Chairman Breske:

I thought it helpful to share my viewpoints as to "organization groupings" that we feel are critical to the world of TRAILS here in Wisconsin. In other words, from the Wisconsin ATV Association's point of view, the following are key player groups that we hope this committee recognizes. By no means is it meant to exclude any group, there may indeed be others that should be included, but these are the ones we have feel today are vitally important to the health and well being of trails which of course include ATV trails.

1) Wisconsin ATV Association – ATV representation
2) AWSC – Association of Wisconsin Snowmobile Clubs representing snow machines and trails
3) State Trails Council representing a cross section of motorized and non-motorized (as you know, I am the motorized rep on that council but Mike McFadzen and Ken Carpenter were selected to this council so they in effect can keep me abreast in that capacity
4) DNR advisory council (ORV) led by Larry Freidig (Community of Financial Assistance) – Rob McConnell is vice-chair of that committee. Also making note Community of Financial bureau and Larry F. are vitally important to the well being of the ATV registration program
5) Bureau of Law Enforcement (DNR) keying on administrator Gary Eddy just as Larry F. is the key person from Financial Assistance (see attachment for additional LE funding we greatly support)
6) Bureau of Parks (DNR) through Parks Director and/or same team that administers the State Trails Council work (Brigit Brown State Trails Coordinator and Peter B)
7) Dept of Tourism
8) Other trail groups that motorized and non-motorized interact or have issues among selves such as the Wisconsin ATV Assoc and the Ice Age Trail and Park Foundation. I am glad John Shank is represented as we have an Memorandum of Understanding in place as we continue to meet and work through common issues of concern in a meaningful and productive way versus fighting among ourselves. See this link if readers want more info http://dnr.wi.gov/org/land/parks/trails/mou.html
9) Wisconsin County Forests Association (Collette Mathews and Mike Peterson are copied hereon). Please note we (WATVA) feel strongly that the WCFA is a key organization as it applies to ATV trails and issues as the majority of our ATV systems are on county property. I would hope and like to build additional working relationship with Wisconsin Counties Association too.
10) Four Wheel Drive and Dirt Bike Groups need to be represented by their organizations. There are two separate Four Wheel Drive Groups at present and no dirt bike group although the Wisconsin Powersports Dealers Association is trying to help get one organized
11) The dealerships led by the Wisconsin Powersports Dealers Association – I actually head up the business aspects of that group too but Rob is also involved so he can also speak on their behalf.
12) Wisconsin Towns

13) Wisconsin DOT – Currently there seems to be no liaison or meaningful contact related to motorized trails with that department. It is very important from our stand point, to establish a working relationship with DOT as we have many road and route and right of way issues that need understanding and resolutions.

As mentioned previously, I am sure there are other groups and affiliations but these are the key ones I emphasize be thought of in any trail legislation (motorized or non).

Now onto topics of importance the Wisconsin ATV Association feels will need legislative initiatives and legislation to address. In no way are these all the topics but ones we feel are very important:

ATV Topics, Subjects & Issues – Possible Legislative Review

1) Helmet exclusion for youth under age 18 who use their ATVs for hunting or fishing purposes. We feel this exclusion is unnecessary and should be changed so our instructor base can advise ***all*** youth under the age of 18 that helmets ***are*** required. This is a safety issue and sets a bad example and a scenario that allows most any youth to claim they were using the ATV without a helmet because they intended to go fishing or were scouting a hunting area.

Another part of this legislative initiative is to reword current statutes to allow youth under the age of 12 and non-DNR safety certified citizens to be allowed to ride on private property other than their immediate family (current law prohibits these youth to even ride on their grandparent's property) if certain criteria is met. It might be:

A) At least one parent is present and has direct supervision and oversight of their child (for youth under the age of majority) for the purposes of safety training, practicing their ATV riding skills, participating in a sanctioned and structured ATV demonstration or exhibition with proper permits allowed (this permit system is to be determined). For non-DNR certified citizens that have reached the age of majority and are required by current law to have the DNR safety certification, mandatory safety gear and helmets would be required.

2) ATV road route proliferation – Current statutes allow a system for implementing needed routes and certainly routes are a needed and necessary element in connecting trail systems to services and those municipalities who chose to invite the ATV traffic into their jurisdiction. Furthermore it is understandable why ATVers come to towns and counties asking for more and more routes because the challenges to open trail systems is often met with undue bias and openness. However, the concern is for the overall health and stability of the ATV registration program. The current ATV program was designed to be a recreational program, not a transportation system but as time moves on, those lines are becoming blurred. Safety is of paramount concern and to achieve safe road routes requires an element of credentialed law enforcement. Should an "ATV access type bill" be passed, our greatest concern is for the health of the ATV program as well as the safety of the riders. If the program is to become a transportation type, we feel that is another issue. We want and need routes but there must be a change in approach, possibly

allowing our ATV administrator (Bureau of Law Enforcement) a review authority with citizen input to coordinate the many new route proposals making sure their intent is to hook up trail systems.

The biggest problem we see with past introductions of an ATV access law was it didn't provide a municipality any option to limit their routes, it was all (all roads within 5 miles) or nothing. This meant the towns would have to allow all roads within a five mile radius of a trail to be open without signage or allow no ATV access. The current policy that exists today allows a municipality to pick and chose. Some/many will want to remain within that parameter and when the ATV access bill was introduced, we had many panicked clubs and towns that told us they'd be forced to take all routes out if they couldn't pick and chose specific routes.

We feel there should be language that permits either system. If the town or municipality wants all routes within a 5 miles radius, then there would be that option but if their restrictions were such they didn't, we certainly don't want to lose what we have to date!

3) A gas tax formula that is more equitable and fair than at present. Our gallon formula is extremely out of date showing 25 gallons of gas as the average use. Federal studies show that figure to be at least twice if not three times more. The snowmobile gas formula uses a modifier, the ATV don't. We also understand the boating gallons are questioned by the DOT so we need some legislative help in finding a fair system to transform this change without hurting any of the programs by a sudden change.

4) A different way of displaying ATV registrations for identification purposes. We have researched some other states and we feel we have a cross between Minnesota and Wisconsin that would allow a more identifiable number at the rear of the machine as well as one side of the machine.

5) This next topic is a tough one - not in concept but to work out in details....related to an off trail damage program. There are legitimate instances where inappropriate ATV riders have caused damage to other types of trails. We need to figure out a fair and equitable formula to fund it and implement it but as they say, the devil is in the details. Once again we quizzed our Minnesota partners and have found out what didn't work too well over their from their point of view anyway. This topic will need some study for sure.

6) DOT right of ways versus routes.....there is much discrepancy that we could solve in some situations if DOT would work with us and DNR that we all understand how to make better use of appropriate right of ways versus routes if we can get over some of what we perceive at this pint to be "roadblocks". I have more details on this for another time if wanted.

We have other ATV agenda topics that we would like to share and discuss but for the sake of time frames, I thought this would be helpful to get the communication started?

Again, we'd love to be an asset to the committee in any way possible as the special council gets it legs under it.

Thanks again. Please keep me posted and thank you for your efforts.

Randy Harden
President
Wisconsin ATV Association