

1981 Assembly Bill 890

Date published: April 30, 1982

## CHAPTER 295 , Laws of 1981

AN ACT to renumber and amend 23.09 (26) (f); to amend 350.01 (19), 350.02 (2) (a) 3, 350.04 (2) (intro.), 350.08, 350.09 (1), 350.12 (2) (c), (4) (a) 4 and (5) and 350.125 (1) (a); and to create 23.09 (26) (f) 2, 350.12 (5) (d) and 350.135 of the statutes, relating to snowmobile regulation and the snowmobile aid program.

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

SECTION 1. 23.09 (26) (f) of the statutes is renumbered 23.09 (26) (f) 1 and amended to read:

23.09 (26) (f) 1. ~~The~~ Except as provided under subd. 2, the maximum amount allowed for general trail development shall be \$300 including bridge construction is \$500 per mile. The maximum amount allowed for trails that require the construction of permanent bridges shall be \$500 per mile with the additional \$200 per mile expended only for the bridges.

SECTION 2. 23.09 (26) (f) 2 of the statutes is created to read:

23.09 (26) (f) 2. The maximum amount allowed for general trail development including bridge construction may exceed \$500 per mile if the amount is recommended by the snowmobile recreation council and approved by the department.

SECTION 3. 350.01 (19) of the statutes is amended to read:

350.01 (19) "Snowmobile trail" means a marked ~~route~~ corridor 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 except those highways on which the roadway is not normally maintained for other vehicular traffic by the removal of snow.

SECTION 4. 350.02 (2) (a) 3 of the statutes is amended to read:

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

SECTION 6. 350.04 (2) (intro.) of the statutes is amended to read:

350.04 (2) (intro.) On state trunk bridges ~~equipped with sidewalks on each side of the roadway, one a sidewalk or, if no sidewalk exists, one lane of the bridge~~ 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:

SECTION 7. 350.08 of the statutes is amended to read:

**350.08 Owner permitting operation.** No owner or other person having charge or control of a snowmobile ~~shall~~ may knowingly authorize or permit any person to operate such the snowmobile who ~~if the person is prohibited from operating a snowmobile under s. 350.05, if the person is~~ incapable, ~~by reason of age, of operating a snowmobile because of physical or mental disability; or if the person is~~ under the influence of intoxicating liquor, fermented malt beverages or controlled substances.

SECTION 8. 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~~ any highway, right-of-way shall display a lighted head lamp and tail lamp.

SECTION 9. 350.12 (2) (c) of the statutes is amended to read:

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

SECTION 10. 350.12 (4) (a) 4 of the statutes, as affected by chapter 20, laws of 1981, is amended to read:

350.12 (4) (a) 4. An amount necessary, but not to exceed \$100,000, to pay the cost of law enforcement aids to counties as appropriated under s. 20.370 (4) (ft). On or before ~~February~~ June 1, a county shall file with the department on forms prescribed by the department a detailed statement of the costs incurred by the county in the enforcement of this chapter ~~in~~ during the preceding year ~~May 1 to April 30.~~ The department shall audit the statements and determine the county's net costs for enforcement of this chapter. The department shall compute the state aids on the basis of 100% of ~~such these~~ net costs and shall pay ~~such these~~ aids on or before ~~April~~ October 1. If the state aids payable to counties exceed the moneys available for such purpose, the department shall prorate the payments.

SECTION 11. 350.12 (5) of the statutes is amended to read:

350.12 (5) NUMBER TO BE DISPLAYED. (a) The owner of the snowmobile shall attach the registration number to the snowmobile in a prominent place, and shall maintain such registration number and registration decals or stickers in a legible condition at all times. Numbers shall be of block character, not less than 3 inches in height and not less than ~~one-fourth of an~~ one-half inch wide and in sharp contrast to the background to which applied. Numbers and registration decals or stickers are to be applied on both sides of the cowling of the snowmobile.

(b) The registration certificate ~~or the retained portion of the renewal application~~ shall be in the possession of the user of the snowmobile at all times, except in the case of snowmobiles put in use by a commercial owner.

(c) The registration certificate ~~or the retained portion of the renewal application~~ shall be exhibited for inspection on the demand of any person authorized to enforce this section as listed in s. 350.17 (1).

SECTION 12. 350.12 (5) (d) of the statutes is created to read:

350.12 (5) (d) At the end of the registration period the department shall send the owner of each snowmobile a 2-part renewal application. The owner shall complete and sign one portion of the renewal application and return that portion and the proper fee to the department. The owner shall complete and sign the other portion of the renewal

application. The owner shall destroy this portion of the renewal application upon receipt of the registration certificate and validation decals.

SECTION 13. 350.125 (1) (a) of the statutes is amended to read:

350.125 (1) (a) When a snowmobile dealer sells a new snowmobile the dealer shall, at the time of sale, shall require the buyer to complete an application for a registration certificate, collect the required fee and mail the application and fee to the department no later than 14 5 days after the date of sale. ~~Combination~~ The department shall provide combination application and receipt forms ~~shall be provided by the department~~ and the dealer shall furnish the buyer with a completed receipt showing that application for registration has been made. This completed receipt shall be in the possession of the user of the snowmobile until the registration certificate is received. No snowmobile dealer may charge an additional fee to the buyer for performing the service required under this subsection.

SECTION 14. 350.135 of the statutes is created to read:

**350.135 Interferences with uniform trail signs and standards prohibited.** (1) No person may intentionally remove, damage, deface, move or obstruct any uniform snowmobile trail sign or standard or intentionally interfere with the effective operation of any uniform snowmobile trail sign or standards if the sign or standard is legally placed by the state, any municipality or any authorized individual.

(2) No person may possess any uniform snowmobile trail sign or standard of the type established by the department for the warning, instruction or information of the public, unless he or she obtained the uniform snowmobile trail sign or standard in a lawful manner. Possession of a uniform snowmobile trail sign or standard creates a rebuttable presumption of illegal possession.

SECTION 15. **Transition provision; snowmobile enforcement aids to counties for 1982-83.** Notwithstanding section 350.12 (4) (a) 4 of the statutes, as affected by this act:

(1) From the amount set aside under section 350.12 (4) (a) (intro.) of the statutes an amount necessary, but not to exceed \$100,000, shall be provided to pay the cost of law enforcement aids to counties for costs incurred from January 1, 1982 to April 30, 1982, as appropriated under section 20.370 (4) (ft) of the statutes.

(2) On or before June 1, 1982, a county shall file with the department of natural resources on forms provided by that department a detailed statement of the costs incurred by the county in the enforcement of chapter 350 of the statutes in the period from January 1, 1982 to April 30, 1982.

(3) The department of natural resources shall compute the state aids on the basis of 100% of these net costs and shall pay these aids on or before October 1, 1982.

(4) If the state aids payable to counties exceed the moneys available for this purpose, the department of natural resources shall prorate the payments.

SECTION 16. **Effective date.** This act takes effect on January 1, 1982.

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