



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2011 Wisconsin Act 208
[2011 Senate Bill 354]

Registration and Operation of All-Terrain and Utility Terrain Vehicles

2011 Wisconsin Act 208 establishes a permanent method for regulating the use of utility terrain vehicle (UTVs) and makes certain changes to the laws relating to all-terrain vehicles (ATVs).

CURRENT LAW

2009 Wisconsin Act 175 created the UTV pilot program, which went into effect on March 30, 2010. The Department of Natural Resources (DNR), any federal agency, and any county may participate in the program. Under the program, a UTV may be operated on a public ATV trail if the trail is within the jurisdiction of a program participant, the participant has designated the trail as open for use by operators of UTVs, and the UTV has been registered for public use. A UTV is defined, for the purposes of the program, as a motor driven device, with a gross weight of more than 900 pounds but not more than 1,999 pounds, that is designed to be used primarily off of a highway, and that has certain characteristics, such as seats for at least two occupants, which are designed not to be straddled. The pilot program ends on July 1, 2012.

2011 WISCONSIN ACT 208

2011 Wisconsin Act 208 establishes a permanent method for regulating the use of UTVs. With certain exceptions, a person may not operate a UTV unless the UTV is registered for either public or private use or displays a nonresident trail pass. The fee to register a UTV for public use is \$30. A public use registration certificate is valid for two years. A UTV may be registered for private use if it is used exclusively for agricultural purposes or used exclusively on private property. The fee to register a UTV for private use is \$15. A private use registration certificate is valid until ownership of the UTV is transferred. The fee for an annual nonresident trail pass is \$34.25.

The Act provides that the funds generated by UTV registration be used to fund the UTV program. In addition, the Act provides a formula for estimating the amount of state gasoline tax attributable to UTVs, and provides for the transfer of these funds to the DNR for UTV programs.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.

The Act provides that no UTV may be operated on an ATV route, trail, or corridor unless the relevant authority has designated the route, trail, or corridor as open to UTVs and the UTV has been registered for public use or displays a nonresident trail pass. Additionally, the Act generally subjects UTVs to the same laws as ATVs, and makes the following changes to the current laws relating to ATVs and UTVs.

- The Act defines “agricultural purpose,” as it applies to ATVs and UTVs, to include “a purpose related to the transportation of farm implements, equipment, supplies, or products on a farm or between farms.”
- The Act requires a person who owns an ATV or UTV, whether registered for private use or public use, to affix registration decals supplied by DNR to each side of the ATV or UTV.
- The Act requires that a nonresident trail pass issued to an ATV or UTV operator be permanently affixed to an ATV or UTV in a highly visible location on the forward half of the vehicle.
- The Act changes the expiration date for nonresident trail passes from June 30th of each year to March 31st of each year. The Act also authorizes the DNR to issue five-day nonresident passes.
- The Act requires an ATV or UTV registered for public use to display a registration plate. The owner must supply a plate that conforms to the requirements specified in the Act.
- Under the Act, an ATV or UTV dealer, lessor, or renter, must attach either a reflectorized plate or a similar plate or sign to an ATV or UTV whenever the vehicle is operated. A registration decal issued by DNR must be affixed to the plate.
- Under the Act, a public-use registration certificate for an ATV or UTV is valid from either April 1st or the date it was issued until March 31st of the year after the certificate was issued.
- The Act exempts ATVs and UTVs from registration and nonresident trail pass requirements for the first full weekend in June each year.

Effective date: 2011 Wisconsin Act 208 takes effect on July 1, 2012, except as follows. The provisions allocating UTV registration fees and gas-tax revenues to UTV programs take effect on July 1, 2013. A provision directing an agent who receives an application to issue, renew, or transfer registration in person to collect a service fee of \$3 takes effect on March 1, 2015.

Prepared by: David Moore, Staff Attorney

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