

# State of Wisconsin



2021 Senate Bill 364

Date of enactment:  
Date of publication\*:

## 2021 WISCONSIN ACT

AN ACT *to repeal* 23.33 (4) (e) 3. a., 23.33 (4) (e) 3. b., 350.02 (2) (b) 4. a. and 350.02 (2) (b) 4. c.; *to renumber and amend* 23.33 (4) (e) 3. (intro.) and 350.02 (2) (b) 4. (intro.); and *to amend* 23.33 (1) (d), 350.01 (17), 350.09 (1), 350.095 (1) (b) and 350.095 (2) (d) 1. of the statutes; **relating to:** snowmobile noise and the operation of snowmobiles, all-terrain vehicles, and utility terrain vehicles near highways.

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

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

23.33 (1) (d) "All-terrain vehicle trail" means a marked corridor on public property, in a highway right-of-way, or on private lands subject to public easement or lease, designated for use by all-terrain vehicle operators by the governmental agency having jurisdiction, but excluding roadways of highways except those roadways that are seasonally not maintained for motor vehicle traffic.

**SECTION 1h.** 23.33 (4) (e) 3. (intro.) of the statutes is renumbered 23.33 (4) (e) 3. and amended to read:

23.33 (4) (e) 3. During hours of darkness in the same direction as motor vehicle traffic in the nearest lane ~~unless all of the following apply:~~ the all-terrain vehicle or utility terrain vehicle is operated on a designated and marked all-terrain vehicle trail or snowmobile trail, as defined in s. 350.01 (17).

**SECTION 1p.** 23.33 (4) (e) 3. a. of the statutes is repealed.

**SECTION 1t.** 23.33 (4) (e) 3. b. of the statutes is repealed.

**SECTION 1v.** 350.01 (17) of the statutes is amended to read:

350.01 (17) "Snowmobile trail" means a marked corridor on public property, in a highway right-of-way, or on private lands subject to public easement or lease, designated for use by snowmobile operators by the governmental agency having jurisdiction, but excluding highways except those highways on which the roadway is not normally maintained for other vehicular traffic by the removal of snow.

**SECTION 2.** 350.02 (2) (b) 4. (intro.) of the statutes is renumbered 350.02 (2) (b) 4. and amended to read:

350.02 (2) (b) 4. At night travel shall conform to the direction of vehicular traffic in the nearest lane ~~unless:~~ unless the snowmobile is operated on a designated and marked snowmobile trail.

**SECTION 3.** 350.02 (2) (b) 4. a. of the statutes is repealed.

**SECTION 4.** 350.02 (2) (b) 4. c. of the statutes is repealed.

**SECTION 5.** 350.09 (1) of the statutes is amended to read:

350.09 (1) Any snowmobile operated during the hours of darkness or operated during daylight hours on any highway right-of-way shall display a lighted head

\* 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."

lamp and tail lamp. A person operating a snowmobile during the hours of darkness or adjacent to a roadway shall dim the snowmobile's head lamp when an oncoming snowmobile, all-terrain vehicle, utility terrain vehicle, or motor vehicle is within 500 feet.

**SECTION 6.** 350.095 (1) (b) of the statutes is amended to read:

350.095 (1) (b) ~~No snowmobile may be modified by any person~~ A person may not modify a snowmobile, or operate a snowmobile that has been modified, in any manner that ~~shall amplify~~ amplifies or otherwise ~~increase~~ increases total vehicle noise above that emitted by the

snowmobile as originally manufactured, regardless of date of manufacture.

**SECTION 7.** 350.095 (2) (d) 1. of the statutes is amended to read:

350.095 (2) (d) 1. Except as provided in subd. 2., for every snowmobile manufactured on or after July 2, 1975, the noise level standard for exhaust and engine noise shall be ~~88~~ 82 decibels as measured in accordance with the procedures established for the measurement of exhaust sound levels of stationary snowmobiles in the January ~~2004~~ 2015 Society of Automotive Engineers Standard J2567.

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