



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-1708/1

EHS:skw

2023 SENATE BILL 109

March 1, 2023 - Introduced by Senators QUINN, COWLES, FELZKOWSKI, JACQUE, JAMES, MARKLEIN, NASS, PFAFF, SPREITZER and TESTIN, cosponsored by Representatives GREEN, ARMSTRONG, EDMING, KNODL, KURTZ, MAGNAFICI, MOSES, MURSAU, OLDENBURG, SPIROS, STEFFEN, SUMMERFIELD, SWEARINGEN and SCHRAA. Referred to Committee on Transportation and Local Government.

AN ACT *to amend* 23.33 (4) (c) 1. of the statutes; **relating to:** operation of an all-terrain vehicle or utility terrain vehicle owned by an electric cooperative on a highway.

Analysis by the Legislative Reference Bureau

Current law prohibits the operation of all-terrain vehicles (ATVs) or utility terrain vehicles (UTVs) on any freeway that is part of the federal system of interstate and defense highways and on any part of any other freeway unless the Department of Transportation authorizes that use. Current law also generally prohibits operation of an ATV or UTV on all other highways, with various exceptions. Under current law a "highway" includes all public ways and thoroughfares and all bridges on those public ways and thoroughfares, and a "freeway" is a highway with full control of access and with all crossroads separated in grade from the pavements for through traffic.

Current law exempts from these freeway and highway prohibitions the operator of an ATV or UTV owned by a municipality, state agency, or public utility, or by the Great Lakes Indian Fish and Wildlife Commission, while engaged in an emergency or if the operation is directly related to the functions of that entity, unless safety requires strict adherence to the restrictions. This bill adds the operator of an ATV or UTV owned by an electric cooperative to this exemption.

SENATE BILL 109**SECTION 1**

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

SECTION 1. 23.33 (4) (c) 1. of the statutes is amended to read:

23.33 (4) (c) 1. Paragraphs (a) and (b) do not apply to the operator of an all-terrain vehicle or utility terrain vehicle owned by a municipality, state agency, ~~or~~ public utility, or electric cooperative, or by the Great Lakes Indian Fish and Wildlife Commission, while the operator is engaged in an emergency or in the operation of an all-terrain vehicle or utility terrain vehicle directly related to the functions of the municipality, state agency, ~~or~~ public utility, or electric cooperative, or of the Great Lakes Indian Fish and Wildlife Commission, if safety does not require strict adherence to these restrictions.

(END)