



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2005 Assembly Bill 219

Senate Amendment 1

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2005 ASSEMBLY BILL 219, AS AMENDED BY THE ASSEMBLY

2005 Assembly Bill 219, as amended by the Assembly (hereafter “the bill”), creates a new classification of vehicles called “light weight utility vehicle” (LUV). The bill places restrictions on the operation of an LUV that are similar to restrictions placed on operating an all-terrain vehicle (ATV). One such provision, relating to operation on a roadway (s. 23.33 (4) (d), as amended by the bill), specifies that a person may operate an ATV, or, **if the person is at least 12 years of age, an LUV** on the roadway portion of any highway, **only in the following situations** (note: the ATV language is in current law):

1. To cross a roadway. The crossing of a roadway is authorized only if the crossing is done in the most direct manner practicable, if the crossing is made at a place where no obstruction prevents a quick and safe crossing, and if the operator stops the ATV or LUV prior to the crossing and yields the right-of-way to other vehicles, pedestrians, and electric personal assistive mobility devices using the roadway.

2. On any roadway that is seasonally not maintained for motor vehicle traffic. Operation of an ATV or LUV on this type of roadway is authorized only during the seasons when no maintenance occurs and only if the roadway is not officially closed to ATV or LUV traffic.

3. To cross a bridge, culvert, or railroad right-of-way. The crossing of a bridge, culvert, or railroad right-of-way is not authorized if the roadway is officially closed to ATV or LUV traffic. The crossing is authorized only if the crossing is done in the most direct manner practicable, if the crossing is made at a place where no obstruction prevents a quick and safe crossing, and if the operator stops the ATV or LUV prior to the crossing, pedestrians, and electric personal assistive mobility devices using the roadway.

4. On roadways that are designated as ATV or LUV routes. Operation of ATVs or LUVs on a roadway that is an ATV or LUV route is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway which is safe given prevailing conditions.

SENATE AMENDMENT 1 TO THE BILL, AS AMENDED BY THE ASSEMBLY

Senate Amendment 1 changes the minimum age of a person operating an LUV (for purposes of the above-described provisions relating to operating on the roadway portion of any highway) from at least 12 years of age to **at least 16 years of age.**

Legislative History

On March 1, 2006, the Senate Committee on Natural Resources and Transportation, in executive session, adopted Senate Amendment 1 on a vote of Ayes, 5; Noes, 0. The committee then voted to recommend concurrence in the bill, as amended, on a vote of Ayes, 5; Noes, 0.

DLS:jal