

Current Ordinance Language, Wis. Stats. and DOT Guidance

3/3/2025

ARTICLE II. - ATVS, UTVS AND OFF-ROAD RECREATIONAL VEHICLES^[2]

§ 496-6. - Routes designated.

A. Under Wis. Stats. § 23.33(8)(b)2, the village designates all village-maintained roads, streets and alleys as ATV and UTV routes.

B. Under Wis. Stats. § 23.33(11)(am)4, the village authorizes the operation of ATVs and UTVs on state trunk highways and county trunk highways with a posted speed limit of 35 mph or less that are within the territorial boundaries of the village, except as posted.

§ 496-7. - Operator and rider requirements.

Any person who operates or rides as a passenger on an ATV/UTV within the village must meet the following requirements:

E. The speed limit for ATVs/UTVs shall be established at **not greater than 30 miles per hour** or the speed limit for automobiles, whichever is lower, on all segments of village roads designated as ATV/UTV routes.

MARATHON COUNTY ORDINANCE Sec. 7.125 ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES

(6) Regulation of ATVs and UTVs. Except as otherwise provided herein, the statutory provisions of Wis. Stat. § 23.33 and Wis. Admin. Code NR § 64, which create, describe, and define regulations with respect to ATVs and UTVs, are adopted and, by reference, made a part of this Code as if fully set forth herein.

(b) Rules of Operation. The operation of an ATV or UTV on a roadway that is an ATV/UTV route in Marathon County designated pursuant to Wis. Stat. § 23.33(8)(b)1, or an ATV/UTV trail in Marathon County designated pursuant to Wis. Stat. § 23.33(8)(c), is subject to the following rules of operation:

(i) Any operator or passenger shall comply with all federal, state, and local laws, orders, regulations, restrictions, and rules, including those outlined in Wis. Stat. § 23.33 and Wis. Admin. Code NR § 64. All ATV/UTV rules of operation outlined in Wis. Stat. § 23.33(3) are adopted and incorporated in this Ordinance.

(ii) Operators may only operate on a designated ATV/UTV route or trail if said route or trail is signed in accordance with Wis. Stat. § 23.33(8)(e) and Wis. Admin. Code NR § 64.12(7).

(iii)Speed Limits.

a. Operators on ATV/UTV routes shall observe a speed limit not to exceed 35 miles per hour or the posted speed limit on the roadway, whichever is less.

b. Operators on ATV/UTV trails shall observe a speed limit not to exceed 35 miles per hour or the posted speed limit on the trail, whichever is less.

Mosinee, WI

Sec. 78-458. - Regulation of ATVs, UTVs and minibikes.

(b) Rules of operation. The operation of an ATV or UTV upon any public highway, street, or alley or upon any sidewalk, is subject to the following rules of operation:

(2) Speed limits.

a. Operators on ATV/UTV routes shall observe the posted speed limit on the highway, street, or alley, whichever is less.

b. ATV/UTV operators shall slow to 10 m.p.h. when within 150 feet of a residence or business, including when operating on private property.

c. ATV/UTV operators shall not exceed a speed of 15 m.p.h. when the ATV/UTV is being operated on a roadway or adjacent to a roadway with a snow removal device attached, if the ATV/UTV is more than 150 feet from a dwelling.

Village of Rib Mountain

7.11 - ALL-TERRAIN VEHICLES—ROUTES AND OPERATION. (Cr. #)

(1) ADOPTION. The Town of Rib Mountain, by and through the Town Board, adopts Marathon County Ordinance §7.125 in its entirety and is incorporated by reference herein.

(2) ROUTE MAP. The designated ATV routes in the Town are described and identified by the ATV Map, which is on file with the Town Clerk.

Village of Weston

Sec 82.506 Conditions Applicable To All-Terrain And Utility Terrain Vehicle Routes

1. The Village of Weston has adopted all provisions of Section 7.125 of the General Code of Ordinances for Marathon County in full to be applied to all ATV and UTV routes and trails designated as such within the jurisdiction of the Village

Village of Rothschild

§ 525-2 Routes designated.

A. The Village of Rothschild designates certain Village-maintained roads and streets as ATV and UTV routes. Please see attached map. [1]

B. Under Wis. Stats. § 23.33(11)(am)4, the Village of Rothschild authorizes the operation of ATVs and UTVs on state trunk highways and county trunk highways with a posted speed limit of 35 mph or less that are within the territorial boundaries of the Village, except as posted.

Wis. Stats. 23.33 All-terrain vehicles and utility terrain vehicles.

(4) OPERATION ON OR NEAR HIGHWAYS.

(a) *Freeways.* No person may operate an all-terrain vehicle or utility terrain vehicle upon any part of any freeway which is a part of the federal system of interstate and defense highways. No person may operate an all-terrain vehicle or utility terrain vehicle upon any part of any other freeway unless the department of transportation authorizes the use of that vehicle on that freeway. No person may operate an all-terrain vehicle or utility terrain vehicle with a snow removal device attached upon any part of any freeway under any circumstances.

(b) *Other highways; operation restricted.* No person may operate an all-terrain vehicle or utility terrain vehicle on a highway except as authorized under pars. (d), (e), and (f) and sub. (11) (am) 2., 3., or 4. or as authorized by rules promulgated by the department and approved by the department of transportation.

(c) *Exceptions; municipal, state and utility operations; races and derbies; land surveying operations.*

1. Paragraphs (a) and (b) do not apply to the operator of an all-terrain vehicle or utility terrain vehicle owned by a municipality, state agency, public utility, or electric cooperative, or by the Great Lakes Indian Fish and Wildlife Commission, while the operator is engaged in an emergency or in the operation of an all-terrain vehicle or utility terrain vehicle directly related to the functions of the municipality, state agency, public utility, or electric cooperative, or of the Great Lakes Indian Fish and Wildlife Commission, if safety does not require strict adherence to these restrictions.

1g. Paragraphs (a) and (b) do not apply to the operator of an all-terrain vehicle or utility terrain vehicle while the operator is engaged in activities at the direction of and under contract with a municipality or electric cooperative, if safety does not require strict adherence to these restrictions.

1m. Paragraphs (a) and (b) do not apply to the operator of an all-terrain vehicle or utility terrain vehicle who is engaged in land surveying operations, if safety does not require strict adherence to the restrictions under pars. (a) and (b).

2. Paragraph (b) does not apply to a highway blocked off for special all-terrain vehicle or utility terrain vehicle events. A county, town, city or village may block off highways under its jurisdiction for the purpose of allowing special all-terrain vehicle or utility terrain vehicle events. No state trunk highway or connecting highway, or part thereof, may be blocked off by any county, town, city or village for any all-terrain vehicle or utility terrain vehicle race or derby. A county, town, city or village shall notify the local police department and the county sheriff's office at least one week in advance of the time and place of any all-terrain vehicle or utility terrain vehicle race or derby which may result in any street, or part thereof, of the county, town, city or village being blocked off.

(d) Operation on roadway. A person may operate an all-terrain vehicle or utility terrain vehicle on the roadway portion of any highway if the person complies with the applicable speed limit and only in the following situations:

- 1.** To cross a roadway. The crossing of a roadway 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 all-terrain vehicle or utility terrain vehicle prior to the crossing and yields the right-of-way to other vehicles, pedestrians, electric scooters, and electric personal assistive mobility devices using the roadway.
- 2.** On any roadway which is seasonally not maintained for motor vehicle traffic. Operation of an all-terrain vehicle or utility terrain vehicle on this type of roadway is authorized only during the seasons when no maintenance occurs and only if the roadway is not officially closed to all-terrain vehicle or utility terrain vehicle traffic.

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 and yields the right-of-way to other vehicles, pedestrians, electric scooters, and electric personal assistive mobility devices using the roadway.

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.

4. On roadways which are designated as all-terrain vehicle routes. Operation of all-terrain vehicles and utility terrain vehicles on a roadway which is an all-terrain vehicle route is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway which is safe given prevailing conditions.

5. On roadways if the all-terrain vehicle or utility terrain vehicle is an implement of husbandry, if the all-terrain vehicle or utility terrain vehicle is used exclusively for agricultural purposes and if the all-terrain vehicle or utility terrain vehicle is registered for private use under sub. [\(2\) \(d\)](#) or [\(2g\)](#). Operation of an all-terrain vehicle or utility terrain vehicle which is an implement of husbandry on a roadway is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway which is safe given prevailing conditions.

6. On roadways if the operator of the all-terrain vehicle or utility terrain vehicle is a person who holds a Class A permit or a Class B permit under s. [29.193 \(2\)](#) and who is traveling for the purposes of hunting or is otherwise engaging in an activity authorized by the permit.

7. On roadways of highways that are all-terrain vehicle trails.

(e) Operation adjacent to roadway. A person may operate an all-terrain vehicle or utility terrain vehicle adjacent to a roadway on an all-terrain vehicle route or trail if the person operates the all-terrain vehicle or utility terrain vehicle in the following manner:

- 1.** At a distance of 10 or more feet from the roadway along U.S. numbered highways and state and county highways. Travel on the median of a divided highway is prohibited except to cross.
- 2.** Outside of the roadway along town highways.

3. During hours of darkness in the same direction as motor vehicle traffic in the nearest lane unless the all-terrain vehicle or utility terrain vehicle is operated on a designated and marked all-terrain vehicle trail or snowmobile trail, as defined in s. [350.01 \(17\)](#).

3m. During daylight hours, travel may be in either direction regardless of the flow of motor vehicle traffic.

4. Not in excess of the speed limits of the adjacent roadway.

5. With due regard to safety and in compliance with rules promulgated by the department and approved by the department of transportation.

(f) Operation with snow removal device attached. Except as prohibited under par. [\(a\)](#), and subject to ordinances enacted under sub. [\(11\) \(am\) 2.](#), a person may operate an all-terrain vehicle or utility terrain vehicle with a snow removal device attached on a roadway or adjacent to a roadway or on a public sidewalk during the period beginning on October 1 and ending on April 30 of each year for the purpose of removing snow if such operation is necessary to travel to or from a site where the snow removal device will be used. The travel necessary to or from the site may not exceed 2 miles. Operation of such an all-terrain vehicle or utility terrain vehicle on a roadway or adjacent to a roadway is authorized only if the applicable roadway speed limit is 45 miles per hour or less. Operation on a roadway of such an all-terrain vehicle or utility terrain vehicle is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway where it is safe to do so given prevailing conditions. Operation adjacent to a roadway of such an all-terrain vehicle or utility terrain vehicle shall comply with the applicable speed limit and with par. [\(e\) 1., 2., 3., 3m., and 5.](#)

(11) LOCAL ORDINANCES.

(a) Counties, towns, cities and villages may enact ordinances regulating all-terrain vehicles and utility terrain vehicles on all-terrain vehicle trails maintained by or on all-terrain vehicle routes designated by the county, city, town or village.

(am)

1. Any county, town, city, or village may enact an ordinance that is in strict conformity with this section and rules promulgated by the department under this section if the ordinance encompasses all aspects encompassed by this section, except as provided in subds. [2., 3., and 4.](#) and s. [349.11 \(11\)](#).

2. For a roadway, or for a portion of a roadway, that is located within the territorial boundaries of a city, village, or town, the city, village, or town may enact an ordinance to authorize the operation of all-terrain vehicles and utility terrain vehicles with snow removal devices attached on the roadway, or adjacent to the roadway, if the applicable roadway speed limit is greater than 45 miles per hour, and regardless of whether the city, village, or town has jurisdiction over the roadway.

3. 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 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:

- a. Cross the bridge in the most direct manner practicable and at a place where no obstruction prevents a quick and safe crossing.
- b. Stay as far to the right of the roadway or shoulder as practicable.
- c. Stop the vehicle prior to the crossing.

d. Yield the right-of-way to other vehicles, pedestrians, electric scooters, and electric personal assistive mobility devices using the roadway or shoulder.

e. Exit the highway as quickly and safely as practicable after crossing the bridge.

4. A city, village, or town may enact an ordinance to authorize the operation of all-terrain vehicles and utility terrain vehicles on a highway that is not part of the national system of interstate and defense highways, that has a speed limit of 35 miles per hour or less, and that is located within the territorial boundaries of the city, village, or town regardless of whether the city, village, or town has jurisdiction over the highway.

(b) If a county, town, city, or village adopts an ordinance regulating all-terrain vehicles, utility terrain vehicles, or both, its clerk shall immediately send a copy of the ordinance to the department, to the state traffic patrol, and to the office of any law enforcement agency of each county, town, city, or village having jurisdiction over any of the highways to which the ordinance applies.

Chapter NR 64

ALL-TERRAIN VEHICLES

NR 64.07 Operating rules.

(1) In addition to the provisions of s. [23.33 \(3\)](#), Stats., no person may operate an all-terrain vehicle:

(a) On or across a cemetery, burial ground, campground, park, school property or church property without consent of the owner.

(b) On the lands of an operating airport or landing facility except for personnel in performance of their duties or with consent.

(c) At a rate of speed that is unreasonable or improper under the circumstances.

(2) The operator of an all-terrain vehicle shall slow his or her vehicle to a speed not to exceed 10 miles per hour and yield the right-of-way when traveling within 100 feet of a person who is not on an all-terrain vehicle, a snowmobile or a motorcycle except as provided under ch. [346](#), Stats., where applicable.

(3) ALL-TERRAIN VEHICLE NOISE EMISSIONS AND TESTING. No person may manufacture, sell, rent or operate an all-terrain vehicle that is constructed or altered in a manner that noise emitted from the all-terrain vehicle exceeds 96 decibels on the A scale when measured in the manner prescribed in the reaffirmed 1998-07, Society of Automotive Engineers Standard J1287, entitled *Measurement of Exhaust Sound Levels of Stationary Motorcycles*.

(4) Copies and amendments of the Society of Automotive Engineers Technical Report 1998-07, Society of Automotive Engineers Standard J1287, entitled *Measurement of Exhaust Sound Levels of Stationary Motorcycles*, is available for inspection in the following offices:

(a) The Department of Natural Resources, 101 S. Webster St., Madison, Wisconsin 53707.

(b) The Office of the Secretary of State, 30 W. Mifflin St., Madison, Wisconsin 53707.

(c) The Legislative Reference Bureau, One E. Main St., Madison, Wisconsin.

(d) The Society of Automotive Engineers, Inc., 400 Commonwealth Drive, Warrendale, Pennsylvania 15096.

History: Cr. [Register, July, 1986, No. 367](#), eff. 8-1-86; [CR 05-054](#): cr. (3) and (4) [Register February 2006 No. 602](#), eff. 3-1-06; correction in (4) (c) made under s. [13.92 \(4\) \(b\) 6.](#), Stats., [Register April 2013 No. 688](#).

All-Terrain Vehicles and Utility Terrain Vehicles

ATV routes on state highways

The following information is divided into three sections based on current Wisconsin statutes.

A - ATV route designation on state highways

A town, village, city or county may enact an ordinance under Wis. Stat. s. 23.33(8)(b)1. to designate a highway not under its jurisdiction as an ATV route. In this case, ATV operation on a state highway or connecting highway is allowed only if WisDOT approves the route. WisDOT's approval consists of an ATV route order that is issued for the designated segment of state or connecting highway. WisDOT will review an ATV ordinance to verify that the termini of the designated route is what WisDOT and the municipality or county agreed upon prior to issuing the route order.

B - ATV operation on state highways with speed limits of 35 mph or less within municipal boundaries

A town, village or city may enact an ordinance under Wis. Stat. s. 23.33(11)(am)4. to authorize the operation of ATVs on a highway that has a speed limit of 35 mph or less and is located within the territorial boundaries of the town, village or city regardless of who has jurisdiction over the highway. In this case, ATV operation on a state highway is not subject to WisDOT approval. WisDOT will review an ATV ordinance to verify that the statute language "authorize the operation" has been used correctly instead of the term "designated."

Much of the state highway system operates with speed limits over 35 mph, and these higher speed highways remain off-limits to ATV use without approval from WisDOT. Unless speed limits are set initially by state statutes, all speed limits in Wisconsin must be established through an engineering and traffic investigation, including further modifications that lower or raise speed limits to meet other statutory speed limits. Anyone interested in how speed limits are established is encouraged to view WisDOT's webpage on the topic.

Note: Under s. 349.11(11), local authorities may post speed limits on highways under their jurisdiction that only apply to ATVs and UTVs that are lower than the speed limits imposed under s. 349.11 or s. 346.57.

State of Wisconsin

Department of Transportation

Establishing Speed Limits

Lowering an existing 40 mph (or higher) speed limit or extending an existing 35 mph (or less) zone to authorize the operation of ATV/UTVs.

For State Highways, WisDOT will not complete an engineering and traffic investigation specifically to accommodate specialty vehicles, which includes ATVs/UTVs. For all other vehicles, a municipality must request that WisDOT complete an engineering and traffic investigation to support these and other speed limit modifications.

For local roadways (e.g., county highways), a municipality must complete an engineering and traffic investigation and follow approval authorities defined in ss. 349.11.

If WisDOT approval is required and approval is received, the existing speed limit may be lowered to 35 mph or extended depending upon the recommendations of the investigation.

For more information on ATV/UTV routes, please see WisDOT's page on the topic.

WDNR 2024 WISCONSIN ALL-TERRAIN /UTILITY TERRAIN VEHICLE LAWS

SPEED LIMITS AND OPERATIONAL RESTRICTIONS

- You must slow your ATV/UTV to 10 mph or less when you are riding within 100 feet of any person who is not on a motorized vehicle. This includes, but is not limited to slowing for anglers, hikers, bicyclists, joggers, horses, etc. as well as for other ATV/UTV operators standing along the trail.
- You must slow your ATV/UTV to 10 mph or less when you are riding within 100 feet of an ice fishing shanty while on the ice.
- You must slow your ATV/UTV to 10 mph or less when you are riding within 150 feet of a home or dwelling, unless you are operating on a legal ATV road route.
- You must obey the posted trail speed limits at all times.
- You must obey the posted regular motor vehicle speed limit when operating within a highway or a reduced speed limit posted specifically for ATVs/UTVs that may be along the highway.
- You must obey all regulatory signs, such as stop signs, yield signs and speed limit signs.
- You must stop your ATV/UTV after being requested or signaled to do so by a law enforcement officer.
- You cannot operate at speeds that are unreasonable or improper.
- You cannot operate in a careless manner so that it endangers a person or property.
- All UTV passengers must have their seatbelts fastened at all times.
- No person may ride in or on any part of an ATV or UTV that is not designed or intended to be used by passengers. Aftermarket seating does not comply with the new law change.

- It is not legal to operate with passengers in any aftermarket seating placed in the cargo area of an ATV or UTV. UTV original factory seating may not be modified.
- An ATV/UTV may not be operated with anything other than tires. This does not apply to private property or on frozen waters.
- You cannot operate on public property in areas closed to such operation.
- You cannot operate on private property without the permission of the owner or lessee.
- ATVs/UTVs are required to have a lighted headlamp(s) and tail lamp(s) at all times during operation.
- An ATV/UTV operator must dim multiple-beam headlamps, adverse weather lamps, spot lamps, auxiliary lamps, high-beam lamps or any other lamps when approaching oncoming ATVs/UTVs or other vehicles when within 500 feet or when following an ATV/UTV or other vehicle when within 500 feet to the rear so that the glaring rays are not directed or reflected into the eyes of the operator of the other ATV/UTV or vehicle.
- No lighted backup lamp or white lamp visible from directly behind may be displayed on any ATV/UTV upon a highway, ATV route, ATV trail, frozen water or public area except when being driven backward.
- You cannot allow a person to operate if they are:
 - Prohibited by law.
 - Have not obtained the required safety certificate or underage.
 - Incapable of operating because they are physically or mentally disabled.
 - Under the influence of alcohol or drugs.