

State of Wisconsin



2025 Senate Bill 331

Date of enactment:
Date of publication*:

2025 WISCONSIN ACT

AN ACT to repeal 23.335 (21) (am) 3.; to renumber 23.33 (1) (ja), 23.33 (1) (jc), 23.33 (1) (jd) and 23.33 (1) (je); to renumber and amend 23.33 (11m); to amend 23.33 (1) (ng) 1. e., 23.33 (3) (a), 23.33 (4) (d) 3. a., 23.33 (4) (d) 3. b., 23.33 (6) (b), 23.33 (6) (c), 23.33 (6) (d), 23.33 (6) (f), 23.33 (11) (am) 3. (intro.), 23.33 (11) (am) 3. c., 23.335 (10) (a) 2., 23.335 (10) (a) 2m., 23.335 (21) (am) (intro.), 340.01 (2g), 340.01 (3) (a), 340.01 (3) (b), 340.01 (3) (c), 340.01 (3) (d), 340.01 (3) (dg), 340.01 (3) (dh), 340.01 (3) (dm) (intro.) and 340.01 (74); to repeal and recreate 23.33 (6) (a); to create 23.33 (1) (fc), 23.33 (1) (jb), 23.33 (1) (jh), 23.33 (4) (d) 8., 23.33 (6) (ar), 23.33 (7m), 23.33 (11m) (b), 23.33 (13) (g), 23.335 (1) (zde), 23.335 (9) (d), 340.01 (37r), 340.01 (73e), 350.01 (10a) and 350.10 (4) of the statutes; relating to: operation of all-terrain and utility terrain vehicles, off-highway motorcycles, and snowmobiles.

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

SECTION 1. 23.33 (1) (fc) of the statutes is created to read:

23.33 (1) (fc) "Dune buggy" means a motor driven device originally manufactured with, or modified to have, an open-frame construction, seats in which occupants sit close to the ground, and off-road tires designed for travel in sand.

SECTION 2. 23.33 (1) (ja) of the statutes is renumbered 23.33 (1) (ji).

SECTION 3. 23.33 (1) (jb) of the statutes is created to read:

23.33 (1) (jb) "Patrol all-terrain vehicle" means an all-terrain vehicle that is owned or leased by a city, village, town, county, state agency, federal agency, federally recognized American Indian tribe, or public safety corporation, used for law enforcement, fire fighting, or emergency medical response, and equipped with a siren and one or more flashing, oscillating, or rotating red

lights, or red and white lights or, if the all-terrain vehicle is operated by a law enforcement officer, a blue light or a blue and white light, and a red light or a red and white light, all of which are flashing, oscillating, or rotating.

SECTION 4. 23.33 (1) (jc) of the statutes is renumbered 23.33 (1) (jj).

SECTION 5. 23.33 (1) (jd) of the statutes is renumbered 23.33 (1) (jk).

SECTION 6. 23.33 (1) (je) of the statutes is renumbered 23.33 (1) (jL).

SECTION 7. 23.33 (1) (jh) of the statutes is created to read:

23.33 (1) (jh) "Patrol utility terrain vehicle" means a utility terrain vehicle that is owned or leased by a city, village, town, county, state agency, federal agency, federally recognized American Indian tribe, or public safety corporation, used for law enforcement, fire fighting, or emergency medical response, and equipped with a siren and one or more flashing, oscillating, or rotating red lights, or red and white lights or, if the utility terrain

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

vehicle is operated by a law enforcement officer, a blue light or a blue and white light, and a red light or a red and white light, all of which are flashing, oscillating, or rotating.

SECTION 8. 23.33 (1) (ng) 1. e. of the statutes is amended to read:

23.33 (1) (ng) 1. e. ~~-A Two tail light lights.~~

SECTION 9. 23.33 (3) (a) of the statutes is amended to read:

23.33 (3) (a) In any careless ~~way, reckless, or negligent manner~~ so as to ~~endanger~~ impair the life, person, or property of another.

SECTION 10. 23.33 (4) (d) 3. a. of the statutes is amended to read:

23.33 (4) (d) 3. a. To cross a bridge, culvert, or railroad right-of-way. The crossing of a bridge, culvert, or railroad right-of-way is not authorized if the roadway is officially closed to all-terrain vehicle or utility terrain vehicle traffic, except as provided in subd. 3. b. The crossing is authorized only if the crossing is done in the most direct manner practicable, if the crossing is made at a place where no obstruction prevents a quick and safe crossing, and if the operator stops the vehicle prior to ~~the crossing~~ entering the roadway and yields the right-of-way to other vehicles, pedestrians, electric scooters, and electric personal assistive mobility devices using the roadway.

SECTION 11. 23.33 (4) (d) 3. b. of the statutes is amended to read:

23.33 (4) (d) 3. b. A person may operate an all-terrain vehicle or utility terrain vehicle on the roadway or shoulder of any highway to cross a bridge ~~that is 1,000 feet in length or less~~ if the operation is in compliance with a county ordinance adopted under sub. (11) (am) 3. that applies to that bridge and a city, village, or town ordinance adopted under sub. (11) (am) 3. that applies to that bridge.

SECTION 12. 23.33 (4) (d) 8. of the statutes is created to read:

23.33 (4) (d) 8. On any roadway if the operation is for emergency purposes during a period of emergency declared by the governmental agency having jurisdiction over the roadway.

SECTION 13. 23.33 (6) (a) of the statutes is repealed and recreated to read:

23.33 (6) (a) No person may operate an all-terrain vehicle unless it is equipped with a headlamp and tail lamp and the required lamps are lighted. No person may operate a utility terrain vehicle unless it is equipped with 2 headlamps and 2 tail lamps and the required lamps are lighted.

SECTION 14. 23.33 (6) (ar) of the statutes is created to read:

23.33 (6) (ar) Headlamps, brake lights, and tail lamps on an all-terrain vehicle and on a utility terrain vehicle shall be maintained in working condition at all times.

SECTION 15. 23.33 (6) (b) of the statutes is amended to read:

23.33 (6) (b) The headlamp on an all-terrain vehicle ~~or and the headlamps on a~~ utility terrain vehicle ~~is~~ are required to display a white light of sufficient illuminating power to reveal any person, vehicle or substantial object at a distance of at least 200 feet ahead of the all-terrain vehicle or utility terrain vehicle.

SECTION 16. 23.33 (6) (c) of the statutes is amended to read:

23.33 (6) (c) The tail lamp on an all-terrain vehicle ~~or and the tail lamps on a~~ utility terrain vehicle ~~is~~ are required to display a red light plainly visible during hours of darkness from a distance of 500 feet to the rear.

SECTION 17. 23.33 (6) (d) of the statutes is amended to read:

23.33 (6) (d) Every all-terrain vehicle and utility terrain vehicle is required to be equipped with at least one functioning brake operated either by hand or by foot ~~and, except for any all-terrain vehicle manufactured prior to January 1, 2016, a brake light.~~

SECTION 18. 23.33 (6) (f) of the statutes is amended to read:

23.33 (6) (f) An all-terrain vehicle or utility terrain vehicle may not be ~~modified so that~~ operated if its maximum width exceeds the width allowed for a utility terrain vehicle under sub. (1) (ng) 1. h. or 2. b. or the width allowed for an all-terrain vehicle under s. 340.01 (2g). This paragraph does not apply to the operation of an all-terrain vehicle or utility terrain vehicle on private property.

SECTION 19. 23.33 (7m) of the statutes is created to read:

23.33 (7m) DUTY TO RENDER AID. The operator of an all-terrain vehicle or a utility terrain vehicle involved in an accident shall, to the extent that they are capable, render assistance as is practicable and necessary to other persons involved in the accident to save them from or minimize any danger caused by the accident. The operator of the all-terrain vehicle or utility terrain vehicle shall provide their name and address and identification of their all-terrain vehicle or utility terrain vehicle to any person injured in the accident and to the owner of any property damaged in the accident.

SECTION 20. 23.33 (11) (am) 3. (intro.) of the statutes is amended to read:

23.33 (11) (am) 3. (intro.) A county, city, village, or town may enact an ordinance to authorize the operation of all-terrain vehicles and utility terrain vehicles on a

highway to cross a bridge that is not part of the national system of interstate and defense highways, ~~that is 1,000 feet in length or less,~~ and that is located within the territorial boundaries of the county, city, village, or town regardless of whether the county, city, village, or town has jurisdiction over the highway. Any such ordinance shall require a person crossing a bridge to do all of the following:

SECTION 21. 23.33 (11) (am) 3. c. of the statutes is amended to read:

23.33 (11) (am) 3. c. Stop the vehicle prior to ~~the crossing~~ entering the roadway.

SECTION 22. 23.33 (11m) of the statutes is renumbered 23.33 (11m) (a) and amended to read:

23.33 (11m) (a) Subsections (3) (em), (6) (cd), (ch), (cp), and (i), and (6r) do not apply to the operator of an all-terrain vehicle or utility terrain vehicle owned or leased by a city, village, town, county, state agency, federal agency, federally recognized American Indian tribe, public safety corporation, or public utility while the operator is engaged in an emergency or in the pursuit of an actual or suspected violator of the law.

SECTION 23. 23.33 (11m) (b) of the statutes is created to read:

23.33 (11m) (b) 1. Subject to subds. 2. to 5., sub. (3) (g), (gm), (h), and (ht) do not apply to the operator of a patrol all-terrain vehicle or patrol utility terrain vehicle when responding to an emergency call, engaged in an emergency, or in the pursuit of an actual or suspected violator of the law.

2. Except as provided in subd. 3., subd. 1. applies only if the operator of a patrol all-terrain vehicle or patrol utility terrain vehicle is giving an audible signal by means of a siren and a visual signal by means of at least one flashing, oscillating, or rotating red light or, if the patrol all-terrain vehicle or patrol utility terrain vehicle is being operated by a law enforcement officer, a blue light and a red light, both of which are flashing, oscillating, or rotating.

3. A law enforcement officer operating a patrol all-terrain vehicle or patrol utility terrain vehicle may exceed a speed limit without giving audible or visual signals if the officer is obtaining evidence of a speed violation or responding to what the officer reasonably believes is a felony in progress and the officer reasonably believes any of the following:

a. Knowledge of the officer's presence may endanger the safety of a victim or other person.

b. Knowledge of the officer's presence may cause the suspected violator to evade apprehension.

c. Knowledge of the officer's presence may cause the suspected violator to destroy evidence of a suspected

felony or may otherwise result in the loss of evidence of a suspected felony.

d. Knowledge of the officer's presence may cause the suspected violator to cease the commission of a suspected felony before the officer obtains sufficient evidence to establish grounds for arrest.

4. The operator of a patrol all-terrain vehicle or patrol utility terrain vehicle may proceed past a red light, stop signal, or stop sign but only after slowing down as necessary for safe operation.

5. The privileges granted to the operator of a patrol all-terrain vehicle or patrol utility terrain vehicle under this paragraph do not relieve the operator from the duty to drive or ride with due regard under the circumstances for the safety of all persons or provide immunity from liability for the consequences of the operator's reckless disregard for the safety of others.

SECTION 24. 23.33 (13) (g) of the statutes is created to read:

23.33 (13) (g) *Penalties related to operation causing impairment of property.* In addition to any other penalty, for a violation of sub. (3) (a) that results in impairment of the property of another, the court may hold the defendant liable for treble damages, to be recovered by the person responsible for maintenance of the property, and may order the defendant to restore, rebuild, repair, or replace the property.

SECTION 25. 23.335 (1) (zde) of the statutes is created to read:

23.335 (1) (zde) "Patrol off-highway motorcycle" means an off-highway motorcycle that is owned or leased by a city, village, town, county, state agency, federal agency, federally recognized American Indian tribe, or public safety corporation, used for law enforcement, fire fighting, or emergency medical response, and equipped with a siren and one or more flashing, oscillating, or rotating red lights, or red and white lights or, if the off-highway motorcycle is operated by a law enforcement officer, a blue light or a blue and white light, and a red light or a red and white light, all of which are flashing, oscillating, or rotating.

SECTION 26. 23.335 (9) (d) of the statutes is created to read:

23.335 (9) (d) 1. Subject to subds. 2. to 5., par. (a) 6., 7., and 8. do not apply to the operator of a patrol off-highway motorcycle when responding to an emergency call, engaged in an emergency, or in the pursuit of an actual or suspected violator of the law.

2. Except as provided in subd. 3., subd. 1. applies only if the operator of a patrol off-highway motorcycle is giving an audible signal by means of a siren and a visual signal by means of at least one flashing, oscillating, or rotating red light or, if the patrol off-highway motorcycle

is being operated by a law enforcement officer, a blue light and a red light, both of which are flashing, oscillating, or rotating.

3. A law enforcement officer operating a patrol off-highway motorcycle may exceed a speed limit without giving audible or visual signals if the officer is obtaining evidence of a speed violation or responding to what the officer reasonably believes is a felony in progress and the officer reasonably believes any of the following:

- a. Knowledge of the officer's presence may endanger the safety of a victim or other person.
- b. Knowledge of the officer's presence may cause the suspected violator to evade apprehension.
- c. Knowledge of the officer's presence may cause the suspected violator to destroy evidence of a suspected felony or may otherwise result in the loss of evidence of a suspected felony.
- d. Knowledge of the officer's presence may cause the suspected violator to cease the commission of a suspected felony before the officer obtains sufficient evidence to establish grounds for arrest.

4. The operator of a patrol off-highway motorcycle may proceed past a red light, stop signal, or stop sign but only after slowing down as necessary for safe operation.

5. The privileges granted to the operator of a patrol off-highway motorcycle under this paragraph do not relieve the operator from the duty to drive or ride with due regard under the circumstances for the safety of all persons or provide immunity from liability for the consequences of the operator's reckless disregard for the safety of others.

SECTION 27. 23.335 (10) (a) 2. of the statutes is amended to read:

23.335 (10) (a) 2. Operation on the roadway is necessary to cross a bridge, culvert, or railroad right-of-way. The crossing of a bridge, culvert, or railroad right-of-way is not authorized if the roadway is officially closed to off-highway motorcycle traffic. The crossing is authorized only if the crossing is done in the most direct manner practicable, if the crossing is made at a place where no obstruction prevents a quick and safe crossing, and if the operator stops the limited use off-highway motorcycle prior to entering the ~~crossing roadway~~ and yields the right-of-way to any other vehicles, pedestrians, electric scooters, or electric personal assistive mobility devices that are using the roadway.

SECTION 28. 23.335 (10) (a) 2m. of the statutes is amended to read:

23.335 (10) (a) 2m. Operation is on the roadway or shoulder for the purpose of crossing a bridge ~~that is 1,000 feet in length or less~~ if the operation is in compliance with a county ordinance adopted under sub. (21) (am) that applies to that bridge and a city, village, or

town ordinance adopted under sub. (21) (am) that applies to that bridge.

SECTION 29. 23.335 (21) (am) (intro.) of the statutes is amended to read:

23.335 (21) (am) (intro.) A county, city, village, or town may enact an ordinance to authorize the operation of limited use off-highway motorcycles on a highway bridge that is not part of the national system of interstate and defense highways, ~~that is 1,000 feet in length or less,~~ and that is located within the territorial boundaries of the county, city, village, or town regardless of whether the county, city, village, or town has jurisdiction over the highway. Any such ordinance shall require a person crossing a bridge to do all of the following:

SECTION 30. 23.335 (21) (am) 3. of the statutes is repealed.

SECTION 31. 340.01 (2g) of the statutes is amended to read:

340.01 (2g) "All-terrain vehicle" means a commercially designed and manufactured motor-driven device that has a weight, without fluids, of 900 pounds or less, has a width of not more than 50 inches as measured laterally between the outermost wheel rim on each side of the vehicle, exclusive of tires, mirrors, and accessories that are not essential to the vehicle's basic operation, is equipped with a seat designed to be straddled by the operator, a headlight, and a tail lamp, and travels on 3 or more tires.

SECTION 32. 340.01 (3) (a) of the statutes is amended to read:

340.01 (3) (a) Police vehicles, whether publicly or privately owned, including all-terrain vehicles, utility terrain vehicles, off-highway motorcycles, snowmobiles, and bicycles being operated by law enforcement officers.

SECTION 33. 340.01 (3) (b) of the statutes is amended to read:

340.01 (3) (b) Conservation wardens' vehicles, including all-terrain vehicles, utility terrain vehicles, off-highway motorcycles, and snowmobiles, foresters' trucks, or vehicles used by commission wardens, whether publicly or privately owned.

SECTION 34. 340.01 (3) (c) of the statutes is amended to read:

340.01 (3) (c) Vehicles, including all-terrain vehicles, utility terrain vehicles, and snowmobiles, of a fire department or fire patrol.

SECTION 35. 340.01 (3) (d) of the statutes is amended to read:

340.01 (3) (d) Privately owned motor vehicles, including all-terrain vehicles, utility terrain vehicles, and snowmobiles, being used by deputy state fire marshals or by personnel of a full-time or part-time fire depart-

ment or by members of a volunteer fire department while en route to a fire or on an emergency call pursuant to orders of their chief or other commanding officer.

SECTION 36. 340.01 (3) (dg) of the statutes is amended to read:

340.01 (3) (dg) Privately owned motor vehicles, including all-terrain vehicles, utility terrain vehicles, and snowmobiles, being used by an organ procurement organization, or by any person under an agreement with an organ procurement organization, to transport organs for human transplantation or to transport medical personnel for the purpose of performing human organ harvesting or transplantation immediately after the transportation.

SECTION 37. 340.01 (3) (dh) of the statutes is amended to read:

340.01 (3) (dh) Privately owned motor vehicles, including all-terrain vehicles, utility terrain vehicles, and snowmobiles, being operated in the course of a business and being used, in response to an emergency call from a treating physician or his or her designee declaring the transportation to be an emergency, to transport medical devices or equipment to a hospital or ambulatory surgery center, or to pick up medical devices or equipment for immediate transportation to a hospital or ambulatory surgery center, if the medical devices or equipment are to be used for human implantation or for urgent medical treatment immediately after the transportation.

SECTION 38. 340.01 (3) (dm) (intro.) of the statutes is amended to read:

340.01 (3) (dm) (intro.) Privately owned motor vehicles, including all-terrain vehicles, utility terrain vehicles, and snowmobiles, that are all of the following:

SECTION 39. 340.01 (37r) of the statutes is created to read:

340.01 (37r) “Off-highway motorcycle” has the meaning given in s. 23.335 (1) (q).

SECTION 40. 340.01 (73e) of the statutes is created to read:

340.01 (73e) “Utility terrain vehicle” has the meaning given in s. 23.33 (1) (ng).

SECTION 41. 340.01 (74) of the statutes is amended to read:

340.01 (74) “Vehicle” means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except railroad trains. A snowmobile, an all-terrain vehicle, a utility terrain vehicle, a personal delivery device, an electric scooter, and an electric personal assistive mobility device shall not be considered a vehicle except for purposes made specifically applicable by statute.

SECTION 42. 350.01 (10a) of the statutes is created to read:

350.01 (10a) “Patrol snowmobile” means a snowmobile that is owned or leased by a city, village, town, county, state agency, federal agency, federally recognized American Indian tribe, or public safety corporation, used for law enforcement, fire fighting, or emergency medical response, and equipped with a siren and one or more flashing, oscillating, or rotating red lights, or red and white lights or, if the snowmobile is operated by a law enforcement officer, a blue light or a blue and white light, and a red light or a red and white light, all of which are flashing, oscillating, or rotating.

SECTION 43. 350.10 (4) of the statutes is created to read:

350.10 (4) (a) Subject to pars. (b) to (e), sub. (1) (c), (g), (gm), and (i) do not apply to the operator of a patrol snowmobile when responding to an emergency call, engaged in an emergency, or in the pursuit of an actual or suspected violator of the law.

(b) Except as provided in par. (c), par. (a) applies only if the operator of a patrol snowmobile is giving an audible signal by means of a siren and a visual signal by means of at least one flashing, oscillating, or rotating red light or, if the patrol snowmobile is being operated by a law enforcement officer, a blue light and a red light, both of which are flashing, oscillating, or rotating.

(c) A law enforcement officer operating a patrol snowmobile may exceed a speed limit without giving audible or visual signals if the officer is obtaining evidence of a speed violation or responding to what the officer reasonably believes is a felony in progress and the officer reasonably believes any of the following:

1. Knowledge of the officer’s presence may endanger the safety of a victim or other person.
2. Knowledge of the officer’s presence may cause the suspected violator to evade apprehension.
3. Knowledge of the officer’s presence may cause the suspected violator to destroy evidence of a suspected felony or may otherwise result in the loss of evidence of a suspected felony.
4. Knowledge of the officer’s presence may cause the suspected violator to cease the commission of a suspected felony before the officer obtains sufficient evidence to establish grounds for arrest.

(d) The operator of a patrol snowmobile may proceed past a red light, stop signal, or stop sign but only after slowing down as necessary for safe operation.

(e) The privileges granted to the operator of a patrol snowmobile under this paragraph do not relieve the operator from the duty to drive or ride with due regard under the circumstances for the safety of all persons or provide immunity from liability for the consequences of the operator’s reckless disregard for the safety of others.