

OFF-HIGHWAY VEHICLE QUICK REFERENCE GUIDE (2021)



ATV AGE RESTRICTIONS, SAFETY CERTIFICATION, HELMETS

	STATUTE	PENALTY
Helmets: all operators and passengers under 18 must wear DOT approved helmet	23.33(3g)	\$162.70
Safety Certificate: Required if born on or after 01/01/1988	23.33(5)(b)1	\$232.00
Must be at least 12 years old to operate on public trails or routes: party to	23.33(5)(a)	\$232.00
Required to carry safety certificate while operating	23.33(5)(b)2	\$162.70
Age 12-15 must be accompanied by an adult while operating on an ATV Route	23.33(5)(a)4	\$232.00
**Exemptions to safety certificate on private property and for small ATVs under 130cc		

UTV AGE RESTRICTIONS

Safety Certificate Required if born on or after 01/01/1988	23.33(5)(b)1	
Must be at least 16 years old to operate on public trails or routes	23.33(5)(a)	\$232.00
All operators and passengers under 18 must wear DOT approved helmet	23.33(3g)	\$162.70
Required to carry safety certificate while operating	23.33(5)(b)2	\$162.70
***Exemptions to age requirement if UTV is 200cc or less, 12-15 may operate.		

RULES OF OPERATION AND ROADWAY USE

No speed limit on trails unless marked - cannot operate in careless manner
 Routes: Speed is the posted roadway limit unless marked otherwise for ATV/UTVs
 10 MPH speed restrictions (100' of people or 150' from house) do not apply on routes
 Can only operate on posted road routes and property open to use of ATV/UTVs

OPERATION VIOLATIONS

	STATUTE	PENALTY
Operate in careless manner	23.33(3)(a)	\$295.00
Operating at unreasonable or improper speed	NR64.07(1)c	\$232.00
Illegal operation on or in vicinity of highway	23.33(4)(b)	\$232.00
ATV/UTVs must comply with all stop signs, yield signs, and regulatory signs	23.33(3)(ht)	\$232.00
ATV/UTV Trespass	23.33(c)-(d)	\$232.00

OPERATING WHILE INTOXICATED

Legal limit = 0.08		
346.63(1)(A) DOES NOT APPLY TO ATV OR UTVS - EVEN ON ROAD ROUTES		
2nd offense within 5 years is criminal	23.33(4c)(a)1	BAIL \$500.00
Refusal to submit to chemical tests	23.33(4p)(e)	\$452.50
PAC at or above 0.08%	23.33(4c)(a)2	\$452.50
Enhanced penalty with passenger under age 16	23.33(4c)(a)1	\$767.50

EQUIPMENT VIOLATIONS, SEATBELTS, NOISE AND EXHAUST

Seatbelt use is required for all UTV passengers	23.33(6)(1)	\$232.00
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Riding in the bed or any "aftermarket" seats of a UTV is prohibited	23.33(3)(em)	\$232.00
Riding on any part of an ATV/UTV not designated for a passenger is prohibited	23.33(6r)	\$232.00
Machines must be equipped with spark arrestor	23.33(6)em	\$232.00
Operate a machine louder than 96 decibels, or modify machines exhaust	23.33(6m)	\$232.00
ATV Maximum Width = 50 inches	23.33(6)(f)	
UTV Maximum Width = 65 inches	23.33(6)(f)	

LIGHTING

ATVs must have one white headlight, UTVs must have at least two	23.33(6)(a)	\$232.00
Headlamps and taillights shall be illuminated at all times during operation	23.33(6)c	\$232.00
Brake lights shall be red in color	23.33(6)	\$232.00
Auxiliary lighting is prohibited besides white/amber - front, red/amber - rear	23.33(6)(ch)	\$232.00
All ATV/UTV shall dim headlights upon approach of any vehicle within 500'		
Flashing, oscillating, or rotating lights of any color besides white/amber	23.33(6)(cd)3	\$232.00

REGISTRATION

Must carry proof of registration and provide to LE upon request	23.33(2)(dg)1	\$162.70
Must be placed forward of the operator in a clearly visible location on both sides	23.33(2)(c)2	\$162.70
Registration must be valid	23.33(2)a	\$232.00
ATV/UTVs are required to have a legible license plate affixed to the rear	23.33(2)(c)2	\$162.70

ACCIDENTS

Crash involving fatality or injuries treated by a physician **require** a report
 Operator must notify a DNR Warden or other LEO as soon as possible
 Operator report must be completed to DNR within 10 days of the accident
 Go to DNR.WI.GOV - Search: "ATV Crash Report"
 Contact a Conservation Warden with any accident related questions

FAQ Regarding ATV/UTV and Road Routes - *Local Ordinances May Prohibit Or Apply
 Do motor vehicle OWI charges apply while operating on a roadway? **NO**
 Do OAR or OWS apply to ATVs or UTVs operating on a roadway? **NO**
 Do you need a valid driver's license to operate a ATV or UTV on a road route? **NO**
 Does 346.935 open intoxicant laws apply to ATVs or UTVs? **NO**
 Does 346.04 (Fleeing) apply? **YES**, only to ATVs or UTVs upon a highway
 Could 346.46(1) stop sign violations apply upon a road route? **YES**

REFER TO 346.02(11) FOR TRAFFIC LAWS APPLICABLE TO ATVS or UTVS UPON A HIGHWAY