



State of Wisconsin  
2019 - 2020 LEGISLATURE

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EHS&ZDW:skw

**ASSEMBLY AMENDMENT 1,  
TO ASSEMBLY BILL 356**

January 23, 2020 - Offered by Representative OTT.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 5, line 1: delete "(km)" and substitute "(L)".

3 **2.** Page 5, line 6: delete lines 6 to 12.

4 **3.** Page 5, line 18: delete lines 18 to 21 and substitute:

5 "SECTION 5. 23.33 (1) (jk) of the statutes is created to read:

6 23.33 (1) (jk) "Recreational vehicle and boating refusal law" means the  
7 all-terrain or utility terrain vehicle refusal law, the off-highway motorcycle  
8 refusal law, as defined in s. 23.335 (1) (tm), the boating refusal law, as defined in s.  
9 30.50 (2c), or the snowmobiling refusal law, as defined in s. 350.01 (17m).".

10 **4.** Page 7, line 14: delete the material beginning with "As part of the order" and  
11 ending with "trade." on line 17 and substitute "As part of the order, the court may  
12 authorize the person to operate a recreational vehicle exclusively on private land and

1 not on highways if the court finds that such operation is essential for the purpose of  
2 engaging in an occupation or trade.”.

3 **5.** Page 7, line 21: delete “on public premises”.

4 **6.** Page 7, line 24: delete “violated” and substitute “was convicted of a violation  
5 of”.

6 **7.** Page 8, line 9: delete lines 9 to 11 and substitute:

7 “2. No person may operate an all-terrain vehicle or utility terrain vehicle  
8 during the time that the person’s motor vehicle operating privilege is suspended or  
9 revoked for a conviction counted under s. 343.307 (1) unless a court order authorizes  
10 the person to operate an all-terrain vehicle or utility terrain vehicle exclusively on  
11 private land and not on highways because the court finds that such operation is  
12 essential for the purpose of engaging in an occupation or trade.”.

13 **8.** Page 8, line 13: delete lines 13 to 15 and substitute:

14 “23.33 (13) (b) 1. Except as provided under subds. 2. and 3. to 5., a person who  
15 violates sub. (4c) (a) 1., 2., or 2m. ~~or~~ (4p) (e), or a local ordinance in conformity with  
16 sub. (4c) (a) 1., 2., or 2m. shall forfeit not less than \$150 \$400 nor more than \$300  
17 \$550.”.

18 **9.** Page 9, line 10: delete lines 10 to 12 and substitute:

19 “23.33 (13) (b) 6. A person who violates sub. (4c) (a) 3. ~~or (4p) (e) and who has~~  
20 ~~not attained the age of 21~~ shall forfeit ~~not more than \$50.~~”.

21 **10.** Page 13, line 23: delete the material beginning with that line and ending  
22 with page 14, line 3 and substitute:

23 “**SECTION 27.** 23.335 (1) (km) of the statutes is created to read:

1           23.335 (1) (km) “Intoxicated operating law” means the intoxicated operation  
2 of an all-terrain or utility terrain vehicle law, as defined in s. 23.33 (1) (ic), the  
3 intoxicated operation of an off-highway motorcycle law, the intoxicated boating law,  
4 as defined in s. 30.50 (4m), or the intoxicated snowmobiling law, as defined in  
5 s.350.01 (9c).”.

6           **11.** Page 14, line 6: delete lines 6 to 22 and substitute:

7           “**SECTION 30.** 23.335 (1) (zer) of the statutes is created to read:

8           23.335 (1) (zer) “Recreational vehicle” means an all-terrain vehicle, as defined  
9 in s. 340.01 (2g), a utility terrain vehicle, as defined in s. 23.33 (1) (ng), an  
10 off-highway motorcycle, a recreational motorboat, as defined in s. 30.50 (9m), or a  
11 snowmobile, as defined in s. 340.01 (58a).

12           **SECTION 31.** 23.335 (1) (zet) of the statutes is created to read:

13           23.335 (1) (zet) “Recreational vehicle and boating refusal law” means the  
14 all-terrain or utility terrain vehicle refusal law, as defined in s. 23.33 (1) (jm), the  
15 off-highway motorcycle refusal law, the boating refusal law, as defined in s. 30.50  
16 (2c), or the snowmobiling refusal law, as defined in s. 350.01 (17m).”.

17           **12.** Page 16, line 14: delete the material beginning with “As part of the order”  
18 and ending with “trade.” on line 17 and substitute “As part of the order, the court may  
19 authorize the person to operate a recreational vehicle exclusively on private land and  
20 not on highways if the court finds that such operation is essential for the purpose of  
21 engaging in an occupation or trade.”.

22           **13.** Page 16, line 21: delete “on public premises”.

23           **14.** Page 16, line 24: delete “violated” and substitute “was convicted of a  
24 violation of”.

1           **15.** Page 17, line 9: delete lines 9 to 11 and substitute:

2           “b. No person may operate an off-highway motorcycle during the time that the  
3 person’s motor vehicle operating privilege is suspended or revoked for a conviction  
4 counted under s. 343.307 (1) unless a court order authorizes the person to operate  
5 an off-highway motorcycle exclusively on private land and not on highways because  
6 the court finds that such operation is essential for the purpose of engaging in an  
7 occupation or trade.”.

8           **16.** Page 17, line 13: delete lines 13 to 15 and substitute:

9           “23.335 **(23)** (c) 1. Except as provided under subds. 2., ~~3., and 4.~~ to 5., a person  
10 who violates sub. (12) (a) 1., 2., or 2m. or (h) or a local ordinance in conformity with  
11 sub. (12) (a) 1., 2., or 2m. shall forfeit not less than \$150 ~~\$400~~ nor more than \$300  
12 ~~\$550.~~”.

13           **17.** Page 18, line 10: delete lines 10 to 12 and substitute:

14           “23.335 **(23)** (c) 6. A person who violates sub. (12) (a) 3. ~~or (h) and who has not~~  
15 ~~attained the age of 21~~ shall forfeit ~~not more than \$50.~~”.

16           **18.** Page 22, line 24: delete “(km)” and substitute “(L)”.

17           **19.** Page 23, line 5: delete lines 5 to 11.

18           **20.** Page 25, line 25: delete the material beginning with “As part of the order”  
19 and ending with “trade.” on page 26, line 2, and substitute “As part of the order, the  
20 court may authorize the person to operate a recreational vehicle exclusively on  
21 private land and not on highways if the court finds that such operation is essential  
22 for the purpose of engaging in an occupation or trade.”.

1           **21.** Page 26, line 6: delete the material beginning with “on public premises”  
2 and ending with “s. 23.33 (1) (jd),” on line 7.

3           **22.** Page 26, line 8: delete “violated” and substitute “was convicted of a  
4 violation of”.

5           **23.** Page 26, line 18: delete lines 18 to 20 and substitute:

6           “(b) No person may operate a recreational motorboat during the time that the  
7 person’s motor vehicle operating privilege is suspended or revoked for a conviction  
8 counted under s. 343.307 (1) unless a court order authorizes the person to operate  
9 a recreational motorboat exclusively on private land because the court finds that  
10 such operation is essential for the purpose of engaging in an occupation or trade.”.

11           **24.** Page 27, line 2: delete lines 2 to 5 and substitute:

12           “30.80 (6) (a) 1. Except as provided under subds. 2. to 5., a person who violates  
13 s. 30.681 (1) (a) or (b), s. 30.684 (5), or a local ordinance in conformity with s. 30.681  
14 (1) (a) or (b) ~~or the refusal law~~ shall forfeit not less than ~~\$150~~ \$400 nor more than ~~\$300~~  
15 \$550.”.

16           **25.** Page 28, line 14: delete lines 14 to 16 and substitute:

17           “30.80 (6) (a) 6. A person who violates s. 30.681 (1) (bn) ~~or a local ordinance in~~  
18 ~~conformity with s. 30.681 (1) (bn)~~ shall forfeit \$50.”.

19           **26.** Page 33, line 24: delete “(km)” and substitute “(L)”.

20           **27.** Page 34, line 2: after that line insert:

21           “**SECTION 85m.** 350.01 (9j) of the statutes is created to read:  
22 350.01 (9j) “Legal drinking age” means 21 years of age.”.

23           **28.** Page 34, line 3: delete lines 3 to 9.

1           **29.** Page 34, line 23: after that line insert:

2           “**SECTION 89m.** 350.101 (1) (c) of the statutes is amended to read:

3           350.101 (1) (c) *Operating with alcohol concentrations at specified levels; below*  
4 *legal drinking age 19. If a A person who has not attained the legal drinking age of*  
5 *19, the person may not engage in the operation of a snowmobile while he or she has*  
6 *an alcohol concentration of more than 0.0 but ~~not more~~ less than 0.08.”.*

7           **30.** Page 36, line 6: delete the material beginning with “As part of the order”  
8 and ending with “trade.” on line 9 and substitute “As part of the order, the court may  
9 authorize the person to operate a recreational vehicle exclusively on private land and  
10 not on highways if the court finds that such operation is essential for the purpose of  
11 engaging in an occupation or trade.”.

12           **31.** Page 36, line 13: delete the material beginning with “on public premises”  
13 and ending with “s. 23.33 (1) (jd),” on line 14.

14           **32.** Page 36, line 16: delete “violated” and substitute “was convicted of a  
15 violation of”.

16           **33.** Page 37, line 1: delete lines 1 to 3 and substitute:

17           “(b) No person may operate a snowmobile during the time that the person’s  
18 motor vehicle operating privilege is suspended or revoked for a conviction counted  
19 under s. 343.307 (1) unless a court order authorizes the person to operate a  
20 snowmobile exclusively on private land and not on highways because the court finds  
21 that such operation is essential for the purpose of engaging in an occupation or  
22 trade.”.

23           **34.** Page 37, line 5: delete lines 5 to 7 and substitute:

