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## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

<b>2013 Assembly Bill 381</b>	<b>Assembly Amendment 1</b>
<i>Memo published: October 14, 2013</i> <i>Contact: Michael Queensland, Staff Attorney (266-3810)</i>	

### **Current Law**

Current law provides that a device qualifies as an all-terrain vehicle (ATV) or a utility-terrain vehicle (UTV) if it meets certain specifications. Among those specifications is a requirement that the device have low-pressure tires. Specific to certain UTVs, a device qualifies as a UTV if it weighs more than 900 pounds, has seats not to be straddled and designed for at least two occupants, and meets certain other requirements. In addition, current law provides that a person may operate an ATV or UTV on the roadway<sup>1</sup> portion of any highway only in the certain situations. One such situation is to cross a bridge, culvert, or railroad right-of-way, if it is done in the most direct manner practicable and no obstruction prevents a quick and safe crossing. The crossing of a bridge, culvert, or railroad right-of-way is not authorized if the roadway is officially closed to ATV or UTV traffic.

### **2013 Assembly Bill 381**

Assembly Bill 381 changes the tire requirements for ATVs and UTVs to allow for non-pneumatic tires. “Non-pneumatic tire” is defined as a tire that is designed by the manufacturer to meet all of the following requirements:

- Has a minimum width of six inches.
- Has a reinforced structure.
- Is not supported by air pressure.

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<sup>1</sup> “Roadway” means that portion of a highway between the regularly established curb lines or that portion which is improved, designed, or ordinarily used for vehicular travel, excluding the berm or shoulder. In a divided highway, the term “roadway” refers to each roadway separately but not to all such roadways collectively. [s. 340.01 (54), Stats.]

The bill also provides that in order to qualify as an ATV or UTV, the vehicle must have been commercially designed and manufactured with the requisite specifications. In addition, the bill specifies that the weight of ATVs and UTVs is determined by measuring the vehicle weight without fluids. The bill also requires a person operating an ATV or UTV to yield the right-of-way to other vehicles when crossing a bridge, culvert, or railroad right-of-way.

Specific to UTVs, the bill does the following:

- Specifies that a device does not qualify as a UTV if it weighs more than 2,000 pounds.
- Eliminates the requirement that certain UTVs have seats not designed to be straddled and designed for at least two occupants.
- Prohibits operation of a UTV that has a seat that is not original to the UTV as manufactured.

### **Assembly Amendment 1**

Assembly Amendment 1 modifies the existing equipment requirement for ATVs, specific to tire standards, to allow for non-pneumatic tires on ATVs.

### **Bill History**

Assembly Amendment 1 was offered by Representative Severson. On October 9, 2013, the Assembly Committee on Natural Resources and Sporting Heritage recommended adoption of Assembly Amendment 1 and passage of the bill, as amended, on a vote of Ayes, 15; Noes, 0.

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