



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1907/1
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2021 SENATE BILL 364

May 25, 2021 - Introduced by Senators PETROWSKI, FELZKOWSKI, BALLWEG, BEWLEY, COWLES, ERPENBACH, FEYEN, JACQUE, PFAFF, RINGHAND, STROEBEL, TESTIN and WIRCH, cosponsored by Representatives SWEARINGEN, MURSAU, CALLAHAN, EDMING, HESSELBEIN, KITCHENS, KURTZ, B. MEYERS, MILROY, MOSES, NOVAK, OLDENBURG, ROZAR, SPIROS, SUMMERFIELD, THIESFELDT, TUSLER, VANDERMEER, ZIMMERMAN and SPREITZER. Referred to Committee on Transportation and Local Government.

1 **AN ACT** *to repeal* 350.02 (2) (b) 4. a. and 350.02 (2) (b) 4. c.; *to renumber and*
2 *amend* 350.02 (2) (b) 4. (intro.); and *to amend* 350.01 (17), 350.09 (1), 350.095
3 (1) (b) and 350.095 (2) (d) 1. of the statutes; **relating to:** snowmobile noise and
4 the operation of snowmobiles, all-terrain vehicles, and utility terrain vehicles
5 near highways.

Analysis by the Legislative Reference Bureau

This bill makes several changes to operation restrictions for snowmobiles, all-terrain vehicles (ATVs), and utility terrain vehicles (UTVs).

Under current law generally, a person may not operate a snowmobile on a highway unless it is designated for snowmobile use but may operate a snowmobile adjacent to a highway, subject to certain restrictions. A person operating a snowmobile adjacent to any U.S. numbered highway or any state or county highway must remain at least 10 feet from the roadway. In addition, a person operating a snowmobile adjacent to a highway at night must travel in the same direction as the vehicular traffic in the nearest lane unless the person is operating on a snowmobile trail that is at least 40 feet from the roadway or is separated from the roadway by a headlamp barrier.

The bill retains the 10-foot requirement, eliminates the 40-foot requirement, and provides that a person operating a snowmobile adjacent to a highway at night must travel in the same direction as the vehicular traffic in the nearest lane unless the person is operating the snowmobile on a designated and marked snowmobile

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trail. The bill also modifies the definition of “snowmobile trail” to include a marked corridor in a highway right-of-way.

Current law requires a person who is operating an ATV, UTV, or snowmobile during hours of darkness, or in a highway right-of-way during daylight hours, to display a lighted head lamp. The bill requires the person, while operating an ATV, UTV, or snowmobile during hours of darkness or adjacent to a roadway, to dim the head lamp when an oncoming all-terrain vehicle, utility terrain vehicle, snowmobile, or motor vehicle is within 500 feet.

Current law prohibits modifying a snowmobile to amplify or increase vehicle noise above the level emitted by the snowmobile as originally manufactured. The bill also prohibits operation of a snowmobile than has been so modified. Current law also provides that snowmobile exhaust and engine noise may not exceed 88 decibels. The bill lowers the noise limit to 82 decibels.

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

1 **SECTION 1.** 350.01 (17) of the statutes is amended to read:

2 350.01 (17) “Snowmobile trail” means a marked corridor on public property, in
3 a highway right-of-way, or on private lands subject to public easement or lease,
4 designated for use by snowmobile operators by the governmental agency having
5 jurisdiction, but excluding highways except those highways on which the roadway
6 is not normally maintained for other vehicular traffic by the removal of snow.

7 **SECTION 2.** 350.02 (2) (b) 4. (intro.) of the statutes is renumbered 350.02 (2) (b)
8 4. and amended to read:

9 350.02 (2) (b) 4. At night travel shall conform to the direction of vehicular traffic
10 in the nearest lane ~~unless:~~ unless the snowmobile is operated on a designated and
11 marked snowmobile trail.

12 **SECTION 3.** 350.02 (2) (b) 4. a. of the statutes is repealed.

13 **SECTION 4.** 350.02 (2) (b) 4. c. of the statutes is repealed.

14 **SECTION 5.** 350.09 (1) of the statutes is amended to read:

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1 350.09 (1) Any snowmobile operated during the hours of darkness or operated
2 during daylight hours on any highway right-of-way shall display a lighted head
3 lamp and tail lamp. A person operating a snowmobile during the hours of darkness
4 or adjacent to a roadway shall dim their head lamp when an oncoming snowmobile,
5 all-terrain vehicle, utility terrain vehicle, or motor vehicle is within 500 feet.

6 **SECTION 6.** 350.095 (1) (b) of the statutes is amended to read:

7 350.095 (1) (b) ~~No snowmobile may be modified by any person~~ A person may
8 not modify a snowmobile, or operate a snowmobile that has been modified, in any
9 manner that shall amplify amplifies or otherwise increase increases total vehicle
10 noise above that emitted by the snowmobile as originally manufactured, regardless
11 of date of manufacture.

12 **SECTION 7.** 350.095 (2) (d) 1. of the statutes is amended to read:

13 350.095 (2) (d) 1. Except as provided in subd. 2., for every snowmobile
14 manufactured on or after July 2, 1975, the noise level standard for exhaust and
15 engine noise shall be ~~88~~ 82 decibels as measured in accordance with the procedures
16 established for the measurement of exhaust sound levels of stationary snowmobiles
17 in the January 2004 2015 Society of Automotive Engineers Standard J2567.

18 (END)