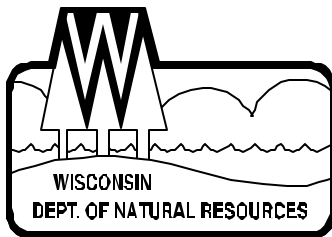


# **ATV Route Guideline and Suggestions**

## **(A Community Official's Handbook)**



**Produced by the Bureaus of Law  
Enforcement and Community Financial  
Assistance**

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This guideline and attached suggested ordinance is provided to assist the county, town, city, or village administrator with examining the considerations for ATV routes within the community.

There are specific statutes and codes that govern routes. A complete list of the statutes and codes are provided in the appendix of this guideline.

**Original Route Intent** - The route is generally recognized as a means to connect the terminal end of a trail (when it is obstructed by a city, village, river, railroad track or other impediment) back to the trail on the other side of the obstruction.

**Route** - A Route is a highway or sidewalk designated for use by ATV operators by the governmental agency having jurisdiction. Routes are identified at the beginning point by a 24"X18" sign showing a white silhouette of an ATV on a green background. White directional arrows (12"X9") on a green background, show the continuation of the route.

**Trail** - A trail is a marked corridor on public property or on private lands subject to public easement or lease, designated for use by all-terrain vehicle operators by the governmental agency having jurisdiction, but excluding roadways of highways except those roadways which are not seasonally maintained for motor vehicle traffic. Trails are identified by 6"X6" signs showing a white silhouette of an ATV on a brown background.

State law does not allow ATV residential or lodging access within communities in the manner that is afforded to snowmobile users. However, significant trends involving routes have been seen within several communities recently. These trends are in two forms; 1) Attempt to mimic the snowmobile statutes by opening all town roads to ATV use, 2) Create routes for meaningful riding experiences or as total means of ATV recreation. Providing the latter as a riding experience is generally contrary to the original route purpose, safety practices and machine design. Regardless of the trend's purpose, neither of these route types is created in the context of the original route function. But, is that all bad? Deciding whether these types of (route) uses hold positive or negative effects greatly depends on individual circumstances within the community. It is difficult to broad brush either trend good or bad, but loosely, both trends raise concerns for the Department of Natural Resources (DNR), which is charged with the ATV safety and law enforcement components.

Before we begin to discuss the finer points of routes, signage and legal requirements, we should first discuss the unsaid and perhaps the intangibles that affect ATVers, routes, communities and of course you, the administrator.

There are several of these intangible issues that will affect ATV use in your county and as the community administrator it is incumbent upon you to consider each area carefully. Some of the considerations are; **Safety & Liability, Law Enforcement, Tourism & Community Acceptance.**

## Safety & Liability

The single most important route consideration will be the safety of **all** ATV riders, pedestrians, bicyclist, automobile operators and others. As the administrator and potentially the advocate for the adoption of a route, you should know certain things about ATVs and the way they handle so that you can make informed recommendations.

It seems simple enough that ATV routes will likely increase ATV user participation. With that said, you might not have considered that the ATV riding public would be subject to more frequent intermingling with automobiles. The more automobiles and ATVs mix the higher the risk to each party, especially when you consider the following;

Many of the ATVs in use today are not equipped with brake lights; taillamps yes, but not brake lights; this includes currently produced machines. When you realize this fact you can certainly see mixing ATVs with motor vehicles in a very different light.

The lack of brake lights complicates a young rider's multitasking skills when coupled with the need to use both hands to handle the ATV and the need to use hand signals. Add this to required braking, (needed) quick decision-making skills and you can have a very confused rider, not to mention an unsafe one.

- You should note that the DNR has concerns about increasing the use of ATVs on roadways with a broad-brush approach. The entire engineering makeup of an all-terrain vehicle is based on the premise of off-road use. Specifically, the ATV tires dictate that the machines be used off the roadway. All-terrain vehicle tires are designed to provide tread slip under some conditions, yet provide grip under others. The majority of problems associated with roadway accidents are a result of losing control due to the physics of tire and roadway incompatibility. The mere change in the road surface can and does cause crashes when not used properly.

Considerations should be given to route speed limits when changes in road surfaces occur. Changing from pavement to mud, gravel, etc. or any combination thereof can create a hazardous riding situation if speeds are excessive. The ATV will handle differently on each surface.

- An additional complication is noted when all-terrain vehicles are operated with one set of wheels on the paved portion of the road and the other set of tires on the non-paved portion of the road. The wheels on the paved portion grip the roadway with stress and rotate slower than the wheels on the non-paved surface. This type of operation coupled with a turn, slight bump or rut can create a physical upset of the machine under certain conditions.

ATVs can be used responsibly on paved roadways when precautions are taken to reduce the crash potential. Anecdotal accounts by reviewing ordinances have noted route speed restrictions from 10-25 mph. Also, when applicable, the ordinances mimic state speed

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restrictions, restricting operation to 10-mph when within 100 feet of pedestrians and when within 150 feet of a home. Although it's required by state statute, route ordinances have generally restated:

- Headlights and tail lights must be turned on at all times
- Youth under 16 are required to have safety certificates
- All persons under 18 operating and/or riding on an ATV must wear a helmet

Of all the areas that can truly create discomfort for an administrator, it will be in the area of public safety and the need to act reasonably. The administrator or town/county official should be mindful to any area involving the safety of the ATVing public.

**Suggestion: Prior to creating a route, consider the amount and type of automobile traffic the road receives; the potential number of ATV riders that will use the route, ATV rider age potential, speeds that can be generated by ATVs, proper speed limits, stop signs/lights, intersections, pedestrian traffic, road surfaces (pavement, ice, mud, gravel).**

## Law Enforcement

The ATV statutes and codes fall specifically within the DNR's jurisdiction, but that doesn't mean as much as you might think when considering who actually enforces these laws. Certainly, conservation wardens enforce ATV laws and in addition so can an officer of the state traffic patrol under s. 110.07 (1), inspector under s. 110.07 (3), county sheriffs/deputies or municipal peace officers. But, the assumption that conservation wardens will be the main law-enforcing officers of these laws (routes) will be a mistake that could cause distress for the administrator later on.

### **DNR Law Enforcement...**

The DNR has 4-position (FTE) equivalents that are dedicated to the ATV program. These equivalents translate into 7,320 hours. The hours are distributed among the entire warden service (209) and are used for a variety of ATV related duties; including law enforcement, safety education, court, maintenance, accident investigation, public relations, and other activities. Unfortunately, this breakdown also translates into roughly nine hours of enforcement work that is available per warden/ year. The "DNR-hours dilemma" is that the agency is not authorized to work time beyond what the legislature has granted and there has been limited success in acquiring new FTE. Results: The DNR must rely heavily on local enforcement efforts.

### **County Law Enforcement...**

The DNR provides grant money to counties for ATV law enforcement purposes. However, the county sheriff's offices are the only law enforcement branch eligible for the

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grants. Of the 72 Wisconsin counties, only 18-20 have traditionally participated in the patrol grant process and only \$70,000 state dollars are available for distribution.

**Local Law Enforcement...**

Local enforcement efforts besides the sheriffs' have generally been limited as well. Part of limited enforcement efforts could be because of grant ineligibility: cities and villages cannot apply. Additionally, when a city or village determines priorities for deploying officers and working criminal activity, ATV riding can receive low rankings and can be even lower on the agency's priority list. The results can sometimes yield high numbers of violations, high complaints and low community tolerance - end result - frustration and trail/route closures.

An additional consideration - Most towns do not employ their own law enforcement officers as do cities and villages. Creating a route in the township, away from the city or village, places additional law enforcement responsibility upon the DNR and/or sheriff patrols. Under current conditions increased coverage is not likely to be available.

To be successful, local law enforcement must support the use of ATVs and the use of a route(s) or at least commit to help keep problems to a minimum. If law enforcement is not available to handle the problems that may occur with associated/increased use, you will suffer the effects of poor planning even if the route is later removed.

**Suggestion: Consider your law enforcement resources carefully prior to creating a route.**

## **Tourism & Community Acceptance**

ATV use within the community has been on the increase, and at times it's been increasing despite the lack of trails and or routes. One of the benefits of having an ATV trail interrupted by a city is that a properly placed route can divert ATV traffic to local businesses as long as the route passes adjacent to the businesses. Restaurants, motels, gas stations and chambers of commerce can see a substantial increase in foot traffic that is delivered via ATV. There are both pros and cons to the diverted ATV use in the business community.

- ATVs use can bring tourism dollars to the business.
- Increased ATV use in the city/village can bring congestion, which in turn will create frustrations for automobile operators and ATVers.
- At times, ATV users may take shorts cuts with automobile right of way laws.
- Increased ATV use among automobile traffic increases apprehensions about risking vehicular collisions, not only for citizens, but law enforcement as well.
- A small number of ATV users will take liberty by "exploring" areas/roads away from the route and will create a negative image for all ATV users.

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Route signing must be clear to everyone. Adjustments may be necessary if ATV users constantly become lost or stray from the route. This should not be a problem with a properly posted route.



The use of posted signs showing *NO ATVs* can prevent problems ahead of time. However, once you begin to use a system of signs, you must stay with it. The Trail Signing Handbook (PUB-CF- 023) will provide the proper guidance for posting legally required signs. Review your routes - the ATVer may be confused if you post the *NO ATV* sign at some intersecting roads and then fail to place them at others. Inconsistency may give the impression that it's okay to ride there.

Look beyond your own community and attempt to determine the effects a route will have on adjoining towns, cities or villages or county, state or federal lands. Will the other town/city/village accept the dead-end traffic to their jurisdiction? Will the route end up connecting to another route or trail? Does the route fulfill the original intentions of the route concept?

**Suggestion: Consider carefully, the totality of the circumstances; law enforcement needs/requirements, community acceptance, tourism benefits and safety (vehicle and ATV) prior to creating a route. Consider the long term results and/or comments (pros and cons) that you might receive, or the comments town officials and law enforcement may receive. Consider ATV traffic that may unintentionally divert from the route to business services that are not directly adjacent to the route.**

## MEETING THE LEGAL REQUIREMENTS FOR ROUTES

### Process

- A. When the route ordinance has been passed/approved by the local jurisdiction, the clerk of jurisdiction **MUST** send a copy of the route/ordinance to:

Department of Natural Resources  
ATTN: ATV Section  
P.O. Box 7921,  
Madison, WI 53707

- B. The clerk of jurisdiction **MUST** also send a copy of the route/ordinance to the law enforcement agency having jurisdiction over the highway(s).

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- C. The unit of government that designated the route SHALL post the proper route signs or ensure that it is done. Sometimes the county, town, city or village, while maintaining supervisory responsibility, designates this task to an ATV club or an ATV association. Ultimately the designating unit of government is responsible for signing the route.

**NOTE: Failure to sign the route, yet allowing ATVs to operate, sets a dangerous stage for litigation to follow any ATV accident that occurs on the unsigned route.**

**Failure to sign a route also creates very difficult enforcement situations.** Law enforcement officers, especially state officers or county officers who may not be as closely connected to the city or village activities, won't always know that a route/ordinance has been adopted. In fact, this is more likely to be the case than not. If this circumstance arises and the officer observes an ATV operating on a roadway (unsigned route), the instinctual response is to determine the lawfulness of the operation. Even though the operator may feel that he/she is legally operating pursuant to the route allowances (which are written on paper only), the person may in fact be violating the law. The governing body that failed to place the signs is also culpable. Keep in mind that if an ATV route/ordinance is passed, the ATVer's will likely be the first to know of it and will attempt to use it immediately.

A citation issued under these circumstance immediately draws negative attention to the governing body that created the route and every official that deals with the charge; including the judge and the officer.

The DNR does not have ordinance review authority over routes or the ordinances governing routes, but suggestions are made when inconsistencies are found .

**A complete set of guidelines for signing trails can be located in the Department of Natural Resources "Trail Signing Handbook" Publication number PUB-CF-023.**

## **GRANTS AND REIMBURSEMENTS - ELIGIBILITY (PAYING FOR SIGNS)**

The cost of the initial set of route signs (to and from a trail and/or from a trail to services and back to a trail) is eligible for grant funds. However, you should know that the DNR distributes available funds using a ranking system. Most of the grant applications (for route signs) do not rank high enough to receive priority during the grant distribution setting process. Therefore, the county, town, city or village is often left with paying for the signs completely. This result often places the unit of government in a difficult position to make a conscious decision "**To sign or Not to sign.**" Taking the later approach is tempting, especially when the all town roads have been opened as a route.



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The DNR discourages towns from managing routes in this manner. The cost for maintaining a route is not a reimbursable expense.

**NOTE: Merely placing one sign at the village, city or town limits and attempting to notify the public that the entire set of roads within the jurisdiction are considered routes, will not be sufficient to comply with the route-signing requirements. Each road designated as a route must be marked in accordance with the route-signing handbook Pub-CF-023 99Rev.**

**The Grant Application process is -**

- ✓ Complete and submit form 8700-159, which includes a brief description of your project and a breakdown of the type of sign, quantity, and price. This must be accompanied by the following documents:
- ✓ An ordinance passed by the municipality at a formal meeting,
- ✓ A map of the municipality identifying the roads being opened, where services are and where signs are being proposed, and
- ✓ A resolution approving the municipality's participation in the program (a sample is on the back of 8700-159).

**Applications must be received by April 15 of each year. Funding is based upon priorities.**

**NOTE: Before completing your ordinance or application, it is recommended that you talk to your Community Services Specialist and/or local warden about the project.**

## SUGGESTED ATV ROUTE/ORDINANCE FORMAT

### All-Terrain Vehicle Route

### Village of Dunn, Dane County



#### AN ORDINANCE DESIGNATING ALL-TERRAIN VEHICLE ROUTES AND REGULATING THE OPERATION OF ALL TERRAIN VEHICLES

### Section I - Intent

The Village of Dunn, Dane County adopts the following all-terrain vehicle route for the operation of all-terrain vehicles upon the roadways listed in Section III.

Following due consideration of the recreational value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, this route(s) has been created.

### Section II - Statutory Authority

This route is created pursuant to village authority under section 1.1.01 as authorized by 23.33 (8) (b), Wis. Stats.

The applicable provisions of 23.33 regulating ATV operation pursuant to routes are adopted.

### Section III - Routes

The following roads are designated as routes

- A. Clancy Road, beginning at Road 1 and ending at Town Line Road.
- B. Johnsonville Lane in its entirety.
- C. Said routes are further described and identified by the attached map.

### Section IV - Conditions

As a condition for the use of this route, the following conditions shall apply to all operators (and passengers);

- A. All ATV operators shall observe posted roadway speed limits.
- B. All ATV operators shall ride single file.
- C. All ATV operators shall slow the vehicle to 10-mph or less when operating within 150 feet of a dwelling.
- D. Routes must be signed in accordance with NR 64.12, and NR 64.12(7)c.

## **Section V - Enforcement**

This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the state of Wisconsin.

## **Section VI - Penalties**

Wisconsin state All-Terrain Vehicle penalties as found in s. 23.33 (13) (a) Wis. Stats., are adopted by reference.

## **Section VII - Severability**

The provision of this ordinance shall be deemed severable and it is expressly declared that the County/Town/City/Village would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons circumstances shall not be deemed affected.

## **Section VIII - Effective Date**

This ordinance becomes effective upon passage and publication.

Passed this 10<sup>th</sup> Day of January 2010

Dunn Village Clerk

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**All-Terrain Vehicle \_\_\_\_\_**

\_\_\_\_\_ of \_\_\_\_\_

AN ORDINANCE DESIGNATING \_\_\_\_\_

**Section I - Intent**

The \_\_\_\_\_ of \_\_\_\_\_  
adopts the following all-terrain vehicle ordinance/route for the operation of all-terrain vehicles upon the roadways listed in Section III.

Following due consideration of the recreational value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, this ordinance has been created.

**Section II - Statutory Authority**

This route is created pursuant to \_\_\_\_\_  
authority under \_\_\_\_\_ as authorized by 23.33 (8) (b), Wis.  
Stats.

*Optional - the provisions of 23.33 are adopted.*

**Section III - Routes**

The following roads are designates as routes;

- A. \_\_\_\_\_  
\_\_\_\_\_
- B. \_\_\_\_\_  
\_\_\_\_\_
- C. Said routes are further described and identified by the attached map.

**Section IV - Conditions**

As a condition for the use of this route, the following conditions shall apply to all operators (and passengers where applicable);

- A. \_\_\_\_\_
- B. \_\_\_\_\_
- C. Routes must be signed in accordance with NR 64.12, and NR 64.12(7)c.

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**Section V - Enforcement**

This ordinance shall be enforced by any law enforcement officer of the \_\_\_\_\_,  
County, Wisconsin.

**Section VI - Penalties**

Wisconsin state All-Terrain Vehicle penalties as found in s. 23.33 (13) (a) Wis. Stats., are adopted by reference.

**Section VII - Severability**

The provision of this ordinance shall be deemed severable and it is expressly declared that the \_\_\_\_\_ would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons circumstances shall not be deemed affected.

**Section VIII - Effective Date**

This ordinance becomes effective upon passage and publication.

Passed this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_, Clerk

\_\_\_\_\_

Appendix B  
**ATV ROUTES**

**A Reference of Statutes and Codes**

**23.33(1)(c)** "All-terrain vehicle **ROUTE**" means a highway or sidewalk designated for use by all-terrain vehicle operators by the governmental agency having jurisdiction as authorized under this section.

**23.33 (4) Operation on or near highways.**

(d) Operation on roadway. A person may operate an all-terrain vehicle on the roadway portion of any highway only in the following situations:

4. On roadways which are designated as all-terrain vehicle **ROUTES**. Operation of all-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.

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

**23.33 (8) ROUTES and trails.**

(a) Department authority. The department shall encourage and supervise a system of all-terrain vehicle **ROUTES** and trails. The department may establish standards and procedures for certifying the designation of all-terrain vehicle **ROUTES** and trails.

(b) **ROUTES**. A town, village, city or county may designate highways as all-terrain vehicle **ROUTES**. No state trunk highway or connecting highway may be designated as an

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all-terrain vehicle **ROUTE** unless the department of transportation approves the designation.

- (d) **Restrictions.** The designating authority may specify effective periods for the use of all-terrain vehicle **ROUTES** and trails and may restrict or prohibit the operation of an all-terrain vehicle during certain periods of the year.
- (e) **Signs.** The department, in cooperation with the department of transportation, shall establish uniform all-terrain vehicle **ROUTE** and trail signs and standards.
- (f) **Interference with signs and standards prohibited.**
  - 1. No person may intentionally remove, damage, deface, move or obstruct any uniform all-terrain vehicle **ROUTE** or trail sign or standard or intentionally interfere with the effective operation of any uniform all-terrain vehicle **ROUTE** or trail sign or standards if the sign or standard is legally placed by the state, any municipality or any authorized individual.
  - 2. No person may possess any uniform all-terrain vehicle **ROUTE** or trail sign or standard of the type established by the department for the warning, instruction or information of the public, unless he or she obtained the uniform all-terrain vehicle **ROUTE** or trail sign or standard in a lawful manner. Possession of a uniform all-terrain vehicle **ROUTE** or trail sign or standard creates a rebuttable presumption of illegal possession.

**23.33 (9) Administration; enforcement; aids.**

- (b) **All-terrain vehicle projects.** Any of the following all-terrain vehicle projects are eligible for funding as a state all-terrain vehicle project from the appropriation account under s. 20.370 (1) (ms) or for aid as a nonstate all-

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terrain vehicle project from the appropriation accounts under s. 20.370 (5) (ct) and (cu):

3. Development of all-terrain vehicle **ROUTES** or all-terrain vehicle trails.
4. Development or maintenance of a snowmobile **ROUTE** or trail or an off-the-road motorcycle trail or facility if the **ROUTE**, trail or facility is open for use by all-terrain vehicles.
5. Maintenance of all-terrain vehicle **ROUTE** or all-terrain vehicle trails.

**23.33 (11) Local ordinances.**

- (a) Counties, towns, cities and villages may enact ordinances regulating all-terrain vehicles on all-terrain vehicle trails maintained by or on all-terrain vehicle **ROUTES** designated by the county, city, town or village.
- (am) Any county, town, city or village may enact an ordinance which 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.
- (b) If a county, town, city or village adopts an ordinance regulating all-terrain vehicles, its clerk shall immediately send a copy of the ordinance to the department and to the office of any law enforcement agency of the municipality or county having jurisdiction over any highway designated as an all-terrain vehicle **ROUTE**.

**23.33 (13) Penalties.**

- (f). Restoration or replacement of signs and standards. In addition to any other penalty, the court may order the defendant to restore or replace any uniform all-terrain vehicle **ROUTE** or trail sign or standard that the



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defendant removed, damaged, defaced, moved or obstructed.

**ANNOT.** County forest roads open to vehicular traffic are highways that can be designated as **ROUTES** under sub. (8) (b). 77 Atty. Gen. 52.

## RULES AND REGULATIONS

### NR 64.12 ROUTES.

- (2) “All-terrain vehicle **ROUTE**” means a highway or sidewalk designated for use by all-terrain vehicle operators by the governmental agency having jurisdiction.

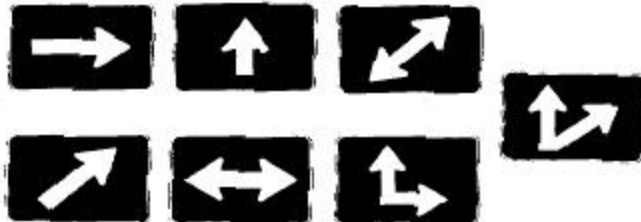
### NR 64.12 ROUTES.

- (1) An all-terrain vehicle **ROUTE** may be established by a town, city, village or county by adopting an ordinance designating a highway as an all-terrain vehicle **ROUTE** and signing the highway in accord with s. 23.33 (8), Stats., and rules of the department.
- (2) A town, city, village or county may adopt an ordinance designating a state trunk highway or connecting highway as an all-terrain vehicle **ROUTE** if the department of transportation approves the designation.
- (3) A town, city, village or county may adopt an ordinance designating a sidewalk of a state trunk highway bridge as an all-terrain vehicle **ROUTE** with the approval of the department of transportation.
- (4) A town, city, village or county may designate a **ROUTE** as an all-terrain vehicle **ROUTE** during certain periods of the year and prohibit the operation of all-terrain vehicles on that **ROUTE** during other periods of the year.
- (5) All-terrain vehicle operation is not permitted on state trunk highways or connecting highways except as provided for under s. 23.33 (4), Stats., or sub. (2) or (3).
- (6) No person may operate an all-terrain vehicle on a restricted all-terrain vehicle **ROUTE** during any period of the year when the operation of all-terrain vehicles is prohibited.

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- (7) Signs for all-terrain vehicle **ROUTES** on highways and sidewalks designated for use by the governmental unit having jurisdiction as authorized under s. 23.33 (8), Stats., shall meet the following requirements:
- (a) The all-terrain vehicle **ROUTE** sign shall have a reflectorized white symbol, border and message on a reflectorized green background. The standard and minimum size of this sign shall be 24"X18". The sign, including the stylized all-terrain vehicle symbol and the word message "ATV **ROUTE**", shall conform to the standard design on file in the department of transportation.
  - (b) The directional arrow marker (M7 series) shall have a reflectorized white arrow and border on a reflectorized green background. The standard and minimum size of a directional arrow shall be 12"X9".
  - (c) An all-terrain vehicle **ROUTE** sign with directional arrow, where appropriate, shall be placed at the beginning of an all-terrain vehicle **ROUTE** and at such locations and intervals as necessary to enable all-terrain vehicle operators to follow the **ROUTE**.

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ALL TERRAIN VEHICLE **ROUTE** SIGN AND ARROWS  
(M-7 SERIES)  
GREEN REFLECTORIZED BACKGROUND WITH WHITE  
REFLECTORIZED LETTERS, SYMBOLS, AND BORDER

- (d) All-terrain vehicle **ROUTE** signing shall be done by or under the direction of and is the responsibility of the unit of government which designates the all-terrain vehicle **ROUTE**.

**NR 64.14 All-terrain vehicle trail aid.**

- (1) **DISTRIBUTION.** The department shall distribute all-terrain vehicle project aids on the basis of a priority system according to the following priority ranked purposes;
  - (a) Maintenance of existing approved all-terrain vehicle areas and trails, including **ROUTES**;
  - (e) Acquisition of land in fee and development of new all-terrain vehicle areas and trails, including **ROUTES**.

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(2m) **MAINTENANCE OF ROUTES.** The department may provide state aid up to 100% of the cost of the purchase of all-terrain vehicle **ROUTE** signs and arrows, trail crossing warning signs, and signs briefly explaining the intoxicated all-terrain vehicle operator law. All-terrain vehicle **ROUTES**, whether a part of an approved all-terrain vehicle trail or not, are not eligible for per mile maintenance payments under sub. (2).

(6) **Development**

(d) The department shall distribute aids for all-terrain vehicle areas and trail development projects, including **ROUTES**, considering the following criteria:

1. All-terrain vehicle **ROUTES**, areas and trails in counties where **ROUTES**, areas, and trails are in short supply in comparison to demand.
2. All-terrain vehicle **ROUTES** and trails that provide connecting loops or origin-destination segments over dead end segments.
3. All-terrain vehicle **ROUTES** or trails that provide connections from one jurisdiction to another.
4. All-terrain vehicle **ROUTES** and trails that have potential for year round use.
5. All-terrain vehicle **ROUTES**, areas and trails to be developed on publicly owned land or land under easements or other agreements for 3 years or greater.

## **MISCELLANEOUS STATUTES and references**

**84.02(1) Designation.** The system of highways known as the trunk highway system heretofore selected and laid out by the legislature and by the highway commission and by special legislative state trunk highway committees and approved by said highway commission and as revised, altered and changed by and under authority vested by law in the highway commission, is hereby validated and confirmed and designated the state trunk highway system but without prejudice to the exercise of the power given to change such system, and all acts by which parts of said system were heretofore adopted or declared to be trunk highways are confirmed and validated. Section 80.32 (2) does not apply to the state trunk highway system.

**84.02(11) Connecting highways.** The state trunk highway system shall not include the marked routes thereof over the streets or highways in municipalities which the department has designated as being connecting highways. Those municipal streets or highways so excluded as state trunk highways but marked as such and designated as connecting highways are further described and the aids determined therefor under s. 86.32.

### **84.29 National system of interstate highways.**

**86.32(1)** The department may designate, or rescind the designation of, certain marked routes of the state trunk highway system over the streets or highways in any municipality for which the municipality will be responsible for maintenance and traffic control and the maintenance and operation of any swing or lift bridge. Such maintenance, operation and traffic control of the connecting highways and swing and lift bridges shall be subject to review and approval by the department. Those marked routes of the state trunk highway system designated as connecting streets prior to July 1, 1977, shall become the connecting highways in municipalities which are eligible for aids payments under this section. The character of travel service provided by a route, uniformity of maintenance, the effect on the maintaining agency, and the municipality's maintenance capability will be considerations by the secretary, in cooperation with the municipalities and counties in making changes in the connecting highways of the state trunk highway system in municipalities. The decision of the secretary to designate or rescind a designation may be appealed to the division of hearings and appeals, which may affirm, reverse or modify the secretary's decision.

**340.01 (22)** "Highway" means all public ways and thoroughfares and bridges on the same. It includes the entire width between the boundary lines of every way open to the use of the public as a matter of right for the purposes of vehicular travel. It includes those roads or driveways in the state, county or municipal parks and in state forests which have been opened to the use of the public for the purpose of vehicular travel and roads or driveways upon the grounds of public schools, as defined in s. 115.01 (1), and institutions under the jurisdiction of the county board of supervisors, but does not include private roads or driveways as defined in sub. (46).

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**340.01 (60)** "State trunk highway" means any highway designated pursuant to s. 84.02 or 84.29 as part of the state trunk highway system, exclusive of connecting highways.

To view the state truck highway system, see "Official State Trunk Highway System Maps," Wisconsin Dept of Transportation, Division of Transportation Infrastructure Development

### **State Trunk Highways**

*"The Department of Transportation's (DOT) state trunk highway program is responsible for the construction, improvement and maintenance of the state's 11,752 mile trunk highway system."*

*"The responsibility for roads and highways is divided between local governments and the state. The state generally has jurisdiction over arterial roads, which function as corridors for interstate and interregional travel. This network is called the state trunk highway system. Generally, counties are responsible for collector roads, which serve short distance, intraregional traffic or provide connections between arterial roads and local roads. Municipalities are responsible for local roads, such as residential streets and town roads, which provide property access and short distance, local mobility services. Jurisdiction does not always follow this functional classification. For instance, a county road can begin to function as an arterial highway if traffic patterns change. However, current DOT policy is to align jurisdictional responsibilities with functional classifications whenever possible."*

*"Although state highways comprise only 10.5% of total road mileage, they carry 59.7% of the total traffic volume. Of the 11,752 miles of state highway in the system, about 87% are rural, 8% are urban and 5% are considered connecting highways."*

### **Connecting Highways**

*"Connecting highways are state trunk highways that lie within the corporate limits of larger municipalities."*

"State Trunk highway and Connecting Highways" - Source - John Dyck Wisconsin Legislative Fiscal Bureau, Madison, WI, 2001

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**Appendix C**