

1993 Assembly Bill 232

Date of enactment: **December 14, 1993**
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1993 WISCONSIN ACT 119

AN ACT to amend 23.33 (13) (a), 350.11 (1) and 350.135 (1); and to create 23.33 (8) (f), 23.33 (13) (am), 23.33 (13) (cg) and (f), 350.11 (2m) and 350.11 (4) of the statutes, relating to: damaging, removing or otherwise tampering with uniform snowmobile or all-terrain vehicle signs and standards and providing a penalty.

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

SECTION 1c. 23.33 (8) (f) of the statutes is created to read:

23.33 (8) (f) *Interference with signs and standards prohibited.* 1. No person may intentionally remove, damage, deface, move or obstruct any uniform all-terrain vehicle route or trail sign or standard or intentionally interfere with the effective operation of any uniform all-terrain vehicle route or 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 all-terrain vehicle route or 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 all-terrain vehicle route or trail sign or standard in a lawful manner. Possession of a uniform all-terrain vehicle route or trail sign or standard creates a rebuttable presumption of illegal possession.

SECTION 1e. 23.33 (13) (a) of the statutes is amended to read:

23.33 (13) (a) *Generally.* Except as provided in pars. (b) ~~(am)~~ to (e), any person who violates this section shall forfeit not more than \$250.

SECTION 1g. 23.33 (13) (am) of the statutes is created to read:

23.33 (13) (am) *Penalty related to interference with signs and standards.* Except as provided in par. (cg), a person who violates sub. (8) (f) and who, within the last

2 years prior to the arrest for the current violation, was 2 or more times previously convicted for violating a provision of this chapter shall forfeit not more than \$500.

SECTION 1j. 23.33 (13) (cg) and (f) of the statutes are created to read:

23.33 (13) (cg) *Penalties related to causing death or injury; interference with signs and standards.* A person who violates sub. (8) (f) 1. shall be fined not more than \$10,000 or imprisoned for not more than 2 years or both if the violation causes the death or injury, as defined in s. 30.67 (3) (b), of another person.

(f) *Restoration or replacement of signs and standards.* In addition to any other penalty, the court may order the defendant to restore or replace any uniform all-terrain vehicle route or trail sign or standard that the defendant removed, damaged, defaced, moved or obstructed.

SECTION 1m. 350.11 (1) of the statutes is amended to read:

350.11 (1) (a) Except as provided in par. (b) and subs. (2) ~~and to~~ (3), any person who violates any provision of this chapter shall forfeit not more than \$250.

(b) Except as provided in subs. (2) ~~and to~~ (3), any person who violates any provision of this chapter and who, within the last 2 years prior to the arrest for the current violation, was 2 or more times previously convicted for violating a provision of this chapter shall forfeit not more than \$500.

SECTION 2. 350.11 (2m) of the statutes is created to read:

1993 Assembly Bill 232

350.11 (2m) Any person who violates s. 350.135 (1) shall be fined not more than \$10,000 or imprisoned for not more than 2 years or both if the violation causes the death or injury, as defined in s. 30.67 (3) (b), of another person.

SECTION 3. 350.11 (4) of the statutes is created to read:

350.11 (4) In addition to the penalties under this section, the court may order the defendant to restore or replace any uniform snowmobile trail sign or standard that the defendant removed, damaged, defaced, moved or obstructed.

SECTION 3m. 350.135 (1) of the statutes is amended to read:

350.135 (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. This subsection does not apply to an authorized individual who removes or moves any uniform snowmobile trail sign or standard from his or her own property.

SECTION 4. Initial applicability. This act first applies to violations that occur on the effective date of this SECTION, but does not preclude the counting of other violations as prior violations for sentencing a person.
