



ADAM JARCHOW

STATE REPRESENTATIVE • 28TH ASSEMBLY DISTRICT

Testimony – AB 504 – Relating to: the age restriction for operation of a small utility terrain vehicle
Assembly Committee on Natural Resources and Sporting Heritage
Wednesday, December 9, 2015 - 11:01 a.m.
State Capitol – 417 North

AB 504 does two things relating to all-terrain vehicles (ATVs) and small utility terrain vehicles (UTVs). First, the bill changes the definition of a “small ATV” from 90 cubic centimeters to 130 cubic centimeters. This means that a “small ATV” is an all-terrain vehicle that has four wheels and that has either an engine certified by the manufacturer at not more than 130 cubic centimeters or an equivalent power unit. This is responding to consumer demand and the fact that manufacturers are trending away from these smaller engine sizes. As an example, Polaris will be discontinuing production of youth ATVs less than 110 cubic centimeters. This bill does not make any changes to age-to-speed standards.

In regards to “small UTVs”, this bill creates a new definition for these vehicles. This definition is tandem with safety certifications and regulations for small ATVs. The definition means a utility terrain vehicle that has four wheels and that has either an engine certified by the manufacturer at not more than 200 cubic centimeters or an equivalent power unit. Riders 16 years of age or less would be restricted on Wisconsin public trails to a machine 200 cubic centimeters or less. This bill makes no changes to statutes relating to large UTVs. The reason this definition is needed is because more and more, parents are opting for their children to drive small UTVs instead of a small ATV because of additional safety features. UTVs offer more stability, and have bucket seats, seatbelts, roll bars and a regular steering wheel.

ATV/UTV trails are a big part of the economy of Northwestern Wisconsin. In our district, especially, local economies are driven by activities such as riding ATVs and UTVs and the residual economic impacts of those activities. Updating our laws to coincide with what consumers want helps the economy of Northwestern Wisconsin and I hope all of you can support this simple, commonsense bill.

Thank you.



To: Assembly Committee on Natural Resources and Sporting Heritage

From: Senator Sheila Harsdorf

Date: December 9, 2015

RE: Assembly Bill 504 – Changes to small ATV/UTV engine size and age restrictions

Chair Ott and Committee Members:

Thank you for holding a public hearing on Assembly Bill 504 (AB 504), which would create a new definition of “small utility terrain vehicles” (UTVs), and change the engine size for small all-terrain vehicles (ATVs) from 90 cubic centimeters to 130 centimeters. I appreciate the opportunity to testify in support of AB 504.

Assembly Bill 504 addresses a change in consumer demand for trail vehicles the entire family can enjoy. Under current law, children between the ages of 12-16 may operate a small ATV on a public trail when under the supervision of a parent or guardian, or a person designated by a parent or guardian who is at least eighteen years of age. Small all-terrain vehicles (ATVs) are those with engines of not more than 90 cubic centimeters (90cc). Many manufactures are phasing out the 90cc size and offering slightly larger models designed for children due to market demand. AB 504 responds to this market change by increasing the size of engines that would qualify as a small ATV to 130 cubic centimeters (130cc). It is important to note that small ATVs are restricted to a maximum speed of 15 mph; AB 504 does not change the maximum speed allowed despite the increase in engine displacement.

Wisconsin laws on UTVs do not allow those under the age of sixteen to operate a UTV other than for agricultural purposes. Safety and design features have improved to include roll bars and restraint devices making UTVs more popular for families to use with children than current law allows. AB 504 creates a definition of small UTVs as one with an engine displacement of not more than 200 cubic centimeters (200 cc). Individuals between twelve and sixteen years of age would be allowed to operate small UTVs when supervised by a parent or guardian. This legislation will provide additional options for families to enjoy trail rides.

Given the importance and priority of ensuring safety for ATV and UTV users, AB 504 maintains the current safety course requirement for those operating or seeking to operate small ATVs/UTVs under the new definition.

Supporting Wisconsin’s tourism industry, keeping current with consumer demands and manufacturer trends is an important step for our state and local economy. I urge your support of AB 504 and would welcome the opportunity to answer any questions.



To: Chairman Ott & Committee on Natural Resources and Sporting Heritage members
Fr: Wisconsin ATV UTV Association – Leadership Team

Re: AB 504 / SB 381 Relating to amending age restrictions for operation of a small ATV & UTV <http://docs.legis.wisconsin.gov/2015/proposals/ab504>

Please accept this written testimony showing our general support for AB 504 / SB 381.

Be advised our statewide organization has shared dialog and various viewpoints related to these changes within the proposed legislation with corporate manufacturing members that came to the table, along with our ATV & UTV registration program state agency partners at the Wisconsin DNR, as well as a cross section of several county land managers that were at early meetings when this topic was brought up for discussion.

I'm sure each and every state lawmaker is as concerned about youth safety as is our organization. These proposed changes have been debated and discussed from various points of view within our team of registration program partners. The changes may at first glance seem simplistic but rest assured there is more to them related to the specific age groups and the age differences that apply to the traditional ATV and the newer UTV programs.

As we finalized discussions with the Polaris representatives, our conclusion was that we continue to trust the engineers and designers from Polaris and our other Original Equipment Manufacturers (OEMs) related to their age / size recommendations of the evolving youth and adult machinery being produced and sold in the marketplace.

We therefore support passage of this bill and the companion senate bill. Should you or any committee member have any questions or concerns, please feel free to reach out to myself or anyone on our leadership team.

Randy Harden
President
Wisconsin ATV UTV Association, Inc.

CC: WATVA Legislative Committee Members – Rob McConnell, Hank Wozniel, Lee Van Zeeland

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Assembly Committee on Natural Resources and Sporting Heritage

Wednesday, December 9, 2015 - 11:01 a.m.

State Capitol – 417 North

Testimony of J.R. Burke, Manager of State & Provincial Government Relations, Polaris Industries

AB 504 – Relating to: the age restriction for operation of a small utility terrain vehicle

Chairman Ott & members of the committee:

My name is J.R. Burke, and I am the Manager of State & Provincial Government Relations for Polaris Industries. While I trust most of you have heard of Polaris, I would be remiss if I didn't say that we are a proud Wisconsin employer with facilities in both Osceola and Wausau. We also have a tremendous dealer and supplier network that touches virtually every part of the state.

Polaris wishes to speak in favor of AB 504 authored by Representative Jarchow and Senator Harsdorf as this legislation seeks to ensure state law around off-road vehicles, in this case youth off-road vehicles, keeps pace with innovation and consumer demand.

Representative Jarchow summarized the bill very well, so I will touch on only a couple points that I think add to the detail.

First, ATVs are subject to federal law, which mandates standards for the maximum speed of youth model ATVs. As this is a requirement on manufacturers, the increase in engine displacement provided for in this bill will not increase the speed of the vehicles Polaris, or others, produce for youth riders.

Second, the development of a small UTV definition is important because it provides an option for youth operators to have the increasingly popular side-by-side experience, and frankly, promotes the use of appropriately sized machines for youth operators and passengers as well.

Finally, Wisconsin has a rich outdoor heritage, of which off-road riding has a prominent place. In addition to the more immediate impact of AB 504, Polaris also believes there are long-term benefits.

Like hunting and fishing, we know families increasingly want to off-road together too, and who can't rally around more activities for families to do together...especially outdoors? We also know that youth riders tend to continue riding into adulthood, which provides sustainable economic benefit to places like Northwest Wisconsin and elsewhere. And finally, if we introduce these kids to off-roading the right way, with appropriately sized machines, we know they will themselves tend towards a safe and responsible riding ethic as adults. And frankly, will pass these valuable lessons on to their own children.

This is something that all off-road stakeholders, public, private and nonprofit, agree is in everyone's best interest.

Thank you for allowing me to testify in support of AB 504. I am happy to answer any questions you may have.

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Committee on Natural Resources and Sporting Heritage
Age restriction for operation of a small utility terrain vehicle.
AB 504

Good morning Mr. chairman and committee members. Thank you for the opportunity to testify for informational purposes on AB 504. My name is Gary Eddy, ATV and Snowmobile Administrator for the Department of Natural Resources, Bureau of Law Enforcement.

AB 504 creates a definition of a “small utility terrain vehicle” as a utility terrain vehicle (UTV) that has 4 wheels and that either has an engine certified by the manufacturer at not more than 200 ccs or equivalent power unit. This bill also amends the “small all-terrain vehicle” definition increasing the maximum allowable engine size from 90 ccs to 130 ccs.

Under current law, the minimum age to operate a UTV on a trail is age 16 with a valid ATV Safety Certificate. This bill seeks to allow children between the ages of 12 and 15 to operate a “small UTV” on a designated trail if they have a valid ATV Safety Certificate and are accompanied by a designated adult.

This bill also restricts children under the age of 16 from operating a UTV on a public roadway.

This concludes my testimony. I can answer any questions that you may have at this time.