

**1999 DRAFTING REQUEST****Bill**Received: **01/13/2000**Received By: **gibsom**Wanted: **As time permits**

Identical to LRB:

For: **Joan Spillner (608) 266-7746**By/Representing: **Jason**

This file may be shown to any legislator: NO

Drafter: **gibsom**

May Contact:

Alt. Drafters:

Subject: **Nat. Res. - boats snomos ATVs**

Extra Copies:

**Pre Topic:**

No specific pre topic given

**Topic:**

Various snowmobile changes

**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>Reaired</u>
/1	gibsom 02/08/2000	csicilia 02/16/2000	jfrantze 02/16/2000	_____	lrb-docadmin 02/16/2000	lrb_docadminS&L 02/17/2000	
				_____	lrb-docadmin		
				_____	02/17/2000		

FE Sent For:

&lt;END&gt;

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FE Sent For:

<END>

# CLEAN UP Bill

may contact Tom 678  
Thurson 20  
Morris Nelson

1999-2001 Statutory Language Proposal

Division: Enforcement and Science

Bureau: Law Enforcement

Issue/Topic: Statutory Language Proposals

① Proposed Changes: Amend 25.29(1)(d)1. An amount calculated by multiplying the number of snowmobiles registered under s. 350.12 on the last day of ~~February~~ <sup>March</sup> of the previous fiscal year by 50 gallons and multiplying that product by the excise tax imposed under s. 78.01(1) on the last day of ~~February~~ <sup>March</sup> of the previous fiscal year.

This section is amended to read:

② 350.02(3m). A law enforcement officer may operate a snowmobile on a highway in performance of his or her official duties if the snowmobile is equipped with a flashing, oscillating or rotating blue, red, or combination red and blue <sup>light</sup>

☐ ③ Create: 350.06 Meeting other snowmobiles. Any snowmobile operator shall when meeting a snowmobile head-on or nearly so, shall proceed with caution and stay to the right.

Create: 350.05(2)(a)1. The holder of a certificate under 750.05(2) or a person born prior to January 1, 1985 may be subject to a suspension or revocation of operating privileges of a snowmobile under ss. 23.79(4) for a period of up to ~~2~~ <sup>2</sup> years for a conviction of civil violation of this chapter.

2. The holder of a certificate under 350.05(2) or a person born prior to January 1, 1985, may be subject to a revocation of operating privileges of a snowmobile under ss. 23.79(4) for up to five years for a conviction of a criminal violation of this chapter or a criminal vehicle conviction of chapters 940 or 941.

Amend: 350.09(7) ... as to limit total vehicle noise to not more than 78 decibels of A sound pressure, as measured by Society of ~~Automotive~~ <sup>Automotive</sup> Engineer Standards as determined by measurement and limits set prescribed by administrative rule. The department shall adopt by administrative rule, a stationary ~~test~~ <sup>test and</sup> sound standards that every snowmobile manufactured after July 1, 1975, and offered for sale, rented, sold, or operated in this state shall comply with.

Create: 350.09(10) If a conservation warden or law enforcement officer has reasonable grounds to believe a violation of 350.09(1-10), 350.10(4) or 350.10 or administrative rule promulgated under these equipment requirement has occurred, in addition to or instead of any penalty prescribed in 350.11, the officer may order the defective equipment to be brought into compliance within a reasonable time period.

Amend: 350.12(3)2... at time of sale, deliver the assigned certificate to the purchaser. If the snowmobile is also covered by a certificate of registration in another state or province at the time of sale, all assigned certificates must be turned over to the purchaser.

Create: 350.15(6) Snowmobile accident does not include an accident that results from a snowmobile race or derby as defined in 350.04 or administrative rule.

Amend 347.415 Under this section "motor vehicle" includes snowmobile, ATV, boat or other motorized vehicle equipped with an odometer or meter indicating miles or hours of use.

\*\*\* (Put in statutory budget language on non-resident trail pass fund going to supplemental fund)

the \$12 <sup>26</sup> into supplemental trail aids  
\$300 under current  
\$10 of 12.25 to supplemental trail aids

not just

does count  
not as "snowmobile"  
"statutory"

trail aids

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1999-2001 Statutory Language Proposal

MGG  
/2

Division: Enforcement and Science

Bureau: Law Enforcement

Issue/Topic: Statutory Language Proposals

Proposed Changes: Amend **25.29(1)(d)1**. An amount calculated by multiplying the number of snowmobiles registered under s. 350.12 on the last day of ~~February~~ **March** of the previous fiscal year by 50 gallons and multiplying that product by the excise tax imposed under s. 78.01(1) on the last day of ~~February~~ **March** of the previous fiscal year.

This section is amended to read:

**350.02(3m)**. A law enforcement **officer** may operate a snowmobile on a highway in performance of his or her official duties if the snowmobile is equipped with a flashing, oscillating or rotating blue, red, or combination red and blue light.

Create: **350.05(2)(a)1**. The holder of a certificate under **350.05(2)** or a person born prior to January 1, 1985 may be subject to a suspension or revocation of operating privileges of a snowmobile authorized under ss. **23.79(4)** for a period of up to 2 years for a conviction of c&violation of this chapter.

2. The holder of a certificate under **350.105(2)** or a person born prior to January 1, 1985, may be subject to a revocation of operating privileges of a snowmobile under ss. **23.79(4)** for up to five years for a conviction of a criminal violation of this chapter or a criminal vehicle conviction of chapters 940 or 941.

Create: **350.06** Meeting other snowmobiles. Any snowmobile operator shall when meeting a snowmobile head-on or nearly so, shall proceed with caution and stay to the right.

Amend: **350.09(7)** . . . as to limit total vehicle noise to not more than ~~78 decibels of A sound pressure, as measured by Society of Automotive Engineer Standards~~ as determined by measurement and limits set by administrative rule. The department shall adopt by administrative rule, a stationary test and sound standards that every snowmobile manufactured after July 1, 1975, and offered for sale, rented, sold, or operated in this state shall comply with.

Create: **350.09(10)** If a conservation warden or law enforcement officer has reasonable grounds to believe a violation of **350.09(1-10), 350.10(4)** or 350.10 or administrative rule promulgated under these equipment requirement has occurred, in addition to or instead of any penalty prescribed in 350.11, the officer may order the defective equipment to be brought into compliance within a reasonable time period.

Amend: **350.12(3)2** . . . at time of sale, deliver the assigned certificate to the purchaser. If the snowmobile is also covered by a certificate of registration in another state or province at the time of sale, all assigned certificates must be turned over to the purchaser.

Create: **350.15(6)** Snowmobile accident does not include an accident that results from a snowmobile race or derby as defined in 350.04 or administrative rule.

Amend 347.4 15 Under this section "motor vehicle" includes snowmobile, ATV, boat or other motorized vehicle equipped with an odometer or meter indicating miles or hours of use.

**10** **\*\*\* (Put in statutory budget language on non-resident trail pass fund going to supplemental fund)**

do not draft



State of Wisconsin  
1999 - 2000 LEGISLATURE

RMR

LRB-4207A  
MGG/PRK/TNF:|....

TODAY

ys

~~PRELIMINARY DRAFT NOT READY FOR INTRODUCTION~~

# of snowmobiles and all-terrain vehicles

1 AN ACT ...; relating to: calculating the estimated snowmobile gas tax payment;

2 operation of snowmobiles by law enforcement officers on highways; operation

3 of snowmobiles proceeding in opposite directions; vehicle noise levels for

4 snowmobiles; tampering with odometers and <sup>with</sup> hour meters' of boats,

5 snowmobiles and all-terrain vehicles; inspection of equipment on

6 snowmobiles; transfer of snowmobile registration certificates; exempting

7 accidents occurring in certain snowmobile races or derbies from requirements

8 to render aid and from reporting and investigation requirements; use of fees

9 collected for snowmobile trail use stickers for snowmobile trail maintenance

10 costs ~~and~~ granting rule <sup>making authority</sup> and making an appropriation

INS ANL

**Analysis by the Legislative Reference Bureau**

~~This is a preliminary draft. An analysis will be supplied in a latter version~~

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

1 **SECTION 1.** 20.370 (5) (cw) of the statutes is created to read:

2 20.370 (5) (cw) ~~Recreation aids~~ *supplemental snowmobile trail aids*. All  
3 amounts as calculated under s. 350.12 (3) (am) for payments for snowmobile  
4 maintenance costs under under s. 350.12 (3) (bg).

5 **SECTION 2.** 25.29 (1) (d) 1. of the statutes is amended to read:

6 25.29 (1) (d) 1. An amount calculated by multiplying the number of  
7 snowmobiles registered under s. 350.12 or 350.122 on the last day of February of the  
8 previous fiscal year by 50 gallons and multiplying that product by the excise tax  
9 imposed under s. 78.01 (1) on the last day of ~~February~~ March of the previous fiscal  
10 year. ✓

INSERT 2-4

History: 1971 c. 125; 1973 c. 90; 1977 c. 29; 1977 c. 418 ss. 244, 245, 929 (37); 1979 c. 34 ss. 707v, 2102 (39) (a); 1979 c. 221; 1979 c. 361 s. 113; 1983 a. 27 ss. 636m, 637.2202 (38); 1985 a. 29 ss. 6386.3202 (39); 1985 a. 135; 1987 a. 27; 1987 a. 312 s. 17; 1989 a. 31; 1991 a. 39,269; 1995 a. 27; 1995 a. 257 s. 3; 1997 a. 1, 27, 248; 1999 a. 9.

11 **SECTION 3.** 350.02 (3m) of the statutes is amended to read:

12 350.92 (3m) A law enforcement officer may operate a snowmobile on a highway  
13 in performance of his or her official duties if the snowmobile is equipped with a  
14 ~~flashing, oscillating or rotating~~ blue...light that is red or blue or a combination thereof  
15 and that is flashing, oscillating or rotating. ✓

as created by 1999 Wisconsin Act 9, ✓

INSERT 2-10

History: 1971 c. 277; 1981 c. 295; 1983 a. 47; 1987 a. 232.1989 a. 51; 1995 a. 61; 1999 a. 9.

16 **SECTION 4.** 350.035 of the statutes is created to read:

17 **350.035 Meeting of snowmobiles.** Operators of snowmobiles proceeding in ✓  
18 opposite directions shall proceed with caution and pass each other to the right.

19 **SECTION 5.** 350.09 (7) of the statutes is renumbered 350.09 (7) (a) and amended  
20 to read:

21 350.09 (7) (a) Every snowmobile manufactured after July 1, 1972, and before  
22 July 2, 1975, and offered for sale ~~or~~ sold, rented or operated in this state shall be so  
23 constructed as to limit total vehicle noise to not more than 82 decibels of A sound

1 pressure at 50 feet, as measured ~~by society of automotive engineers standards in the~~  
 2 manner nrescribed under rules nromulgated by the denartment. Every snowmobile  
 3 manufactured after July 1, 1975, and offered for sale ~~or~~, sold, rented or operated in  
 4 this state shall be so constructed as to limit total vehicle noise to not more than 78  
 5 decibels of A sound pressure, as measured ~~by society of automotive engineers~~  
 6 standards in the manner nrescribed under rules nromulgated by the denartment.  
 7 No snowmobile shall be modified by any person in any manner that shall amplify or  
 8 otherwise increase total noise emission above that emitted by the snowmobile as  
 9 originally constructed, regardless of date of manufacture.

History: 1971 c. 277; 1981 c. 295; 1993 a 436.

SECTION 6. 350.09 (7) (b) of the statutes is created to read:

350.09 (7) (b) The department shall promulgate rules for purposes of par. (a),  
 and the rules shall include standards for testing total vehicle noise when a  
 snowmobile is stationary.

SECTION 7. 350.12 (3) (a) 2. of the statutes is amended to read:

← INSERT  
3-183

350.12 (3) (a) 2. Upon transfer of ownership of a snowmobile for which a  
 registration certificate has been issued by this state or by another state? province or  
country, the seller shall, at time of sale, deliver the assigned certificate to the  
 purchaser.

History: 1971 c. 211,277; 1973 c. 298; 1975 c. 39 ss. 693g to 693m, 734; 1975 c. 224; 1977 c. 29,402; 1979 c. 32; 1979 c. 34 ss. 1072,2102 (39) (a); 1979 c. 221; 1981 c. 20, 294, 295; 1983 a. 27 ss. 1709, 1710, 2202 (38); 1983 a. 36, 405; 1985 a. 29 s. 3202 (39); 1985 a. 68, 322; 1985 a. 332 ss. 211, 253; 1987 a. 27, 129, 399; 1989 a. 31, 270, 336; 1991 a. 39, 269, 316; 1993 a. 16, 405, 436; 1995 a. 27, 225; 1997 a. 27, 237; 1999 a. 9

~~SECTION 8. 350.12 (3m) (a) of the statutes is amended to read:~~

INSET 1  
3-18

~~350.12 (3m) (a) Deposited in the conservation fund. All moneys that are  
 collected under this section and that are not issuing fees retained by agents  
 appointed by the department shall be deposited in the conservation fund and  
 credited to the snowmobile account established under s. 25.29 (1m). Ten dollars of~~



1 ~~each fee for a trail use sticker issued under sub (3j) (b) shall be credited to the~~  
2 ~~appropriation account under s. 20.370 (5) (cw).~~

History: 1971 c. 211,277; 1973 c. 298; 1975 c. 39 ss. 693g to 693m, 734; 1975 c. 224; 1977 c. 29,402; 1979 c. 32; 1979 c. 34 ss. 1072, 2102 (39) (a); 1979 c. 221; 1981 c. 20, 294, 295; 1983 a. 27 ss. 1709, 1710, 2202 (38); 1983 a. 36,405; 1985 a. 29 s. 3202 (39); 1985 a. 68,322; 1985 a 332 ss. 211,253; 1987 a. 27, 129, 399; 1989 a. 31,270, 336; 1991 a. 39, 269, 316; 1993 a. 16, 405, 436; 1995 a. 27,225; 1997 a. 27,237; 1999 a. 9.

3 SECTION 9. 350.12 (4) (b) (intro.) of the statutes <sup>is amended to read:</sup>

as affected by 1999 Wisconsin Act 9,

4 350.12 (4) (b) *Trail aids and related costs.* (intro.) The moneys appropriated  
5 under s. 20.370 (1) (mq) and (5) (cb), (cr) ~~and~~, (cs) and (cw) shall be used for  
6 development and maintenance, the cooperative snowmobile sign program, major  
7 reconstruction or rehabilitation to improve bridges on existing approved trails, trail  
8 rehabilitation, signing of snowmobile routes, and state snowmobile trails and areas  
9 and distributed as follows:

History: 1971 c. 211,277; 1973 c. 298; 1975 c. 39 ss. 693g to 693m, 734; 1975 c. 224; 1977 c. 29,402; 1979 c. 32; 1979 c. 34 ss. 1072,2102 (39) (a); 1979 c. 221; 1981 c. 20, 294, 295; 1983 a. 27 ss. 1709, 1710, 2202 (38); 1983 a. 36,405; 1985 a. 29 s. 3202 (39); 1985 a. 68,322; 1985 a 332 ss. 211,253; 1987 a. 27, 129, 399; 1989 a. 31,270, 336; 1991 a. 39, 269, 316; 1993 a. 16, 405, 436; 1995 a. 27,225; 1997 a. 27,237; 1999 a. 9.

10 SECTION 10. ~~350.12 (4) (bg) of the statutes is amended to read:~~

11 350.12 (4) (bg) *Supplemental trail aid payments.* Of the moneys appropriated  
12 under s. 20.370 (5) (cs) and (cw), the department shall make available in fiscal year  
13 1992-93 and each fiscal year thereafter an amount equal to the amount calculated  
14 under s. 25.29 (1) (d) 2. ~~to make payments to the department or a county under par.~~  
15 ~~(bm) for trail maintenance costs incurred in the previous fiscal year that exceed the~~  
16 ~~maximum specified under par. (b) 1. before expending any of the amount for the other~~  
17 ~~purposes specified in par. (b). For payments under this paragraph, the department~~  
18 ~~shall make them from the appropriation under s. 20.370 (5) (cw) before making them~~  
19 ~~from the appropriation under s. 20.370 (5) (cs).~~

History: 1971 c. 211, 277; 1973 c. 298; 1975 c. 39 ss. 693g to 693m, 734; 1975 c. 224; 1977 c. 29, 402; 1979 c. 32; 1979 c. 34 ss3; 1987 a. 27, 129, 399; 1989 a. 31, 2107, 2102, 336; 1991 a. 39, 269, 316; 1993 a. 16, 405, 436; 1995 a. 27, 225; 1997 a. 27, 237; 1999 a. 9.

(END)

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4-19A

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1999-2000 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-4207?ins  
MGG/PEN/TNF:.....

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This bill consists <sup>of</sup> various changes to current law ~~regulating~~ governing the operation of snowmobiles, equipment on snowmobiles, snowmobile registration certificates, snowmobile derbies and races and funding for snowmobile trail, safety and enforcement costs. The changes include the following:

1. The bill requires that \$10 of each \$12.25 fee collected for a snowmobile trail use sticker be credited to an appropriation to provide supplemental funding for the maintenance of snowmobile trails. A trail use sticker issued by the department of natural resources (DNR) is required on all snowmobiles that are operated but not registered in this state. Supplemental funding is available for maintenance of trails if the actual cost of maintenance exceeds the amount determined under the trail aids formula which sets a maximum amount per mile of trail. ✓

2. (~~inspections~~) ← INS ANL 2,

3. The bill exempts snowmobile accidents occurring during snowmobile races or derbies that are sponsored by certain entities such as local governmental units or snowmobile clubs from general procedures that must be followed in the event of an snowmobile accident. These procedures include requirements to render aid and to report any, accident that involves an injury that requires treatment by a physician to a law enforcement official. ✓

4. The bill prohibits any person from knowingly interfering with the proper operation of the. odometer of a snowmobile or all-terrain vehicle and from operating a snowmobile or all-terrain vehicle having a malfunctioning odometer. The bill prohibits any person, with intent to defraud, from interfering with the proper operation of an hour meter on a snowmobile, all-terrain vehicle or boat. An hour meter measures and records the hours that the snowmobile, all-terrain vehicle or boat has been operating. These provisions are similar to ones prohibiting tampering with the odometer of a motor vehicle or with the hour meter of farm equipment. The bill contains exceptions to allow a malfunctioning odometer or hour meter to be restored to its proper working order. ✓

5. The bill requires that ~~the Department of natural resources (DNR)~~ promulgate rules to establish requirements for test<sup>ing</sup> noise levels of snowmobiles. Current law requires standards for measurement that are established by the society of automotive engineers <sup>to</sup> be used.

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

**1999 BILL**

1 ~~AN ACT to renumber 100.48 (1) (a); to renumber and amend 347.415 (1); to~~  
2 ~~amend 100.48 (1) (b), 100.48 (2), 100.48 (3) (a), 100.48 (4) (a), 100.48 (4) (b),~~  
3 ~~347.415 (2), 347.415 (4), 347.50 (1) and 347.50 (2); and to create 100.48 (1) (ad),~~  
4 ~~100.48 (1) (ag), 100.48 (1) (c), 100.48 (4) (c), 347.415 (lg), 350.02 (2) (a) 7.,~~  
5 ~~350.095, 350.12 (3i) and 350.15 (6) of the statutes; relating to: tampering with~~  
6 ~~odometers and hour meters on boats, snowmobiles and all-terrain vehicles;~~  
7 ~~inspections of equipment on snowmobiles; speed limits for snowmobiles~~  
8 ~~operated on roadways; and exempting accidents occurring in certain~~  
9 ~~snowmobile races or derbies from requirements to render aid and from~~  
10 ~~reporting and investigating requirements.~~

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***Analysis by the Legislative Reference Bureau***

Under current law, a person operating a snowmobile adjacent to a roadway or on certain roadways that are open to snowmobiles for access to lodging or residences must observe the roadway speed limits. This bill expands this requirement to cover all roadways upon which snowmobiles are operated.

Current law prohibits tampering with the odometer of a motor vehicle and with the hour meter of farm equipment. An odometer measures and records the distance

**BILL**

that a motor vehicle has traveled while in operation. An hour meter measures and records the hours of operation.

This bill prohibits any person from knowingly interfering with the proper operation of the odometer of a snowmobile or all-terrain vehicle and from operating a snowmobile or all-terrain vehicle having a malfunctioning odometer. The bill prohibits any person, with intent to defraud, from interfering with the proper operation of an hour meter on a snowmobile, all-terrain vehicle or boat. The bill contains exceptions to allow a malfunctioning odometer or hour meter to be restored to its proper working order.

This bill authorizes conservation wardens and other law enforcement officers to stop and inspect a snowmobile to determine whether required equipment is in good working order, and requires the operator to stop and submit the snowmobile to the requested inspection. A snowmobile found to be unsafe for operation or in violation of required equipment standards may be ordered out of operation, except for purposes of removal and repair, until it has been repaired. Conservation wardens may issue to the owner or operator of a snowmobile in violation of required equipment standards a repair order requiring the repair of the violating equipment, in addition to or instead of any penalties that apply to violating the equipment standards. The bill prohibits the Department of Natural Resources (DNR) and Indian tribes and bands from registering snowmobiles that failed their most recent equipment inspection until repairs have been made.

Current law contains procedures that must be followed in the event of a snowmobile accident. Under current law, a snowmobile operator involved in an accident must render as much aid as is practicable to save any injured person and to minimize any danger caused by the accident. Also, the snowmobile operator must report the accident to law enforcement officials if the accident involved an injury that required treatment by a physician. Under current law, DNR must investigate any accident that results in a person's death and may investigate an accident that involves an injury that required treatment by a physician. This bill exempts from these required procedures accidents that occur during a snowmobile race or derby that is sponsored by a local governmental unit or by a snowmobile club or other promoter.

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.** 100.48 (1) (a) of the statutes is renumbered 100.48 (1) (am).
- 2           **SECTION 2.** 100.48 (1) (ad) of the statutes is created to read:
- 3           100.48 (1) (ad) "All-terrain vehicle" has the meaning given in s. 340.01 (2g).
- 4           **SECTION 3.** 100.48 (1) (ag) of the statutes is created to read:

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1 100.48 (1) (ag) "Boat" has the meaning given in s. 30.50 (2).

2 SECTION 4. 100.48 (1) (b) of the statutes is amended to read:

3 100.48 (1) (b) "Hour meter" means an instrument ~~on a piece of farm equipment~~  
4 that measures and records the actual hours of operation of the ~~piece of farm~~  
5 ~~equipment~~ vehicle or device to which the instrument is attached.

6 SECTION 5. 100.48 (1) (c) of the statutes is created to read:

7 100.48 (1) (c) "Snowmobile" has the meaning given in s. 350.01 (12).

8 SECTION 6. 100.48 (2) of the statutes is amended to read:

9 100.48 (2) No person may, either personally or through an agent, remove,  
10 replace, disconnect, reset, tamper with, alter, or fail to connect, an hour meter  
11 attached to farm equipment, a snowmobile, an all-terrain vehicle or a boat with the  
12 intent to defraud by changing or affecting the number of hours of operation indicated  
13 on the hour meter.

14 SECTION 7. 100.48 (3) (a) of the statutes is amended to read:

15 100.48 (3) (a) Nothing in this section shall prevent the service, repair or  
16 replacement of an hour meter if the number of hours of operation indicated on the  
17 hour meter remains the same as before the service, repair or replacement. If an hour  
18 meter attached to farm equipment, a snowmobile, an all-terrain vehicle or a boat is  
19 incapable of registering the same number of hours of operation as before its service,  
20 repair or replacement, the hour meter shall be adjusted to read zero, and a sticker  
21 shall be affixed by the owner of the ~~piece of farm equipment~~ vehicle or device to which  
22 the hour meter is attached or an agent, in proximity to the hour meter, specifying the  
23 number of hours of operation recorded on the hour meter prior to its service, repair  
24 or replacement and the date on which it was serviced, repaired or replaced. No  
25 person who services, repairs or replaces an hour meter attached to farm equipment.

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1 a snowmobile, an all-terrain vehicle or a boat that is incapable of registering the  
2 same number of hours of operation as before such service, repair or replacement may  
3 fail to adjust the hour meter to read zero or fail to affix the sticker required by this  
4 paragraph.

5 **SECTION 8.** 100.48 (4) (a) of the statutes is amended to read:

6 100.48 (4) (a) Any person who violates sub. (2) or (3) (b) with respect to an hour  
7 meter attached to farm equipment may be fined not more than \$5,000 or imprisoned  
8 for not more than one year in the county jail, or both, for each violation.

9 **SECTION 9.** 100.48 (4) (b) of the statutes is amended to read:

10 100.48 (4) (b) Any person who violates sub. (3) (a) with respect to an hour meter  
11 attached to farm equipment may be required to forfeit not more than \$500 for each  
12 violation.

13 **SECTION IO.** 100.48 (4) (c) of the statutes is created to read:

14 100.48 (4) (c) Any person who violates sub. (2) or (3) with respect to an hour  
15 meter attached to a snowmobile, an all-terrain vehicle or<sup>a</sup> boat may be fined not more  
16 than \$5,000 or imprisoned for not more than one year in the county jail, or both, for  
17 each violation.

18 **SECTION 11.** 347.415 (1) of the statutes is renumbered 347.415 (1m) and  
19 amended to read:

20 347.415 (1m) No person shall ~~may~~, either personally or through an agent,  
21 remove, replace, disconnect, reset, tamper with, alter, or fail to connect the odometer  
22 of any motor vehicle, snowmobile or all-terrain vehicle with the intent to change or  
23 affect the number of miles indicated thereon.

24 **SECTION 12.** 347.415 (1g) of the statutes is created to read:

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INSERT  
2-10

1           347.415 (1g) In this section, "odometer" means an instrument for measuring  
2 and recording the actual distance that a motor vehicle, snowmobile or all-terrain  
3 vehicle has traveled while in operation, but does not include any auxiliary  
4 instrument designed to be reset to zero to measure and record the actual distance  
5 that a motor vehicle, snowmobile or all-terrain vehicle has traveled on trips.

6           **SECTION 13.** 347.415 (2) of the statutes is amended to read:

7           347.415 (2) No person may operate a motor vehicle subject to registration  
8 under ch. 341 on any street or highway with knowledge that the odometer is  
9 removed, disconnected or nonfunctional. Notwithstanding s. 347.02 (2), no person  
10 may operate a snowmobile or all-terrain vehicle with knowledge that the odometer  
11 is removed, disconnected or nonfunctional. An exemption may be provided if parts  
12 are on back order to correct a nonfunctional odometer.

13           **SECTION 14.** 347.415 (4) of the statutes is amended to read:

14           347.415 (4) No person shall conspire with any other person to violate sub. (1)  
15 0, (2) or (3).

16           **SECTION 15.** 347.50 (I) of the statutes is amended to read:

17           347.50 (I) Any person violating ss. 347.35 to 347.49, except s. 347.413 (I) or s.  
18 347.415 (1) (1m), (2) and (3) to (5) or s. 347.417 (1) or s. 347.48 (2m) or (4) (a) or s.  
19 347.489, may be required to forfeit not less than \$10 nor more than \$200.

20           **SECTION 16.** 347.50 (2) of the statutes is amended to read:

21           347.50 (2) Any person violating s. 347.415 (1) (1m), (2) and (3) to (5) may be  
22 fined not more than \$5,000 or imprisoned for not more than one year in the county  
23 jail, or both, for each violation.

24           ~~**SECTION 17.** 350.02 (2) (a) 7. of the statutes is created to read:~~

↑  
END  
INSERT 2-10

BILL

1 ~~350.02 (2) (a) 7. A person operating a snowmobile on a roadway shall observe~~  
2 ~~roadway speed limits.~~

INSERT  
3-18-13

3 SECTION 18. 350.095 of the statutes is created to read:

4 **350.095 Snowmobile inspection. (1)** No person may operate, or cause or  
5 knowingly permit to be operated, on any highway any snowmobile that does not meet  
6 the requirements of this section.

7 (2) When directed by any law enforcement officer, the operator of any  
8 snowmobile shall stop and submit the snowmobile to an inspection and such tests as  
9 are necessary to determine whether its required equipment is in proper adjustment  
10 or repair, or is in violation of the equipment provisions of s. 350.09 or 350.10 (1) (d)  
11 or (e), or rules issued pursuant thereto.

12 (3) When any snowmobile is found to be unsafe for operation or in violation of  
13 the equipment provisions of s. 350.09 or 350.10 (1) (d) or (e), or rules issued pursuant  
14 thereto, a law enforcement officer may order the snowmobile removed from the  
15 highway and not operated, except for purposes of removal and repair, until it has  
16 been repaired pursuant to a repair order as provided in sub. (4).

17 (4) In addition to or in lieu of a citation for the violation, when any snowmobile  
18 is in violation of the equipment provisions of s. 350.09 or 350.10 (1) (d) or (e), or rules  
19 issued pursuant thereto, a law enforcement officer may issue a repair order, in such  
20 form and containing such information as the department prescribes, to the owner or  
21 operator of the snowmobile. The owner or operator shall thereupon obtain such  
22 repairs as are required.

23 (5) No owner or operator of a snowmobile may refuse to submit a snowmobile  
24 to any inspection or test that is authorized under this section.

25 SECTION 19. 350.12 (3i) of the statutes is created to read:

INS 3-18





**BILL**

1           350.12 (3i)       REGISTRATION OF CERTAIN SNOWMOBILES PROHIBITED.  
 2       Notwithstanding sub. (3) (d) or (3j) (c) or s. 23.315 or 350.122 (2), the department or  
 3       federally recognized Indian tribe or band in this state shall refuse registration of a  
 4       snowmobile if the most recent inspection under s. 350.095 indicates that the  
 5       snowmobile's required equipment is not in proper adjustment or repair, or is in  
 6       violation of the equipment provisions of s. 350.09 or 350.10 (1) (d) or (e), or rules  
 7       issued pursuant thereto.

INSERT 4-198

8           **SECTION 20.** 350.15 (6) of the statutes is created to read:

9           350.15 (6) **EXCEPTION.** This section does not apply to snowmobile accidents that  
 10       occur during a sanctioned race or derby.

11       ~~SECTION 9336~~ **Initial applicability; natural resources.**

12       (1) ODOMETERS AND HOUR METERS ON SNOWMOBILES, ALL-TERRAIN VEHICLES AND  
 13       BOATS. The treatment of sections 100.48 (1) (b), (2) and (3) (a) and 347.415 (1m) and  
 14       (2) of the statutes first applies to offenses committed on the effective date of this  
 15       subsection.

(END)

Handwritten note in a box:  
 ordinary  
 init app  
 not  
 budget  
 init app

DOA: . . . . .Grinde - Supplemental funding for snowmobile trail aids

FOR 1999-01 BUDGET - **NOT READY FOR** INTRODUCTION

1 **AN ACT . . . . relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**NATURAL RESOURCES**

**RECREATION**

Under current law, the department of natural resources (DNR) provides supplemental aid for the maintenance and grooming of state and county snowmobile trails. The supplemental aid is available for maintenance or grooming of trails if the actual cost of maintenance or grooming exceeds the amount determined under the trail aids formula which sets a maximum amount per mile of trail. Currently, this supplemental aid is funded by moneys transferred from the transportation fund to the conservation fund. The amount of this transfer equals 40% of the estimated snowmobile gas tax formula. The snowmobile gas tax formula amount represents an estimate of the amount of excise tax paid on gasoline by operators of snowmobiles registered in this state.

This bill provides additional funding for these supplemental trail aids from the fees received by DNR for snowmobile trail use stickers. These stickers are required on all snowmobiles that are operated in this state but not registered in this state. The fee for these stickers is \$12.25. Under the bill, \$10 of each fee is made available for these supplemental trail aids.

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. 20.370 (5) (cw) of the statutes is created to read:

INS  
2-4

2 **20.370 (5) (cw) Recreation aid - supplemental snowmobile trail aids.** As a  
3 continuing appropriation, from the snowmobile account in the conservation fund an  
4 amount equal to the amount calculated under s. 350.12 (4) (bg) 2. for the purposes  
5 specified in s. 350.12 (4) (b).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 SECTION 2. 350.12 (4) (b) (intro.) of the statutes is amended to read:

7 ~~350.12 (4) (b) Trail aids and related costs. (intro.) The moneys appropriated~~  
8 ~~under s. 20.370 (1) (mq) and (5) (cr) and, (cs) and (cw) shall be used for development~~  
9 ~~and maintenance, the cooperative snowmobile sign program, major reconstruction~~  
10 ~~or rehabilitation to improve bridges on existing approved trails, trail rehabilitation,~~  
11 ~~signing of snowmobile routes, and state snowmobile trails and areas and distributed~~  
12 ~~as follows:~~

13 SECTION 3. 350.12 (4) (bg) of the statutes is renumbered 350.12 (4) (bg) 1. and  
14 amended to read:

INS  
4-19A

15 350.12 (4) (bg) 1. Of the moneys appropriated under s. 20.370 (5) (cs), the  
16 department shall make available in ~~fiscal year 1992-93~~ and each fiscal year  
17 ~~thereafter~~ an amount equal to the amount calculated under s. 25.29 (1) (d) 2. to make  
18 payments to the department or a county under par. (bm) for trail maintenance costs  
19 incurred in the previous fiscal year that exceed the maximum specified under par.  
20 (b) 1. before expending any of the amount for the other purposes specified in par. (b).

✓  
↓

INS  
4-19A

1 SECTION 4. 350.12 (4) (bg) 2. of the statutes is created to read:

2 350.12 (4) (bg) 2. For fiscal year <sup>2000-2001</sup>~~1999-2000~~, and for each fiscal year thereafter,

3 the department shall calculate an amount equal to the number of trail use stickers

4 issued under sub. (3j) in the previous fiscal year multiplied by \$10 and shall credit

5 this amount to the appropriation account under s. 20.370 (5) (cw). From the

6 appropriation under s. 20.370 (5) (cw), the department shall make payments to the

7 department or a county for the purposes specified in par. (b). The department shall

8 make payments under par. (bm) for trail maintenance costs that were incurred in the

9 previous fiscal year and that exceed the maximum specified under par. (b) 1. before

10 making payments for any of the other purposes specified in par. (b).

11 (END)



## Barman, Mike

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**From:** Barman, Mike  
**Sent:** Wednesday, February 16, 2000 3:33 PM  
**To:** Newhouse, Chris  
**Subject:** LRB 99-4207/1 (per your request)



99-4207/1

*Mike Barman*

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(E-Mail: [mike.barman@legis.state.wi.us](mailto:mike.barman@legis.state.wi.us)) (FAX: 608-264-6948)

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