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# ERIK SEVERSON

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STATE REPRESENTATIVE • 28<sup>TH</sup> ASSEMBLY DISTRICT

## **Testimony on Assembly Bill 43 Assembly Committee on Transportation**

**April 10, 2013**

I would like to thank Chairman Ripp and the members of the committee for holding a hearing on Assembly Bill 43. I would also like to thank Sen. Leibham for his leadership on this important issue. Joining me for today's hearing is Randy Harden and Rob McConnell of the Wisconsin ATV/UTV Association.

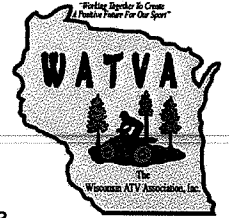
Wisconsin has a proud and long-standing commitment to outdoor activities, including riding ATVs and UTVs. It is important that we get young adults involved at an early age in order to continue to grow and support outdoor activities. This legislation will make several changes to the operation of ATVs and UTVs in Wisconsin as a way to continue to facilitate that growth.

Assembly Bill 43 increases first-time ridership by providing an exemption from the ATV rider certification requirement for individuals trying out ATVs or UTVs at demonstration events. Additionally, this legislation establishes new flexibilities for young adults to ride on land owned by family and friends.

As with any outdoor activities, we also need to ensure the safety of riders as well as other individuals enjoying our great natural resources. Senate Bill 32 creates increased safety protections for people, specifically young adults, riding near roadways and other high traffic areas. I am honored to be working with Sen. Leibham on this legislation in order to grow one of Wisconsin's great outdoor traditions.

Additionally, there was some concern that the speed limit provision within 100 feet of another person would prevent associations from holding sanctioned racing events and allowing for spectators or crew members. In order to address this concern, I have drafted up Assembly Amendment 1 which exceptions officially sanctioned events from this restriction. A Senate version of this amendment was adopted unanimously by the Senate Transportation Committee and I would ask members of this Committee to do the same.

Thank you again Chairman Ripp and Committee Members for taking the time to hold this public hearing and I look forward to working with you on passage of this legislation.



**Assembly Committee on Transportation**  
**Chair – Representative Ripp**  
*Representatives Thiesfeldt, Spiros, Ott, Sanfelippo, Endsley, Larson, Kaufert, Stone,  
Bernard Schaber, Vruwink, Doyle, Danou, Riemer & Kolste*

***AB 43 (SB 32) - Relating to age restrictions & safety certificate requirements regarding the operation of an ATV***

**Requesting your support for AB 43**

**A change for youth under age 12 on private property**

**A change for youth age 12 through 15 on public road routes**

**A change for those born on or after 1/1/1988 under certain conditions**

**A change for mandatory speeds on road routes under certain conditions**

- Parallels the Youth Hunting Mentorship program by creating parent or parent approved adult oversight (grandparents, uncle/aunt, etc.) for youth under age 12 on private property other than their parent's. Grandparents could legally take an under age 12 grandchild on a small ATV (90cc or less) under their **ACCOMPANIMENT** on private property not owned by the parent's. This bill ***strengthens*** the oversight requirement by ***requiring*** the parent approved adult to ***accompany*** the youth at all times when ATV riding is not on the parent's own property.
- This bill strengthens the oversight requirement for youth, ages 12 - 15, while riding legal road routes by requiring the parent, or a parent approved adult, to accompany these aged youth. Current law allows a 12 -15 year old to legally ride alone on road routes, after passing the Wisconsin DNR ATV safety course.
- Allows an opportunity to test ride ATVs and UTVs without the DNR safety certificate as long as the activity is supervised (accompanied by) with safety gear mandated, operated at slower speeds and in a controlled environment. Currently anyone born on or after 1/1/1988 (which affects 12 through 25 year olds this year) cannot test ride an ATV without first passing the ATV DNR safety course.
- This bill allows ATV / UTV road route speeds to be set by the local jurisdiction versus the state mandate of the 10 mph requirement when the road route is within 150' of a dwelling or 100' of a person. In many locations across Wisconsin, the 10 mph route requirement impedes traffic flow, thereby creating an unsafe riding environment. As under current administrative code, the 10 mph requirement would still apply to public trails and recreational use on public frozen waterways in relationship to people and dwellings. An amendment was added to clarify the 10 mph speed will not apply on frozen waterways when applicable to spectators at legitimate race competitions on the ice.

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