



## WAUKESHA COUNTY DEPARTMENT OF PUBLIC WORKS

*Disclaimer: The following requirements for ATV and UTV usage are provided for informational and convenience purposes only and are not intended to be exhaustive or to identify every applicable obligation, condition, standard, or legal requirement. ATV/UTV operators remain solely responsible for reviewing and ensuring compliance with all applicable federal, state, and local laws, regulations, ordinances, codes, rules, policies, and other legal or administrative requirements that may apply.*

### All-Terrain Vehicles (ATVs)

**Definition:** An all-terrain vehicle is 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 not essential to basic operation, and is equipped with a seat to be straddled by the operator and travels on at least 3 tires.

(Wis. Stat. §§ 23.33(1)(b) & 340.01(2g))

#### Age Restrictions:

1. No one under the age of 12 may operate an ATV
2. Individuals aged 12 – 15 years old may operate an ATV on a designated ATV route if accompanied by a parent/guardian or person at least 18 years of age that is designated by the parent/guardian.

(Wis. Stat. § 23.33(5)(a))

**Safety Certification:** Every operator that is at least 12 years of age or older and born on or after January 1, 1988, must hold a valid safety certificate issued by the Department of Natural Resources, another state, or a province of Canada.

(Wis. Stat. § 23.33(5)(b)1.)

#### Equipment:

1. Weight: without fluids, 900 pounds or less (Wis. Stat. §§ 23.33(1)(6) & 340.01(2g))
2. Width: 50 inches or less measured between the outermost wheel rim on each side (Wis. Stat. §§ 23.33(1)(6) & 340.01(2g))
3. Seat to be straddled by the operator (Wis. Stat. §§ 23.33(1)(6) & 340.01(2g))

4. Operates on at least 3 tires (Wis. Stat. §§ 23.33(1)(6) & 340.01(2g))
5. Must have a headlamp and tail lamp and both must be lighted (Wis. Stat. § 23.33(6)(a))
  - a. Headlamp must have sufficient lighting power to reveal a person, vehicle, or substantial object at a distance of 200 feet in front of the ATV. (Wis. Stat. § 23.33(6)(b))
  - b. Tail lamp must be a red light plainly visible during hours of darkness from a distance of 500 feet from behind. (Wis. Stat. § 23.33(6)(c))
6. Must have at least 1 functioning brake operated by hand or foot and, except for ATVs manufactured prior to January 1, 2016, a brake light. (Wis. Stat. § 23.33(6)(d))
7. Must have functioning muffler and functioning spark arrester of a type approved by the U.S. Forest Service. (Wis. Stat. § 23.33(6)(e))
8. Operators and any passenger under the age of 18 must wear protective headgear with a chin strap properly fastened that meets the standards under Wis. Stat. § 347.485(1)(a). (Wis. Stat. § 23.33(3g))

## Utility Terrain Vehicles (UTVs)

**Definition:** An utility terrain vehicle is 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 a highway, and that has, and was originally manufactured with a weight, without fluids, of not more than 3,500 pounds, and a width of not more than 65 inches as measured laterally between the outermost wheel rim on each side of the vehicle, exclusive of tires, mirrors, and accessories not essential to basic operation and either of the following:

1. Has two headlights, two taillights, a brake light, a steering wheel, operates on at least 4 tires, a system of seatbelts or similar system for restraining each occupant, and a system of structural members designed to reduce likelihood an occupant would be crushed.
2. Is equipped with a seat designed to be straddled by the operator, operates on at least 3 tires, and does not meet the definition of an “all-terrain vehicle” as defined in Wis. Stat. § 340.01(2g).

(Wis. Stat. § 23.33(1)(ng))

**Age Restrictions:** No person under the age of 16 may operate a UTV on a roadway except when crossing a roadway, operating on a seasonally unmaintained roadway, and to cross a bridge, culvert, or railroad.

(Wis. Stat. § 23.33(5)(am))

**Safety Certificate:** Every operator that is at least 12 years of age or older and born on or after January 1, 1988, must hold a valid safety certification issued by the Department of Natural Resources, another state, or a province of Canada.

(Wis. Stat. § 23.33(5)(b)1m.)

**Equipment:**

1. Weight: without fluids, 3,500 pounds or less (Wis. Stat. § 23.33(1)(ng))
2. Width: 65 inches or less measured between the outermost wheel rim on each side
3. Must have a headlamp and tail lamp and both must be lighted (Wis. Stat. § 23.33(6)(a))
  - a. Headlamp must have sufficient lighting power to reveal a person, vehicle, or substantial object at a distance of 200 feet in front of the ATV. (Wis. Stat. § 23.33(6)(b))
  - b. Tail lamp must be a red light plainly visible during hours of darkness from a distance of 500 feet from behind. (Wis. Stat. § 23.33(6)(c))
4. Must have at least 1 functioning brake operated by hand or foot and, except for ATVs manufactured prior to January 1, 2016, a brake light. (Wis. Stat. § 23.33(6)(d))
5. Must have functioning muffler and functioning spark arrester of a type approved by the U.S. Forest Service. (Wis. Stat. § 23.33(6)(e))
6. Operator and any passenger under 18 must wear protective headgear with a chin strap properly fastened that meets the standards under Wis. Stat. § 347.485(1)(a). (Wis. Stat. § 23.33(3g))
7. Every passenger must wear safety belt installed by the manufacturer and fastened in the manner prescribed by the manufacturer. (Wis. Stat. § 23.33(6)(i))

## **Registration**

1. Unless specifically exempt, ATVs and UTVs must be registered and display registration decals in a clearly visible location forward of the operator on both sides of the ATV/UTV with a registration plate affixed to the rear of the ATV/UTV that meets State requirements. (Wis. Stat. § 23.33(2)(c))
  - a. If decals and registration certificate have not been received yet, operator must have proof of the temporary operating receipt in their possession.
2. Operator must have proof of the registration certificate in their possession at all times. (Wis. Stat. § 23.33(2)(dg))
3. Separate requirements for commercial owners.