Mary Hubler

State Representative

February 25, 2010

Hubler Testimony on Senate Bill 448 – Utility Terrain Vehicle Pilot

Assembly Committee on Transportation

Dear Chairman Steinbrink and committee members:

Thank you for the opportunity to testify on Senate Bill 448. The bill requires the Department of Natural Resources to administer a pilot program for UTV operation on all-terrain vehicles and routes.

As you know, a five-county Lightweight Utility Vehicle pilot program was created in the 2007 state budget. One of the test counties was Washburn County in my Assembly District.

The program was quite popular with businesses and the county and other local governments. A number of my constituents were dismayed when it expired in the fall of 2009. I continue to hear on a regular basis from constituents who believe the program should have been made permanent immediately.

I have read program results released by the DNR. It is clear that the LUV pilot attracted people to the sport who could not or would not otherwise participated. Not all older riders can get their leg over the seat of a traditional ATV. The side-by-side configuration of these vehicles makes conversation possible and allows for trail riding by passengers who cannot drive. It allows participation by folks who would be unable to tolerate following in the dust of another machine.

The DNR report acknowledges that the results of the pilot were generally positive and suggested that another two-year pilot would be a good way to gather more information.

This bill establishes another pilot program, but instead of limiting it to five counties, it makes it a statewide program. Participation by counties would be voluntary and municipalities within participating counties could opt out. I understand that some might opt out because of the expense of possible changes to trail widths, bridges or gates. I like the idea that whether to allow UTVs on local trails will be a local decision based on local factors.

UTVs would have to be registered with the DNR in order to operate on a designated ATV route or trail. The DNR could charge registration fees under the bill, which would create a way for the DNR to recoup administrative costs. The bill does not require UTV operators to have a driver's license but prohibits those under 16 from operating a UTV.

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UTVs are defined at having a gross weight of more than 900 pounds but not more than 1,999 pounds, four or more low-pressure tires, a cargo area or dump box and non-straddling seats for at least two riders.

LUVs under the earlier pilot were to weigh at least 700 pounds and not more than 1,999. The LUV pilot did not specify two riders or the non-straddling seats.

This pilot created under SB 448 will sunset in 2012, which gives the state another opportunity to examine the benefits and impact of allowing LUVs and UTVs on our trails and perhaps devise ways to improve the program when and if it is made permanent.

This bill was approved 32-0 in the Senate on Tuesday and received a unanimous vote by the Senate Committee on Transportation, Tourism, Forestry and Natural Resources earlier.

I believe that some sort of permanent program is inevitable and desirable. SB 448 is a good start.

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Public Hearing
2/25/10

Assembly Committee on Transportation

Testimony provided by Randy Harden & Rob McConnell of the Wisconsin ATV Association (WATVA)

Chair – Representative John Steinbrink

Representatives Ted Zigmunt, Amy Sue Vruwink, Phil Garthwaite, Jason Fields, Penny Bernard Schaber, Christine Sinicki, Jerry Petrowski, Alvin Ott, Jeff Stone, Garey Bies, Keith Ripp

Re: SB 448 - Relating to a utility terrain vehicle pilot program and making an appropriation

Requesting your support for this bill

Thank you for the opportunity to testify and for your efforts to help us update and improve one of our state's most popular trail programs. This legislation will allow us to keep up with the evolution of the ATV industry, thus allowing Wisconsin to continue attracting new tourism travelers seeking to enjoy this kind of outdoor experience. As with other industries, the current economic downturn has had a negative affect on many of our organization's *business* members. This bill will build upon and expand the previous two year test program we proudly deemed an overwhelming success.

This legislation also allows an opportunity to keep up with the aging population who enjoy being outdoors but prefer the more friendly seating arrangement these types of off highway vehicles provide.

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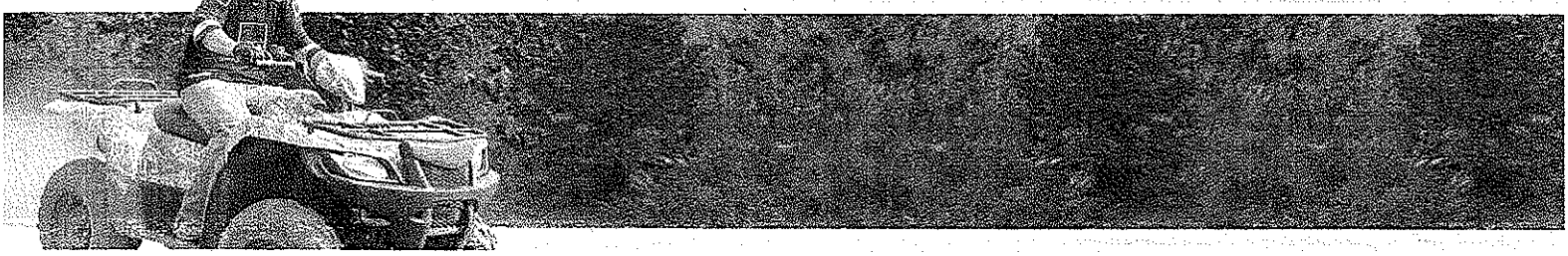


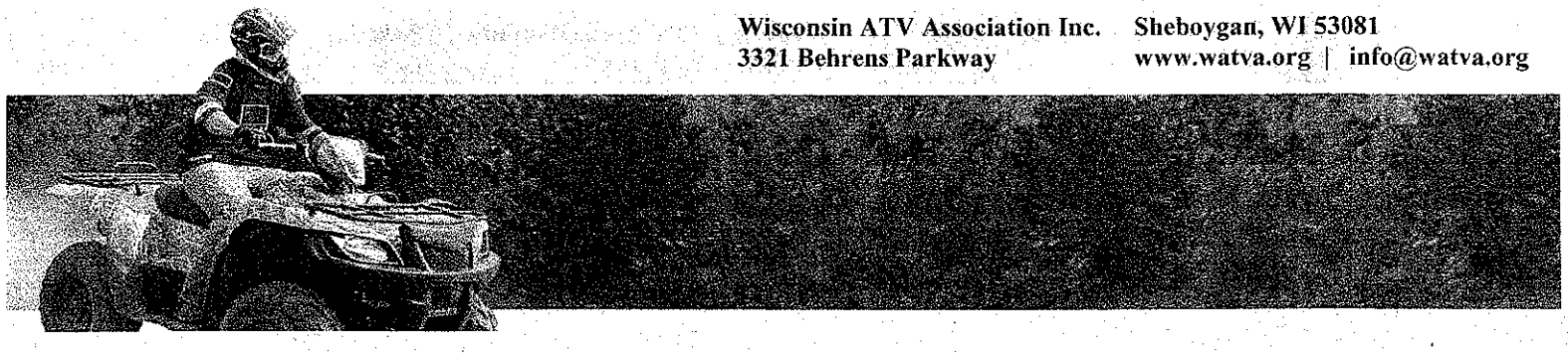
Last year our organization voted to include the UTV with side by side seating (and their owners) into our membership representation. This bill would help WATVA in that regard as we strive to provide responsible leadership in all interactions that provide a positive future for this sport and recreational industry.

To be sure this expanded UTV pilot program is of benefit to our existing ATV registration system; we will continue working alongside of the county forest administrators where the vast majority of our trail systems are located. We will also communicate regularly with our DNR ATV program employees to monitor the ongoing results as the number of UTV riders increase on additional ATV trail systems throughout the state.

This legislation allows us to oversee and monitor the next level of test results on a statewide basis. It is important to us all that this next phase of testing causes no harm to the highly successful Wisconsin ATV registration program. If the results continue to show positive trends, we will work with our agency partners to bring you, our state lawmakers, a permanent program that would replace this pilot test in the coming years.

If on the other hand, the expanded UTV testing is not as favorable as our original 5 county testing was, we will work with our agency partners to bring you other alternative options.

Our organization strongly favors this bill and requests your support.

Thank you again for this opportunity to help us manage this recreational sport and this industry for the betterment of Wisconsin.

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