



# TODD NOVAK

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## AB 485

Thank you Chairman Ripp and members of the committee for holding a hearing on AB 485 which allows a municipality to permit the operation of ATVs and UTVs on a highway within the boundaries of the municipality.

The spirit of this legislation is to allow for local decision making with regard to the use of roads by ATVs. Our local authorities are better equipped than state agencies to make these decisions. Later, you will hear from Chief Jason King of the City of Darlington Police Department who will shed some light on the importance of this bill for our local municipalities. When he brought this issue to Senator Marklein and my attention, the DOT had recently denied a request made by the City of Darlington asking for permission to use a small stretch of State Highway 23 as an access route for the Cheese County Recreation Trail. The Department denied the request without seeking any input from local leaders.

It is important to understand that roads are not primarily used as part of a trail, but rather used as a way to reach a trailhead. Without such access points, riders would be required to load their vehicles on a trailer, drive them a short distance down the road, and unload. To me, this is unnecessary.

Representing many small rural cities, villages, and towns in southwest Wisconsin, I understand the frustration that can occur when the state intervenes without consulting local officials. As ATV traffic continues to increase in our rural areas, I believe the legislature should recognize that decisions related to local road use by ATVs is best handled locally.

Thank you for your time,

Todd Novak



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# HOWARD MARKLEIN

STATE SENATOR • 17<sup>th</sup> SENATE DISTRICT

**October 24, 2017**

**Assembly Committee on Transportation  
Testimony on Assembly Bill (SB) 485**

Good afternoon!

Thank you Chair Ripp and committee members for hearing Assembly Bill 485 (AB 485), which would allow municipalities to have a greater voice in authorizing all-terrain vehicle and utility terrain vehicle operation on highways within the municipality. I apologize for being unable to appear in person today.

This issue was brought to my attention by the Chief of Police for the City of Darlington, Jason King, who is here to testify in favor of AB485.

In addition to Chief King's testimony for AB 485, you should have two additional documents, a map of a proposed half-mile ATV route on Hwy 23/81 in Darlington, and a detailed description of their proposal with traffic data. Last year the city council made this request to DOT, but it was not until late spring of this year, when Chief King inquired about the status of their request that they were informed it had been denied without input from the city or local law enforcement.

Darlington already has an ATV ordinance enacted, which has allowed ATV routes on city streets without any history of crashes for 26 years. Had the request to DOT been approved, the city council could amend their current ordinance providing access for residents south of the river to the Cheese Country Recreation Trail system.

AB 485 allows a municipality to pass an ordinance authorizing ATV/UTV use on a state highway that is within the municipality's boundary, and has a posted speed limit of 35 m.p.h. or less. Darlington has several city streets and county highways that are designated ATV/UTV routes within the city, but they have been denied access to a half-mile stretch of Galena Street (State Hwy 23/81) with a posted speed limit of 25 m.p.h.

Chief King is drawing on two decades of experience in law enforcement, and traffic data from the other routes in the community that are approved for ATV/UTV traffic currently. I believe that local law enforcement and city officials make public safety for their community a high priority, and should be trusted to make these decisions. The ATV route access challenges faced by the City of Darlington are also common throughout the state. This legislation would help all of those communities.

Thank you again for hearing AB 485, and your timely action on the bill.

Wisconsin ATV / UTV Association  
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Sheboygan, WI 53081



To: Committee on Transportation

Re: Assembly Bill 485 Relating to All-Terrain Vehicle and Utility-Terrain Vehicle Operation on Highways Within the Municipality

Members of the Committee,

The ATV and UTV program in Wisconsin continues to grow at an astonishing rate. With this growth, local communities throughout Wisconsin are finding the economic benefit of allowing ATV's and UTV's access to their local road systems. This access is not only vital to support our nearly 2,000 miles of off-road trails by connecting them together, but also to serve the needs of local citizens who enjoy the sport for local access purposes.

Over the last five years, the growth of local access routes has increased exponentially throughout all of Wisconsin. This rapid increase in routes has allowed ATV and UTV traffic to flow in and out of the numerous towns that were previously off-limits to our users. The additional access to the towns brings additional benefits, especially economic growth from the increased tourism and local traffic.

There are some communities that share their roads with Department of Transportation highways. Opening a local road that's under 35 miles per hour often involves countless meetings and political bottlenecks. These bottlenecks only hurt the local municipalities as it often takes years to clear the bureaucracy prior to allowing access on specific roads. In a few cases, these bottlenecks prevented off-road vehicle trail access to certain communities.

Local law enforcement is seeking the DOT's trust to manage and oversee the sections of ATV/UTV routes within their boundaries. Local law enforcement should be making decisions with their local municipal leaders.

The Wisconsin ATV / UTV Association supports Assembly Bill 485 and Senate Bill 392 as it will help increase the riding opportunities for our users.

A handwritten signature in black ink that reads 'Randy Harden'. The signature is written in a cursive, flowing style.

Randy Harden  
President

Wisconsin ATV / UTV Association