

State of Wisconsin



2013 Assembly Bill 743

Date of enactment: April 16, 2014
Date of publication*: April 17, 2014

2013 WISCONSIN ACT 316

AN ACT *to renumber and amend* 23.33 (4) (d) 3.; *to amend* 23.33 (4) (b), 23.33 (11) (am) 1. and 23.33 (11) (b); and *to create* 23.33 (4) (d) 3. b. and 23.33 (11) (am) 3. of the statutes; **relating to:** the operation of all-terrain vehicles and utility terrain vehicles on highway bridges.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 23.33 (4) (b) of the statutes is amended to read:

23.33 (4) (b) *Other highways; operation restricted.* No person may operate an all-terrain vehicle or utility terrain vehicle on a highway except as authorized under pars. (d), (e), and (f) and sub. (11) (am) 2. or 3. or as authorized by rules promulgated by the department and approved by the department of transportation.

SECTION 2. 23.33 (4) (d) 3. of the statutes, as affected by [2013 Wisconsin Act 67](#), is renumbered 23.33 (4) (d) 3. a. and amended to read:

23.33 (4) (d) 3. a. To cross a bridge, culvert, or railroad right-of-way. The crossing of a bridge, culvert, or railroad right-of-way is not authorized if the roadway is officially closed to all-terrain vehicle or utility terrain vehicle traffic, except as provided in subd. 3. b. The crossing is authorized only if the crossing is done in the most direct manner practicable, if the crossing is made at a place where no obstruction prevents a quick and safe crossing, and if the operator stops the vehicle prior to the crossing and yields the right-of-way to other vehicles, pedestrians, and electric personal assistive mobility devices using the roadway.

SECTION 3. 23.33 (4) (d) 3. b. of the statutes is created to read:

23.33 (4) (d) 3. b. A person may operate an all-terrain vehicle or utility terrain vehicle on the roadway or shoulder of any highway to cross a bridge that is 1,000 feet in length or less if the operation is in compliance with a county ordinance adopted under sub. (11) (am) 3. that applies to that bridge and a city, village, or town ordinance adopted under sub. (11) (am) 3. that applies to that bridge.

SECTION 4. 23.33 (11) (am) 1. of the statutes is amended to read:

23.33 (11) (am) 1. Any county, town, city, or village may enact an ordinance ~~which~~ that is in strict conformity with this section and rules promulgated by the department under this section, if the ordinance encompasses all aspects encompassed by this section, except as provided in ~~subd.~~ subds. 2. and 3.

SECTION 5. 23.33 (11) (am) 3. of the statutes is created to read:

23.33 (11) (am) 3. A county, city, village, or town may enact an ordinance to authorize the operation of all-terrain vehicles and utility terrain vehicles on a highway bridge that is not part of the national system of interstate and defense highways, that is 1,000 feet in length or less, and that is located within the territorial boundaries of the

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

county, city, village, or town regardless of whether the county, city, village, or town has jurisdiction over the highway. Any such ordinance shall require a person crossing a bridge to do all of the following:

- a. Cross the bridge in the most direct manner practicable and at a place where no obstruction prevents a quick and safe crossing.
 - b. Stay as far to the right of the roadway or shoulder as practicable.
 - c. Stop the vehicle prior to the crossing.
 - d. Yield the right-of-way to other vehicles, pedestrians, and electric personal assistive mobility devices using the roadway or shoulder.
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e. Exit the highway as quickly and safely as practicable after crossing the bridge.

SECTION 6. 23.33 (11) (b) of the statutes is amended to read:

23.33 (11) (b) If a county, town, city, or village adopts an ordinance regulating all-terrain vehicles, utility terrain vehicles, or both, its clerk shall immediately send a copy of the ordinance to the department, to the state traffic patrol, and to the office of any law enforcement agency of ~~the municipality or each~~ county, town, city, or village having jurisdiction over any ~~highway designated as an all-terrain vehicle route~~ of the highways to which the ordinance applies.