

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
DOA-2049 (R09/2016)

DIVISION OF EXECUTIVE BUDGET AND FINANCE
101 EAST WILSON STREET, 10TH FLOOR
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MADISON, WI 53707-7864
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ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis ☒ Original ☐ Updated ☐ Corrected	2. Date 08/21/2026
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) Ch. NR 64, Wis. Adm Code: All-Terrain Vehicles and Utility Terrain Vehicles	
4. Subject LE-06-26, relating to all-terrain vehicles and utility terrain vehicles	
5. Fund Sources Affected ☐ GPR ☐ FED ☐ PRO ☐ PRS ☒ SEG ☐ SEG-S	6. Chapter 20, Stats. Appropriations Affected ss. 20.370 (3) (as), (at), and (mu), Wis. Stats.
7. Fiscal Effect of Implementing the Rule ☐ No Fiscal Effect ☐ Increase Existing Revenues ☐ Increase Costs ☐ Decrease Costs ☒ Indeterminate ☐ Decrease Existing Revenues ☐ Could Absorb Within Agency's Budget	
8. The Rule Will Impact the Following (Check All That Apply) ☐ State's Economy ☒ Specific Businesses/Sectors ☐ Local Government Units ☐ Public Utility Rate Payers ☐ Small Businesses (if checked, complete Attachment A)	
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0	
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? ☐ Yes ☒ No	
11. Policy Problem Addressed by the Rule One of the Department of Natural Resources' educational and enforcement efforts related to encouraging safer operation of recreational vehicles is the "Think Smart Before You Start" safety campaign which increases law enforcement patrols on all-terrain vehicle and utility terrain vehicle trails to target behaviors -- such as speeding, careless operation, and operating while intoxicated -- as part of an initiative to reduce injuries and fatalities. In this proposed rule, the department seeks to address use of intoxicants while operating an all-terrain vehicle or utility terrain vehicle which is a significant contributing factor to accidents. The department gathered all-terrain vehicle and utility terrain vehicle accident data, including both reported injuries and fatalities, for the years 2021 through 2025. During that timeframe: 43% of fatal all-terrain vehicle and utility terrain vehicle crashes in Wisconsin involved alcohol. - There were 1,443 total reported injuries and 176 total fatalities, representing all ages of operators and passengers. 339 reported injuries, which is 23% of the total reported injuries, and 176 fatalities, which is 13% of total fatalities, were individuals under 18 years old. As of August 2026, Wisconsin is one of the highest states for 2026 in fatal crashes involving all-terrain vehicles and utility terrain vehicles. Under a permanent rule that the department promulgated effective June 1, 2026, the allowed maximum window tint percentages for visible light striking the windows of a utility terrain vehicle are as follows: 50% for the windshield, front side windows and vent; and 35% for the rear window and rear side window. Based on input received after the department promulgated that rule, the proposed rule creates two exceptions to the maximum allowed visible light percentages in s. NR 64.07 (8) (bm), Wis. Adm. Code: utility terrain vehicles manufactured prior to March 1, 2027; and a medical exemption certified by a physician or Christian Science practitioner treating the owner, or immediate family member of an owner, of a utility terrain vehicle which justifies their recommendation to allow passage of at least 35% of the visible light. Additionally, the proposed rule allows the use of turning or stop signals given by hand and arm, in lieu of or in addition to signals by signal lamp. As an increasing number of all-terrain vehicles and utility terrain vehicles share the road with motor vehicles, incorporating existing state law for signaling turns into administrative code gives conservation wardens authority to cite for signal violations statewide rather than only on state lands.	

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12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments.

A notice for solicitation of comments on this analysis will be posted on the department's website for review by businesses, sectors, governmental units, and individuals in order to gain input on the rule's anticipated economic effects. The department communicated with all-terrain vehicle and utility terrain vehicle manufacturers regarding the window tint exemption in the proposed rule. The proposed rule does not create new requirements which would create new costs for manufacturers.

13. Identify the Local Governmental Units that Participated in the Development of this EIA.

A notice for solicitation of comments on this analysis will be posted on the department's website for review by local governmental units. However, no local governmental units are expected to be impacted by this rule.

14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

The fiscal impact of this rule is expected to be minimal – less than \$50,000 – and any economic impacts generated by all-terrain vehicle and utility vehicle operators are generally beneficial to the state. The Wisconsin Department of Natural Resource's conservation wardens enforce the state's recreation safety laws and would enforce the provisions proposed in this rule related to open intoxicants, window tint, and signaling turns as part of their duties.

This rule imposes no compliance or reporting requirements for small business, nor are any design or operational standards contained in the rule.

15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

In this proposed rule, the department seeks to improve safety; reduce loss of health; and reduce risk of accidents and fatalities by addressing use of intoxicants which is a significant contributing factor to injuries and fatalities resulting from all-terrain vehicle and utility terrain vehicle accidents.

As of August 2026, Wisconsin is one of the highest states for 2026 in fatal crashes involving all-terrain vehicles and utility terrain vehicles. The department gathered all-terrain vehicle and utility terrain vehicle accident data, including both reported injuries and fatalities, for the years 2021 through 2025. During that timeframe:

- 43% of fatal all-terrain vehicle and utility terrain vehicle crashes in Wisconsin involved alcohol.
- There were 1,443 total reported injuries and 176 total fatalities, representing all ages of operators and passengers.
- 339 reported injuries, which is 23% of the total reported injuries, and 176 fatalities, which is 13% of total fatalities, were individuals under 18 years old.

By proposing the provisions in this rule regarding medical exemptions for window tint and methods for signaling turns, the department seeks to align administrative code with state statute in order to facilitate enforceability of current law.

16. Long Range Implications of Implementing the Rule

The department does not anticipate any adverse long-term fiscal or economic implications to implementing this rule. All-terrain vehicle and utility terrain vehicle owners, operators, and passengers contributed approximately \$4.2 billion to Wisconsin's economy in 2023. Given the increasing popularity of these vehicles, implementing the rule is anticipated to improve safety and reduce injuries and fatalities which ultimately translates to people being able to significantly contribute to the state's economy in the long run.

17. Compare With Approaches Being Used by Federal Government

No federal regulations apply. None of the rule proposals violate or conflict with the Federal Code of Regulations.

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Surrounding states differ in their approach to allowing medical exemptions for window tinting. Iowa no longer grants medical exemptions for window tint on vehicles, including utility terrain vehicles, but allows UV-blocking films that do not reduce visible light transmission below the legal percentage. Illinois, Michigan and Minnesota allow window tint in excess of percentages prescribed in statute if a physician certifies that a utility terrain vehicle operation has a qualifying medical condition.

This proposed rule seeks to adopt standards substantially similar to the existing open container laws in Iowa, Michigan, and Minnesota. In Iowa, a driver or passenger shall not possess an open or unsealed bottle, can, jar, or other receptacle containing an alcohol beverage in any area readily accessible to the driver or passengers when the all-terrain vehicle is operated on a public road. In Michigan, it is unlawful to possess or transport open containers of alcohol beverages in or upon an off-road vehicle unless the container is encased or enclosed or kept in a compartment separate from the passenger compartment of the vehicle. In Minnesota, it is unlawful for a person to possess an open alcohol beverage when operating an off-highway vehicle on a roadway, within the roadway right-of-way, or on designated trails; a bottle or receptacle that is in an area of the vehicle not occupied by the driver or passengers is excepted from this prohibition.

Similar to the approach proposed in this rule, Illinois, Iowa, Michigan, and Minnesota generally apply laws specific to motor vehicles to all-terrain vehicles and utility terrain vehicles for the use of hand and arm signals to indicate stopping or turning.

19. Contact Name
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