicles on highway bridges.

Analysis by the Legislative Reference Bureau

Under current law, a person may operate an all-terrain vehicle (ATV) or utility terrain vehicle (UTV) on the roadway portion of a (state) highway only in certain situations, including to cross a bridge. However, current law prohibits a person operating an ATV or UTV from crossing a bridge on a roadway that is officially closed to ATV or UTV traffic. This bill allows a person to operate an ATV or UTV on the roadway ^{or shoulder} portion of a state highway ^{the purpose of crossing} in order to cross a bridge even if the roadway is officially closed to ATV or UTV traffic. **INSERT A**

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

SECTION 1. 23.33 (4) (d) 3. of the statutes is amended to read:

23.33 (4) (d) 3. ^{a.} To cross a bridge, culvert, or railroad right-of-way. The crossing of a ^{plain} bridge, ^{plain} culvert, or railroad right-of-way is not authorized if the roadway is officially closed to all-terrain vehicle or utility terrain vehicle traffic. ^{except as provided in subd. 3.b} The crossing is authorized only if the crossing is done in the most direct manner practicable, if the

*

*

Insert A2

INSERT 1-3

At component

- 3
- 4
- 5
- 6

7

as affected by 2013 Wisconsin Act 67, renumbered 23.33(4)(d)3.a. and

except as provided in subd. 3.b

1 crossing is made at a place where no obstruction prevents a quick and safe crossing,
2 and if the operator stops the vehicle prior to the crossing and yields the right-of-way
3 to other vehicles, pedestrians, and electric personal assistive mobility devices using
the roadway.

plain

plain

INSERT 4
2-5 5 →

(END)

1 INSERT A

if the bridge is within the territorial boundaries of a city, village, or town that has enacted an ordinance allowing the operation of an ATV or UTV on that roadway and shoulder for the purpose of crossing the bridge.

Insert
Add

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

2 INSERT 1-3

3 SECTION 1. 23.33 (4) (b) of the statutes is amended to read:

4 23.33 (4) (b) *Other highways; operation restricted.* No person may operate an
5 all-terrain vehicle or utility terrain vehicle on a highway except as authorized under
6 pars. (d), (e), and (f) and ~~sub.~~ ^{plain} ~~subs.~~ (11) (am) 2. or 3. or as authorized by rules
7 promulgated by the department and approved by the department of transportation.

History: 1985 a. 29; 1987 a. 200, 353, 399, 403; 1989 a. 31, 275, 359; 1991 a. 39, 303, 315; 1993 a. 16, 105, 119, 405; 1995 a. 27 ss. 1350 to 1351, 9126 (19); 1995 a. 436, 448; 1997 a. 27, 248, 283; 1999 a. 9; 2001 a. 16, 90, 106, 109; 2003 a. 30, 97, 251, 326; 2005 a. 25, 253, 481; 2007 a. 20 ss. 664m to 666m, 9121 (6) (a); 2007 a. 27, 209; 2009 a. 85, 175, 252, 367; 2011 a. 35, 51, 208, 258; 2013 a. 15, 20, 67, 83; s. 13.92 (1) (bm) 2.

8 INSERT 2-5

9 SECTION 2. 23.33 (4) (d) 3. b. of the statutes is created to read:

10 23.33 (4) (d) 3. b. A person may operate an all-terrain vehicle or utility terrain
11 vehicle on the roadway or shoulder of any highway to cross a bridge that is 1,000 feet
12 in length or less if the operation is in compliance with an ordinance adopted under
13 sub. (11) (am) 3.

14 SECTION 3. 23.33 (5) (a) 5. of the statutes, as affected by 2013 Wisconsin Act 15,
15 is amended to read:

16 23.33 (5) (a) 5. No person who is under 16 years of age may operate an
17 all-terrain vehicle under the authorization provided under sub. (4) (d) 3. b. or (f)
18 under any circumstances.

History: 1985 a. 29; 1987 a. 200, 353, 399, 403; 1989 a. 31, 275, 359; 1991 a. 39, 303, 315; 1993 a. 16, 105, 119, 405; 1995 a. 27 ss. 1350 to 1351, 9126 (19); 1995 a. 436, 448; 1997 a. 27, 248, 283; 1999 a. 9; 2001 a. 16, 90, 106, 109; 2003 a. 30, 97, 251, 326; 2005 a. 25, 253, 481; 2007 a. 20 ss. 664m to 666m, 9121 (6) (a); 2007 a. 27, 209; 2009 a. 85, 175, 252, 367; 2011 a. 35, 51, 208, 258; 2013 a. 15, 20, 67, 83; s. 13.92 (1) (bm) 2.

19 SECTION 4. 23.33 (11) (am) 1. of the statutes is amended to read:

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

History: 1985 a. 29; 1987 a. 200, 353, 399, 403; 1989 a. 31, 275, 359; 1991 a. 39, 303, 315; 1993 a. 16, 105, 119, 405; 1995 a. 27 ss. 1350 to 1351, 9126 (19); 1995 a. 436, 448; 1997 a. 27, 248, 283; 1999 a. 9; 2001 a. 16, 90, 106, 109; 2003 a. 30, 97, 251, 326; 2005 a. 25, 253, 481; 2007 a. 20 ss. 664m to 666m, 9121 (6) (a); 2007 a. 27, 209; 2009 a. 85, 175, 252, 367; 2011 a. 35, 51, 208, 258; 2013 a. 15, 20, 67, 83; s. 13.92 (1) (bm) 2.

5 **SECTION 5.** 23.33 (11) (am) 3. of the statutes is created to read:

6 23.33 (11) (am) 3. For a highway bridge that is 1,000 feet in length or less and
7 located within the territorial boundaries of ^{of the} a city, village, or town, ^A the city, village,
8 or town may enact an ordinance to authorize the operation of all-terrain vehicles and
9 utility terrain vehicles on the roadway or shoulder of the highway for the purpose of
10 crossing the bridge regardless of whether the city, village, or town has jurisdiction
11 over the highway. ^{Any such} ~~The~~ ordinance shall prohibit a person operating an all-terrain
12 vehicle or utility terrain vehicle from exceeding 25 miles per hour when crossing a
13 bridge. ~~The~~ ordinance shall require a person crossing a bridge to do all of the
14 following: ^{Any such}

- 15 a. Cross the bridge in the most direct manner practicable and at a place where
- 16 no obstruction prevents a quick and safe crossing.
- 17 b. Stay as far to the right of the roadway or shoulder as practicable.
- 18 c. Stop the vehicle prior to the crossing.
- 19 d. Yield the right-of-way to other vehicles, pedestrians, and electric personal
- 20 assistive mobility devices using the roadway or shoulder.

21 **SECTION 6.** 23.33 (11) (b) of the statutes is amended to read:

22 23.33 (11) (b) If a county, town, city, or village adopts an ordinance regulating
23 all-terrain vehicles, utility terrain vehicles, or both, its clerk shall immediately send
24 a copy of the ordinance to the department, to the state traffic patrol, and to the office

1

of any law enforcement agency of ~~the municipality or~~ ^{each} county, town, city, or village

2

having jurisdiction over any ~~highway designated as an all-terrain vehicle route of~~

3

the highways to which the ordinance applies.

History: 1985 a. 29; 1987 a. 200, 353, 399, 403; 1989 a. 31, 275, 359; 1991 a. 39, 303, 315; 1993 a. 16, 105, 119, 405; 1995 a. 27 ss. 1350 to 1351, 9126 (19); 1995 a. 436, 448; 1997 a. 27, 248, 283; 1999 a. 9; 2001 a. 16, 90, 106, 109; 2003 a. 30, 97, 251, 326; 2005 a. 25, 253, 481; 2007 a. 20 ss. 664m to 666m, 9121 (6) (a); 2007 a. 27, 209; 2009 a. 85, 175, 252, 367; 2011 a. 35, 51, 208, 258; 2013 a. 15, 20, 67, 83; s. 13.92 (1) (bm) 2.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3552/P2dn

EHS:sac:fs

- date -

Rep. Marklein:

Please review ^(CS) section ⁷ 6 of the draft (proposed s. 23.33 (11) (b)). This draft ^{provides} adds that a municipality (county, town, city, or village) must send a copy of an ordinance regulating ATVs or UTVs to the state traffic patrol because this draft would allow some ordinances to affect state highways. It also ^{provides} says that such an ordinance must be sent to the municipal law enforcement agency for the municipality having jurisdiction over the highway to which the ordinance applies, instead of a highway designated as an ATV route, because the draft allows ordinances that apply to a highway that is not an ATV route. Let me know if these changes are not consistent with your intent.

Elisabeth H. Shea
Legislative Attorney
Phone: (608) 266-5446
E-mail: elisabeth.shea@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3552/P2dn
EHS:sac:jf

January 10, 2014

Rep. Marklein:

Please review SECTION 7 of the draft (proposed s. 23.33 (11) (b)). This draft provides that a municipality (county, town, city, or village) must send a copy of an ordinance regulating ATVs or UTVs to the state traffic patrol because this draft would allow some ordinances to affect state highways. It also provides that such an ordinance must be sent to the municipal law enforcement agency for the municipality having jurisdiction over the highway to which the ordinance applies, instead of a highway designated as an ATV route, because the draft allows ordinances that apply to a highway that is not an ATV route. Let me know if these changes are not consistent with your intent.

Elisabeth H. Shea
Legislative Attorney
Phone: (608) 266-5446
E-mail: elisabeth.shea@legis.wisconsin.gov

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

1/15/14 TC Crystal from R. Marklein's office

Want counties to have to approve in addition to muni.

ASAP

Re DNOTE - all ok



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-3552/P2
EHS:sac:if

3

In 1/15/14

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Soon

gen cat

1 **AN ACT to renumber and amend** 23.33 (4) (d) 3.; **to amend** 23.33 (4) (b), 23.33
2 (5) (a) 5., 23.33 (11) (am) 1. and 23.33 (11) (b); and **to create** 23.33 (4) (d) 3. b.
3 and 23.33 (11) (am) 3. of the statutes; **relating to:** the operation of all-terrain
4 vehicles and utility terrain vehicles on highway bridges.

Analysis by the Legislative Reference Bureau

Under current law, a person may operate an all-terrain vehicle (ATV) or utility terrain vehicle (UTV) on the roadway portion of a highway only in certain situations, including to cross a bridge. However, current law prohibits a person operating an ATV or UTV from crossing a bridge on a roadway that is officially closed to ATV or UTV traffic. This bill allows a person to operate an ATV or UTV on the roadway or shoulder of a highway for the purpose of crossing a bridge even if the roadway is officially closed to ATV or UTV traffic if the bridge is within the territorial boundaries of a city, village, or town that has enacted an ordinance allowing the operation of an ATV or UTV on that roadway and shoulder for the purpose of crossing the bridge.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

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

5 **SECTION 1.** 23.33 (4) (b) of the statutes is amended to read:

and a city, village, or town that has enacted a similar ordinance applicable to that bridge

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

5 **SECTION 2.** 23.33 (4) (d) 3. of the statutes, as affected by 2013 Wisconsin Act 67,
6 is renumbered 23.33 (4) (d) 3. a. and amended to read:

7 23.33 (4) (d) 3. a. To cross a bridge, culvert, or railroad right-of-way. The
8 crossing of a bridge, culvert, or railroad right-of-way is not authorized if the
9 roadway is officially closed to all-terrain vehicle or utility terrain vehicle traffic,
10 except as provided in subd. 3 b. The crossing is authorized only if the crossing is done
11 in the most direct manner practicable, if the crossing is made at a place where no
12 obstruction prevents a quick and safe crossing, and if the operator stops the vehicle
13 prior to the crossing and yields the right-of-way to other vehicles, pedestrians, and
14 electric personal assistive mobility devices using the roadway.

15 **SECTION 3.** 23.33 (4) (d) 3. b. of the statutes is created to read:

16 23.33 (4) (d) 3. b. A person may operate an all-terrain vehicle or utility terrain
17 vehicle on the roadway or shoulder of any highway to cross a bridge that is 1,000 feet
18 in length or less if the operation is in compliance with an ordinance adopted under
19 sub. (11) (am) 3. *that applies to that bridge.*

a county ordinance adopted under sub. (11)(am) = that applies to that bridge and a city, village, or town

20 **SECTION 4.** 23.33 (5) (a) 5. of the statutes, as affected by 2013 Wisconsin Act 15,
21 is amended to read:

22 23.33 (5) (a) 5. No person who is under 16 years of age may operate an
23 all-terrain vehicle under the authorization provided under sub. (4) (d) 3. b. or (f)
24 under any circumstances.

25 **SECTION 5.** 23.33 (11) (am) 1. of the statutes is amended to read:

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

5 **SECTION 6.** 23.33 (11) (am) 3. of the statutes is created to read:

6 23.33 (11) (am) 3. A^{County,} city, village, or town may enact an ordinance to authorize
7 the operation of all-terrain vehicles and utility terrain vehicles on a highway bridge
8 that is 1,000 feet in length or less and located within the territorial boundaries of the
9 ^{County,} city, village, or town regardless of whether the ^{County,} city, village, or town has jurisdiction
10 over the highway. Any such ordinance shall prohibit a person operating an
11 all-terrain vehicle or utility terrain vehicle from exceeding 25 miles per hour when
12 crossing a bridge. Any such ordinance shall require a person crossing a bridge to do
13 all of the following:

- 14 a. Cross the bridge in the most direct manner practicable and at a place where
15 no obstruction prevents a quick and safe crossing.
- 16 b. Stay as far to the right of the roadway or shoulder as practicable.
- 17 c. Stop the vehicle prior to the crossing.
- 18 d. Yield the right-of-way to other vehicles, pedestrians, and electric personal
19 assistive mobility devices using the roadway or shoulder.

20 **SECTION 7.** 23.33 (11) (b) of the statutes is amended to read:

21 23.33 (11) (b) If a county, town, city, or village adopts an ordinance regulating
22 all-terrain vehicles, utility terrain vehicles, or both, its clerk shall immediately send
23 a copy of the ordinance to the department, to the state traffic patrol, and to the office
24 of any law enforcement agency of ~~the municipality or each~~ county, town, city, or

1 village having jurisdiction over any ~~highway designated as an all-terrain vehicle~~
2 route of the highways to which the ordinance applies.

3 (END)

Shea, Elisabeth

From: Potts, Crystal
Sent: Wednesday, January 22, 2014 11:41 AM
To: Shea, Elisabeth
Subject: RE: LRB 3552

Let's skip striking the word "electric" then.

Crystal Potts

Research Assistant
Committee Clerk, Assembly Committee on Ways & Means
Office of State Representative Howard Marklein
51st Assembly District
(608) 266-7502
Crystal.Potts@legis.wi.gov

From: Shea, Elisabeth
Sent: Wednesday, January 22, 2014 11:13 AM
To: Potts, Crystal
Subject: RE: LRB 3552

No problem.

Also, the word "electric" is in Section 6, part d, line 18 because the term is defined in s. 340.01 (15pm):
(15pm) "Electric personal assistive mobility device" means a self-balancing, 2-nontandem-wheeled device that is designed to transport only one person and that has an electric propulsion system that limits the maximum speed of the device to 15 miles per hour or less.

If we strike "electric," it will no longer refer to this specific type of device, and it may be unclear exactly what type of device it refers to. (Defined terms have to be used exactly in order to refer to the term that is defined.) Let me know if you'd still like to strike "electric."

From: Potts, Crystal
Sent: Wednesday, January 22, 2014 11:07 AM
To: Shea, Elisabeth
Subject: RE: LRB 3552

Yes, could you strike the quoted language? Thanks.

Crystal Potts

Research Assistant
Committee Clerk, Assembly Committee on Ways & Means
Office of State Representative Howard Marklein
51st Assembly District
(608) 266-7502
Crystal.Potts@legis.wi.gov

From: Shea, Elisabeth
Sent: Wednesday, January 22, 2014 11:06 AM

To: Potts, Crystal
Subject: RE: LRB 3552

Hi Crystal,

One question on this one:

-Strike Section 6, Lines 10-12: "Any such ordinance shall prohibit a person operating an all-terrain vehicle or utility terrain vehicle from exceeding 25 miles per hour when crossing a bridge."

Just to clarify, do you want to strike the quoted language above? The quoted language is from lines 14-16.

Lis

From: Potts, Crystal
Sent: Tuesday, January 21, 2014 4:46 PM
To: Shea, Elisabeth
Subject: RE: LRB 3552

Yes, a draft /1 would be great.

Thanks!

Crystal Potts
Research Assistant
Committee Clerk, Assembly Committee on Ways & Means
Office of State Representative Howard Marklein
51st Assembly District
(608) 266-7502
Crystal.Potts@legis.wi.gov

From: Shea, Elisabeth
Sent: Tuesday, January 21, 2014 4:45 PM
To: Potts, Crystal
Subject: RE: LRB 3552

Hi Crystal,

I will work on this tomorrow, so you should get the new draft relatively soon. Should this be a /1?

Lis

From: Potts, Crystal
Sent: Tuesday, January 21, 2014 4:34 PM
To: Shea, Elisabeth
Cc: Potts, Crystal
Subject: LRB 3552

Hi, Lis:

I hope all is well with you.

Hopefully, this will be the last round of edits:
-Strike Section 4 completely

-Strike Section 6, Lines 10-12: "Any such ordinance shall prohibit a person operating an all-terrain vehicle or utility terrain vehicle from exceeding 25 miles per hour when crossing a bridge."

-Strike the word "electric" from Section 6, part d, line 18

As always, please let me know if you have any questions.

Is there a time frame where I can expect to see the next draft? I appreciate all your help.

Thanks,

Crystal Potts

Research Assistant

Committee Clerk, Assembly Committee on Ways & Means

Office of State Representative Howard Marklein

51st Assembly District

(608) 266-7502

Crystal.Potts@legis.wi.gov



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-3552/P3

EHS:sac: [signature]

RMR

In 1/22/14

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

By Friday 1/24

gun car

1 **AN ACT** *to renumber and amend* 23.33 (4) (d) 3.; *to amend* 23.33 (4) (b), 23.33
2 (5) (a) 5., 23.33 (11) (am) 1. and 23.33 (11) (b); and *to create* 23.33 (4) (d) 3. b.
3 and 23.33 (11) (am) 3. of the statutes; **relating to:** the operation of all-terrain
4 vehicles and utility terrain vehicles on highway bridges.

Analysis by the Legislative Reference Bureau

Under current law, a person may operate an all-terrain vehicle (ATV) or utility terrain vehicle (UTV) on the roadway portion of a highway only in certain situations, including to cross a bridge. However, current law prohibits a person operating an ATV or UTV from crossing a bridge on a roadway that is officially closed to ATV or UTV traffic. This bill allows a person to operate an ATV or UTV on the roadway or shoulder of a highway for the purpose of crossing a bridge even if the roadway is officially closed to ATV or UTV traffic if the bridge is within the territorial boundaries of a county that has enacted an ordinance allowing the operation of an ATV or UTV on that roadway and shoulder for the purpose of crossing the bridge and a city, village, or town that has enacted a similar ordinance applicable to that bridge.

within the territorial boundaries of

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 23.33 (4) (b) of the statutes is amended to read:

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

6 **SECTION 2.** 23.33 (4) (d) ^{3.} of the statutes, as affected by 2013 Wisconsin Act 67,
7 is renumbered 23.33 (4) (d) 3. a. and amended to read:

8 23.33 (4) (d) 3. a. To cross a bridge, culvert, or railroad right-of-way. The
9 crossing of a bridge, culvert, or railroad right-of-way is not authorized if the
10 roadway is officially closed to all-terrain vehicle or utility terrain vehicle traffic,
11 except as provided in subd. 3 b. The crossing is authorized only if the crossing is done
12 in the most direct manner practicable, if the crossing is made at a place where no
13 obstruction prevents a quick and safe crossing, and if the operator stops the vehicle
14 prior to the crossing and yields the right-of-way to other vehicles, pedestrians, and
15 electric personal assistive mobility devices using the roadway.

16 **SECTION 3.** 23.33 (4) (d) ^{3.} b. of the statutes is created to read:

17 23.33 (4) (d) 3. b. A person may operate an all-terrain vehicle or utility terrain
18 vehicle on the roadway or shoulder of any highway to cross a bridge that is 1,000 feet
19 in length or less if the operation is in compliance with a county ordinance adopted
20 under sub. (11) (am) 3. that applies to that bridge and a city, village, or town
21 ordinance adopted under sub. (11) (am) 3. that applies to that bridge.

22 **SECTION 4.** 23.33 (5) (a) 5. of the statutes, as affected by 2013 Wisconsin Act 15,
23 is amended to read:

1 23.33 (5) (a) 5. No person who is under 16 years of age may operate an
2 all-terrain vehicle under the authorization provided under sub. (4) (d) 3. b. or (f)
3 under any circumstances.

4 SECTION 5. 23.33 (11) (am) 1. of the statutes is amended to read:

5 23.33 (11) (am) 1. Any county, town, city, or village may enact an ordinance
6 which that is in strict conformity with this section and rules promulgated by the
7 department under this section, if the ordinance encompasses all aspects
8 encompassed by this section, except as provided in subd. subds. 2. and 3.

9 SECTION 6. 23.33 (11) (am) 3. of the statutes is created to read:

10 23.33 (11) (am) 3. A county, city, village, or town may enact an ordinance to
11 authorize the operation of all-terrain vehicles and utility terrain vehicles on a
12 highway bridge that is 1,000 feet in length or less and located within the territorial
13 boundaries of the county, city, village, or town regardless of whether the county, city,
14 village, or town has jurisdiction over the highway. Any such ordinance shall prohibit
15 a person operating an all-terrain vehicle or utility terrain vehicle from exceeding 25
16 miles per hour when crossing a bridge. Any such ordinance shall require a person
17 crossing a bridge to do all of the following:

18 a. Cross the bridge in the most direct manner practicable and at a place where
19 no obstruction prevents a quick and safe crossing.

20 b. Stay as far to the right of the roadway or shoulder as practicable.

21 c. Stop the vehicle prior to the crossing.

22 d. Yield the right-of-way to other vehicles, pedestrians, and electric personal
23 assistive mobility devices using the roadway or shoulder.

24 SECTION 7. 23.33 (11) (b) of the statutes is amended to read:

Barman, Mike

From: Potts, Crystal
Sent: Wednesday, January 29, 2014 10:30 AM
To: LRB.Legal
Subject: Draft Review: LRB -3552/1 Topic: ATVs and UTVs on highway bridges

Please Jacket LRB -3552/1 for the ASSEMBLY.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-3552/1
EHS:sad:rs

2

eev

2013 BILL

1 *regen*
AN ACT *to renumber and amend* 23.33 (4) (d) 3.; *to amend* 23.33 (4) (b), 23.33
2 (11) (am) 1. and 23.33 (11) (b); and *to create* 23.33 (4) (d) 3. b. and 23.33 (11)
3 (am) 3. of the statutes; **relating to:** the operation of all-terrain vehicles and
4 utility terrain vehicles on highway bridges.

Analysis by the Legislative Reference Bureau

Under current law, a person may operate an all-terrain vehicle (ATV) or utility terrain vehicle (UTV) on the roadway portion of a highway only in certain situations, including to cross a bridge. However, current law prohibits a person operating an ATV or UTV from crossing a bridge on a roadway that is officially closed to ATV or UTV traffic. This bill allows a person to operate an ATV or UTV on the roadway or shoulder of a highway for the purpose of crossing a bridge even if the roadway is officially closed to ATV or UTV traffic if the bridge is within the territorial boundaries of a county that has enacted an ordinance allowing the operation of an ATV or UTV on that roadway and shoulder for the purpose of crossing the bridge and within the territorial boundaries of a city, village, or town that has enacted a similar ordinance applicable to that bridge.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

BILL

1 **SECTION 1.** 23.33 (4) (b) of the statutes is amended to read:

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

6 **SECTION 2.** 23.33 (4) (d) 3. of the statutes, as affected by 2013 Wisconsin Act 67,
7 is renumbered 23.33 (4) (d) 3. a. and amended to read:

8 23.33 (4) (d) 3. a. To cross a bridge, culvert, or railroad right-of-way. The
9 crossing of a bridge, culvert, or railroad right-of-way is not authorized if the
10 roadway is officially closed to all-terrain vehicle or utility terrain vehicle traffic,
11 except as provided in subd. 3^b. ^b The crossing is authorized only if the crossing is done
12 in the most direct manner practicable, if the crossing is made at a place where no
13 obstruction prevents a quick and safe crossing, and if the operator stops the vehicle
14 prior to the crossing and yields the right-of-way to other vehicles, pedestrians, and
15 electric personal assistive mobility devices using the roadway.

16 **SECTION 3.** 23.33 (4) (d) 3. b. of the statutes is created to read:

17 23.33 (4) (d) 3. b. A person may operate an all-terrain vehicle or utility terrain
18 vehicle on the roadway or shoulder of any highway to cross a bridge that is 1,000 feet
19 in length or less if the operation is in compliance with a county ordinance adopted
20 under sub. (11) (am) 3. that applies to that bridge and a city, village, or town
21 ordinance adopted under sub. (11) (am) 3. that applies to that bridge.

22 **SECTION 4.** 23.33 (11) (am) 1. of the statutes is amended to read:

23 23.33 (11) (am) 1. Any county, town, city, or village may enact an ordinance
24 ~~which~~ that is in strict conformity with this section and rules promulgated by the

BILL

1 department under this section, if the ordinance encompasses all aspects
2 encompassed by this section, except as provided in ~~subd. subds. 2. and 3.~~

3 **SECTION 5.** 23.33 (11) (am) 3. of the statutes is created to read:

4 23.33 (11) (am) 3. A county, city, village, or town may enact an ordinance to
5 authorize the operation of all-terrain vehicles and utility terrain vehicles on a
6 highway bridge that is 1,000 feet in length or less and located within the territorial
7 boundaries of the county, city, village, or town regardless of whether the county, city,
8 village, or town has jurisdiction over the highway. Any such ordinance shall require
9 a person crossing a bridge to do all of the following:

10 a. Cross the bridge in the most direct manner practicable and at a place where
11 no obstruction prevents a quick and safe crossing.

12 b. Stay as far to the right of the roadway or shoulder as practicable.

13 c. Stop the vehicle prior to the crossing.

14 d. Yield the right-of-way to other vehicles, pedestrians, and electric personal
15 assistive mobility devices using the roadway or shoulder.

16 **SECTION 6.** 23.33 (11) (b) of the statutes is amended to read:

17 23.33 (11) (b) If a county, town, city, or village adopts an ordinance regulating
18 all-terrain vehicles, utility terrain vehicles, or both, its clerk shall immediately send
19 a copy of the ordinance to the department, to the state traffic patrol, and to the office
20 of any law enforcement agency of ~~the municipality or each~~ county, town, city, or
21 village having jurisdiction over any ~~highway designated as an all-terrain vehicle~~
22 route of the highways to which the ordinance applies.

23 (END)