



State of Wisconsin  
2023 - 2024 LEGISLATURE

LRB-3891/1

EVM:skw

## 2023 SENATE BILL 446

September 20, 2023 - Introduced by Senators LARSON, CABRAL-GUEVARA, BALLWEG, TAYLOR and ROYS, cosponsored by Representatives JOERS, GUSTAFSON, SNODGRASS, EMERSON, MYERS, C. ANDERSON, SHELTON, SINICKI, OHNSTAD, BALDEH, J. ANDERSON, CONSIDINE, HONG and JACOBSON. Referred to Committee on Transportation and Local Government.

**AN ACT** *to amend* 340.01 (43m) (a) and (b), 340.01 (74p) (e), 346.94 (11), 346.94 (17), 348.01 (2) (d) and 349.235 of the statutes; **relating to:** use of skateboards on roadways.

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### ***Analysis by the Legislative Reference Bureau***

Under current law, a person may not ride a play vehicle on a roadway except while crossing at a crosswalk. "Play vehicle" is defined as "a coaster, skate board, roller skates, sled, toboggan, unicycle or toy vehicle upon which a person may ride." Under this bill, skateboards are removed from the definition of "play vehicle" and are therefore not subject to the regulations that apply to play vehicles.

Also under current law, a person may not ride in-line skates on a roadway under the jurisdiction of the Department of Transportation, but may ride in-line skates on other roadways subject to any restrictions imposed by the local authority having jurisdiction over the roadway. Under the bill, skateboards are similarly authorized to operate on roadways under the jurisdiction of a local authority subject to restrictions imposed by the local authority.

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

**SENATE BILL 446****SECTION 1**

**SECTION 1.** 340.01 (43m) (a) and (b) of the statutes are amended to read:

340.01 (**43m**) (a) Means a coaster, ~~skate board~~, roller skates, sled, toboggan, unicycle, or toy vehicle upon which a person may ride.

(b) Does not include in-line skates, skateboards, or electric scooters.

**SECTION 2.** 340.01 (74p) (e) of the statutes is amended to read:

340.01 (**74p**) (e) A person riding upon in-line skates, a skateboard, a horse, or a play vehicle.

**SECTION 3.** 346.94 (11) of the statutes is amended to read:

346.94 (**11**) TOWING SLEDS, ETC. No person shall operate any vehicle or combination of vehicles upon a highway when such vehicle or combination of vehicles is towing any toboggan, sled, skis, bicycle, skates, skateboard, or toy vehicle bearing any person.

**SECTION 4.** 346.94 (17) of the statutes is amended to read:

346.94 (**17**) IN-LINE SKATES AND SKATEBOARDS ON ROADWAY. (a) A person riding upon in-line skates or a skateboard may go upon any roadway under the jurisdiction of a local authority, subject to any restrictions specified by municipal ordinance enacted under s. 349.235.

(b) Any person riding upon in-line skates or a skateboard upon any roadway shall ride in a careful and prudent manner and with due regard under the circumstances for the safety of all persons using the roadway.

(c) Notwithstanding any other provision of this subsection or s. 349.235, no person riding upon in-line skates or a skateboard may attach the in-line skates or skateboard or himself or herself to any vehicle upon a roadway or, except while

**SENATE BILL 446****SECTION 4**

crossing a roadway at a crosswalk, go upon any roadway under the jurisdiction of the department.

**SECTION 5.** 348.01 (2) (d) of the statutes is amended to read:

348.01 (2) (d) "Vehicle for recreational use" includes a bicycle, moped, motor bicycle, motorcycle, all-terrain vehicle, utility terrain vehicle, snowmobile, boat, as defined in s. 30.50 (2), sailboard, as defined in s. 30.50 (11), personal watercraft, electric scooter, or electric personal assistive mobility device, but does not include an automobile, motor truck, motor home, play vehicle, skateboard, or in-line skates.

**SECTION 6.** 349.235 of the statutes is amended to read:

**349.235 Authority to restrict use of in-line skates or skateboards on roadway.** (1) The governing body of any city, town, village, or county may by ordinance restrict the use of in-line skates or skateboards on any roadway under its jurisdiction. No ordinance may restrict any person from riding upon in-line skates or a skateboard while crossing a roadway at a crosswalk.

(2) The department of natural resources may promulgate rules designating roadways under its jurisdiction upon which in-line skates or skateboards may be used, except that no rule may permit a person using in-line skates or a skateboard to attach the skates or the skateboard or himself or herself to any vehicle upon a roadway.

**SECTION 7. Initial applicability.**

(1) This act first applies to skateboards used on a roadway on the effective date of this subsection.

**(END)**