

# State of Wisconsin



2015 Senate Bill 381

Date of enactment: **March 1, 2016**  
Date of publication\*: **March 2, 2016**

## 2015 WISCONSIN ACT 210

AN ACT *to renumber and amend* 23.33 (5) (am) 1. and 23.33 (5) (am) 2.; *to amend* 23.33 (1) (jp) and 23.33 (5) (b) 1m.; and *to create* 23.33 (1) (jpm), 23.33 (5) (am) 1. b. and 23.33 (5) (am) 3. of the statutes; **relating to:** the age restriction for operation of a small utility terrain vehicle.

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

**SECTION 1.** 23.33 (1) (jp) of the statutes is amended to read:

23.33 (1) (jp) "Small all-terrain vehicle" means an all-terrain vehicle that has 4 wheels and that has either an engine certified by the manufacturer at not more than 90 ~~130~~ cubic centimeters or an equivalent power unit.

**SECTION 2.** 23.33 (1) (jpm) of the statutes is created to read:

23.33 (1) (jpm) "Small utility terrain vehicle" means a utility terrain vehicle that has 4 wheels and that has either an engine certified by the manufacturer at not more than 200 cubic centimeters or an equivalent power unit.

**SECTION 3.** 23.33 (5) (am) 1. of the statutes is renumbered 23.33 (5) (am) 1. (intro.) and amended to read:

23.33 (5) (am) 1. (intro.) ~~Except as provided in subd. 2., no~~ **No person under 16 years of age** may operate, rent, or lease a utility terrain vehicle unless ~~he or she is at least 16 years of age.~~ **any of the following apply:**

**SECTION 4.** 23.33 (5) (am) 1. b. of the statutes is created to read:

23.33 (5) (am) 1. b. He or she is at least 12 years of age, is operating a small utility terrain vehicle on an all-terrain vehicle trail designated by the department and he or she is accompanied by his or her parent or guardian or by a person who is at least 18 years of age who is designated by the parent or guardian.

**SECTION 5.** 23.33 (5) (am) 2. of the statutes is renumbered 23.33 (5) (am) 1. a. and amended to read:

23.33 (5) (am) 1. a. ~~A person who is under 16 years of age may operate utility terrain vehicle if the person operates~~ **He or she is operating** the utility terrain vehicle for an agricultural purpose and he or she is under the supervision of a person over 18 years of age. For purposes of this ~~subdivision~~ **subd. 1. a.**, supervision does not require that the person under 16 years of age be subject to continuous direction or control by the person over 18 years of age.

**SECTION 6.** 23.33 (5) (am) 3. of the statutes is created to read:

23.33 (5) (am) 3. Except as provided in par. (4) (d) 1., 2., and 3. a., no person who is under 16 years of age may operate a utility terrain vehicle on a roadway.

**SECTION 7.** 23.33 (5) (b) 1m. of the statutes is amended to read:

\* 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."

23.33 (5) (b) 1m. No person who is at least ~~16~~ 12 years of age and who is born on or after January 1, 1988, may operate a utility terrain vehicle unless he or she holds

a valid safety certificate issued by the department, another state, or a province of Canada.

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