

CHAPTER 350

SNOWMOBILES

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350.01 Definitions. (1) "Fermented malt beverages" has the meaning designated in s. 66.054 (1) (j).

(2) "Game" has the meaning designated in s. 29.01 (3) (a).

(3) "Head lamp" has the meaning designated in s. 340.01 (21).

(4) "Highway" has the meaning designated in s. 340.01 (22).

(5) "Hours of darkness" has the meaning designated in s. 340.01 (23).

(6) "Intoxicating liquor" has the meaning designated in s. 176.01 (2).

(7) "Narcotic drugs" has the meaning designated in s. 161.01 (14).

(8) "Roadway" has the meaning designated in s. 340.01 (54).

(9) "Snowmobile" has the meaning designated in s. 340.01 (58a).

(10) "State trunk highway" has the meaning designated in s. 340.01 (60).

(11) "Street" has the meaning designated in s. 340.01 (64).

(12) "Tail lamp" has the meaning designated in s. 340.01 (66).

(13) "Owner" has the meaning designated in s. 30.50 (3).

(14) "Department" means the department of natural resources.

(15) "Board" means the natural resources board.

(16) "Snowmobile dealer" means any person engaged in the sale of snowmobiles for a profit at wholesale or retail.

(17) "Snowmobile manufacturer" means any person engaged in the manufacture of snowmobiles for sale to the public.

(18) "Snowmobile renter" means any person engaged in the rental or leasing of snowmobiles to the public.

350.02 Crossing highways. No person shall operate a snowmobile upon any highway or cross any highway, except as provided in s. 350.03, other than to drive directly across 2-, 3- or 4-lane highways, except federal interstate highways, at right angles to the roadway, and then only after stopping and yielding the right of way to all vehicles approaching on the highway.

350.03 Operation of snowmobiles on or in the vicinity of a highway. (1) No person shall operate a snowmobile upon a state or federal highway except as permitted under s. 350.02. No person shall operate a snowmobile upon the main traveled portion of any other highway subject to [the] following exceptions:

(a) As set forth in s. 350.02.

(b) Snowmobiles may be operated on highways or town roads which are not maintained for winter wheeled vehicular traffic by the removal of snow.

(c) Snowmobiles may be operated on highways or town roads during periods of emergency when so declared by a police agency having jurisdiction.

(d) Snowmobiles may be operated on highways or town roads when necessary to cross a bridge or culvert.

(e) Snowmobiles may be operated on highways or town roads for special snowmobile events of limited duration which are conducted according to a pre-arranged schedule under permit from the governmental unit having jurisdiction.

(f) Whenever it is impracticable to gain immediate access to an area adjacent to a public highway where a snowmobile is to be operated, the snowmobile may be operated adjacent and parallel to the highway for the purpose of gaining access to and from the area of operation. Loading or unloading of the snowmobile shall be accomplished with due regard to safety at the nearest practical point to the area of operation.

(2) (a) Snowmobiles may be operated adjacent to highways or town roads in the following manner:

1. Along highways or town roads having 10 or more feet of traversible right of way outside the traveled portion of the roadway, snowmobiles shall be operated at a distance of 10 or more feet from the traveled portion of the roadway. Travel on or along the median strip of divided highways is prohibited.

(b) Snowmobiles operated adjacent to highways or town roads shall be operated with due regard to safety and in the following manner:

1. Operation of snowmobiles adjacent to highways or town roads during daylight hours may be in either direction regardless of the flow of vehicular traffic.

2. Operation of snowmobiles adjacent to highways or town roads at night shall conform to the flow of traffic.

350.04 Snowmobile races, derbies and routes. (1) Any county, town, city or village may block off the streets of such county, town, city or village for the purpose of allowing snowmobile races or derbies but the county, town, city or village shall not be responsible for any injury suffered by anyone in connection with, or arising out of, any such race or derby unless the injury is caused by the negligence of such county, town, city or village. No state trunk highway or connecting street or part thereof, shall be blocked off by any county, town, city or village for any snowmobile race or derby. Every county, town, city or village shall notify the local police department and the county sheriff's office at least one week in advance of the time and place of any snowmobile race or derby which may result in any street or part thereof, of the county, town, city or village being blocked off. Upon such notice, the local police department shall take such measures as it deems appropriate to protect persons and property and to regulate traffic in the designated area and its vicinity on the day of such race or derby.

(2) Counties, towns, cities and villages may adopt ordinances designating streets, appropriately marked, as snowmobile routes. These routes shall not include state trunk highways.

350.05 Persons under 12 operating a snowmobile. There shall be no age limitation for the operation of a snowmobile except that no person under the age of 12 shall drive a snowmobile across any highway and no person under the age of 16 shall drive a snowmobile across any state trunk highway or connecting street thereto.

350.06 Firearms and bows. No person shall operate or ride in any snowmobile with any firearm in his possession unless it is unloaded and enclosed in a carrying case, or any bow unless it is unstrung or enclosed in a carrying case.

350.07 Driving bear, deer or other game prohibited. No person shall drive or pursue any deer, bear or other game with a snowmobile.

350.08 Owner permitting operation. No owner or other person having charge or control of a snowmobile shall knowingly authorize or permit any person to operate such snowmobile who is incapable, by reason of age, physical or mental disability, or is under the influence of intoxicating liquor, fermented malt beverages, narcotics or other drugs.

350.09 Head lamps, tail lamps and brakes. (1) Any snowmobile operated during the hours of darkness, or operated during daylight hours on or in the vicinity of highways or town roads as provided in ss. 350.02 and 350.03, shall display a lighted head lamp and tail lamp.

(2) After February 12, 1970, the head lamp on a snowmobile may be of the single beam or multiple beam type, but in either case shall comply with the following requirements and limitations:

(a) The head lamp shall be an electric head lamp and the current shall be supplied by a wet battery and electric generator, by a current-generating coil incorporated into the magneto or by a generator driven directly by the motor by means of gears, friction wheel, chain or belt.

(b) The head lamp shall display a white light of sufficient illuminating power to reveal any person, vehicle or substantial object at a distance of 200 feet ahead.

(c) If the snowmobile is equipped with a multiple beam head lamp, the upper beam shall meet the minimum requirements set forth in par. (b) and the lower most beam shall be so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead.

(d) If the snowmobile is equipped with a single beam lamp, such lamp shall be so aimed that when the vehicle is loaded none of the high intensity portion of the light, at a distance of 25 feet ahead, projects higher than the level of the center of the lamp from which it comes.

(3) After February 12, 1970, the tail lamp on a snowmobile must display a red light plainly visible during darkness from a distance of 500 feet to the rear.

(4) After February 12, 1970, every snowmobile shall be equipped with at least one brake

operated either by hand or by foot, capable of bringing the snowmobile to a stop, under normal conditions, within 50 feet when traveling at a speed of 20 miles per hour with a 150 pound driver and on hard packed snow. The brake shall be of sound design with the disk or brake drum directly connected or integral with the belt drive shaft and with an internal-expanding brake shoe or engaging disks. The design shall permit simple and easy adjustment to compensate for wear. If the brake control is hand-operated, there shall be no other controls linked to it.

350.10 Miscellaneous provisions for snowmobile operation. No person shall operate a snowmobile in the following manner:

- (1) At a rate of speed that is unreasonable or improper under the circumstances.
- (2) In any careless way so as to endanger the person or property of another.
- (3) While under the influence of intoxicating liquor, fermented malt beverages, narcotics or other drugs.
- (4) In such a way that the exhaust of the motor makes an excessive or unusual noise.
- (5) Without a functioning muffler.

350.11 Penalties. Any person who violates any provision of this chapter may be fined not less than \$10 nor more than \$20 for the first offense and not less than \$25 nor more than \$50 for the 2nd or subsequent offense within a year.

350.12 Registration of snowmobiles. (1) **REGISTRATION REQUIREMENT.** After January 1, 1970, no person shall operate, and no owner shall give permission for the operation of any snowmobile within this state unless the snowmobile is registered with the department pursuant to this section or is exempt from registration. No political subdivision shall have authority to register or license snowmobiles.

(2) **EXEMPTION.** A snowmobile is exempt from registration if it is:

- (a) Owned by the United States.
- (b) Covered by a valid registration in another state, provided there is some identification of registration displayed on the snowmobile and has not been in this state for more than 30 consecutive days.
- (d) Used for racing on a raceway facility.

(3) **APPLICATIONS, ISSUANCES, RENEWALS, FEES.** (a) A person shall not operate and an owner shall not give permission for the operation of any snowmobile within this state unless the snowmobile is registered under this section. A registration period shall be for 3 years beginning on September 1 and shall expire on August 31 3 years thereafter. A fee of \$6 shall be paid

to the department of natural resources for registration which shall be valid for the 3-year period commencing on September 1 prior to the date of application. However, all initial licenses issued under this section shall expire on August 31, 1972.

1. For the issuance of a duplicate registration certificate, a fee of \$1 shall be paid to the department.

2. Upon transfer of ownership of a snowmobile for which a registration certificate has been issued, the seller shall, at time of sale, deliver the assigned certificate to the purchaser.

3. The purchaser shall complete the application for transfer and cause it to be mailed or delivered to the department within 10 days from the date of purchase. A fee of \$1 shall be paid for transfer of a current registration certificate.

4. Whenever a snowmobile is junked, the owner shall return the certificate of registration to the department marked "junked".

5. Snowmobiles owned and operated by this state, or by any county or municipality of this state, must display a registration number. A fee of \$1 shall be paid to the department.

(c) Every person who is a snowmobile manufacturer, dealer or renter or any combination thereof engaged in business in this state shall obtain from the department a registration certificate as a commercial owner. Each snowmobile put in use by a commercial owner shall also be registered. The registration period shall be the same as in par. (a). The registration fees shall be as follows:

1. A fee of \$15 shall be paid to the department for the issuance of a registration certificate as a commercial owner, or renewal thereof, valid for the whole or any part of the registration period.

2. A fee of \$1 shall be paid to the department for the registration of each snowmobile put in use by the commercial owner. For purposes of this section, "put in use" means renting or demonstrating the snowmobile, but shall not include the operation of a snowmobile on land owned or under the control of the snowmobile manufacturer, dealer or renter.

(d) Upon receipt of the required fee and an application on forms prescribed by it, the department shall issue to the applicant a registration certificate stating the registration number, the name and address of the owner, and such other information as the department deems necessary. The department shall also issue one registration sticker or decal per snowmobile owned by an individual owner or put in use by a commercial owner. Such sticker or decal shall be no larger than 2 inches in height and 4 inches in width and shall contain reference to the state;

the department, the registration number and the expiration date of the registration.

(e) If a certificate or registration decal or sticker is lost or destroyed, the owner may apply for a duplicate on forms provided for by the department accompanied by a fee of \$1. Upon receipt of a proper application and the required fee, the department shall issue a duplicate certificate or registration decal or sticker to the owner.

(4) AIDS. All moneys collected from snowmobile registrations under this section shall be deposited into the conservation fund. From the moneys so collected a sum sufficient shall be appropriated to the department of natural resources for the registration of snowmobiles under this section and the balance shall be appropriated under s. 20.370 (2) (vn) as aids to counties for the development of snowmobile trails and areas under s. 23.09 (26) or such public lands as the county board designates.

(5) NUMBER TO BE DISPLAYED. (a) The owner of the snowmobile shall attach the registration number [to] the snowmobile in a prominent place, and shall maintain such decal or

sticker in a legible condition at all times. Numbers shall be not less than 3 inches in height and not less than one-fourth of an inch wide and in sharp contrast to the background to which applied. Numbers to be applied on both sides of the cowling of the snowmobile.

(b) The registration certificate shall be in the possession of the user of the snowmobile at all times, except in the case of snowmobiles put in use by a commercial owner.

(6) CHANGE OF ADDRESS. Whenever the owner of a registered snowmobile changes his address he shall within 15 days thereafter notify the department in writing of his new address and of the registration numbers awarded to him. At the same time he shall endorse his new address on his registration certificates.

350.13 Rules. The department of natural resources in cooperation with the department of transportation shall promulgate rules to establish uniform snowmobile trail signs and standards relating to the operation thereon as permitted under s. 350.02 (2) [350.04 (2)].