



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2009 Senate Bill 400

**Senate Amendment 1 and
Assembly Substitute
Amendment 1**

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Contact: Larry Konopacki, Staff Attorney (267-0683)

2009 Senate Bill 400 would allow up to two miles of travel on an all terrain vehicle (ATV) on the extreme right side of a roadway, adjacent to a roadway, or on a sidewalk if such travel is necessary for the purpose of traveling to a site to remove snow if:

- The ATV has an “attachment designed and installed for the purpose of removing snow” which may include a plow, blower, bucket, or brush.
- The operation occurred from October 1 through April 30.
- The ATV has a 360 degree flashing or rotating amber or yellow light mounted at the highest practicable point and visible from any direction.
- Applicable speed limits for use on a roadway, near a dwelling, or on a sidewalk are followed.
- The operator is not under 12 years old.

The bill would also prohibit the Department of Natural Resources’ ATV route signage rules from requiring additional signs regarding the operation of ATVs under this bill.

Senate Amendment 1 to Senate Bill 400 would only allow operation of an ATV under this bill on or adjacent to a roadway with a speed limit of 45 miles per hour (MPH) or less. This amendment would also change the minimum age of an operator from 12 to 16 years old.

Assembly Substitute Amendment 1 to Senate Bill 400 would make the same changes as the bill and Senate Amendment 1 except that it would also authorize the use of more than one flashing or rotating amber or yellow lights, at least one of which must be visible from every direction. The substitute amendment would also allow operation of an ATV under this bill on or adjacent to a roadway

with a posted speed limit of 45 miles per hour or more (except freeways) *unless* a county, town, city, or village enacts an ordinance to prohibit operation of ATVs for this purpose on or adjacent to these roadways.

Legislative History

Senate Amendment 1 was introduced and recommended for adoption by the Senate Committee on Transportation, Tourism, Forestry, and Natural Resources on February 4, 2010 by votes of Ayes, 6; Noes, 0, and Senate Bill 400 was recommended for passage, as amended, by the committee by a vote of Ayes, 6; Noes, 0. Senate Amendment 1 was adopted and Senate Bill 400, as amended, was passed by the Senate on voice votes.

Assembly Substitute Amendment 1 was offered by Representative Radcliffe and the Assembly adopted the substitute amendment and concurred in the bill, as amended, on April 15, 2010.

LAK:ksm