



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2011 Senate Bill 354

**Senate
Amendments 1 and 2**

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2009 Wisconsin Act 175 created a pilot program authorizing the operation of utility terrain vehicles (UTVs) on certain public all-terrain vehicle (ATV) trails. UTV is defined, under the pilot 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 other characteristics. Under the program, the Department of Natural Resources, a federal agency, or a municipality or county that participates in the program may designate any of the following within its jurisdiction:

- ATV routes and trails that may be used by operators of UTVs.
- ATV routes and trails upon which UTV use is prohibited.

A UTV may not be operated on a route designated as open to UTVs unless it has been registered for public use. The program does not require a UTV to be registered to be operated on private land or for an agricultural purpose. The pilot program applies statewide and will end on July 1, 2012.

2011 Senate Bill 354

2011 Senate Bill 354 ends the UTV pilot program and establishes a permanent method for regulating the use of UTVs. The bill subjects UTVs to most of the laws applicable to ATVs and makes certain changes to the laws relating to ATVs. With certain exceptions, a UTV must either be registered for public use or for private use. As under the pilot program, the bill 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. The bill also provides that a UTV used exclusively for agricultural purposes or used exclusively on private property may be registered instead for private use for a lower registration fee.

Senate Amendment 1

Senate Amendment 1 alters the definition of “agricultural purpose” as it applies to ATVs and UTVs. Under the amendment, an agricultural purpose “includes a purpose related to the transportation of farm implements, equipment, supplies, or products on a farm or between farms.”

Senate Amendment 1 also applies the weapons possessions laws that currently apply to ATVs to UTVs.

Senate Amendment 2

Senate Amendment 2 applies various tax provisions that currently apply to ATVs to UTVs.

Legislative History

Senator Leibham offered Senate Amendment 1 on January 20, 2012 and Senate Amendment 2 on February 2, 2012. On February 9, 2012, the Senate Committee on Transportation and Elections unanimously recommended adoption of Senate Amendment 1 and Senate Amendment 2 and passage of Senate Bill 354, as amended.

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