

# State of Wisconsin



2013 Senate Bill 310

Date of enactment: **December 12, 2013**  
Date of publication\*: **December 13, 2013**

## 2013 WISCONSIN ACT 67

**AN ACT** to repeal 23.33 (1) (ng) 1. i.; to renumber and amend 23.33 (1) (ng) 2.; to amend 23.33 (1) (ng) 1. (intro.), 23.33 (1) (ng) 1. a., 23.33 (1) (ng) 1. b., 23.33 (4) (d) 3., 23.33 (6) (g) and 340.01 (2g); and to create 23.33 (1) (iq), 23.33 (3e) and 340.01 (36r) of the statutes; relating to: the definitions of an all-terrain vehicle and a utility terrain vehicle, restrictions on operating an all-terrain vehicle or a utility terrain vehicle on a roadway, and seating requirements for utility terrain vehicles.

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

**SECTION 1.** 23.33 (1) (iq) of the statutes is created to read:

23.33 (1) (iq) "Non-pneumatic tire" means a tire that is designed by the manufacturer to meet all of the following requirements:

1. To have a minimum width of 6 inches.
2. To have a reinforced structure.
3. To not be supported by air pressure.

**SECTION 2.** 23.33 (1) (ng) 1. (intro.) of the statutes is amended to read:

23.33 (1) (ng) 1. (intro.) A commercially designed and manufactured motor driven device that does not meet federal motor vehicle safety standards in effect on July 1, 2012, that is not a golf cart, low-speed vehicle, dune buggy, mini-truck, or tracked vehicle, that is designed to be used primarily off of a highway, and that has, and was originally manufactured with, all of the following:

**SECTION 3.** 23.33 (1) (ng) 1. a. of the statutes is amended to read:

23.33 (1) (ng) 1. a. A net weight, without fluids, of less than 2,000 pounds or less.

**SECTION 4.** 23.33 (1) (ng) 1. b. of the statutes is amended to read:

23.33 (1) (ng) 1. b. Four or more low-pressure tires or non-pneumatic tires.

**SECTION 5.** 23.33 (1) (ng) 1. i. of the statutes is repealed.

**SECTION 6.** 23.33 (1) (ng) 2. of the statutes is renumbered 23.33 (1) (ng) 2. (intro.) and amended to read:

23.33 (1) (ng) 2. (intro.) A commercially designed and manufactured motor driven device that has to which all of the following applies:

a. It has a net weight, without fluids, of more than 900 pounds, that is originally manufactured with but not more than 2000 pounds.

b. It has a width of 50 inches or less, that,

c. It is equipped with a seat designed to be straddled by the operator, and that is designed by the manufacturer to travel,

d. It travels on 3 or more low-pressure tires or non-pneumatic tires.

**SECTION 7.** 23.33 (3e) of the statutes is created to read:

23.33 (3e) ORIGINAL SEATING. No person may operate a utility terrain vehicle unless he or she, and every occu-

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

pant of the utility terrain vehicle, is seated on a seat that is original to the utility terrain vehicle as manufactured.

**SECTION 8.** 23.33 (4) (d) 3. of the statutes is amended to read:

23.33 (4) (d) 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 all-terrain vehicle or utility terrain vehicle 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 vehicle prior to the crossing and yields the right-of-way to other vehicles, pedestrians, and electric personal assistive mobility devices using the roadway.

**SECTION 8m.** 23.33 (6) (g) of the statutes is amended to read:

23.33 (6) (g) An all-terrain vehicle may not be operated with tires other than low-pressure tires or non-pneumatic tires.

**SECTION 9.** 340.01 (2g) of the statutes is amended to read:

340.01 (2g) “All-terrain vehicle” means ~~an engine-driven~~ a commercially designed and manufactured motor-driven device which that has a net weight, ~~without fluids,~~ of 900 pounds or less, ~~which is originally manufactured with~~ has a width of 50 inches or less, ~~which is equipped with a seat designed to be straddled by the operator, and which is designed by the manufacturer to travel~~ travels on 3 or more low-pressure tires or non-pneumatic tires.

**SECTION 10.** 340.01 (36r) of the statutes is created to read:

340.01 (36r) “Non-pneumatic tire” means a tire that is designed by the manufacturer to meet all of the following requirements:

- (a) To have a minimum width of 6 inches.
  - (b) To have a reinforced structure.
  - (c) To not be supported by air pressure.
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