



2013 SENATE BILL 227

July 9, 2013 – Introduced by Senators LEHMAN, L. TAYLOR and MOULTON, cosponsored by Representatives CLARK, MILROY, POPE, OHNSTAD, KAHL, KOLSTE, WRIGHT, SARGENT, VRUWINK, HULSEY, THIESFELDT, KAUFERT, T. LARSON and SPIROS. Referred to Natural Resources.

1 **AN ACT to amend** 23.33 (5) (b) 2., 29.024 (1) and 350.05 (2) (b) of the statutes;
2 **relating to:** carrying and displaying in electronic format certain approvals and
3 safety certificates issued by the Department of Natural Resources.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Natural Resources (DNR) administers a program of instruction on all-terrain vehicle (ATV) and utility terrain vehicle (UTV) laws and safety and a program of instruction on snowmobile laws and safety. With certain exceptions, a person must successfully complete the relevant safety program before operating an ATV, UTV, or snowmobile and must hold a safety certificate issued by DNR, another state, or a province of Canada that demonstrates successful completion of the program. Current law also requires the operator of the ATV, UTV, or snowmobile to carry the certificate when operating the respective vehicle and to display it upon the request of a law enforcement officer.

Current law also requires any person who holds a license, permit, or other approval (approval) from DNR that authorizes the person to hunt, trap, or fish in this state to carry the required approval while engaging in that activity. Current law requires that person to exhibit the approval to DNR or its wardens on demand.

This bill allows a person who is required to carry an ATV, UTV, or snowmobile safety certificate or an approval to carry the certificate or approval in either printed or electronic format including by carrying an electronically scanned or photographic reproduction of the certificate or approval on a cellular telephone or other electronic device. The bill also allows the person to display the certificate or approval to a law enforcement officer or warden in either printed or electronic format.

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For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 23.33 (5) (b) 2. of the statutes is amended to read:

2 23.33 (5) (b) 2. Any person who is required to hold an all-terrain vehicle or
3 utility terrain vehicle safety certificate while operating an all-terrain vehicle or
4 utility terrain vehicle shall carry the certificate on the all-terrain vehicle or utility
5 terrain vehicle and shall display the certificate to a law enforcement officer on
6 request. Persons enrolled in a safety certification program approved by the
7 department may operate an all-terrain vehicle or utility terrain vehicle in an area
8 designated by the instructor. A person may carry a safety certificate or display a
9 safety certificate to a law enforcement officer in either printed or electronic format,
10 including by carrying or displaying an electronically scanned or photographic
11 reproduction of the safety certificate on a cellular telephone or other electronic
12 device. If the safety certificate is displayed to a law enforcement officer in electronic
13 format on any cellular telephone or other electronic device, the law enforcement
14 officer may not view, and displaying the certificate in electronic format is not
15 considered consent to view, any other content on the cellular telephone or other
16 electronic device.

17 **SECTION 2.** 29.024 (1) of the statutes is amended to read:

18 29.024 (1) APPROVALS REQUIRED. Except as specifically provided in this chapter,
19 ch. 169, or s. 95.55 (5), no person may hunt or trap in this state, fish in the waters
20 of this state or engage in any of the activities regulated under this chapter unless the
21 appropriate approval is issued to the person. A person shall carry the required

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1 approval with him or her at all times while hunting, trapping, or fishing or engaged
2 in regulated activities unless otherwise required by this chapter or unless otherwise
3 authorized or required by the department. A person shall exhibit the approval to the
4 department or its wardens on demand. The person may exhibit the approval in
5 either printed or electronic format, including by display of an electronically scanned
6 or photographic reproduction of the approval on a cellular telephone or other
7 electronic device. If the approval is exhibited in electronic format on any cellular
8 telephone or other electronic device, the department or warden may not view, and
9 exhibiting the proof in electronic format is not considered consent to view, any other
10 content on the cellular telephone or other electronic device.

11 **SECTION 3.** 350.05 (2) (b) of the statutes is amended to read:

12 350.05 (2) (b) Any person who is required to hold a snowmobile safety
13 certificate while operating a snowmobile shall carry the certificate on the
14 snowmobile and shall display the certificate to a law enforcement officer on request.
15 Persons enrolled in a safety certification program approved by the department may
16 operate a snowmobile in an area designated by the instructor. A person may carry
17 a safety certificate or display a safety certificate to a law enforcement officer in either
18 printed or electronic format, including by carrying or displaying an electronically
19 scanned or photographic reproduction of the safety certificate on a cellular telephone
20 or other electronic device. If the safety certificate is displayed to a law enforcement
21 officer in electronic format on any cellular telephone or other electronic device, the
22 law enforcement officer may not view, and displaying the certificate in electronic
23 format is not considered consent to view, any other content on the cellular telephone
24 or other electronic device.

25 (END)