



**ASSEMBLY AMENDMENT 1,
TO 2009 SENATE BILL 400**

March 18, 2010 – Offered by Representative JORGENSEN.

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

2 **1.** Page 2, line 16: after “(f)” insert “and sub. (11) (am) 2.”.

3 **2.** Page 3, line 2: delete lines 2 to 6, as affected by senate amendment 1, and
4 substitute “of removing snow, if such operation is necessary to travel to or from a site
5 where the snow removal device will be used and if the all-terrain vehicle meets the
6 lighting requirements under s. 23.33 (6) (h). The travel necessary to or from the site
7 may not exceed 2 miles. Operation of such an all-terrain vehicle on a roadway or
8 adjacent to a roadway is authorized only if the applicable roadway speed limit is 45
9 miles per hour or less, except as provided in s. 23.33 (11) (am) 2. Operation on a
10 roadway of such an”.

11 **3.** Page 3, line 25: after that line insert:

12 “SECTION 6m. 23.33 (6) (h) of the statutes is created to read:

1 23.33 (6) (h) A person who operates an all-terrain vehicle with a snow removal
2 device attached as authorized under s. 23.33 (4) (f) is required to display at least one
3 or more flashing or rotating amber or yellow lights, and at least one of these lights
4 shall be visible from every direction.”.

5 **4.** Page 4, line 6: after that line insert:

6 “**SECTION 7e.** 23.33 (11) (am) of the statutes is renumbered 23.33 (11) (am) 1.
7 and amended to read:

8 23.33 (11) (am) 1. Any county, town, city or village may enact an ordinance
9 which is in strict conformity with this section and rules promulgated by the
10 department under this section, if the ordinance encompasses all aspects
11 encompassed by this section, except as provided in subd. 2.

12 **SECTION 7j.** 23.33 (11) (am) 2. of the statutes is created to read:

13 23.33 (11) (am) 2. For a roadway that is located within the territorial
14 boundaries of a city, village, or town, the city, village, or town may enact an ordinance
15 to allow all-terrain vehicles with snow removal devices attached to be operated on
16 the roadway, or adjacent to the roadway, even if the applicable roadway speed limit
17 is greater than 45 miles per hour, and regardless of whether the city, village or town
18 has jurisdiction over the roadway.

19 **SECTION 7n.** 23.33 (12) (a) of the statutes is amended to read:

20 23.33 (12) (a) An officer of the state traffic patrol under s. 110.07 (1), inspector
21 under s. 110.07 (3), conservation warden appointed by the department under s.
22 23.10, county sheriff or municipal peace officer has authority and jurisdiction to
23 enforce this section and ordinances enacted in ~~conformity~~ accordance with this
24 section.

