

11hr_SC-LPSUA_sb0235_pt01



(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS

2011-12

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Labor, Public Safety, and Urban
Affairs (SC-LPSUA)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Present: (5) Senators Wanggaard, Grothman, Lazich, Wirch
and King.

Absent: (0) None.

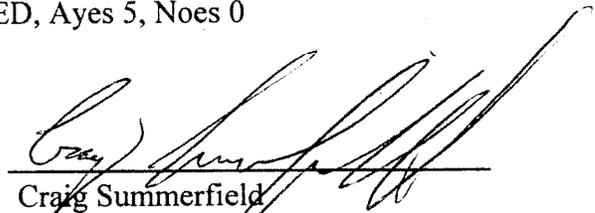
Excused: (0) None.

Moved by Senator Grothman, seconded by Senator Lazich that
Senate Bill 235 be recommended for passage.

Ayes: (5) Senators Wanggaard, Grothman, Lazich,
Wirch and King.

Noes: (0) None.

PASSAGE RECOMMENDED, Ayes 5, Noes 0



Craig Summerfield
Committee Clerk

Vote Record Committee on Labor, Public Safety, and Urban Affairs

Date: 11/1/11

Moved by: Boatman Seconded by: Lazich

AB _____ SB 235 Clearinghouse Rule _____
 AJR _____ SJR _____ Appointment _____
 AR _____ SR _____ Other _____

A/S Amdt _____
 A/S Amdt _____ to A/S Amdt _____
 A/S Sub Amdt _____
 A/S Amdt _____ to A/S Sub Amdt _____
 A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

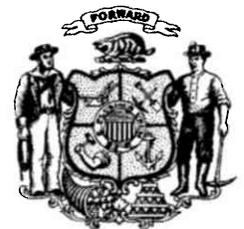
- Be recommended for:
- | | | | | |
|---------------------------------------|------------------------------------|---------------------------------------|---|--|
| <input type="checkbox"/> Passage | <input type="checkbox"/> Adoption | <input type="checkbox"/> Confirmation | <input type="checkbox"/> Concurrence | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction | <input type="checkbox"/> Rejection | <input type="checkbox"/> Tabling | <input type="checkbox"/> Nonconcurrence | |

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator Van Wanggaard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Glenn Grothman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Mary Lazich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Wirch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Jessica King	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

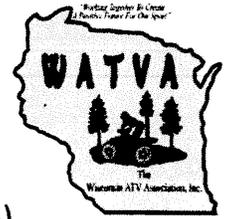
Totals: 5-0 _____



WISCONSIN STATE LEGISLATURE



Public Hearing
10/24/11



Senate Committee on Labor, Public Safety, and Urban Affairs

Testimony provided by Randy Harden of the Wisconsin ATV Association (WATVA)

Chair – Senator Wanggaard
Senators Grothman, Lazich, Wirch, and King

SB 235 - Relating to age restrictions and safety certificate requirements regarding the operation of an ATV

Requesting your support for SB 235

A change for under youth under age 12 on private property

A change for youth age 12 through 15 on public road routes

A change for those born on or after 1/1/1988 under certain conditions

- Parallels the language in the Youth Hunting Mentorship program by creating parent or parent approved adult oversight (grandparents, uncle/aunt, etc.) for youth under age 12 on certain private property. This bill allows the grandparents to legally accompany an under age 12 youth on a small ATV (90cc or less) under their **ACCOMPANIEMENT** on private property other than the parent's. This bill ***strengthens*** the oversight requirement by ***requiring*** the parent approved adult to accompany the youth at all times when the ATV riding is not on the parent's own property.
- Strengthens the oversight requirement for youth, ages 12 through 15, while riding on road routes by requiring the parent or a parent approved adult to accompany the age 12 – 15 youth on a legal ATV road route. Currently this age youth can legally ride by themselves on road routes, after passing the Wisconsin DNR ATV safety course.
- * Allows an opportunity to try out the activity or machine (or both) without the DNR safety certificate as long as the activity is supervised (accompanied by applies) with safety gear mandated at slower speeds in a controlled environment. Currently anyone born on or after 1/1/1988 (which affects 12 through 23 year olds this year) cannot test ride an ATV without first passing the 6 hour minimum ATV DNR course.

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WISCONSIN STATE LEGISLATURE



ATV Safety Bill SB 235

Goal: The overall objective of this legislation is to 1) maintain strict safety standards for the operation of ATVs and 2) create a framework for the activity to expand and make it easy to introduce new and young people to ATV riding.

The bill: There are three components of this bill:

1. Under current law, there are only three ways for a person under the age of 12 to operate an ATV:
 - A. If it is for an agricultural purpose
 - B. If he/she is using a small ATV, is on a DNR trail, and is accompanied by a parent
 - C. If he/she is on property of an immediate family member

The bill maintains A and C in their current form, but modifies B to allow children under 12 to operate an ATV anywhere anyone else can provided it is a small ATV and they are accompanied by a parent, guardian, or parent-designated adult.

REASON: This portion is modeled after the Youth Hunting Bill. It encourages youth to get involved in ATV riding under the guidance of family members. But current law doesn't recognize grandparents, aunts, uncles, etc. as legitimate supervisors of children on ATVs. This bill corrects that.

2. Current law allows children under 12 to operate ATVs on roadways if they are using it for an agricultural purpose. This bill prevents children under 12 from operating an ATV on a roadway for any purpose. Also, it prohibits 12-16 year olds from operating an ATV on a roadway for a non-agricultural purpose unless accompanied by a parent or designee.

REASON: ATV operation on roadways is becoming increasingly dangerous.

3. Under current law, anyone born after January 1, 1988 must complete a DNR ATV safety class and get a safety certificate prior to operating an ATV on public land. This bill provides an exemption to this requirement for individuals attending an ATV demonstration event who ride the ATV under controlled circumstances.

REASON: As time goes on, more and more people are falling under the January 1, 1988 requirement. ATV demonstration events are a time to get people excited about ATVs and recruit new participants. The point of demonstration events is to encourage new people. Why would anyone take a safety course and pay for a certificate if they haven't even tried out an ATV yet?