

TOWN OF CENTER, ROCK COUNTY

ATV-UTV ORDINANCE

2021-01

SECTION I - TITLE AND PURPOSE

The title of this ordinance is the Town of Center All-Terrain Vehicle and Utility Vehicle Ordinance. The purpose of this ordinance is to establish all-terrain and utility vehicle routes in the Town and to regulate the operation of such vehicles in the Town.

SECTION II – AUTHORITY

The Town Board of the Town of Center Rock County, Wisconsin, has the specific authority to adopt this All-Terrain & Utility Vehicle Ordinance under s. 23.33(8)(b) and (11), Wis. Stats.

SECTION III – ADOPTION OF ORDINANCE

State ATV and UTV laws and definitions found in Wisconsin State Statutes 23.33 and Wisconsin Administrative Code NR 64 are adopted by reference and fully incorporated herein by reference, pursuant to Wisconsin State Statutes 23.33 (11)(a).

SECTION IV – ROUTES

1) All Town Roads in the Town of Center as well as any road that is signed in the Town of Center in accordance with NR 64.12 and NR 64.12(7) (c) (as those sections may hereafter be amended) may be used by ATVs and UTVs in accordance with such signage and as provided by the applicable portions of SS 23.33 Wis States and this ordinance.

2) The following roads cannot be used by ATVs or UTVs:

1. All County Highways
2. All State Highways
3. All Federal Highways

Section V - Definitions

All-terrain vehicle (ATV) -

1. A commercially designed and manufactured motor driven device to which all of the following applies:

- a. It has a weight, without fluids, of more than 900 pounds but not more than 2000 pounds.
- b. It has a width of 50 inches or less.
- c. It is equipped with a seat designed to be straddled by the operator.
- d. It travels on 4 low-pressure tires or non-pneumatic tires.

All other applicable words or phrases defined within chapter 23.33 and 340.01 of the Wisconsin State statutes are incorporated within this ordinance.

Utility terrain vehicle (UTV) - means any of the following:

1. A commercially designed and manufactured 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 weight, without fluids, of 2,000 pounds or less.
- b. Four or more low-pressure tires or non-pneumatic tires.
- c. A cargo box installed by the manufacturer.
- d. A steering wheel.
- e. A taillight.
- f. A brake light.
- g. Two headlights.
- h. A width of not more than 65 inches.
- i. A system of seat belts, or a similar system, for restraining each occupant of the device in the event of an accident.
- j. 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.

SECTION VI – LOCAL REGULATION

The operator of an ATV/UTV shall obey **ALL** State of Wisconsin laws regarding the operation of ATVs/UTVs and the following conditions:

- 1) No person may operate an ATV or UTV on the roadway portion of any highway in the town unless it is a **town road** or a road that has been properly signed, in accordance with Wisconsin Natural Resources Administrative Code NR 64.12(7) (c) as an ATV and/or UTV route, by this ordinance.
- 2) ATV/UTV routes in the Town of Center will be open from dawn to dusk year around, with the exemption of properly licensed agriculture ATV's and UTV's.
- 3) All ATV and UTV operators shall ride on the extreme right side of the pavement except that left turns may be made from any part of the road which is safe and given prevailing condition, but shall not operate on the shoulders or in the ditch.
- 4) All ATV and UTV operation on any portion of a designated route shall not exceed the posted speed limit for automobiles or the posted speed limit for ATV/UTV traffic, whichever is lower.
- 5) All ATV and UTV operation on any portion of a designated route shall be single file in a line of ATVs and UTVs arranged one behind the other.
- 6) No person may operate an ATV or UTV on a designated roadway unless:
 - a) That person is sixteen (16) years of age or older and possesses a valid driver's license.
- 7) All ATVs and UTVS operating on any portion of an established designed ATV or UTV route shall display lighted headlights(s) and taillights conforming to Wisconsin State Statute 23.33, equipment requirements at all times.

SECTION VII - ENFORCEMENT

This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

SECTION IX – REGISTERED WITH DNR

Unless specifically exempt, ALL ATVs and UTVs operated in Wisconsin must:

1. display current Wisconsin registration decals, or
2. have a validated registration receipt with the operator, or
3. have a validated registration renewal receipt.

Exception: ATVs/UTVs displaying valid trail passes. Operators should carry all necessary registration cards and paperwork with them for display to a law enforcement officer upon request. Display—Unless you are exempt from registration, your machine must display current registration decals. The decals must be displayed on both sides of the machine, in a position which is forward of the operator and easily seen.

SECTION X - HELMETS

Helmet Exceptions:

Helmets are not required in the following situations:

- while operating on lands under the management and control of your immediate family
- while operating for agricultural purposes
- while operating for the purpose of hunting and fishing.
- if the operator is age 18 and older.

Helmets for Passengers: If circumstances would require you to wear a helmet as the operator then you, as a passenger, must wear a helmet. For example, a passenger riding on an ATV on land NOT under the management and control of their immediate family would be required to wear a helmet.

SECTION XI – INSURANCE

All ATV/UTV's must be insured with Liability or Full Coverage insurance.

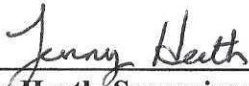
SECTION XII – EFFECTIVE DATE

- 1) The Town clerk shall immediately send a copy of the ordinance to the Wisconsin Department of Natural Resources (WDNR), to the state traffic patrol, and to the Rock County Sheriff's Department per Wisconsin State Statute 23.33 (11)(b).
- 2) This ordinance shall become effective upon its passage and posting according to law.

Adopted this 20th day of September, 2021.



Wayne Udulutch, Chairman



Lenny Heath, Supervisor



Richard Zanzinger, Supervisor

Attest to:



Devona Udulutch, Town Clerk