

State of Misconsin 2009 – 2010 LEGISLATURE

LRBa1722/1 MGG:cjs:md

## 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 "<u>(f)</u>" insert "<u>and sub. (11) (am) 2.</u>".

**2.** Page 3, line 2: delete lines 2 to 6, as affected by senate amendment 1, and 3 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 adjacent to a roadway is authorized only if the applicable roadway speed limit is 45 8 9 miles per hour or less, except as provided in s. 23.33 (11) (am) 2. Operation on a roadway of such an". 10

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

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

2009 – 2010 Legislature

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	<b>4.</b> Page 4, line 6: after that line insert:
6	<b>"SECTION 7e.</b> 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	<b>SECTION 7j.</b> 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	<b>SECTION 7n.</b> 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.

- 2 -

2009 – 2010 Legislature

1	<b>SECTION 7t.</b> 345.11 (1r) of the statutes is amended to read:
2	345.11 (1r) The uniform traffic citation or the citation form under s. 23.54 shall
3	be used for violations of s. 23.33 relating to highway use or ordinances <u>enacted</u> in
4	<del>conformity</del> <u>accordance</u> with that section if the violation is committed on a highway,
5	but no points may be assessed against the driving record of the operator of an
6	all-terrain vehicle. When the uniform traffic citation is used, the report of conviction
7	shall be forwarded to the department. When the citation form under s. 23.54 is used,
8	the procedure in ss. 23.50 to 23.85 applies.
9	<b>SECTION 7y.</b> 938.343 (9) of the statutes is amended to read:
10	938.343 (9) All-TERRAIN VEHICLE SAFETY COURSE. If the violation is one under
11	s. 23.33 or under an ordinance enacted in <del>conformity</del> accordance with s. 23.33
12	concerning the use of all-terrain vehicles, order the juvenile to attend an all-terrain
13	vehicle safety course.".
14	(END)