



2013 SENATE BILL 310

1 **AN ACT** *to repeal* 23.33 (1) (ng) 1. i.; *to renumber and amend* 23.33 (1) (ng) 2.;
2 *to amend* 23.33 (1) (ng) 1. (intro.), 23.33 (1) (ng) 1. a., 23.33 (1) (ng) 1. b., 23.33
3 (4) (d) 3., 23.33 (6) (g) and 340.01 (2g); and *to create* 23.33 (1) (iq), 23.33 (3e)
4 and 340.01 (36r) of the statutes; **relating to:** the definitions of an all-terrain
5 vehicle and a utility terrain vehicle, restrictions on operating an all-terrain
6 vehicle or a utility terrain vehicle on a roadway, and seating requirements for
7 utility terrain vehicles.

Analysis by the Legislative Reference Bureau

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

8 **SECTION 1.** 23.33 (1) (iq) of the statutes is created to read:
9 23.33 (1) (iq) “Non-pneumatic tire” means a tire that is designed by the
10 manufacturer to meet all of the following requirements:

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1 1. To have a minimum width of 6 inches.

2 2. To have a reinforced structure.

3 3. To not be supported by air pressure.

4 **SECTION 2.** 23.33 (1) (ng) 1. (intro.) of the statutes is amended to read:

5 23.33 (1) (ng) 1. (intro.) A commercially designed and manufactured motor
6 driven device that does not meet federal motor vehicle safety standards in effect on
7 July 1, 2012, that is not a golf cart, low-speed vehicle, dune buggy, mini-truck, or
8 tracked vehicle, that is designed to be used primarily off of a highway, and that has,
9 and was originally manufactured with, all of the following:

10 **SECTION 3.** 23.33 (1) (ng) 1. a. of the statutes is amended to read:

11 23.33 (1) (ng) 1. a. A net weight, without fluids, of less than 2,000 pounds or
12 less.

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

14 23.33 (1) (ng) 1. b. Four or more low-pressure tires or non-pneumatic tires.

15 **SECTION 5.** 23.33 (1) (ng) 1. i. of the statutes is repealed.

16 **SECTION 6.** 23.33 (1) (ng) 2. of the statutes is renumbered 23.33 (1) (ng) 2.
17 (intro.) and amended to read:

18 23.33 (1) (ng) 2. (intro.) A commercially designed and manufactured motor
19 driven device ~~that has~~ to which all of the following applies:

20 a. It has a net weight, without fluids, of more than 900 pounds, ~~that is originally~~
21 ~~manufactured with~~ but not more than 2000 pounds.

22 b. It has a width of 50 inches or less, ~~that~~.

23 c. It is equipped with a seat designed to be straddled by the operator, ~~and that~~
24 ~~is designed by the manufacturer to travel~~.

25 d. It travels on 3 or more low-pressure tires or non-pneumatic tires.

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1 **SECTION 7.** 23.33 (3e) of the statutes is created to read:

2 23.33 **(3e)** ORIGINAL SEATING. No person may operate a utility terrain vehicle
3 unless he or she, and every occupant of the utility terrain vehicle, is seated on a seat
4 that is original to the utility terrain vehicle as manufactured.

5 **SECTION 8.** 23.33 (4) (d) 3. of the statutes is amended to read:

6 23.33 **(4)** (d) 3. To cross a bridge, culvert, or railroad right-of-way. The crossing
7 of a bridge, culvert, or railroad right-of-way is not authorized if the roadway is
8 officially closed to all-terrain vehicle or utility terrain vehicle traffic. The crossing
9 is authorized only if the crossing is done in the most direct manner practicable, if the
10 crossing is made at a place where no obstruction prevents a quick and safe crossing,
11 and if the operator stops the vehicle prior to the crossing and yields the right-of-way
12 to other vehicles, pedestrians, and electric personal assistive mobility devices using
13 the roadway.

14 **SECTION 8m.** 23.33 (6) (g) of the statutes is amended to read:

15 23.33 **(6)** (g) An all-terrain vehicle may not be operated with tires other than
16 low-pressure tires or non-pneumatic tires.

17 **SECTION 9.** 340.01 (2g) of the statutes is amended to read:

18 340.01 **(2g)** “All-terrain vehicle” means ~~an engine-driven~~ a commercially
19 designed and manufactured motor-driven device ~~which that~~ has a net weight,
20 without fluids, of 900 pounds or less, ~~which is originally manufactured with~~ has a
21 width of 50 inches or less, ~~which~~ is equipped with a seat designed to be straddled by
22 the operator, and ~~which is designed by the manufacturer to travel~~ travels on 3 or
23 more low-pressure tires or non-pneumatic tires.

24 **SECTION 10.** 340.01 (36r) of the statutes is created to read:

