



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-4801/1
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2017 ASSEMBLY BILL 874

January 25, 2018 - Introduced by Representatives HORLACHER, JACQUE, ANDERSON, BERCEAU, KREMER, ROHRKASTE, SUBECK, C. TAYLOR, THIESFELDT and TITTL. Referred to Committee on Criminal Justice and Public Safety.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT** *to amend* 350.101 (1) (c) and 350.11 (3) (a) 4.; and *to create* 350.01 (9j)
2 of the statutes; **relating to:** the intoxicated operation of snowmobiles.

Analysis by the Legislative Reference Bureau

This bill establishes an absolute sobriety requirement for the purpose of operating a snowmobile for any person under the age of 21. Under current law, no one may operate an all-terrain vehicle, utility terrain vehicle, off-highway motorcycle, boat, or snowmobile (recreational vehicle) with a prohibited alcohol concentration. Under most circumstances, a prohibited alcohol concentration is 0.08. For a person who has not attained the age of 21, current law requires absolute sobriety for the purpose of operating any recreational vehicle except for snowmobiles. For the purpose of operating a snowmobile, absolute sobriety is required for a person who has not attained the age of 19. This bill increases this age so that the absolute sobriety requirement applies to a person under the age of 21 operating any recreational vehicle.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 350.01 (9j) of the statutes is created to read:
4 350.01 (9j) "Legal drinking age" means 21 years of age.
5 **SECTION 2.** 350.101 (1) (c) of the statutes is amended to read:

ASSEMBLY BILL 874**SECTION 2**

1 350.101 (1) (c) *Operating with alcohol concentrations at specified levels; below*
2 *legal drinking age 19.* If a A person who has not attained the legal drinking age of
3 19, the person may not engage in the operation of a snowmobile while he or she has
4 an alcohol concentration of more than 0.0 but ~~not more~~ less than 0.08.

5 **SECTION 3.** 350.11 (3) (a) 4. of the statutes is amended to read:

6 350.11 (3) (a) 4. A person who violates s. 350.101 (1) (c) or who violates s.
7 350.104 (5) and who has not attained the legal drinking age of 19 shall forfeit not
8 more than \$50.

9 (END)