

State of Wisconsin



2021 Senate Bill 727

Date of enactment: **March 11, 2022**

Date of publication*: **March 12, 2022**

2021 WISCONSIN ACT 176

AN ACT *to repeal* 20.370 (1) (mr), 20.370 (5) (eu), 20.370 (5) (gr), 20.370 (9) (hw), 20.855 (4) (v), 23.33 (2) (om) and 25.40 (2) (b) 27.; and *to amend* 20.370 (1) (ms), 20.370 (5) (ct), 20.370 (5) (cu), 20.855 (4) (u), 23.33 (2) (o), 23.33 (9) (b) (intro.), 23.33 (9) (b) 2., 23.33 (9) (b) 4., 23.33 (9) (bg) 1. and 23.33 (9) (bg) 2. of the statutes; **relating to:** combining appropriations for all-terrain vehicle and utility terrain vehicle projects and making an appropriation.

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

SECTION 1. 20.370 (1) (mr) of the statutes is repealed.

SECTION 2. 20.370 (1) (ms) of the statutes is amended to read:

20.370 (1) (ms) *General program operations — state all-terrain vehicle and utility terrain vehicle projects.* The amounts in the schedule from moneys received from all-terrain vehicle and utility terrain vehicle fees under s. 23.33 (2) (c) to (e) for state all-terrain vehicle and utility terrain vehicle projects.

SECTION 3. 20.370 (5) (ct) of the statutes is amended to read:

20.370 (5) (ct) *Recreation aids — all-terrain vehicle and utility terrain vehicle project aids; gas tax payment.* As a continuing appropriation, an amount equal to the estimated all-terrain vehicle and utility terrain vehicle gas tax payment to provide aid to towns, villages, cities, counties, and federal agencies for nonstate all-terrain vehicle and utility terrain vehicle projects and to provide aid to nonprofit organizations for the production of maps and digital information applications under s. 23.33 (9) (b) 7., communications equipment under s. 23.33 (9) (b) 8., and the placement of signs developed under s. 23.33 (4z) (a) 3.

SECTION 4. 20.370 (5) (cu) of the statutes is amended to read:

20.370 (5) (cu) *Recreation aids — all-terrain vehicle and utility terrain vehicle project aids.* As a continuing appropriation, the amounts in the schedule from moneys received from all-terrain vehicle and utility terrain vehicle fees under s. 23.33 (2) (c) to (e) to provide aid to towns, villages, cities, counties, and federal agencies for nonstate all-terrain vehicle and utility terrain vehicle projects and to provide aid to nonprofit organizations for the production of maps and digital information applications under s. 23.33 (9) (b) 7., communications equipment under s. 23.33 (9) (b) 8., and the placement of signs developed under s. 23.33 (4z) (a) 3.

SECTION 5. 20.370 (5) (eu) of the statutes is repealed.

SECTION 6. 20.370 (5) (gr) of the statutes is repealed.

SECTION 7. 20.370 (9) (hw) of the statutes is repealed.

SECTION 8. 20.855 (4) (u) of the statutes is amended to read:

20.855 (4) (u) *Transfer to conservation fund; all-terrain vehicle and utility terrain vehicle formula.* From the transportation fund, a sum sufficient in an amount equal to the amount to be paid into the conservation fund as determined under s. 25.29 (1) (dm) and (dr). The amounts may be paid at such intervals during each fiscal

* 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."

year as the secretary of administration deems appropriate or necessary.

SECTION 9. 20.855 (4) (v) of the statutes is repealed.

SECTION 10. 23.33 (2) (o) of the statutes, as affected by 2021 Wisconsin Act 58, is amended to read:

23.33 (2) (o) *Receipt of all-terrain vehicle and utility terrain vehicle fees.* All fees remitted to or collected by the department under par. (c) 1., (e), or (ir) for services provided regarding all-terrain vehicles and utility terrain vehicles shall be credited to the appropriation account under s. 20.370 (9) (hu).

SECTION 11. 23.33 (2) (om) of the statutes is repealed.

SECTION 12. 23.33 (9) (b) (intro.) of the statutes is amended to read:

23.33 (9) (b) *All-terrain vehicle and utility terrain vehicle projects.* (intro.) Any of the following all-terrain vehicle or utility terrain vehicle projects are eligible for funding as a state all-terrain vehicle or utility terrain vehicle project from the appropriation account under s. 20.370 (1) (ms) or for aid as a nonstate all-terrain vehicle or utility terrain vehicle project from the appropriation accounts under s. 20.370 (5) (ct) and (cu):

SECTION 13. 23.33 (9) (b) 2. of the statutes is amended to read:

23.33 (9) (b) 2. Development of all-terrain vehicle or utility terrain vehicle facilities such as parking areas, riding areas, shelters, toilets or other improvements.

SECTION 14. 23.33 (9) (b) 4. of the statutes is amended to read:

23.33 (9) (b) 4. Development or maintenance of a snowmobile route or trail or an off-the-road motorcycle trail or facility if the route, trail or facility is open for use by all-terrain vehicles or utility terrain vehicles.

SECTION 15. 23.33 (9) (bg) 1. of the statutes is amended to read:

23.33 (9) (bg) 1. A project to improve or maintain all-terrain vehicle trails for use by utility terrain vehicles is eligible for summer funding as a state utility terrain vehicle project from the appropriation account under s. 20.370 (1) ~~(ms)~~ (ms) or for aid as a nonstate utility vehicle project from the appropriation accounts under s. 20.370 (5) ~~(ct)~~ (ct) and ~~(cu)~~ (cu). The maximum amount allowed for aid under this subdivision is \$200 per mile for all-terrain vehicle trails that are maintained not less than 3 months per year including the months of June, July, and August.

SECTION 16. 23.33 (9) (bg) 2. of the statutes is amended to read:

23.33 (9) (bg) 2. A project to improve or maintain all-terrain vehicle trails for use by utility terrain vehicles is eligible for winter funding as a state utility terrain vehicle project from the appropriation account under s. 20.370 (1) ~~(ms)~~ (ms) or for aid as a nonstate utility vehicle project from the appropriation accounts under s. 20.370 (5) ~~(ct)~~ (ct) and ~~(cu)~~ (cu). The maximum amount allowed for aid under this subdivision is \$100 per mile for all-terrain vehicle trails that are maintained not less than 2 months nor more than 6 months per year including the months of January and February.

SECTION 17. 25.40 (2) (b) 27. of the statutes is repealed.

SECTION 18. Fiscal changes.

(1) **ATV PROJECTS.** In the schedule under s. 20.005 (3) for the appropriation to the department of natural resources under s. 20.370 (1) (ms), the dollar amount for fiscal year 2021-22 is increased by \$79,400 for the purpose for which the appropriation is made. In the schedule under s. 20.005 (3) for the appropriation to the department of natural resources under s. 20.370 (1) (ms), the dollar amount for fiscal year 2022-23 is increased by \$79,400 for the purpose for which the appropriation is made.

(2) **ATV GAS TAX PAYMENTS.** In the schedule under s. 20.005 (3) for the appropriation to the department of natural resources under s. 20.370 (5) (ct), the dollar amount for fiscal year 2021-22 is increased by \$777,200 for the purpose for which the appropriation is made. In the schedule under s. 20.005 (3) for the appropriation to the department of natural resources under s. 20.370 (5) (ct), the dollar amount for fiscal year 2022-23 is increased by \$932,700 for the purpose for which the appropriation is made.

(3) **ATV AIDS.** In the schedule under s. 20.005 (3) for the appropriation to the department of natural resources under s. 20.370 (5) (cu), the dollar amount for fiscal year 2021-22 is increased by \$320,600 for the purpose for which the appropriation is made. In the schedule under s. 20.005 (3) for the appropriation to the department of natural resources under s. 20.370 (5) (cu), the dollar amount for fiscal year 2022-23 is increased by \$320,600 for the purpose for which the appropriation is made.