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**DATE:** July 21, 2021  
**RE:** Testimony on Senate Bill 216  
**TO:** Members of the Committee on Financial Institutions & Sporting Heritage  
**FROM:** Senator Rob Stafsholt

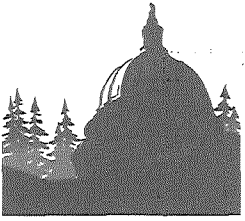
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Thank you fellow members of the Senate Committee on Financial Institutions and Sporting Heritage for hearing Senate Bill 216 relating to whip lights on all-terrain and utility terrain vehicles.

This bill addresses auxiliary lights used on ATVs/UTVs commonly referred to as “whip lights.” These lights are firmly mounted to the rear of the machine, and create a stick of light that allows other riders and other vehicles to safely see where other riders are on the trail. According to current Wisconsin statute, the only whips riders are allowed to affix must be white or amber in color, and may not be flashing or oscillating. This bill would allow for other colors of whips to be affixed, as well as allowing them to display fixed or according to any pattern, including oscillating. These lights are currently required by law during times of reduced visibility in other states, including Idaho, Arizona, New Mexico, and California.

It is important to note that this bill does NOT allow for flashing red or blue, as to not appear to be law enforcement or emergency vehicles. It is also important to note that this bill does not make any changes to the current requirements to dim or turn off lights when appropriate for safety on roadways. When riding on the trails, the purpose of these lights is to create a safer ATV/UTV riding experience.

Again, thank you for allowing me to testify on Senate Bill 216. I would appreciate your support on this piece of legislation.



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September 21, 2023

## Testimony on Senate Bill 216

### Senate Committee on Financial Institutions and Sporting Heritage

Good afternoon, and thank you, Chairman Stafsholt and committee members, for hearing Senate Bill 216, which allows the use of whip lights on all-terrain vehicles (ATVs) and utility terrain vehicles (UTVs).

Whip lights are auxiliary lights on ATVs/UTVs. Whip lights are defined as a series of lights arranged vertically along a flexible rod attached to any ATV or UTV so that the emitted light is visible from any direction. These lights are typically mounted on the rear of the machine and create a beam of light that allows riders and other vehicles to see where other riders are on the trail safely. States such as Idaho, Arizona, New Mexico, and California require whip lights during times of reduced visibility.

Under current law, these are the only lights permitted on an ATV or UTV:

- White or amber (visible from the front or rear)
- Red or yellow (only visible from the rear)
- Yellow (flashing)

Senate Bill 216 would update the statute by allowing riders to use various colors and display fixed or flashing lights. The only prohibited whip lights that riders cannot use are flashing red or blue so they do not appear as a law enforcement or emergency vehicle.

Senate Bill 216 was introduced to allow ATV/UTV riders more freedom and choice in the type of lights and patterns their vehicles can display and, more importantly, ensure safety for riders and other vehicles on Wisconsin's beautiful trails.

Thank you again for hearing SB 216, and I hope for strong bipartisan support on this legislation.



## Senate Committee on Financial Institutions and Sporting Heritage

### *2023 Senate Bill 216*

### *Whip lights on all-terrain vehicles and utility terrain vehicles*

*September 21, 2023*

Good afternoon, Chair Stafsholt, and members of the Committee. I am Lt. Jacob Holsclaw, and I serve as the Off-Highway Vehicle Administrator for the Wisconsin Department of Natural Resources. Thank you for the opportunity to testify, for informational purposes, on Senate Bill 216 (SB 216), relating to whip lights on all-terrain and utility terrain vehicles.

Under current law, no person, with the exception of emergency services personnel, may operate an all-terrain vehicle (ATV) or utility terrain vehicle (UTV) that is equipped with any lamp that emits a color of light other than white or amber that is visible from directly in front of the ATV or UTV, or any lamp that emits a color of light other than red, yellow, amber, or white when backing, that is visible from directly behind the ATV or UTV. Additionally, no person may operate an ATV or UTV equipped with a flashing, oscillating, or rotating lamp that emits any color other than yellow or amber.

These current requirements provide for lighting consistency across vehicle types which include motor vehicles, ATVs, and UTVs. Departure from this standardization of vehicle lighting could cause confusion. Motor vehicle operators understand that when observing white and amber lights displayed on a vehicle, it indicates the front of a vehicle, or a vehicle that is approaching. Conversely, when red and amber lamps are observed on a vehicle, one understands an approach is being made to the rear of the vehicle. ATV and UTV manufacturers follow these lighting standards and equip their machines with red brake lights and taillights on the rear of the machine, and amber reflectors and white headlamps on the front of the machines.

This standardization is especially significant as it relates to the use of an ATV or UTV. Whether riding during the day or night the trail conditions can be dark, bumpy, dusty, or muddy. These conditions could impair the visibility of lighting on what would normally be an easily observable vehicle. In these less than perfect conditions for visibility, lighting standards assist operators in determining which direction an ATV or UTV is travelling and safely navigate a trail or roadway.

Under SB 216, ATVs and UTVs would no longer need to adhere to these standardized lighting requirements. The non-standard display of color light whips could make it difficult to ascertain which direction an ATV or UTV is travelling. This may cause confusion among operators of traditional motor vehicles travelling on the approximately 50,000 miles of ATV roadway routes, as well as other ATV and UTV operators on trails.

The department acknowledges that increasing visibility via lighting increases safety. The current law allows for the display of steady burn and flashing amber or yellow in color whip lights. These amber or yellow whip lights provide warning when riding on a dusty trail, in a low visibility environment, of a potential hazard or that an ATV or UTV is approaching.

Current law restricts auxiliary lighting on ATVs and UTVs that may cause a vehicle to be confused for a law enforcement or an emergency ATV or UTV. Prior to the current law, it was common to see flashing red and/or blue whip lighting on ATVs and UTVs operated on trails and roadways. This was a concern since flashing red and/or blue lights signifies an emergency or law enforcement vehicle. It's important that only law enforcement and emergency vehicles display these light combinations for safety reasons and to prevent confusion.

SB 216 would allow the use of red and/or blue whip lighting but would prohibit the use of flashing whip lights that emit red and/or blue color. The department supports and appreciates this continued restriction on flashing red and/or blue whip lighting. However, law enforcement also uses steady burn or non-flashing red and blue lights at incident scenes to reduce the strobe light effect. Additionally, under 347.26 (7) of Wisconsin statutes, green flashing lamps are reserved for certain highway department vehicles.

Even steady burn lights may appear to be flashing/oscillating when viewed due to vehicle movement, dust, or obstructions. To prevent an ATV or UTV from being confused as an emergency vehicle we recommend considering a change to the bill that would prohibit the display of blue whip lighting whether steady burn or flashing, oscillating, or rotating and to allow red whip lighting that is not flashing, oscillating, or rotating to be displayed only to the rear of an ATV or UTV. It may also be advisable to restrict the use of green lighting.

On behalf of the Department of Natural Resources, we would like to thank you for your time today. I would be happy to answer any questions you may have.