

2009 DRAFTING REQUEST

Bill

Received: 12/23/2008

Received By: mglass

Wanted: As time permits

Identical to LRB:

For: Jeffrey Mursau (608) 266-3780

By/Representing: Andy Potts

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.Mursau@legis.wisconsin.gov

Carbon copy (CC:) to: Mary.Glass@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

All-terrain vehicle access to highways

Instructions:

2007 AAB 59 (-1042/1) with AA1 (a00552/1)

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>
/?				_____			S&L
/1	mglass 01/27/2009	bkraft 02/20/2009	jfrantze 02/24/2009	_____	sbasford 02/24/2009	cduerst 04/21/2009	

FE Sent For: "/1" @ intro. 9/23/09 <END>

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/?	mglass	1 bjk 2/19	<i>Jb</i> 2/24	<i>Jb/KM</i> 2/24			

FE Sent For:

<END>

in part
1/27

RMR
12/5/1
LRB-104271
MGG [initials]
bjk

2007 ~~ASSEMBLY BILL 59~~

SAV
X-refv
PWF
Inserts

February 13, 2007 - Introduced by Representatives MURSAU, MUSSER, BALLWEG, FRISKE, GUNDERSON, HINES, JESKEWITZ, KAUFERT, KLEEFISCH, A. OTT, OWENS, PETROWSKI, TOWNSEND, VOS and M. WILLIAMS, cosponsored by Senators BRESKE, LASSA, OLSEN and SCHULTZ. Referred to Committee on Rural Affairs.

by operators who are at least 16 years old,

1 AN ACT ^{re-gen.} to amend 23.33 (4) (b), 23.33 (5) (a), 23.33 (5) (c) and 23.33 (11) (b); and
2 to create 23.33 (1) (im), 23.33 (4) (dm) and 23.33 (11m) of the statutes; relating
3 to: the operation of all-terrain vehicles on highways for the purpose of certain
4 types of access and granting rule-making authority.

Analysis by the Legislative Reference Bureau

Under current law, a person may not operate an all-terrain vehicle (ATV) on the roadway of a highway, street, or road except under certain limited circumstances. This bill specifically authorizes the operation of ATVs on a portion of a roadway and shoulder of a highway, street, or road if the highway, street, or road is within the jurisdiction of a county, town, city, or village (municipality) that has enacted an ordinance that allows the operation of ATVs for the purposes of residential access or access to and from a lodging establishment or a campground. A municipality may not enact an ordinance for access to and from lodging unless it has also enacted an ordinance for residential access.

>

a establishment

Establishment

>

For a state trunk highway (STH), the portion of the highway that may be open to this access must be the shortest distance between the residence or lodging and the ATV route or trail. For distances on a STH that are more than one-quarter mile, the Department of Transportation (DOT) must approve the access. For distances on a STH that are one-quarter mile or less, a municipality may enact such an ordinance unless the portion of the STH to be affected has been closed to ATVs based on DOT's finding that it is unsafe to operate ATVs on that portion of the STH. For any highway other than a STH, the distance open for ATV access may not be more than five miles.

ASSEMBLY BILL 59

The bill further provides that a municipality may not enact an ordinance allowing ATV access on any highway that is located in a state park or state forest if the operation of ATVs is prohibited in the park or forest.

INS
ANL

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:

XV

1 SECTION 1. 23.33 (1) (im) of the statutes is created to read:

2 23.33 (1) (im) "Lodging establishment" means any of the following:

- 3 1. A bed and breakfast establishment, as defined in s. 254.61 (1).
- 4 2. A hotel, as defined in s. 254.61 (3).
- 5 3. A tourist rooming house, as defined in s. 254.61 (6).
- 6 4. A campground.

XV

7 SECTION 2. 23.33 (4) (b) of the statutes is amended to read:

8 23.33 (4) (b) *Other highways; operation restricted.* No person may operate an
9 all-terrain vehicle on a highway except as authorized under pars. (d) and to (f) or as
10 authorized by rules promulgated by the department and approved by the
11 department of transportation.

XV

12 SECTION 3. 23.33 (4) (f) of the statutes is created to read:

13 23.33 (4) (f) *Operation for purpose of access.* A person may operate an
14 all-terrain vehicle on a portion of the roadway or shoulder of a highway for the
15 purpose of residential access or for the purpose of access to and from lodging if the
16 operation is in compliance with an ordinance enacted under sub. (1)(r).

establishment

17 ~~all-terrain vehicle operated on the roadway or shoulder of a highway under this~~
18 ~~paragraph shall observe roadway speed limits.~~

19 SECTION 4. 23.33 (5) (a) of the statutes is amended to read:

ASSEMBLY BILL 59

1 23.33 (5) (a) *Age restriction.* No person under 12 years of age may operate an
2 all-terrain vehicle unless he or she is operating the all-terrain vehicle for an
3 agricultural purpose and he or she is under the supervision of a person over 18 years
4 of age or unless he or she is operating a small all-terrain vehicle on an all-terrain
5 vehicle trail designated by the department and he or she is accompanied by his or her
6 parent. No person who is under 12 years of age may operate an all-terrain vehicle
7 which is an implement of husbandry on a roadway under any circumstances. No
8 person who is under 12 years of age may operate an all-terrain vehicle on a roadway
9 under the authorization provided under sub. (4) (d) 6. under any circumstances. No
10 person who is under 12 years of age may operate an all-terrain vehicle on a roadway
11 or shoulder of a highway as authorized under sub. (4) (dm) under any circumstances.
12 No person who is under 12 years of age may rent or lease an all-terrain vehicle. For
13 purposes of this paragraph, supervision does not require that the person under 12
14 years of age be subject to continuous direction or control by the person over 18 years
15 of age.

16 **SECTION 5.** 23.33 (5) (c) of the statutes is amended to read:

17 23.33 (5) (c) *Exceptions.* Paragraphs (a) and (b) do not apply to a person who
18 operates an all-terrain vehicle exclusively on land under the management and
19 control of the person's immediate family. Paragraphs (a) and (b) do not apply to a
20 person at least 12 years of age ~~but under 16 years of age who holds a valid certificate~~
21 issued by another state or a province of Canada.

22 **SECTION 6.** 23.33 (11) (b) of the statutes is amended to read:

23 23.33 (11) (b) If a county, town, city, or village adopts an ordinance regulating
24 all-terrain vehicles, its clerk shall immediately send a copy of the ordinance to the
25 department, to the state traffic patrol, and to the office of any law enforcement

— INS 3-21 ↗

ASSEMBLY BILL 59

1 agency of the ~~municipality or county, town, city, or village~~ having jurisdiction over
2 any ~~highway designated as an all-terrain vehicle route~~ of the highways to which the
3 ordinance is applicable.

INSA (et) and (cv)

4 SECTION 7. 23.33 (11r) (1m) of the statutes is created to read:

5 23.33 (11r) (1m) ORDINANCES FOR ACCESS TO RESIDENCES AND LODGING. (a) ~~Definition~~

X2
persons (et) and (cv)
stat

6 In this subsection, "municipality" means county, town, city, or village.

7 (b) *On state trunk highways.* 1. Subject to subds. 3. and 4. and ~~ear. 1m~~
8 a municipality may enact an ordinance allowing the operation of all-terrain vehicles
9 on a roadway and shoulder of a state trunk highway for any portion of the highway
10 that is within the jurisdiction of the municipality for the purpose of traveling the
11 shortest distance that is necessary to go between a residence and the all-terrain
12 vehicle route or all-terrain vehicle trail that is closest to that residence.

13 2. Subject to subds. 3. and 4. and ~~ear. 1m~~ a municipality may enact an
14 ordinance allowing the operation of all-terrain vehicles on a roadway and shoulder
15 of a state trunk highway for any portion of the highway that is within the jurisdiction
16 of the municipality for the purpose of traveling the shortest distance that is
17 necessary to go between a lodging establishment and the all-terrain vehicle route
18 or all-terrain vehicle trail that is closest to that lodging establishment if the
19 municipality also enacts or has in effect an ordinance enacted under subd. 1.

20 3. A county or town may not enact an ordinance under subd. 1. or 2. that will
21 allow the operation of all-terrain vehicles on a roadway and shoulder of a portion of
22 a state trunk highway that is more than one-quarter mile in length unless the county
23 or town has first received specific authorization from the department of
24 transportation to allow the operation of all-terrain vehicles on the roadway and
25 shoulder of that portion of the state trunk highway.

ASSEMBLY BILL 59

1 4. A county or town may enact an ordinance under subd. 1. or 2. that will allow
 2 the operation of all-terrain vehicles on a roadway and shoulder of a portion of a state
 3 trunk highway that is one-quarter mile in length or less if the operation of
 4 all-terrain vehicles on the roadway and shoulder has not been prohibited by rule by
 5 the department of transportation based on a finding by the department of
 6 transportation that such operation is unsafe.

finding by the department of
 transportation (cm) and (cr)

7 (c) *On other highways.* 1. Subject to ~~par. (c)~~ a municipality may enact an
 8 ordinance allowing the operation of all-terrain vehicles on a roadway and shoulder
 9 of a highway that is not a state trunk highway for any portion of the highway that
 10 is within the jurisdiction of the municipality for the purpose of traveling a distance
 11 of not more than 5 miles to go between a residence and the all-terrain vehicle route
 12 or all-terrain vehicle trail that is closest to that residence.

13 2. Subject to ~~par. (c)~~ a municipality may enact an ordinance allowing the
 14 operation of all-terrain vehicles on a roadway and shoulder of a highway that is not
 15 a state trunk highway for any portion of the highway that is within the jurisdiction
 16 of the municipality for the purpose of traveling a distance of not more than 5 miles
 17 to go between a lodging establishment and the all-terrain vehicle route or all-terrain
 18 vehicle trail that is closest to that lodging establishment if the municipality also
 19 enacts or has in effect and ordinance enacted under subd. 1.

20 (cm) *On highways in state parks and forests.* A municipality may not enact an
 21 ordinance under par. (b) or (c) that will allow the operation of all-terrain vehicles on
 22 roadways or shoulders of highways that are located within a state park or state forest
 23 if the operation of all-terrain vehicles is prohibited within the state park or state
 24 forest.

INS
5-24

ASSEMBLY BILL 59

1 (d) *Model ordinances.* The department and the off-the-road vehicle council
2 shall jointly prepare model ordinances as examples of ordinances that a municipality
3 may enact under ~~part (b) and (c)~~

+ this subsection
part (b) and (c) → *INS 6-2*

4

(END)

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1268²⁰¹ins
MGG:.....

Lbjk

Insert ANL

¶ The bill prohibits a municipality from enacting an ordinance that allows the operation of ATVs for residential or lodging access on the roadway or shoulder of any freeway or interstate and on any highway that is located in a state park or state forest if ATV operation is prohibited in the park or forest. Under the bill, an access ordinance must impose a speed limit of 25 miles per hour and must require that the ATV be operated as far on the right as possible.

Insert 6-2

XV

SECTION 1. 23.50 (1) of the statutes is amended to read:

23.50 (1) The procedure in ss. 23.50 to 23.85 applies to all actions in circuit court to recover forfeitures, plus costs, fees, and surcharges imposed under ch. 814, for violations of ss. 77.09, 90.21, 134.60, 167.10 (3), 167.31 (2), 281.48 (2) to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81 and 299.64 (2), subch. VI of ch. 77, this chapter, and chs. 26 to 31, ch. 169, and ch. 350, and any administrative rules promulgated thereunder, violations specified under s. 280.98 (2) or 285.86, violations of ch. 951 if the animal involved is a captive wild animal, violations of rules of the Kickapoo reserve management board under s. 41.41 (7) (k), violations to which s. 299.85 (7) (a) 2. or 4. applies, or violations of local ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or ~~(11)~~ or 30.77.

History: 1975 c. 365; 1977 c. 29, 305; 1978 c. 449 ss. 44, 497; 1979 c. 32 s. 92 (17); 1979 c. 34 ss. 703b, 2102 (39) (f); 1981 c. 390; 1985 a. 96; 1987 a. 27; 1987 a. 200 s. 4; 1989 a. 79, 284, 335, 359; 1991 a. 39, 97; 1993 s. 16, 243, 344, 349, 491; 1995 a. 27, 216, 227, 290; 1997 a. 35; 1999 a. 9; 2001 a. 56; 2003 a. 139, 276; 2005 a. 360.

SECTION 2. 23.53 (1) of the statutes is amended to read:

23.53 (1) The citation created under this section shall, in all actions to recover forfeitures, plus costs, fees, and surcharges imposed under ch. 814, for violations of those statutes enumerated in s. 23.50 (1), any administrative rules promulgated

(11r)

INS
B

thereunder, and any rule of the Kickapoo reserve management board under s. 41.41 (7) (k) be used by any law enforcement officer with authority to enforce those laws, except that the uniform traffic citation created under s. 345.11 may be used by a traffic officer employed under s. 110.07 in enforcing s. 167.31 or by an officer of a law enforcement agency of a municipality or county or a traffic officer employed under s. 110.07 in enforcing s. 287.81. In accordance with s. 345.11 (1m), the citation shall not be used for violations of ch. 350 relating to highway use. The citation may be used for violations of local ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or ~~(11m)~~^(11r) or 30.77.

History: 1975 c. 365; 1977 c. 29; 1979 c. 34; 1985 a. 36; 1987 a. 27; 1987 a. 200 s. 4; 1989 a. 335; 1991 a. 39; 1993 a. 349; 1995 a. 27, 216, 227; 1997 a. 35; 2003 a. 139.

SECTION 3. 23.56 (1) of the statutes is amended to read:

23.56 (1) A person may be arrested for a violation of those statutes enumerated in s. 23.50 (1), any administrative rules promulgated thereunder, any rule of the Kickapoo reserve management board under s. 41.41 (7) (k), or any local ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or ~~(11m)~~^(11r) or 30.77, after a warrant that substantially complies with s. 968.04 has been issued. Except as provided in sub. (2), the person arrested shall be brought without unreasonable delay before a court having jurisdiction to try the action.

History: 1975 c. 365; 1977 c. 29; 1979 c. 34; 1985 a. 36; 1987 a. 27; 1987 a. 200 s. 4; 1991 a. 39; 1993 a. 349; 1995 a. 27, 216; 2003 a. 139.

SECTION 4. 23.57 (1) (intro.) of the statutes is amended to read:

23.57 (1) (intro.) A person may be arrested without a warrant when the arresting officer has probable cause to believe that the person is committing or has committed a violation of those statutes enumerated in s. 23.50 (1), any administrative rules promulgated thereunder, any rule of the Kickapoo reserve

management board under s. 41.41 (7) (k), or any local ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) ^(llr) or ~~(llm)~~ or 30.77; and:

History: 1975 c. 365; 1987 a. 200 s. 4; 1993 a. 349; 1995 a. 27, 216.

SECTION 5. 23.58 of the statutes is amended to read:

23.58 Temporary questioning without arrest. After having identified himself or herself as an enforcing officer, an enforcing officer may stop a person in a public place for a reasonable period of time when the officer reasonably suspects that such person is committing, is about to commit or has committed a violation of those statutes enumerated in s. 23.50 (1), any administrative rules promulgated thereunder, any rule of the Kickapoo reserve management board under s. 41.41 (7) (k), or any local ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) ^(llr) or ~~(llm)~~ or 30.77. Such a stop may be made only where the enforcing officer has proper authority to make an arrest for such a violation. The officer may demand the name and address of the person and an explanation of the person's conduct. Such detention and temporary questioning shall be conducted in the vicinity where the person was stopped.

History: 1975 c. 365; 1987 a. 200 s. 4; 1993 a. 349; 1995 a. 27, 216.

SECTION 6. 23.62 (1) (intro.) of the statutes is amended to read:

23.62 (1) (intro.) Whenever an enforcing officer has probable cause to believe that a person subject to his or her authority is committing or has committed a violation of those statutes enumerated in s. 23.50 (1), any administrative rules promulgated thereunder, any rule of the Kickapoo reserve management board under s. 41.41 (7) (k), or any local ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) ^(llr) or ~~(llm)~~ or 30.77, the officer may proceed in the following manner:

History: 1975 c. 365; 1979 c. 175; 1987 a. 200 s. 4; 1993 a. 156, 349; 1995 a. 27, 216; 2005 a. 282.

SECTION 7. 800.02 (2) (b) of the statutes is amended to read:

800.02 (2) (b) Except for parking violations, in traffic regulation actions in municipal court, the uniform traffic citation specified in s. 345.11 shall be used in lieu of the citation form specified in par. (a). In actions for violations of local ordinances enacted in accordance with s. 23.33 (11) (am) ^(11r) ~~or (11a)~~ or 30.77, the citation form specified in s. 23.54 shall be used in lieu of the citation form specified in par. (a).

History: 1977 c. 305; 1979 c. 22; 1979 c. 32 s. 68; 1979 c. 266; Stats. 1979 s. 800.02; 1981 c. 317; 1983 a. 535; 1987 a. 27; 1987 a. 200 s. 4; 1987 a. 389; 1989 a. 170; 1991 a. 39, 40; 1993 a. 16, 112, 320, 437; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 139.

INSERT A

Section #. 23.33 (11m) (e) 2. of the statutes is amended to read:

(a) to (e)

23.33 (11m) (e) 2. Subsections (3), (3g), (4) (4c) to (4x), (6), (7), (10), (12), and (13).

History: 1985 a. 29; 1987 a. 200, 353, 399, 403; 1989 a. 31, 275, 359; 1991 a. 39, 303, 315; 1993 a. 16, 105, 119, 405; 1995 a. 27 ss. 1350 to 1351, 9126 (19); 1995 a. 436, 448; 1997 a. 27, 248, 283; 1999 a. 9; 2001 a. 16, 90, 106, 109; 2003 a. 30, 97, 251, 326; 2005 a. 25, 253, 481; 2007 a. 20 ss. 664m to 666m, 9121 (6) (a); 2007 a. 27, 209.

X✓
Section #. 23.50 (3) of the statutes is amended to read:

23.50 (3) All actions in municipal court to recover forfeitures, plus costs, fees, and surcharges imposed under ch. 814, for violations of local ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) ⁽³⁾ ~~or 30.77~~ shall utilize the procedure in ch. 800. The actions shall be brought before the municipal court having jurisdiction. Provisions relating to citations, arrests, questioning, releases, searches, deposits, and stipulations of no contest in ss. 23.51 (1m), (3), and (8), 23.53, 23.54, 23.56 to 23.64, 23.66, and 23.67 shall apply to violations of such ordinances.

History: 1975 c. 365; 1977 c. 29, 305; 1977 c. 449 ss. 44, 497; 1979 c. 32 s. 92 (17); 1979 c. 34 ss. 703b, 2102 (39) (f); 1981 c. 390; 1985 a 36; 1987 a. 27; 1987 a. 200 s. 4; 1989 a. 79, 284, 335, 359; 1991 a. 39, 97; 1993 a. 16, 243, 344, 349, 491; 1995 a. 27, 216, 227, 290; 1997 a. 35; 1999 a. 9; 2001 a. 56; 2003 a. 139, 276; 2005 a. 360.

**ASSEMBLY AMENDMENT 1,
TO 2007 ASSEMBLY BILL 59**

June 18, 2007 – Offered by Representative MURSAU.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 16: delete the material beginning with “An” and ending with
3 “limits.” on line 18.

4 **2.** Page 2, line 19: delete the material beginning with that line and ending with
5 page 3, line 21, and substitute:

6 ~~SECTION 44:~~ 23.33 (5) (a) of the statutes is renumbered 23.33 (5) (a) 1. and
7 amended to read: *Ins*

8 23.33 (5) (a) 1. No person under 12 years of age may operate an all-terrain
9 vehicle unless he or she is operating the all-terrain vehicle for an agricultural
10 purpose and he or she is under the supervision of a person over 18 years of age or
11 unless he or she is operating a small all-terrain vehicle on an all-terrain vehicle trail
12 designated by the department and he or she is accompanied by his or her parent. No
13 person who is under 12 years of age may operate an all-terrain vehicle which is an

*Ins
3-21
(start)*

INS
3-21
Cont.

1 implement of husbandry on a roadway under any circumstances. No person who is
2 under 12 years of age may operate an all-terrain vehicle on a roadway under the
3 authorization provided under sub. (4) (d) 6. under any circumstances. No person who
4 is under 12 years of age may rent or lease an all-terrain vehicle. For purposes of this
5 paragraph subdivision, supervision does not require that the person under 12 years
6 of age be subject to continuous direction or control by the person over 18 years of age.

7 SECTION ~~4~~^{XV} 23.33 (5) (a) 2. of the statutes is created to read:

8 ~~17A~~ 23.33 (5) (a) 2. No person who is under 16 years of age may operate an
9 all-terrain vehicle on a roadway or a shoulder of a highway as authorized under sub.
10 (4) ~~(d)~~ under any circumstances.

11 SECTION ~~4~~^{XV} 23.33 (5) (b) 1. of the statutes is amended to read:

12 23.33 (5) (b) 1. No person who is at least 12 years of age and who is born on or
13 after January 1, 1988, may operate an all-terrain vehicle unless he or she holds a
14 valid safety certificate issued by this state or another state or by a province of
15 Canada.

16 SECTION ~~4~~^{XV} 23.33 (5) (b) 2. of the statutes is amended to read:

17 23.33 (5) (b) 2. Any person who is required to hold an all-terrain vehicle safety
18 certificate while operating an all-terrain vehicle shall carry the certificate on the
19 all-terrain vehicle and shall display the certificate to a law enforcement officer on
20 request. ~~Persons enrolled in a safety certification program approved by the~~
21 ~~department may operate an all-terrain vehicle in an area designated by the~~
22 ~~instructor.~~

LPS -
No changes
should be
made
here, that
appear
in
purple.
This
section
remains.

23 SECTION ~~4~~^{XV} 23.33 (5) (c) of the statutes is amended to read:

24 23.33 (5) (c) *Exceptions.* Paragraphs (a) and (b) do not apply to a person who
25 operates an all-terrain vehicle exclusively on land under the management and



The department shall issue certificates to persons successfully completing the program

control of the person's immediate family. Paragraphs (a) and (b) do not apply to a person at least 12 years of age but under 16 years of age who holds a valid certificate issued by another state or a province of Canada.

INS
3-21

SECTION 23.33 (5) (d) of the statutes is amended to read:

23.33 (5) (d) Safety certification program established. The department shall establish or supervise the establishment of a program of instruction on all-terrain vehicle laws, including the intoxicated operation of an all-terrain vehicle law, regulations, safety and related subjects. The department shall establish by rule an instruction fee for this program. An instructor conducting the program of instruction under this paragraph shall collect the fee from each person who receives instruction. The department may determine the portion of this fee, which may not exceed 50%, that the instructor may retain to defray expenses incurred by the instructor in conducting the program. The instructor shall remit the remainder of the fee or, if

nothing is retained, the entire fee to the department. ~~Persons enrolled in a safety certification program approved by the department may operate an all-terrain vehicle in an area designated by the instructor.~~

(end)
Insert 3-21

LPS -
Scored
material
should
remain.
Ignore
purple
marks.

- ~~3. Page 4, line 7: delete "par. (cm)" and substitute "pars. (cm) and (cr)".~~
- ~~4. Page 4, line 13: delete "par. (cm)" and substitute "pars. (cm) and (cr)".~~
- ~~5. Page 5, line 7: delete "par. (cm)" and substitute "pars. (cm) and (cr)".~~
- ~~6. Page 5, line 13: delete "par. (cm)" and substitute "pars. (cm) and (cr)".~~
- ~~7. Page 5, line 24: after that line insert:~~

INS

(cr) On interstates and freeways. A municipality may not enact an ordinance ~~enacted under this subsection~~ that will allow the operation of all-terrain vehicles on

INS

The department shall issue a duplicate certificate of accomplishment to a person who is entitled to a duplicate certificate of accomplishment and who pays a fee of \$20750

5-24
Y

1 a roadway or shoulder of a freeway that is a part of the federal system of interstate
2 and defense highways or on a roadway or shoulder of any other freeway.

INS
5-24

3 (c) *Speed limits.* An ordinance enacted under ~~this subsection~~ ^{par. (b) or (c)} shall limit the
4 speed of an all-terrain vehicles being operated as authorized under this subsection
5 to speed limits not in excess of 25 miles per hour.

6 (cv) *Right side of roadway.* An ordinance enacted under ~~this subsection~~ ^{par. (b) or (c)} shall
7 require that the operation of all-terrain vehicles as authorized under this subsection
8 be as far on the right of the roadway or shoulder as is practicable.

end

~~8. Page 6, line 3: substitute "this subsection" for "pars. (b) and (c)".~~

(END)

Duerst, Christina

From: Potts, Andrew
Sent: Tuesday, April 21, 2009 11:22 AM
To: LRB.Legal
Subject: Draft Review: LRB 09-1268/1 Topic: All-terrain vehicle access to highways

Please Jacket LRB 09-1268/1 for the ASSEMBLY.