



## 2013 ASSEMBLY BILL 743

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

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*Analysis by the Legislative Reference Bureau*

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

5           **SECTION 1.** 23.33 (4) (b) of the statutes is amended to read:  
6           23.33 (4) (b) *Other highways; operation restricted.* No person may operate an  
7           all-terrain vehicle or utility terrain vehicle on a highway except as authorized under  
8           pars. (d), (e), and (f) and sub. (11) (am) 2. or 3. or as authorized by rules promulgated  
9           by the department and approved by the department of transportation.  
10          **SECTION 2.** 23.33 (4) (d) 3. of the statutes, as affected by 2013 Wisconsin Act 67,  
11          is renumbered 23.33 (4) (d) 3. a. and amended to read:

**ASSEMBLY BILL 743****SECTION 2**

1           23.33 (4) (d) 3. a. To cross a bridge, culvert, or railroad right-of-way. The  
2 crossing of a bridge, culvert, or railroad right-of-way is not authorized if the  
3 roadway is officially closed to all-terrain vehicle or utility terrain vehicle traffic,  
4 except as provided in subd. 3. b. The crossing is authorized only if the crossing is done  
5 in the most direct manner practicable, if the crossing is made at a place where no  
6 obstruction prevents a quick and safe crossing, and if the operator stops the vehicle  
7 prior to the crossing and yields the right-of-way to other vehicles, pedestrians, and  
8 electric personal assistive mobility devices using the roadway.

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

10           23.33 (4) (d) 3. b. A person may operate an all-terrain vehicle or utility terrain  
11 vehicle on the roadway or shoulder of any highway to cross a bridge that is 1,000 feet  
12 in length or less if the operation is in compliance with a county ordinance adopted  
13 under sub. (11) (am) 3. that applies to that bridge and a city, village, or town  
14 ordinance adopted under sub. (11) (am) 3. that applies to that bridge.

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

16           23.33 (11) (am) 1. Any county, town, city, or village may enact an ordinance  
17 ~~which~~ that is in strict conformity with this section and rules promulgated by the  
18 department under this section, if the ordinance encompasses all aspects  
19 encompassed by this section, except as provided in ~~subd.~~ subds. 2. and 3.

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

21           23.33 (11) (am) 3. A county, city, village, or town may enact an ordinance to  
22 authorize the operation of all-terrain vehicles and utility terrain vehicles on a  
23 highway bridge that is not part of the national system of interstate and defense  
24 highways, that is 1,000 feet in length or less, and that is located within the territorial  
25 boundaries of the county, city, village, or town regardless of whether the county, city,

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

3 a. Cross the bridge in the most direct manner practicable and at a place where  
4 no obstruction prevents a quick and safe crossing.

5 b. Stay as far to the right of the roadway or shoulder as practicable.

6 c. Stop the vehicle prior to the crossing.

7 d. Yield the right-of-way to other vehicles, pedestrians, and electric personal  
8 assistive mobility devices using the roadway or shoulder.

9 e. Exit the highway as quickly and safely as practicable after crossing the  
10 bridge.

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

12 23.33 (11) (b) If a county, town, city, or village adopts an ordinance regulating  
13 all-terrain vehicles, utility terrain vehicles, or both, its clerk shall immediately send  
14 a copy of the ordinance to the department, to the state traffic patrol, and to the office  
15 of any law enforcement agency of ~~the municipality or~~ each county, town, city, or  
16 village having jurisdiction over any ~~highway designated as an all-terrain vehicle~~  
17 route of the highways to which the ordinance applies.

18

(END)