

1971 Senate Bill 886

Date published:
May 5, 1972

CHAPTER 277, Laws of 1971

AN ACT to renumber and amend 350.12 (2) (d); to amend 20.370 (2) (vn), 29.05 (1) and (2), 340.01 (35), (58a) and (74), 344.01 (2) (b), 346.66, 349.02, 349.03 (1) (intro.) and (a), 349.06, 350.04 (1), 350.07, 350.09 (1), 350.11, 350.12 (2) (a) and (b) and (3) (a) (intro.) and (c) (intro.) and 350.13; to repeal and recreate 23.09 (26), 341.055, 350.02, 350.03, 350.04 (2), 350.05, 350.09 (4) and 350.12 (3) (c) 1 and 2 and (4); and to create 15.347 (7), 20.370 (2) (vp), 345.11 (1m), 346.02 (10), 350.01 (19) and (20), 350.04 (3), 350.045, 350.047, 350.055, 350.09 (5) to (9), 350.10 (6) to (13), 350.12 (2) (d) and (3) (c) 3, 4 and 5 and (dm), 350.14, 350.15, 350.17, 350.18 and 350.19 of the statutes, relating to snowmobile operation and equipment, creating a snowmobile recreational council and making an appropriation.

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

SECTION 1. STATEMENT OF PURPOSE. The legislature recognizes that the recent advent of snowmobiles in this state has stimulated commercial activity and wholesome recreation. It has also resulted in noise, injuries and increased pressures on our recreational lands. The legislature is mindful that the citizenry of this state includes both enthusiastic supporters of these machines and persons who favor an absolute prohibition of them. The legislature recognizes that intelligent regulation of the use of these machines, designed to reduce the friction between these irreconcilable viewpoints, is both necessary and desirable. The legislature further recognizes and supports the principles that registration fees should be used for maintenance for trails, facilities and areas, law enforcement and safety training as well as for development purposes. Every effort should be made to establish a compatible relationship among snowmobile operators, landowners and those persons appreciating the tranquility and isolation found in the undeveloped areas of the state.

SECTION 2. 15.347 (7) of the statutes is created to read:

15.347 (7) SNOWMOBILE RECREATIONAL COUNCIL. There is created in the department of natural resources a snowmobile recreational council consisting of 15 members nominated by the governor, and with the advice and consent of the senate, appointed for staggered 3-year terms. Commencing on July 1, 1972, 5 members shall be appointed to serve for one year, 5 members for 2 years and 5 members for 3 years. Thereafter all terms shall be for 3 years with 5 positions on the council to expire each year. At least 5 members of the council shall be from the territory north, and at least 5 members shall be from the territory south, of a line running east and west through the south limits of the city of Stevens Point.

SECTION 3. 20.370 (2) (vn) of the statutes is amended to read:

20.370 (2) (vn) County snowmobile trail area aids. The moneys allocated under s. 350.12 (4) for state aid to snowmobile trails and areas, ~~to be used exclusively for the development of snowmobile trails and areas on county lands under s. 23.09 (26) or such public lands as the county board by resolution designates.~~

SECTION 4. 20.370 (2) (vp) of the statutes is created to read:

20.370 (2) (vp) Snowmobile safety education and certification program and accident reporting. The amounts in the schedule as authorized under ss. 350.055 and 350.12 (4) (a) 3.

SECTION 5. 23.09 (26) of the statutes, as affected by chapter 40, laws of 1971, is repealed and recreated to read:

23.09 (26) AIDS TO COUNTIES FOR SNOWMOBILE PURPOSES. The procedures in sub. (11) (a), (d) (e) and (f) shall apply to this subsection except that the department shall consult with the snowmobile recreational council before adopting snowmobile trail construction standards, the restriction in sub. (11) (a) as to county lands is not applicable, the restriction in sub. (11) (d) as to encumbrance of funds is not applicable and the restriction in sub. (11) (e) as to requests for state aids exceeding available funds is not applicable.

(a) Counties may receive aids under this subsection distributed in accordance with s. 350.12 (4) to:

1. Purchase easements or leases over private property for snowmobile trails, facilities and areas, if such easements provide public access to the trail, facility or area. No lands under lease or easement may be acquired by the county through condemnation.

2. Enter into agreements with the department to use for snowmobile trails, facilities or areas lands owned or leased by the department. No lands of the department to be used for snowmobiling purposes within the meaning of this subsection may be obtained through condemnation.

3. Develop and maintain snowmobile trails, facilities and areas on public lands designated by the county board or trails or areas under subd. 1 or 2.

4. Enforce laws in or on snowmobile trails, facilities or areas. As used in this subdivision, "facility" means a parking area, shelter or toilet.

(b) The county board of any county, which, by resolution, indicates its desire to receive aids under this subsection shall apply to the department on forms prescribed by the department and submit required documentation as set forth by rule on or before February 1, commencing in 1973. A decision on an aid application shall be made by the department on or before April 1, commencing in 1973. If requests for state aids exceed the funds allotted for this program, the total dollar value of approved aid applications shall be calculated by the department. Funds shall be distributed on the basis of the ratio of the total dollar value of an individual county application to the total dollar value of all approved aid applications applied to the amount of available funds. Any county receiving less than the total dollar value of its application is under no obligation to expend county funds to cover the amount requested and not received. If requests received by February 1 do not exceed allotted funds, the department may grant aids based on requests received after February 1.

SECTION 6. 29.05 (1), as affected by chapter 42, laws of 1971, and (2), as affected by chapters 40 and 164, laws of 1971, of the statutes are amended to read:

29.05 (1) The department and its wardens may execute and serve warrants and processes issued under any law relating to wild animals and ss. 29.221, 30.12, 30.125, 30.18, 30.195, 30.50 to 30.80, 346.19, 346.94 (6) and (6m), ~~350.06, 350.07, 350.12, 940.24, 941.20, 942.22, 941.22, 947.03 and 947.047 and ch. 350, except where applicable to highways,~~ in the same manner as any constable may serve and execute such process; and ~~to~~ may arrest, with or without a warrant, any person detected in the actual violation, or whom such officer has reasonable cause to believe guilty of a violation under this chapter or ss. 30.12, 30.18, 30.195, 30.50 to 30.80, 346.19, 346.94 (6) and (6m), ~~350.06, 350.07, 350.12, 940.24, 941.20, 941.22, 947.03 and 947.047, or ch. 350, except where applicable to highways,~~ and ~~to~~ may take such person before any court in the county where the offense was committed and make proper complaint. For the purpose of enforcing ss. 30.50 to 30.80 ~~, 350.06, 350.07 and 350.12 and ch. 350, except where applicable to highways,~~ any such officer may stop and board any boat and stop any snowmobile, if he has reasonable cause to believe there is a violation of such sections.

(2) Such officers shall, upon receiving notice or information that this chapter or ss. 30.12, 30.18, 30.195, 346.19, 346.94 (6) and (6m), ~~350.06, 350.07, 350.12, 940.24, 941.20, 941.22 and 947.03 or ch. 350, except s. 350.10 (6) to (13) and except where applicable to highways,~~ has been violated, as soon as possible make a thorough investigation thereof, and cause proceedings to be instituted if the proofs at hand warrant it.

SECTION 7. 340.01 (35), (58a) and (74) of the statutes are amended to read:

340.01 (35) "Motor vehicle" means a vehicle which is self-propelled, including a trackless trolley bus, except that a snowmobile shall only be considered a motor vehicle for purposes made specifically applicable by statute.

(58a) "Snowmobile" means any engine-driven vehicle of a type which utilizes sled type runners, or skis, or an endless belt tread or any combination of these or other similar means of contact with the surface upon which it is operated, but does not include such vehicles which are either manually propelled or driven by a motor of 4 horsepower or less and operated only on private property.

(74) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except railroad trains. A snowmobile shall not be considered a vehicle except for purposes made specifically applicable by statute.

SECTION 8. 341.055 of the statutes is repealed and recreated to read:

341.055 SNOWMOBILES. Snowmobiles shall not be registered under this chapter but shall be registered under ch. 350.

SECTION 9. 344.01 (2) (b) of the statutes is amended to read:

344.01 (2) (b) "Motor vehicle" means a self-propelled vehicle and also includes trailers and semitrailers designed for use with such vehicles, except that "motor vehicle" does not include farm tractors, well drillers ~~or~~, road machinery or snowmobiles.

SECTION 10. 345.11 (1m) of the statutes is created to read:

345.11 (1m) The uniform traffic citation shall be used for violations of ch. 350 relating to highway use or ordinances in conformity therewith when committed on the highway, but no points shall be assessed against the driving record of the operator of a snowmobile. The report of conviction and abstract of court record copy shall be forwarded to the division of motor vehicles.

SECTION 11. 346.02 (10) of the statutes is created to read:

346.02 (10) **APPLICABILITY TO SNOWMOBILES.** The operator of a snowmobile upon a roadway shall in addition to the provisions of ch. 350 be subject to ss. 346.04, 346.06, 346.11, 346.14 (1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50 (1) (b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92 (1) and 346.94 (1), (6), (6m) and (9).

SECTION 12. 346.66 of the statutes is amended to read:

346.66 APPLICABILITY OF SECTIONS RELATING TO ACCIDENTS AND ACCIDENT REPORTING. In addition to being applicable upon highways, ss. 346.67 to 346.70 are applicable upon all premises held out to the public for use of their motor vehicles, whether such premises are publicly or privately owned and whether or not a fee is charged for the use thereof. Such sections do not apply to accidents involving only snowmobiles or vehicles propelled by human power or drawn by animals.

SECTION 13. 349.02 of the statutes is amended to read:

349.02 (title) POLICE AND TRAFFIC OFFICERS TO ENFORCE LAW. It is the duty of the police, sheriffs, and traffic departments of every unit of government and each authorized department of the state to enforce chs. 346 to 348 and 350. Police officers, sheriffs, deputy sheriffs and traffic officers are authorized to direct all traffic within their respective jurisdictions either in person or by means of visual or audible signal in accordance with chs. 346 to 348 and 350. In the event of fire or other emergency, police officers, sheriffs, deputy sheriffs and traffic officers and officers of the fire department may direct traffic as conditions may require notwithstanding the provisions of chs. 346 to 348 and 350.

SECTION 14. 349.03 (1) (intro.) and (a) of the statutes are amended to read:

349.03 (1) (intro.) Chapters 341 to 348 and 350 shall be uniform in operation throughout the state. No local authority may enact or enforce any traffic regulation unless such regulation:

(a) Is not contrary to or inconsistent with chs. 341 to 348 and 350; or

SECTION 15. 349.06 of the statutes is amended to read:

349.06 AUTHORITY TO ADOPT TRAFFIC REGULATIONS IN STRICT CONFORMITY WITH STATE LAW. Except for the suspension or revocation of motor vehicle operator's licenses, regulations imposing penalties for operating a motor vehicle upon a highway without a license or while a license is revoked, suspended, canceled or expired or regulations enacted in conformity with s. 346.63 (1) (a), any local authority may enact and enforce any traffic regulation which is in strict conformity with chs. 341 to 348 and 350 but the penalty for violation of any of its provisions shall be limited to a forfeiture. No citation for violating local traffic regulations in conformity with s. 346.63 (1) (a) shall be issued after May 1, 1970.

SECTION 16. 350.01 (19) and (20) of the statutes are created to read:

350.01 (19) "Snowmobile trail" means a marked route on public property or on private lands subject to public easement or lease, designated for use by snowmobile operators by the governmental agency having jurisdiction, but excluding highways.

(20) "Snowmobile route" means a highway or sidewalk designated for use by snowmobile operators by the governmental agency having jurisdiction as authorized under this chapter.

SECTION 17. 350.02 of the statutes is repealed and recreated to read:

350.02 OPERATION OF SNOWMOBILES ON OR IN THE VICINITY OF HIGHWAYS. (1) Snowmobiles shall not be operated upon any part of any freeway including freeways which are a part of the federal system of interstate and defense highways.

(2) (a) Snowmobiles shall not be operated on other highways except in the following manner or as otherwise authorized by law:

1. Directly across any roadway having fewer than 5 lanes, but only after stopping and yielding the right-of-way to all vehicles approaching on the roadway. Crossings under this subdivision may be made only at a place where no obstruction prevents a quick and safe crossing. For purposes of this subdivision, "obstruction" includes but is not limited to impairment of view and dangerous roadway condition.

2. On any roadway which is not normally maintained for other vehicular traffic by the removal of snow.

3. On the roadway of highways to cross a bridge or culvert unless posted by the maintaining authority, but shall yield the right-of-way to all vehicular traffic.

4. On the roadway of county or town highways and city or village streets for special snowmobile events authorized under s. 350.04.

5. On highways which have been designated as routes and which are required to be marked.

(b) Snowmobiles may be operated adjacent to a roadway with due regard to safety in the following manner:

1. Along U. S. numbered highways, state and county highways at a distance of 10 or more feet from the roadway. Travel upon the median of a divided highway is prohibited except to cross.

2. Along town highways outside of the roadway.

3. During daylight hours travel may be in either direction regardless of the flow of vehicular traffic.

4. At night travel shall conform to the direction of traffic in the nearest lane.

5. Whenever it is impracticable to gain immediate access to an area adjacent to a highway, other than a freeway, where a snowmobile is to be operated, the snowmobile may be operated adjacent and parallel to the roadway for the purpose of gaining access to and from the area of operation. Loading or unloading of the snowmobile shall be accomplished with due regard to safety at the nearest practical point to the area of operation.

6. Snowmobiles traveling adjacent to a roadway shall observe roadway speed limits.

(3) Snowmobiles may be operated for emergency purposes on any highway during a period of emergency when so declared by the governmental agency having jurisdiction.

(4) Under no circumstances, except as provided in this section, is a snowmobile to be operated on the main-traveled portion of a highway or on the plowed portion.

SECTION 18. 350.03 of the statutes is repealed and recreated to read:

350.03 RIGHT-OF-WAY. The operator of a snowmobile shall slow his vehicle to a speed not to exceed 10 miles per hour and yield the right-of-way when traveling within 100 feet of a person who is not in or on a snowmobile except as provided in ch. 346 where applicable.

SECTION 19. 350.04 (1) of the statutes is amended to read:

350.04 (1) Any county, town, city or village may block off the streets of such county, town, city or village for the purpose of allowing snowmobile races or derbies but the county, town, city or village shall not be responsible for any injury suffered by anyone in connection with, or arising out of, any such race or derby unless the injury is caused by the negligence of such county, town, city or village highways under its jurisdiction for the purpose of allowing

~~special snowmobile events.~~ No state trunk highway or connecting street or part thereof, shall be blocked off by any county, town, city or village for any snowmobile race or derby. Every county, town, city or village shall notify the local police department and the county sheriff's office at least one week in advance of the time and place of any snowmobile race or derby which may result in any street or part thereof, of the county, town, city or village being blocked off. Upon such notice, the local police department shall take such measures as it deems appropriate to protect persons and property and to regulate traffic in the designated area and its vicinity on the day of such race or derby.

SECTION 20. 350.04 (2) of the statutes is repealed and recreated to read:

350.04 (2) On state trunk bridges equipped with sidewalks on each side of the roadway, one sidewalk may be designated by the town, city or village as a snowmobile route. Towns, cities or villages may adopt ordinances designating highways as snowmobile routes for snowmobile operation, subject to the following limitations:

(a) Snowmobiles shall be operated on the extreme right side of the roadway.

(b) Left turns shall be made as safely as possible from any position depending on snow cover and other prevailing conditions.

(c) Snowmobile operators shall yield right-of-way to other vehicular traffic and pedestrians.

(d) Highways designated for snowmobile operation shall be marked in accordance with s. 350.13.

(e) Snowmobile operation is not permitted on state trunk highways or connecting streets except as provided under s. 350.02.

SECTION 21. 350.04 (3) of the statutes is created to read:

350.04 (3) (a) No county, town, city or village shall be liable for any injury suffered in connection with a race or derby under this section, unless the injury is caused by the negligence of the county, town, city or village.

(b) The county, town, city or village shall post the provisions of par. (a) in a conspicuous place, readily accessible to all contestants and spectators, and shall assist in locating and identifying persons responsible for injuries that may occur.

SECTION 22. 350.045 of the statutes is created to read:

350.045 PUBLIC UTILITY EXEMPTION. So that public utilities may effectively carry out their obligations to the public, the restrictions imposed by this chapter relating to use on, near or adjacent to highways shall not apply to snowmobiles operated to fulfill the corporate function of the public utility in those cases where safety does not require strict adherence to the regulations related to snowmobiles in general. However, snowmobiles operated by public utilities must be operated in a safe manner at all times.

SECTION 23. 350.047 of the statutes is created to read:

350.047 LOCAL ORDINANCE TO BE FILED. Whenever a town, city or village adopts an ordinance designating a highway as a snowmobile route, and whenever a county, town, city or village adopts an ordinance regulating snowmobiles, its clerk shall immediately send a copy of the ordinance to the department and to the

office of the law enforcement agency of the municipality and county having jurisdiction over such street or highway.

SECTION 24. 350.05 of the statutes is repealed and recreated to read:

350.05 OPERATION BY YOUTHFUL OPERATORS RESTRICTED.

(1) AGE RESTRICTION. No person under the age of 12 years may operate a snowmobile unless he is accompanied either by a person over 18 years of age or by a person over 14 years of age who holds a snowmobile safety certificate issued by the department under s. 350.055.

(2) SNOWMOBILE SAFETY PERMIT OR OPERATOR'S LICENSE REQUIRED. After October 1, 1973, no person over the age of 12 years but under the age of 16 years may operate a snowmobile unless he holds a valid snowmobile safety certificate or is accompanied by a person over 18 years of age or by a person over 14 years of age having a snowmobile safety certificate issued by the department. Persons enrolled in a safety certification program approved by the department may operate a snowmobile in an area designated by the instructor.

(3) EXCEPTIONS. This section does not apply to the operation of snowmobiles by an operator under the age of 16 years upon lands owned or leased by his parent or guardian. As used in this section, "leased lands" does not include lands leased by an organization of which said operator or his parent or guardian is a member.

(4) DEFINITION. For purposes of this section, "accompanied" means being on the same snowmobile as the operator or not on the snowmobile but in the immediate vicinity of its operation.

SECTION 25. 350.055 of the statutes is created to read:

350.055 SAFETY CERTIFICATION PROGRAM ESTABLISHED.

The department shall establish a program of instruction on snowmobile laws, regulations, safety and related subjects. The program shall be conducted by instructors certified by the department. The department may procure liability insurance coverage for certified instructors for work within the scope of their duties under this section. Persons satisfactorily completing this program shall receive certification from the department. The department may charge an instruction fee of not to exceed \$2.50 for each person taking a program of instruction under this section. From the fees collected under this section, \$20,000 shall be set aside for the snowmobile safety and accident reporting program and the balance shall be used for law enforcement aids under s. 350.12 (4) (a) 4.

SECTION 26. 350.07 of the statutes is amended to read:

350.07 (title) . DRIVING ANIMALS. No person shall drive or pursue any ~~deer, bear or other game~~ animal with a snowmobile, ~~except as a part of normal farming operations involving the driving of livestock.~~

SECTION 27. 350.09 (1) of the statutes is amended to read:

350.09 (1) Any snowmobile operated during the hours of darkness, or operated during daylight hours on or in the vicinity of ~~highways or town roads as provided in ss. 350.02 and 350.03~~ any highway, shall display a lighted head lamp and tail lamp.

SECTION 28. 350.09 (4) of the statutes is repealed and recreated to read:

350.09 (4) Every snowmobile shall be equipped with at least one brake operated either by hand or by foot, capable of bringing

the snowmobile to a stop, under normal conditions, within 40 feet when traveling at a speed of 20 miles per hour with a 150 pound driver on a level, hard-packed snow surface, or capable of locking the track on a level, hard-packed snow surface. The design shall permit simple and easy adjustment to compensate for wear. There shall be no other control linked to the brake which impairs braking operation.

SECTION 29. 350.09 (5) to (9) of the statutes are created to read:

350.09 (5) All snowmobiles manufactured after July 1, 1972, and offered for sale or sold in this state shall be equipped with side marker reflectors meeting the visibility requirements of society of automotive engineers standards or reflex material standards in compliance with federal specifications.

(6) No snowmobile shall be manufactured, sold, offered for sale, or operated unless it is equipped with a muffler in good working order, which blends the exhaust noise into the overall engine noise and is in constant operation to prevent excessive or unusual noise.

(7) Every snowmobile manufactured after July 1, 1972, and offered for sale or sold in this state shall be so constructed as to limit total vehicle noise to not more than 82 decibels of A sound pressure at 50 feet, as measured by society of automotive engineers standards. Every snowmobile manufactured after July 1, 1975, and offered for sale or sold in this state shall be so constructed as to limit total vehicle noise to not more than 78 decibels of A sound pressure, as measured by society of automotive engineers standards. No snowmobile shall be modified by any person in any manner that shall amplify or otherwise increase total noise emission above that emitted by the snowmobile as originally constructed, regardless of date of manufacture.

(8) Subsection (7) does not apply to snowmobiles competing in a sanctioned race or derby or to snowmobiles being tested by manufacturers, distributors or dealers on lands under their control.

(9) All snowmobiles competing in a sanctioned race or derby shall be equipped with a device wired into the motor's electrical system that will shut off the motor if the operator falls from the snowmobile or otherwise leaves the operator's position. The device shall be capable of being attached to the body of the operator, and shall be so attached when the snowmobile is being operated.

SECTION 30. 350.10 (6) to (13) of the statutes are created to read:

350.10 (6) On the private property of another without the consent of the owner or lessee. Failure to post private property does not imply consent for snowmobile use. Any other motor-driven craft or vehicle principally manufactured for off-highway use shall at all times have the consent of the owner before operation of such craft or vehicle on private lands.

(7) Between the hours of 10:30 p.m. and 7 a.m. when within 150 feet of a dwelling at a rate of speed exceeding 10 miles per hour.

(8) In any forest nursery, planting area or on public lands posted or reasonably identified as an area of forest or plant reproduction when growing stock may be damaged.

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(9) On the frozen surface of public waters within 100 feet of a person not in or upon a vehicle or within 100 feet of a fishing shanty unless operated at a speed of 10 miles per hour or less.

(10) On a slide, ski or skating area except for the purpose of serving the area, crossing at places where marked or after stopping and yielding the right-of-way.

(11) On or across a cemetery, burial ground, school or church property without consent of the owner.

(12) On the lands of an operating airport or landing facility except for personnel in performance of their duties or with consent.

(13) On Indian lands without the consent of the tribal governing body or Indian owner. For purposes of this subsection, "Indian lands" means lands owned by the United States and held for the use or benefit of Indian tribes, bands, or individual Indians and lands owned by Indian tribes, bands, or individual Indians which are subject to restrictions on alienation. Failure to post Indian lands does not imply consent for snowmobile use. Any other motor-driven craft or vehicle principally manufactured for off-highway use shall at all times have the consent of the owner before operation of such craft or vehicle on private lands.

SECTION 31. 350.11 of the statutes is amended to read:

350.11 PENALTIES. Any person who violates any provision of this chapter, ~~except ss. 350.07, 350.08 and 350.10 (3) may be fined not less than \$10 nor more than \$20 for the first offense and not less than \$25 nor more than \$50 for the 2nd or subsequent offense within a year \$250. Any person who violates s. 350.07 may be fined not less than \$200 nor more than \$500. Any person violating s. 350.08 or 350.10 (3) may be fined not more than \$200 or imprisoned not more than 6 months or both for the first offense and, upon the 2nd or subsequent conviction within 5 years shall be imprisoned not less than 5 days nor more than one year and in addition may be fined not more than \$200.~~

SECTION 32. 350.12 (2) (a) and (b) of the statutes are amended to read:

350.12 (2) (a) Owned by the United States, ~~another state or a political subdivision thereof, but such snowmobiles shall display the name of the owner on the cowling thereof.~~

(b) Covered by a valid registration in another state, province or country, provided there is some identification of registration displayed on the snowmobile and it has not been in this state for more than 30 15 consecutive days.

SECTION 33. 350.12 (2) (d) of the statutes is renumbered 350.12 (2) (c) and amended to read:

350.12 (2) (c) Used exclusively for racing on a raceway facility or at special events.

SECTION 34. 350.12 (2) (d) of the statutes is created to read:

350.12 (2) (d) Owned by a political subdivision of the state and used for enforcement or emergency purposes.

SECTION 35. 350.12 (3) (a) (intro.) and (c) (intro.) of the statutes are amended to read:

350.12 (3) (a) (intro.) A person shall not operate and an owner shall not give permission for the operation of any snowmobile within this state unless the snowmobile is registered under this section. A registration period shall be for 3 years beginning on September 1 and shall expire on August 31 3 years thereafter. A fee of \$6 \$9 shall be paid to the department of natural resources for registration which shall be valid for the 3-year period commencing on September 1 prior to the date of application. ~~However, all initial licenses issued under this section shall expire on August 31, 1972 if registration is made prior to April 1 and commencing on September 1 subsequent to the date of application if registration is made after April 1. The increase in fees shall take effect on September 1, 1972.~~

Vetoed
in part

(c) (intro.) Every person who is a snowmobile manufacturer, dealer, distributor or renter or any combination thereof engaged in business in this state shall obtain from the department a registration certificate as a commercial owner. Each snowmobile put in use by a commercial owner shall also be registered. The registration period shall be the same as in par. (a). The registration fees shall be as follows for the issuance of a registration certificate to a commercial owner, or renewal thereof, valid for the whole registration period:

SECTION 36. 350.12 (3) (c) 1 and 2 of the statutes are repealed and recreated to read:

350.12 (3) (c) 1. \$25 for dealers and distributors who own and operate snowmobiles for purposes of demonstration or testing;

2. \$25 for manufacturers who own and operate snowmobiles for the purposes of research, testing, experimentation or demonstration;

SECTION 37. 350.12 (3) (c) 3, 4 and 5 and (dm) of the statutes are created to read:

350.12 (3) (c) 3. \$25 for commercial owners, except manufacturers, dealers and lessors where the snowmobile will be operated only on lands owned by the manufacturer, dealer or owner;

4. \$15 for snowmobile renters;

5. A fee of \$2 shall be paid to the department for the registration of each snowmobile put in use by the snowmobile renter. For purposes of this paragraph "put in use" means renting the snowmobile, but shall not include the operation of a snowmobile on land owned or under the control of the snowmobile renter.

(dm) Upon receipt of the required fee and an application form prescribed by it, the department also shall issue to dealers, manufacturers and distributors 3 pairs of reflectorized plates with additional plates being available for a fee of \$1.50 per pair. Snowmobile renters shall be issued separate registration stickers or decals for each machine.

SECTION 38. 350.12 (4) of the statutes is repealed and recreated to read:

350.12 (4) AIDS. All moneys collected from snowmobile registrations under this section shall be deposited into the conservation fund. The department shall estimate as accurately as possible the total registration receipts for a 3-year period commencing September 1, 1972, and thereafter, adjusting the estimate each year to reflect funds available. An equal sum shall be set aside for each year of the 3-year period to be adjusted as needed.

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(a) From the sum available for a given year, one-third shall be set aside for the following:

1. Registration costs;
2. The cost of the snowmobile recreational council;
3. The cost of a snowmobile safety and accident reporting program in the sum of \$60,000; and
4. The balance shall be used for law enforcement aids to counties. On or before February 1 a county may file with the department on forms prescribed by the department a detailed statement of the costs incurred by the county in the enforcement of ch. 350 in the preceding year. The department shall audit the statements and determine the county's net costs for enforcement of ch. 350. The department shall compute the state aids on the basis of 75% of such net costs and shall pay such aids on or before April 1. If the state aids payable to counties exceed the moneys available for such purpose, the department shall prorate the payments.

Vetoed
in part

(b) From the sum available for a given year, two-thirds shall be appropriated under s. 20.370 (2) (vn) for land acquisition, development and maintenance. State aids for maintenance costs are limited to one-half of the actual cost of maintaining the trail per year up to a \$25 per mile per year maximum. Qualifying trails are those as are approved by the ~~county~~ board as snowmobile trails. State aid for the cost of the leasing of land, the acquisition of easements and the purchase of land shall be limited to 75% of acquisition expense with the county furnishing 25% on a matching basis. Development must be commenced the same year the land is acquired. Moneys available for development shall be distributed on a 100% grant basis, 75% at the time of approval but no later than April 1 and 25% upon completion of the project. A county application may include a request for aids for development, maintenance, land acquisition or any one of those categories. ~~The department shall not prescribe any route, size or specification as a condition for receiving aid under this subsection.~~ Trail routes, sizes and specifications shall be prescribed only by the ~~county~~ board.

Vetoed
in part

(c) Funds available under s. 20.370 (2) (vn) not used by September 1, 1972, shall be used for development, maintenance and land acquisition only.

SECTION 39. 350.13 of the statutes, as affected by chapter 40, laws of 1971, is amended to read:

350.13 (title) UNIFORM TRAIL SIGNS AND STANDARDS. The department of natural resources in cooperation with the department of transportation, after having consulted with the snowmobile recreational council and after public hearing, shall promulgate rules to establish uniform trail and route signs and standards relating to operation thereon as permitted by statute under s. 350.04 (2) authorized by law. The department of transportation shall place appropriate signs on highways and roadways where authorized snowmobile trails cross.

SECTION 40. 350.14 of the statutes is created to read:

350.14 DUTIES OF SNOWMOBILE RECREATIONAL COUNCIL. The snowmobile recreational council shall carry out studies and make recommendations to the legislature, governor, department of natural resources and department of transportation on all matters related to this chapter or otherwise affecting snowmobiles and snowmobiling.

SECTION 41. 350.15 of the statutes is created to read:

350.15 ACCIDENTS AND ACCIDENT REPORTS. (1) **DUTY TO RENDER AID.** Insofar as he is capable of doing, the operator of a snowmobile involved in a snowmobile accident shall render to other persons affected thereby such assistance as is practicable and necessary to save them from or minimize any danger caused by the accident and shall give his name and address and identification of his snowmobile to any person injured and to the owner of any property damaged in the accident.

(2) **DUTY TO REPORT.** (a) If the snowmobile accident results in death or injury to any person or total property damage in excess of \$100, every operator of a snowmobile involved in such accident shall, as soon as possible, give notice of the accident to a conservation warden or local law enforcement officer and shall within 10 days after the accident, file a written report thereof with the department on the form prescribed by it.

(b) If the operator of a snowmobile is physically incapable of making the report required by this subsection and there was another occupant on the snowmobile at the time of the accident capable of making the report he shall make such report.

(3) **TERMS DEFINED.** In this section:

(a) "Snowmobile accident" means a collision accident or other casualty involving a snowmobile.

(b) "Injury" means any injury of a physical nature resulting in the need of attention by a physician or surgeon, whether or not such aid or attention was received.

(c) "Total property damage" means the sum total cost of putting the property damaged in the condition it was in before the accident, if repair thereof is practical, and if not practical, the sum total cost of replacing the property.

(4) **REPORTS CONFIDENTIAL.** No report required by this section to be filed with the department shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the department shall furnish upon demand of any person who has or claims to have made such a report, or upon demand of any court, a certificate showing that a specified accident report has or has not been made to the department solely to prove a compliance or a failure to comply with the requirement that such a report be made.

SECTION 42. 350.17 of the statutes is created to read:

350.17 ENFORCEMENT. (1) Any officer of the state traffic patrol under s. 110.07 (1), inspector under s. 110.07 (3), warden of the department under s. 23.10, county sheriff or municipal peace officer may enforce the provisions of this chapter.

(2) No person operating a snowmobile shall refuse to stop after being requested or signaled to do so by a law enforcement officer.

SECTION 43. 350.18 of the statutes is created to read:

350.18 LOCAL ORDINANCES. Counties, towns, cities and villages may regulate snowmobile operation on snowmobile trails maintained by or on snowmobile routes designated by the county, city, town or village.

SECTION 44. 350.19 of the statutes is created to read:

350.19 LIABILITY OF LANDOWNERS. Section 29.68 (1) to (3) applies to this chapter.

~~SECTION 45. STUDY OF NOISE EMISSION STANDARDS.~~ The snowmobile recreational council shall study noise emission standards and report its findings and recommendations to the 1973 legislature when it convenes.
