Managing ATV Access on Wisconsin’s State Highways

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WTTC

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TOPICS FOR TODAY

- Safety considerations for ATVs and highways
- System considerations, Barriers, Risk assessment
- WisDOT accommodation policy for ATV routes on roadway, Trails in ROW
ATV Interaction with Public Roadways

- **Urban Legend #1**... ATV/UTVs have same statutory allowances to ride on public roads or in the right-of-way next to public roads as do snowmobilers. No... Only legal if there is marked ATV **trail or route**.

- **Urban Legend #2**... There is an automatic allowance for riding on a roadway between your residence and nearest trail or route. No... Only legal if it is marked as an ATV **route**.
Economic Development & Tourism

Historical ATV use
- Rails-to-Trails facilities
- Agriculture use
- Back country access for hunting, etc.

The focus has shifted
- Tourism
- Rentals, guided outings
- Travel

- Web Search shows where
The interest is...
Community Connections

• Historic woodland and Ag use shifting to Recreational touring
• ATV use is now echoing the longstanding tradition of snowmobile trails.
• Potentially in any highway r/w, except freeways.
• Direct community connections-Touring, shopping, etc..
Transportation Professionals and ATV’s

• Why should we care?

➢ Safety

➢ Mobility/Roadway Operations
Nationwide, over 14,000 fatalities in ATV crashes since federal safety officials began keeping track in the early 1980s.

- *Over half of the deaths occurred on public and private roads.*
- *3,200 of these were children under 15*

In 2016, there were 22 fatal ATV crashes in Wisconsin.

- 14 of those fatal crashes occurred *on roadways*.
- 8 of those were on *marked routes*.
- 11 of the 14 on roadway fatalities were alcohol related
- 12 of the 14 fatalities were not wearing helmets

2017, there were 27 fatalities resulting from ATV crashes in Wisconsin

- 18 of these on roadways of which 12 were ATV routes.
- Ages ranging from 4 to 90 years
Safety

OPERATOR WAS WISCONSIN ATV/UTV SAFETY CERTIFIED

- No: 26 (100%)
- Yes: 0 (0%)

Presence of Helmet During Accident

- No: 96%
- Yes: 1 (4%)
System Considerations
System Considerations

Functionality of roadway

- Arterial or Collector, Access Controls, Signals or RABs, OSOW Route?
## System Considerations

### Road Type average crash rates

<table>
<thead>
<tr>
<th>Road Type</th>
<th>Average Crash Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>6-lane Freeways with AADT ≤ 90,300 vpd</td>
<td>64.93</td>
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<tr>
<td>6-lane Freeways with AADT &gt; 90,300 vpd</td>
<td>112.70</td>
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<tr>
<td>4-lane Freeways</td>
<td>49.35</td>
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<tr>
<td>65 mph Expressways*</td>
<td>49.28</td>
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<tr>
<td>55 mph Expressways*</td>
<td>77.70</td>
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<tr>
<td>Multilane Divided Highways Posted at 45 mph or higher</td>
<td>200.94</td>
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<tr>
<td>Multilane Divided Highways Posted at 40 mph or lower</td>
<td>418.44</td>
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<tr>
<td>Multilane Undivided and One-Way Highways</td>
<td>451.53</td>
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<tr>
<td>Rural 2-lane Highways with AADT ≤ 2,000</td>
<td>105.77</td>
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<tr>
<td>Rural 2-lane Highways with 2,000 &lt; AADT &lt; 7,000</td>
<td>80.94</td>
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<tr>
<td>Rural 2-lane Highways with AADT ≥ 7,000</td>
<td>98.93</td>
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<tr>
<td>2-Lane Highways Posted at 40 mph or lower</td>
<td>302.37</td>
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</tbody>
</table>
WISDOT & ATV Routes

ATV Trails
DEFINITIONS OF THE DAY

Highway = The right-of-way within and upon which a public roadway and its appurtenances are located.

Roadway = The portion of highway used for vehicular travel, i.e. ‘shoulder to shoulder’ or ‘back of curb to back of curb’.
DEFINITIONS OF THE DAY

**Trail** = Permitted and marked within the highway right-of-way, but built off the roadway.

**Route** = Permitted and marked to operate within the highway right-of-way on the roadway.
ATV Crossing a State Trunk Highway

- Legal... as a rule, if done in the most direct manner practicable, and at a place where no obstruction prevents a safe and quick crossing. Law enforcement will be the judge if you meet these criteria if they see you crossing.

The Crossing must be at a legal connection, such as a permitted driveway, public road that is a route, or permitted Trail.
ATV and UTV Operation on State Highways
ATV and UTV Operation on State Highways

Freeway-SHALL NOT
Expressway-SHOULD NOT

Other State Highways, Connecting Highways-We shall see
• ATV and UTV Operation on State Highways (and other roadways)

It is legal when:

- The ‘public’ roadway is **not** being maintained for public traffic. Regardless of condition, if receiving General Transportation Aids (GTA), the road is being ‘maintained’.
- ATV is being used as an ‘implement of husbandry’ as defined in WI statutes.
- Operator holds a Class A or B permit under Wis. Stat. 29.193(2) and is traveling for hunting.
- The roadway is designated as an ATV **route** or **trail**.
ATV and UTV Operation on State Highways

Condition 1 - ATV **route** or **trail** designation on state highways
Wis. Stat. s. 23.33(8)(b)
ATV and UTV Operation on State Highways

[Map showing designated routes for ATV and UTV operation on state highways]
ATV and UTV Operation on State Highways
ATV and UTV Operation on State Highways

Condition 2 - ATV operation on state highways with speed limits of 35 mph or less within municipal boundaries
Wis. Stat. s. 23.33(11)(am)4
ATV and UTV Operation on State Highways
ATV and UTV Operation on State Highways

Condition 3- ATV route designation over state highway bridges 1,000' in length or less
Wis. Stat. s. 23.33(4)(d)3.b. and 11(am)3
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## Summary

<table>
<thead>
<tr>
<th>Condition</th>
<th>Muni or County Ord</th>
<th>Both Muni and County Ord</th>
<th>WisDOT approval</th>
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</thead>
<tbody>
<tr>
<td>Condition 1 - ATV route designation on state highways</td>
<td>Yes</td>
<td></td>
<td>Yes</td>
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<tr>
<td>Condition 2 - ATV operation on state highways with SL 35 or less, in Muni</td>
<td>Yes</td>
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<tr>
<td>Condition 3 - ATV route designation over state highway bridges 1,000' in length or less</td>
<td></td>
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<td>Yes</td>
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Questions?

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