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# CHANZ GREEN

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STATE REPRESENTATIVE • 74<sup>TH</sup> ASSEMBLY DISTRICT

May 16, 2023

## Testimony of Assembly Bill 105

### Assembly Committee on Energy and Utilities

Thank you, Chairman Steffen and other committee members, for having a hearing today on Assembly Bill 105 relating to the operation of an all-terrain vehicle or utility terrain vehicle owned by an electric cooperative on a highway.

Northern Wisconsin experienced record-breaking snowfall, and what came of that was its citizens not having any power. Winter storms were prevalent all over, which caused damage caused by falling trees on power lines, making it difficult for electric restoration crews to traverse many areas.

An ATV or UTV has become essential for utilities to conduct power line maintenance, construction, and restoration of power. These vehicles have the ability to traverse rough terrain with low environmental impact and can carry tools, equipment, and workers into areas not accessible by truck. Linemen regularly need to drive ATVs or UTVs on public roads and occasionally along freeways to access their power line rights of way.

As the law currently stands, electric cooperatives do not fit under the definition of "public utility". This bill would allow this exemption to take place and allow electric cooperatives to operate ATVs and UTVs on public roadways for the purposes of line maintenance, construction, or restoration of power.

I am grateful for the opportunity to collaborate on this bill with my colleague from the Senate, Senator Quinn. Thank you for your time today, and thank you for your consideration of this bill.



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# Romaine Robert Quinn

STATE SENATOR • 25<sup>TH</sup> SENATE DISTRICT

From: Senator Romaine Robert Quinn  
To: Assembly Committee on Energy and Utilities  
Re: **Testimony on AB 105**  
**Relating to: operation of an all-terrain vehicle or utility terrain vehicle owned by an electric cooperative on a highway.**  
Date: May 16, 2023

Thank you, members of the Assembly Committee on Energy and Utilities for hearing Assembly Bill 105 today.

Current law allows public utilities the ability to operate ATVs/UTVs on public roadways for the purposes of line maintenance, construction, or restoration of power. Electric cooperatives currently do not fit under the definition of “public utility” in this statute.

Assembly Bill 105 includes electric cooperatives in the existing exemption for utilities. Assembly Amendment 1 further includes maintenance work that is contracted by a municipality or electric cooperative.

Utilities need to conduct power line maintenance and restoration – especially after storms and major power outages. ATVs and UTVs have become an essential tool in accessing power line rights of way in areas of snow, wet ground conditions, fallen trees, and other rough terrain.

Public utilities are already allowed to use ATVs/UTVs for this important work. Please include electric cooperatives as part of the existing definition of a utility for this purpose so that they too can better serve their customers.

Thank you for your time and consideration today. I ask for your support in passing Assembly Bill 105.



**Wisconsin  
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Cooperative  
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**Assembly Committee on Energy and Utilities  
May 16, 2023  
Testimony on Assembly Bill 105**

Good afternoon, Chair Steffen and members of the committee:

My name is Rob Richard and I'm the Director of Government Relations for the Wisconsin Electric Cooperative Association (WECA). I am before you today to speak in favor of Assembly Bill 105, relating to the operation of an all-terrain vehicle or utility terrain vehicle owned by an electric cooperative on a highway.

Current law generally prohibits the operation of all-terrain vehicles (ATVs) and utility terrain vehicles (UTVs) on most freeways unless the Department of Transportation authorizes that use. 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.

For many years, public utilities have had the ability to utilize ATVs and UTVs on highways for certain purposes, but unfortunately electric cooperatives were not included within that definition of public utility. Authored by Sen. Romaine Quinn and Rep. Chanz Green, Wisconsin's electric cooperatives are now seeking that same privilege with Assembly Bill 105.

On December 15, 2022, many parts of northern Wisconsin experienced a very heavy and wet snowstorm that left thousands without power. Just a week later, another storm delivered 50+ mph winds and temperatures that dipped well below zero. If the snow and ice weren't enough, the damage caused by falling trees on powerlines was extensive, making it difficult for electric restoration crews to traverse many areas. Events like these, and others in recent years, have made it very apparent to our crews that an ATV/UTV has become essential for utilities to conduct powerline maintenance, construction, and restoration of power.

On behalf of the 25 electric cooperatives that WECA represents, I ask that you please support Assembly Bill 105 and give our linemen the use of every tool available to them to provide power to our consumer members.

Thank you!



Section 13.01(1) of the Wisconsin Administrative Code (ATV) defines an "ATV" as a motor vehicle designed for use on off-highway terrain. This definition includes utility vehicles and other vehicles owned by an individual or a corporation in a private capacity.

Current law generally prohibits the operation of all terrain vehicles (ATVs) and other vehicles on public roads. The Department of Transportation (DOT) states that use of ATVs on public roads is prohibited. The Department of Transportation (DOT) also states that use of ATVs on public roads is prohibited. The Department of Transportation (DOT) also states that use of ATVs on public roads is prohibited. The Department of Transportation (DOT) also states that use of ATVs on public roads is prohibited.

For many years, utility districts have had the ability to utilize ATVs and UTVs on highways for maintenance purposes, but other utility districts consider them to be prohibited vehicles. The Department of Transportation (DOT) states that use of ATVs on public roads is prohibited. The Department of Transportation (DOT) also states that use of ATVs on public roads is prohibited.

On December 10, 2021, many utility districts in Wisconsin experienced a very heavy and wet snowfall. This snowfall caused significant damage to roads and infrastructure. The Department of Transportation (DOT) states that use of ATVs on public roads is prohibited. The Department of Transportation (DOT) also states that use of ATVs on public roads is prohibited.

On January 10, 2022, the DOT received information that WDA employees had been using ATVs on public roads for maintenance purposes. The DOT states that use of ATVs on public roads is prohibited. The Department of Transportation (DOT) also states that use of ATVs on public roads is prohibited.

Thank you,