



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-5981/1
ZDW:skw

2021 ASSEMBLY BILL 1077

March 7, 2022 - Introduced by Representatives KURTZ, EDMING, CONSIDINE, MILROY, MOSES, MURSAU, OLDENBURG and ROZAR, cosponsored by Senators MARKLEIN and BALLWEG. Referred to Committee on Forestry, Parks and Outdoor Recreation.

1 **AN ACT** *to amend* 23.33 (4) (d) 3. b., 23.33 (9) (bg) 1., 23.33 (11) (am) 3. (intro.),
2 340.01 (3) (a), 340.01 (3) (b), 340.01 (3) (c), 340.01 (3) (d), 340.01 (3) (dg), 340.01
3 (3) (dh) and 340.01 (3) (dm) (intro.) of the statutes; **relating to:** outdoor
4 recreation vehicles used as emergency vehicles or operated on bridges, utility
5 terrain vehicle trail maintenance aid, and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill makes numerous changes to laws relating to all-terrain vehicles (ATVs), utility terrain vehicles (UTVs), and snowmobiles.

Under current law generally, a person may not operate an ATV or UTV on a highway, but may operate an ATV or UTV on the shoulder or roadway of a highway to cross a bridge that is no more than 1,000 feet long. The bill eliminates the 1,000-foot limitation.

Under current law, the Department of Natural Resources provides funding for nonstate utility vehicle projects. ATV trails that are maintained for UTV use at least three months each year, including the months of June, July, and August, are eligible for summer funding as a nonstate utility vehicle project. The maximum amount of summer funding is \$200 per mile of ATV trail maintained. The bill increases the maximum funding amount to \$400 per mile.

The bill increases by \$1,100,000 the amount appropriated to DNR for aids for ATV and UTV law enforcement.

Under current law, "authorized emergency vehicle" is defined to include vehicles operated by various entities, such as law enforcement officers, fire

ASSEMBLY BILL 1077

departments, conservation wardens, and ambulance services. The bill expands the definition of “authorized emergency vehicle” to include ATVs, UTVs, and snowmobiles operated by these same entities.

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) (d) 3. b. of the statutes is amended to read:

2 23.33 (4) (d) 3. b. A person may operate an all-terrain vehicle or utility terrain
3 vehicle on the roadway or shoulder of any highway to cross a bridge that is 1,000 feet
4 in length or less if the operation is in compliance with a county ordinance adopted
5 under sub. (11) (am) 3. that applies to that bridge and a city, village, or town
6 ordinance adopted under sub. (11) (am) 3. that applies to that bridge.

7 **SECTION 2.** 23.33 (9) (bg) 1. of the statutes is amended to read:

8 23.33 (9) (bg) 1. A project to improve or maintain all-terrain vehicle trails for
9 use by utility terrain vehicles is eligible for summer funding as a state utility terrain
10 vehicle project from the appropriation account under s. 20.370 (1) (mr) or for aid as
11 a nonstate utility vehicle project from the appropriation accounts under s. 20.370 (5)
12 (eu) and (gr). The maximum amount allowed for aid under this subdivision is \$200
13 \$400 per mile for all-terrain vehicle trails that are maintained not less than 3
14 months per year including the months of June, July, and August.

15 **SECTION 3.** 23.33 (11) (am) 3. (intro.) of the statutes is amended to read:

16 23.33 (11) (am) 3. (intro.) A county, city, village, or town may enact an ordinance
17 to authorize the operation of all-terrain vehicles and utility terrain vehicles on a
18 highway bridge that is not part of the national system of interstate and defense
19 highways, that is 1,000 feet in length or less, and that is located within the territorial

ASSEMBLY BILL 1077**SECTION 3**

1 boundaries of the county, city, village, or town regardless of whether the county, city,
2 village, or town has jurisdiction over the highway. Any such ordinance shall require
3 a person crossing a bridge to do all of the following:

4 **SECTION 4.** 340.01 (3) (a) of the statutes is amended to read:

5 340.01 (3) (a) Police vehicles, whether publicly or privately owned, including
6 all-terrain vehicles, utility terrain vehicles, snowmobiles, and bicycles being
7 operated by law enforcement officers.

8 **SECTION 5.** 340.01 (3) (b) of the statutes is amended to read:

9 340.01 (3) (b) Conservation wardens' vehicles, including all-terrain vehicles,
10 utility terrain vehicles, and snowmobiles, foresters' trucks, or vehicles used by
11 commission wardens, whether publicly or privately owned.

12 **SECTION 6.** 340.01 (3) (c) of the statutes is amended to read:

13 340.01 (3) (c) Vehicles, including all-terrain vehicles, utility terrain vehicles,
14 and snowmobiles, of a fire department or fire patrol.

15 **SECTION 7.** 340.01 (3) (d) of the statutes is amended to read:

16 340.01 (3) (d) Privately owned motor vehicles, including all-terrain vehicles,
17 utility terrain vehicles, and snowmobiles, being used by deputy state fire marshals
18 or by personnel of a full-time or part-time fire department or by members of a
19 volunteer fire department while en route to a fire or on an emergency call pursuant
20 to orders of their chief or other commanding officer.

21 **SECTION 8.** 340.01 (3) (dg) of the statutes is amended to read:

22 340.01 (3) (dg) Privately owned motor vehicles, including all-terrain vehicles,
23 utility terrain vehicles, and snowmobiles, being used by an organ procurement
24 organization, or by any person under an agreement with an organ procurement
25 organization, to transport organs for human transplantation or to transport medical

ASSEMBLY BILL 1077**SECTION 8**

1 personnel for the purpose of performing human organ harvesting or transplantation
2 immediately after the transportation.

3 **SECTION 9.** 340.01 (3) (dh) of the statutes is amended to read:

4 340.01 (3) (dh) Privately owned motor vehicles, including all-terrain vehicles,
5 utility terrain vehicles, and snowmobiles, being operated in the course of a business
6 and being used, in response to an emergency call from a treating physician or his or
7 her designee declaring the transportation to be an emergency, to transport medical
8 devices or equipment to a hospital or ambulatory surgery center, or to pick up
9 medical devices or equipment for immediate transportation to a hospital or
10 ambulatory surgery center, if the medical devices or equipment are to be used for
11 human implantation or for urgent medical treatment immediately after the
12 transportation.

13 **SECTION 10.** 340.01 (3) (dm) (intro.) of the statutes is amended to read:

14 340.01 (3) (dm) (intro.) Privately owned motor vehicles, including all-terrain
15 vehicles, utility terrain vehicles, and snowmobiles, that are all of the following:

16 **SECTION 11. Fiscal changes.**

17 (1) In the schedule under s. 20.005 (3) for the appropriation to the department
18 of natural resources under s. 20.370 (5) (er), the dollar amount for fiscal year 2021-22
19 is increased by \$550,000 for the purpose for which the appropriation is made. In the
20 schedule under s. 20.005 (3) for the appropriation to the department of natural
21 resources under s. 20.370 (5) (er), the dollar amount for fiscal year 2022-23 is
22 increased by \$550,000 for the purpose for which the appropriation is made.

23 (END)