

# WI Towns Association Annual Convention

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# ATV, UTV and Snowmobile Road Route Ordinances

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340.01(2g)

(2g) "**All-terrain vehicle**" means an engine-driven device which has a net weight of **900 pounds or less**, which has a width of **50 inches or less**, which is equipped with a **seat designed to be straddled** by the operator and which is designed to travel on 3 or more **low-pressure tires**.

340.01 (27g) "**Low-pressure tire**" means a tire that has a minimum width of 6 inches and that is designed to be inflated with an operating pressure not to exceed 20 pounds per square inch as recommended by the manufacturer.

23.33 (1) (ng) (intro.)

**"Utility terrain vehicle"** means any of the following:

1. A motor driven device that does not meet federal motor vehicle safety standards in effect on July 1, 2012, that is **not a golf cart, low-speed vehicle, dune buggy, mini-truck, or tracked vehicle**, that is designed to be used primarily off of a highway, and that has, and was **originally manufactured** with, **all** of the following:

- a. A net weight of less than 2,000 pounds.
- b. four or more low pressure tires
- c. A cargo box installed by the manufacturer.
- d. A steering wheel.
- e. A tail light.
- f. A brake light.
- g. Two headlights.
- h. A width of not more than 65 inches.
- i. Seats for at least 2 occupants, all of which seating is designed not to be straddled.
- j. A system of seat belts, or a similar system, for restraining each occupant of the device in the event of an accident.
- k. A system of structural members designed to reduce the likelihood that an occupant would be crushed as the result of a rollover of the device.



# What else is a UTV?

- Secondary UTV Category
- For lack of a better term, a secondary UTV category was created to include vehicles that would **otherwise meet the ATV definition**, except that they **exceed the 900 pound maximum**. An example of this type of vehicle is the Polaris Big Boss 6 wheeler (pictured below) with a cargo box. This type of vehicle is defined as:
  - over 900 lbs.
  - 50 inches or less width
  - straddled seat
  - three or more low pressure tires







7 ½ inches

4 inches

1234 QQ

White plate a minimum of 4 " H x 7 ½ " W

Black lettering a minimum of 1 ½ " H x 3/16 " stroke (width)











# Low Speed Vehicles



# Mini Trucks



# Slow Moving Vehicle Sign

## Driving on the road at slower than normal speeds



Vehicles traveling slower than normal traffic must stay as far to the right-hand side of the roadway as practicable.

This does not mean slow vehicles must drive on the shoulder of the road

although this is allowed if there is room to do so safely.

If the vehicle is a farm tractor, implement of husbandry, animal-drawn vehicle or other vehicle that is normally operated at speeds below 25 miles-per-hour, a "Slow Moving Vehicle" (SMV) sign must be displayed on the left rear of the vehicle. In all cases whether the vehicle is considered a SMV or not, if the vehicle is operated during hours of darkness, the front and rear of the vehicle must have lights (white to the front, red to the rear) and the lights must be on. Wisconsin Statutes 347.24 and 347.245



# ROUTES

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**INTENT:** To connect to an off-road trail when absolutely necessary. (Example: When obstructed by a city, village, river, railroad track or other impediment.)

**Local municipalities may enact snowmobile access ordinances to and from residences and lodging.**

**State law doesn't permit ATV access ordinances.**

**Trail** = off-road  
corridor







**ROUTES** = Roads open to legal ATV/snow traffic for the intended purpose of connecting off-road trails.





USE OF THIS ROAD  
IS A PRIVILEGE  
NOT A RIGHT!  
OBEY SPEED LIMIT



JUN 27 2005

# GOVERNMENTS MAY DESIGNATE ROUTES UNDER THEIR JURISDICTION

## TYPICALLY:

- Villages and Cities may Designate Streets
- Town Governments may Designate Town Roads or right of ways.
- County Government may Designate County Highways or right of ways.
- State Government (DOT) may Designate State Highways or right of ways.

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**DNR ROUTE GUIDELINE AND  
SUGGESTIONS HANDBOOK**



# Considerations:

- Does the route connect trails?
- Amount/type of auto traffic on the road
- Age of operators
- Proper speed limits, stop signs/lights, etc.
- Road surfaces (pavement, gravel, ice, mud)
- Dangerous curves, ditches, etc.
- Does route dead-end at a state highway or private property?

# Law Enforcement

- Wardens can't be the sole LE
- Others can and must be a part of the enforcement plan
- Enforcement may be a lower priority compared to a domestic dispute or an environmental complaint.

# Legal Requirements For Routes

- Clerk **MUST** send a copy of the route/ordinance to DNR In **MADISON** **AND** the LE agencies having jurisdiction over the highway(s)
- You must post the proper route signs or ensure that it is done

Failure to properly sign a route creates difficult situations for enforcement and exposes you to liability!



SPEED  
LIMIT  
**35**





# ATV Routes and Trails Open

- <sup>CLOSED AREAS</sup> Routes and Trails may be “designated” as open to UTVs unless specifically posted as closed.
- Any unit of government that prohibits UTVs on a route, trail or corridor shall notify the public by posting “No UTV” signs and notification at trail heads, on area ATV maps, websites and any other location ATV trail information is provided.





**ATV ROUTE CLOSED TO UTVS**





# Agricultural Use Exceptions



# Agricultural Roadway Use

## AGRICULTURAL PURPOSE

- “Agricultural purpose includes a purpose related to
- the transportation of farm implements, equipment, supplies, or products
- on a farm or between farms.”



What's a Farm?

# Snow Removal Laws

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- ⦿ Operation on the Roads posted  $\leq$  45 mph
- ⦿ Speed limit on roads = 15 mph
- ⦿ On sidewalks = 5 mph
- ⦿ Between Oct. 1 – April 30
- ⦿ Up to 2 miles from start
- ⦿ Display yellow light – visible 360 degrees
- ⦿ Age 16 or older, with required Safety Cert.
- ⦿ Local ordinances for roads  $>$  45 mph



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# PROBLEMS

# Illegal/Improper Route Signing



007 1 2005



**2011-2007**

**ATV Deaths = 85**



**56% Occurred on Roadways (48)**



# Right of Way Damage



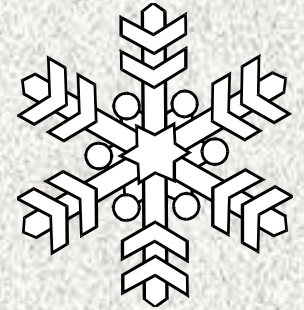
# RECREATION VS. TRANSPORTATION

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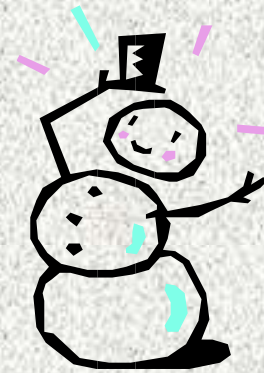


QUESTIONS?





# SNOWMOBILE ROUTES



# ROADWAYS

## LEGAL OPERATION

- Directly across any roadway, other than Interstate
  - Must Stop and Yield First
- On any and all roads, including state and county highways, where a town, city or village has created a Snowmobile Access Ordinance for access to lodging and/or residences
- Allows operation to and from a trail or route from lodging and/or a residence (not businesses).

**COUNTY OR STATE  
HIGHWAY**

**10 FEET OFF**

*Trespassing?*



2 5:18 PM



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# ROADWAYS

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## LEGAL OPERATION

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### NIGHTTIME TRAVEL ALONG A ROAD

- Same direction as motor vehicles in the nearest lane
  - 40 feet from road?
  - Headlight barrier?

### DAYTIME TRAVEL ALONG A ROAD

- Either direction is OK



**• EXTREME RIGHT HAND SIDE OF ROAD**  
**• OBEY POSTED SPEED LIMIT**

QUESTIONS?