

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis	2. Date
<input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	05/30/2025
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) Ch. NR 64, Wis. Adm. Code: All-Terrain Vehicles	
4. Subject LE-05-24, relating to all-terrain vehicles	
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input checked="" type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected ss. 20.370 (1) (ms), 20.370 (3) (as), and 20.370 (1) (au), Wis. Stats.
7. Fiscal Effect of Implementing the Rule <input checked="" type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Could Absorb Within Agency's Budget	
8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses (if checked, complete Attachment A)	
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0	
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11. Policy Problem Addressed by the Rule This rule order will modernize outdated provisions of ch. NR 64, Wis. Adm. Code, relating to all-vehicles, in order to: 1. Make them consistent with s. 23.33, Wis. Stats., relating to both all-terrain vehicles and utility terrain vehicles. 2. Reflect the current recreational vehicle market and associated equipment offerings, as well as changing user patterns and the recreational environment.	
12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments. A notice for solicitation of comments on this analysis will be posted on the department's website for review by businesses, sectors, governmental units, and individuals. The department may contact interested organizations and individuals to notify them of the comment period.	
13. Identify the Local Governmental Units that Participated in the Development of this EIA. A notice for solicitation of comments on this analysis will be posted on the department's website for review by local governmental units. However, no local governmental units are expected to be impacted by this rule.	
14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred) This rule order does not have a fiscal effect on the public sector, private sector or small businesses. This rule is applicable to individual all-terrain vehicle or utility terrain vehicle operators and impose no compliance or reporting requirements for small business, nor are any design or operational standards contained in the rule.	
15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule Ch. NR 64, Wis. Adm. Code, doesn't address utility-terrain vehicles which have come on the market since the code was created in 1986. Modernizing outdated provisions of the code will provide much-needed certainty for the general public and law enforcement. As an alternative, not updating ch. NR 64, Wis. Adm. Code, will continue to cause a lack of clarity for the general public who desire to be in compliance with the law and for law enforcement who desire enforcement certainty.	

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16. Long Range Implications of Implementing the Rule

The department does not anticipate any adverse long-term fiscal or economic implications to implementing this rule.

Given that ATV and UTV riders contributed approximately \$4.2 billion to Wisconsin's economy in 2023, implementing the rule is expected to enhance the efficiency of the recreational vehicle market and strengthen the overall recreational environment which in turn will boost economic contributions and support broader state economic development in the long run.

17. Compare With Approaches Being Used by Federal Government

No federal regulations apply. None of the rule proposals violate or conflict with the Federal Code of Regulations.

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Illinois, Iowa, Michigan, and Minnesota all establish standards for all-terrain vehicle and utility terrain vehicle operation, similar to what is proposed in this rule order. Highlights of these regulations are as follows:

Disorderly operation: Illinois, Iowa, Michigan, and Minnesota all generally address careless and reckless operation. This rule order proposes to also include actions which are unreasonably loud, disruptive, or otherwise interfere with peace, welfare, and safety.

Eye protection: Iowa requires helmet use in designated off-highway vehicle parks; Michigan requires helmet use and eyewear for passengers and operators with some exceptions; Minnesota does not require eye protection for all-terrain vehicles but requires it for off-highway motorcycles.

Noise standards: Illinois, Iowa, Michigan and Minnesota have all adopted Society of Automotive Engineers Standard J1287, *Measurement of Exhaust Sound Pressure Levels of Stationary Motorcycles*. This rule order proposes to clarify that Wisconsin would adopt the most recent revised standard dated April 28, 2017, which maintains the limit of 96 decibels in current law.

Obstruction of View and Window tint: Generally, states which prohibit obstruction of view and establish maximum window tint percentages for all-terrain vehicles or utility terrain vehicles follow the respective state's laws for motor vehicles, which is the approach proposed in this rule order.

Safety belts: Illinois, Iowa, Michigan, and Minnesota all require passengers to use manufacturer safety belts or the equivalent in good working order; Michigan and Minnesota also require operators to use them.

Trail aid grants: Illinois, Iowa, Michigan, and Minnesota all have grant programs for the acquisition, development, and operation of all-terrain vehicle trails funded by vehicle registration fees. These neighboring states do not address requirements for bridge weight limits by administrative rule.

Towing of objects: Iowa doesn't allow the operation of an all-terrain vehicle with more people than it was designed to carry. Michigan allows the use of an all-terrain vehicle for towing a fish shanty or supply shed over frozen public waters. Minnesota requires use of a straight-arm bar if towing a trailer or other device containing human passengers. Illinois law does not address this provision.

19. Contact Name Lt. Jacob Holsclaw	20. Contact Phone Number (715) 491-0283
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