

2007 SENATE BILL 454

February 5, 2008 – Introduced by Senators BRESKE, JAUCH, COWLES, SULLIVAN and ROESSLER, cosponsored by Representatives BOYLE, MASON, TURNER, HUBLER, MURSAU, SHERIDAN, SOLETSKI and A. OTT. Referred to Committee on Transportation and Tourism.

1 **AN ACT to amend** 30.715 (title) and 346.02 (11); and **to create** 30.715 (1) (am),
2 346.94 (6) and 346.95 (4m) of the statutes; **relating to:** the transportation of
3 invasive species on highways and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, no person may place a boat, boat trailer, or boating equipment if the person has reason to believe that an aquatic plant is attached. A similar provision prohibits a person from placing one of these items in the Lower Saint Croix River if the person has reason to believe that zebra mussels are attached.

Under this bill, no person may operate a vehicle or a trailer on a highway if the person has reason to believe that there are any terrestrial or aquatic invasive species attached to the vehicle or trailer.

Also, no person may transport any invasive species in or on a vehicle or trailer on a highway. The bill creates several exceptions to this prohibition. These exceptions include invasive species being transported in a cage, aquarium, or other container or invasive species being transported with the approval of the Department of Natural Resources, the Department of Agriculture, Trade and Consumer Protection, or the University of Wisconsin–Extension. The bill also authorizes traffic officers to require operators of vehicles or trailers to remove and dispose of invasive species or to prohibit a vehicle operator from proceeding until the removal and disposal of the invasive species has been completed.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 30.715 (title) of the statutes is amended to read:

2 **30.715 (title) Placement of seaplanes, boats, trailers, and equipment in**
3 **navigable waters.**

4 **SECTION 2.** 30.715 (1) (am) of the statutes is created to read:

5 **30.715 (1) (am)** “Invasive species” has the meaning given in s. 23.22 (1) (c).

6 **SECTION 3.** 346.02 (11) of the statutes is amended to read:

7 **346.02 (11) APPLICABILITY TO ALL-TERRAIN VEHICLES.** The operator of an
8 all-terrain vehicle on a roadway is subject to ss. 346.04, 346.06, 346.11, 346.14 (1),
9 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39,
10 346.40, 346.44, 346.46, 346.47, 346.48, 346.50 (1) (b), 346.51, 346.52, 346.53, 346.54,
11 346.55, 346.71, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92 (1) and 346.94 (1), (6),
12 and (9) but is not subject to any other provision of this chapter.

13 **SECTION 4.** 346.94 (6) of the statutes is created to read:

14 **346.94 (6) OPERATION OF VEHICLES; INVASIVE SPECIES.** (a) In this subsection,
15 “invasive species” has the meaning given in s. 23.22 (1) (c).

16 (b) No person may operate a vehicle on a highway if the person has reason to
17 believe that vehicle has any invasive species attached to any exterior part of the
18 vehicle, including the vehicle’s tires.

19 (c) No person may transport any invasive species in or on a vehicle upon a
20 highway unless any of the following applies:

