

Fiscal Estimate - 2009 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 09-1268/1	Introduction Number AB-0435
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Description
 The operation of all-terrain vehicles on highways for the purpose of certain types of access and granting rule-making authority

Fiscal Effect

State:

<input type="checkbox"/> No State Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
<input checked="" type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	
<input type="checkbox"/> Increase Existing Appropriations	<input type="checkbox"/> Create New Appropriations	
<input type="checkbox"/> Decrease Existing Appropriations		

Local:

<input type="checkbox"/> No Local Government Costs	5.Types of Local Government Units Affected <input checked="" type="checkbox"/> Towns <input checked="" type="checkbox"/> Village <input checked="" type="checkbox"/> Cities <input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
<input checked="" type="checkbox"/> Indeterminate		
1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue		
2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue		

Permissive Mandatory
 Permissive Mandatory
 Permissive Mandatory

Fund Sources Affected	Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input checked="" type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.395 (3) (eq)	

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Fiscal Estimate Narratives
DOT 10/27/2009

LRB Number	09-1268/1	Introduction Number	AB-0435	Estimate Type	Original
Description The operation of all-terrain vehicles on highways for the purpose of certain types of access and granting rule-making authority					

Assumptions Used in Arriving at Fiscal Estimate

According to DNR, hundreds of municipalities have enacted ordinances regulating ATVs on ATV trails and routes designated by municipalities. This department assumes a similar number of municipalities could enact the ordinances authorized by this bill but the actual number is indeterminate.

The impact of expanded ATV use of the state trunk highway system and local highways will increase both the roadway costs in terms of signing and maintenance as well as the law enforcement needs associated with more ATV users on highways. In addition, when a county or town wants to enact an ordinance affecting state highways, department resources will need to produce individual findings where ATV operations would be unsafe and the request from a county or town needs to be denied.

The Department has no reliable means to estimate the extent of the fiscal impact in terms of highway operations and maintenance costs or state patrol enforcement costs given both the potentially large number of municipalities that may enact an ordinance and the number of possible cost factors involved. The fiscal impact is indeterminate.

However, the Department assumes it will incur costs related to posting additional signage and to repair ATV damage to its roadways and areas adjacent to the roadway, including drainage ditches, culverts, driveways, roadside vegetation, gravel shoulders, and pavement edges. Because ATVs throw gravel away from road shoulders and disperse some onto the pavement, it poses a highway safety risk as well. In addition to greater skid potential, other safety concerns arise from shoulder drop-offs, especially during foggy or rainy conditions.

Given that this bill allows municipalities to authorize ATV use on portions of the state highway system where such use is not currently authorized and for purposes the state patrol now devotes limited enforcement resources, the Department assumes the role of the state patrol in ATV enforcement will increase significantly as a result of this bill. The extent to which enforcement efforts would increase will depend upon a number of factors, including the miles of state trunk highway on which ATV use would be newly authorized and the amount of ATV traffic and user conflicts on the system.

Lastly, there would be some one-time costs associated with the creation and administration of rules.

Long-Range Fiscal Implications

The costs associated with increased road, shoulder, and roadside damage, added signage, more safety findings, and greater state patrol enforcement described above would be annual. These costs would be offset by reducing expenditures in other areas to cover these newly created costs.