

2009 DRAFTING REQUEST

Bill

Received: **04/01/2009**

Received By: **mglass**

Wanted: **As time permits**

Identical to LRB:

For: **Ann Hraychuck (608) 267-2365**

By/Representing: **Stephanie Hilton**

This file may be shown to any legislator: **NO**

Drafter: **mglass**

May Contact:

Addl. Drafters:

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

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Hraychuck@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Definition of an all-terrain vehicle

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>Required</u>
/?				_____			State
/1	mglass 04/02/2009	nmatzke 04/02/2009	phenry 04/02/2009	_____	sbasford 04/02/2009		State
	mglass 07/20/2009	bkraft 07/20/2009		_____			
/2			rschluet 07/20/2009	_____	mbarman 07/20/2009	cduerst 07/20/2009	

FE Sent For:

*at
intro*

<END>

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12 bjk 7/20
[Handwritten signature]

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1/?	mglass	1/14/2 nwn	4/2 DH	4/2 DH/PAID			

FE Sent For:

<END>

Gibson-Glass, Mary

From: Hilton, Stephanie
Sent: Wednesday, April 01, 2009 10:59 AM
To: Gibson-Glass, Mary
Subject: FW: Hraychuck constituent contact

Hi Mary,
Here's that email about this ATV issue!
Thanks,
Stephanie

Stephanie Hilton
Legislative Assistant
Office of Rep. Ann Hraychuck
608-267-2365 or 1-888-529-0028
Room 6 North State Capitol

From: Eddy, Gary D - DNR [mailto:Gary.Eddy@Wisconsin.gov]
Sent: Tuesday, March 31, 2009 4:36 PM
To: Hilton, Stephanie
Cc: Heinen, Paul H - DNR
Subject: RE: Hraychuck constituent contact

Hello Stephanie,
I have talked to Polaris factory reps and Randy Harden, WI ATV Assoc. president about this issue. Polaris and Randy Harden are moving forward with seeking a law change regarding the statutory, legal definition of an ATV. The new definition would include the Polaris XP ATV line with 14 inch rims. I know other legislators have been contacted, unknown if a sponsor has been secured. Until the definition is changed, the DNR cannot register these units as ATVs. Gary is correct, they may only be operated on private property with permission or on frozen waterway. It should be noted that Polaris knew these machines did not meet WI's definition prior to production and distribution to WI dealerships.

If you need any further information, please let me know.

Gary

Gary Eddy

ATV/Snowmobile Administrator
Bureau of Law Enforcement
Wisconsin Department of Natural Resources
(☎) phone: (608) 267-7455
(☎) fax: (608) 266-3696
(✉) e-mail: gary.eddy@wisconsin.gov

From: Hilton, Stephanie [mailto:Stephanie.Hilton@legis.wisconsin.gov]

4/1/2009

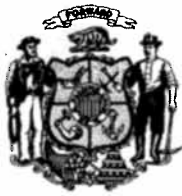
Sent: Friday, March 27, 2009 12:55 PM
To: Heinen, Paul H - DNR
Subject: Hraychuck constituent contact

Gary Reed
252 County Road I
Balsam Lake, WI 54810-9043
715-485-3159

Gary said that there's a new model from Polaris--a new four wheeler with 14" rims. He says they are the same height as the models with 12" rims. Current law allows 12" rims, 900 lbs. Is there any legislation before the legislature that would change the requirements?? Has this issue come up at the DNR?. Otherwise he would only be able to ride this new model on his own property.

-Stephanie

Stephanie Hilton
Legislative Assistant
Office of Rep. Ann Hraychuck
608-267-2365 or 1-888-529-0028
Room 6 North State Capitol



State of Wisconsin
2009 - 2010 LEGISLATURE

in edit
A/1

RMR
LRB-2529/A 1
Mbt
nwn

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA ✓
X-ref ✓

Gen. fire
a tie
① AN ACT ...; relating to: } modifying the definition of all-terrain vehicle

Analysis by the Legislative Reference Bureau

Current law defines an "all-terrain vehicle" as an engine-driven device with a width of not more than 48 inches and a net weight of 900 pounds or less that is equipped with a seat designed to be straddled by the vehicle operator and that is designed to travel on at least three low-pressure tires. Under current law, a low-pressure tire is not that has a minimum width of six inches and is designed to be mounted on a rim with a maximum width of 12 inches. diameter

V
V

This bill increases the maximum width of the rim to 14 inches.

For further information see the *state* 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:

- 2 SECTION 1. 340.01 (2g) of the statutes is amended to read:
- 3 340.01 (2g) "All-terrain vehicle" means an engine-driven device which has a
- 4 net weight of 900 pounds or less, which has a width of 48 inches or less, which is
- 5 equipped with a seat designed to be straddled by the operator and which is designed
- 6 to travel on 3 or more low-pressure tires. A low-pressure tire is a tire which has a

SECTION 1

1 minimum width of 6 inches, which is designed to be mounted on a rim with a
 2 maximum diameter of ~~12~~ 14 inches and which is designed to be inflated with an
 3 operating pressure not to exceed 6 pounds per square inch as recommended by the
 4 manufacturer.

History: 1971 c. 100 s. 23; 1971 c. 201, 211, 233, 277, 307; 1973 c. 86, 157, 182, 185, 272, 333, 335; 1973 c. 336 s. 79; 1975 c. 25, 120, 121, 136, 192, 199, 320, 326; 1975 c. 429 ss. 2m, 2r, 3, 4, 8, 9; 1977 c. 5; 1977 c. 29 ss. 1405 to 1410, 1654 (3); 1977 c. 30 s. 5; 1977 c. 43, 55, 57, 116, 193, 272, 288, 418; 1979 c. 36, 221; 1979 c. 333 s. 5; 1979 c. 345; 1981 c. 20, 159, 329; 1983 a. 27, 78, 124, 130, 175; 1983 a. 189 ss. 249, 329 (17m), (24); 1983 a. 223, 227, 243, 270, 457, 459; 1983 a. 512 s. 8; 1983 a. 538; 1985 a. 29, 65; 1985 a. 146 s. 8; 1985 a. 165, 187, 287; 1987 a. 259, 270, 349, 399; 1989 a. 31; 1989 a. 75 s. 1; 1989 a. 102; 1989 a. 105 ss. 13 to 30, 37, 41, 42; 1989 a. 134, 170; 1991 a. 39, 239, 269, 277, 316; 1993 a. 15, 16, 63, 159, 198, 213, 246, 260, 399, 436, 490; 1995 a. 27 s. 9145 (1); 1995 a. 36, 77, 113, 138, 225, 436, 448; 1997 a. 27, 164, 252, 277; 1999 a. 9, 31, 80, 85, 109, 140; 2001 a. 10, 16, 90, 102, 105, 109; 2003 a. 30, 33, 97, 192, 320, 321; 2005 a. 455; 2007 a. 11; 2007 a. 20 ss. 3190m, 3190p, 3220c; 2007 a. 27; 2007 a. 33 s. 8; 2007 a. 130, 175.

5 (END)

D-note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2529/02¹
MGG:↓:....
nwn

Date

Is there a need to increase the minimum width of the low-[↓]pressure tire? ✓

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2529/1dn
MGG:wnn:ph

April 2, 2009

Is there a need to increase the minimum width of the low-pressure tire?

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

Gibson-Glass, Mary

From: Hilton, Stephanie
Sent: Monday, June 29, 2009 1:58 PM
To: Gibson-Glass, Mary
Subject: FW: ATV Definition
Attachments: ATV Definition (2).pdf; ATV Defintion 2.pdf

Hi Mary,
Could you draft an Assembly companion bill? Thanks!
-Stephanie

Stephanie Hilton
Legislative Assistant
Office of Rep. Ann Hraychuck
608-267-2365 or 1-888-529-0028
Room 6 North State Capitol

From: Novak, Elizabeth
Sent: Wednesday, June 03, 2009 8:38 AM
To: Hilton, Stephanie
Subject: FW: ATV Definition

Stephanie:

See attached. This is the version that was approved by WATVA, DNR, and Polaris.

So, if you're still on board for a companion bill, this would be the version.

We did get it jacketed, and I am working on a co-sponsorship memo.

Let me know. Thanks!

-Liz

From: Novak, Elizabeth
Sent: Wednesday, May 27, 2009 11:23 AM
To: 'brozek@midweststrategy.com'; Eddy, Gary D - DNR; 'randy.harden@nohvis.com'
Cc: Heinen, Paul H - DNR
Subject:

Here is the copy of the latest draft with updated ATV definition changes.

Let me know if more modifications need to be made.

Thanks

7/20/2009

-Liz

Elizabeth Novak
Office of Senator Jim Holperin
State Capitol, 409 South
(608)266-2509



State of Wisconsin
2009 - 2010 LEGISLATURE

RMmotR

2529/2

LRB-~~2803/2~~

FROM
2803/2

MGG:bjk:rs

Lstays

Today

2009 BILL

SA

regem.

1 AN ACT *to amend* 340.01 (2g); and *to create* 340.01 (27g) of the statutes;
2 **relating to:** modifying the definition of all-terrain vehicle.

Analysis by the Legislative Reference Bureau

Current law defines an "all-terrain vehicle" (ATV) as an engine-driven device with a width of not more than 48 inches and a net weight of 900 pounds or less that is equipped with a seat designed to be straddled by the vehicle operator and that is designed to travel on at least three low-pressure tires. Under current law, a low-pressure tire is a tire that has a minimum width of six inches, that is designed to be mounted on a rim with a maximum diameter of 12 inches, and that is designed to be inflated with an operating pressure not to exceed six pounds per square inch.

This bill increases the maximum width of an ATV to 50 inches. The bill specifies that the width of an ATV must be 50 inches or less at the time of manufacture and that it be designed by the manufacturer to travel on three or more low-pressure tires in order to meet the definition. As to the requirements for a low-pressure tire, the bill eliminates the requirement for the size of the rim and increases the the maximum operating pressure for a low-pressure tire to ten pounds per square inch.

For further information see the **state** 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:

Duerst, Christina

From: Rep.Hraychuck
Sent: Monday, July 20, 2009 3:26 PM
To: LRB.Legal
Subject: Draft Review: LRB 09-2529/2 Topic: Definition of an all-terrain vehicle

Please Jacket LRB 09-2529/2 for the ASSEMBLY.