



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRBs0238/1  
ZDW:amn

**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO ASSEMBLY BILL 372**

October 18, 2021 - Offered by Representative SWEARINGEN.

1 **AN ACT** *to amend* 23.33 (3) (em) and 23.33 (6r); and *to create* 346.92 (4) of the  
2 statutes; **relating to:** passenger restrictions on all-terrain vehicles.

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***Analysis by the Legislative Reference Bureau***

Under current law, no person may ride on an all-terrain vehicle (ATV) or utility terrain vehicle (UTV) on a part of the ATV or UTV that is not designed for use by passengers. A person is also prohibited from operating an ATV or UTV with such a passenger. Under current law, no person may drive any vehicle, including an ATV, on a highway with another person on any portion of the vehicle that is not designed or intended for the use of passengers.

Under this bill, these restrictions do not apply to the operation of an ATV with one passenger if either the operator or passenger is at least 16 years of age.

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

3 **SECTION 1.** 23.33 (3) (em) of the statutes is amended to read:  
4 23.33 (3) (em) Except as provided in sub. (11m), with a passenger riding in or  
5 on any part of an all-terrain vehicle or utility terrain vehicle that is not designed or

1 intended to be used by passengers. This paragraph does not apply to the operation  
2 of an all-terrain vehicle with one passenger if either the operator or passenger is at  
3 least 16 years of age.

4 **SECTION 2.** 23.33 (6r) of the statutes is amended to read:

5 23.33 (6r) PASSENGER RESTRICTIONS. Except as provided in sub. (11m), no person  
6 may ride in or on any part of an all-terrain vehicle or utility terrain vehicle that is  
7 not designed or intended to be used by passengers. This paragraph does not apply  
8 to the operation of an all-terrain vehicle with one passenger if either the operator  
9 or passenger is at least 16 years of age.

10 **SECTION 3.** 346.92 (4) of the statutes is created to read:

11 346.92 (4) This section does not apply to the operation of an all-terrain vehicle  
12 with one passenger if either the operator or passenger is at least 16 years of age.

13 (END)