

CHAPTER 452—S.F.No. 1065

An act relating to transportation; regulating recreational vehicles; regulating all-terrain vehicles; regulating routes to the trunk highway system; prescribing fees; providing penalties; appropriating money; amending Minnesota Statutes 1984, sections 84.92; 84.922, subdivisions 1, 3, 5, 6, 7, 8, and by adding subdivisions; 84.925; 84.927; 84.928; 85.018; 100.273, subdivision 9; 161.117; 168.012, subdivision 3a; 169.045; 169.825, subdivision 8; and 296.16, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 84.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1984, section 84.92, is amended to read:

84.92 **DEFINITIONS.**

Subdivision 1. **SCOPE.** The definitions in this section apply to sections 84.92 to 84.929 and Laws 1984, chapter 647, sections 1 to section 9.

Subd. 1a. **AGRICULTURAL ZONE.** "Agricultural zone" means the areas in Minnesota lying south and west of a line starting at the Minnesota-North Dakota border and formed by rights-of-way of trunk highway no. 10, thence easterly along trunk highway no. 10 to trunk highway no. 23, thence easterly along trunk highway no. 23 to trunk highway no. 95, thence easterly along trunk highway no. 95 to its termination at the Minnesota-Wisconsin border.

Subd. 2. **COMMISSIONER.** "Commissioner" means the commissioner of natural resources.

Subd. 3. **DEALER.** "Dealer" means a person engaged in the business of selling ~~three-wheel off-road~~ all-terrain vehicles at wholesale or retail.

Subd. 4. **MANUFACTURER.** "Manufacturer" means a person engaged in the business of manufacturing ~~three-wheel off-road~~ all-terrain vehicles.

Subd. 5. **OWNER.** "Owner" means a person, other than a person with a security interest, having a property interest in or title to a ~~three-wheel off-road~~ an all-terrain vehicle and entitled to the use and possession of the vehicle.

Subd. 6. **PERSON.** "Person" means an individual or an organization as defined in section 336.1-201, paragraph (30).

Subd. 7. **REGISTER.** "Register" means the act of assigning a registration number to a ~~three-wheel off-road~~ an all-terrain vehicle.

Subd. 8. **ALL-TERRAIN VEHICLE.** "~~Three-wheel off-road~~ All-terrain vehicle" or "vehicle" means a motorized flotation-tired vehicle of not less than three low pressure tires, but not more than six tires, that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 600 pounds.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 2. Minnesota Statutes 1984, section 84.922, subdivision 1, is amended to read:

Subdivision 1. **GENERAL REQUIREMENTS.** Unless exempted in subdivision 8, after January 1, 1985, a person may not operate a ~~three-wheel off-road~~ an all-terrain vehicle within the state unless the vehicle has been registered. After January 1, 1985, a person may not sell a vehicle without furnishing the buyer a bill of sale on a form prescribed by the commissioner.

Sec. 3. Minnesota Statutes 1984, section 84.922, subdivision 3, is amended to read:

Subd. 3. **REGISTRATION CARD.** The commissioner shall provide to the registrant a registration card that includes the registration number, the date of registration, the make and serial number of the vehicle, the owner's name and address, and additional information the commissioner may require. Information concerning each registration shall be retained by the commissioner. Upon a satisfactory showing that the registration card has been lost or destroyed the commissioner shall issue a replacement registration card upon payment of a fee of \$4. The fees collected from replacement registration cards shall be deposited in the ~~three-wheel off-road~~ all-terrain vehicle account.

Sec. 4. Minnesota Statutes 1984, section 84.922, subdivision 5, is amended to read:

Subd. 5. **FEES FOR REGISTRATION.** (a) The fee for registration of each vehicle under this section ~~shall be \$15 for three calendar years. The commissioner or commissioner of public safety shall charge an additional \$3 per registration granted, other than those registered by a dealer or manufacturer under paragraph (b) or (c), is \$18 for three years and \$4 for a duplicate or transfer.~~

(b) The total registration fee for all-terrain vehicles owned by a dealer and operated for demonstration or testing purposes is \$50 per year. Dealer registrations are not transferable.

(c) The total registration fee for all-terrain vehicles owned by a manufacturer and operated for research, testing, experimentation, or demonstration purposes is \$150 per year. Manufacturer registrations are not transferable.

(d) The fees collected under this subdivision shall must be credited to the three-wheel off-road all-terrain vehicle account.

Sec. 5. Minnesota Statutes 1984, section 84.922, subdivision 6, is amended to read:

Subd. 6. **RENEWAL.** Every owner of a ~~three-wheel~~ an all-terrain vehicle must renew registration in a manner prescribed by the commissioner upon payment of the registration fees in subdivision 5.

Sec. 6. Minnesota Statutes 1984, section 84.922, subdivision 7, is amended to read:

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Subd. 7. **VEHICLES OWNED BY STATE OR POLITICAL SUBDIVISION.** A registration number must be issued without the payment of a fee for ~~three-wheel~~ all-terrain vehicles owned by the state or a political subdivision upon application.

Sec. 7. Minnesota Statutes 1984, section 84.922, subdivision 8, is amended to read:

Subd. 8. **EXEMPTIONS.** A registration is not required for the following:

- (1) vehicles being used for work exclusively on agricultural lands;
- (2) vehicles owned and used by the United States, another state, or a political subdivision;
- (3) vehicles covered by a valid license of another state or ~~county~~ country that have not been within this state for more than 30 consecutive days; and
- (4) vehicles used exclusively in organized track racing events; and
- (5) vehicles being used on private land with the permission of the landowner.

Sec. 8. Minnesota Statutes 1984, section 84.922, is amended by adding a subdivision to read:

Subd. 9. LICENSING BY POLITICAL SUBDIVISIONS. No political subdivision of this state shall require licensing or registration of all-terrain vehicles covered by sections 84.92 to 84.929.

Sec. 9. Minnesota Statutes 1984, section 84.922, is amended by adding a subdivision to read:

Subd. 10. REGISTRATION BY MINORS PROHIBITED. No person under the age of 18 may register an all-terrain vehicle.

Sec. 10. **[84.924] RULEMAKING; ACCIDENT REPORT.**

Subdivision 1. COMMISSIONER OF NATURAL RESOURCES. With a view of achieving proper use of all-terrain vehicles consistent with protection of the environment, the commissioner of natural resources shall adopt rules under chapter 14 relating to:

- (1) registration of all-terrain vehicles and display of registration numbers;
- (2) use of all-terrain vehicles insofar as game and fish resources are affected;
- (3) use of all-terrain vehicles on public lands and waters under the jurisdiction of the commissioner of natural resources;
- (4) uniform signs to be used by the state, counties, and cities necessary or

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desirable to control, direct, or regulate the operation and use of all-terrain vehicles; and

(5) specifications relating to all-terrain vehicle mufflers.

Subd. 2. COMMISSIONER OF PUBLIC SAFETY. The commissioner of public safety may adopt rules under chapter 14 regulating the use of all-terrain vehicles on streets and highways.

Subd. 3. ACCIDENT REPORT; REQUIREMENT AND FORM. The operator of an all-terrain vehicle involved in an accident resulting in injury requiring medical attention or hospitalization to or death of a person or total damage to an extent of \$100 or more shall promptly forward a written report of the accident to the commissioner of natural resources on a form prescribed by the commissioner.

Sec. 11. Minnesota Statutes 1984, section 84.925, is amended to read:

84.925 EDUCATION AND TRAINING PROGRAM.

Subdivision 1. **PROGRAM ESTABLISHED.** The commissioner shall establish a comprehensive ~~three-wheel off-road~~ all-terrain vehicle environmental and safety education and training program, including the preparation and dissemination of vehicle information and safety advice to the public, the training of ~~three-wheel off-road all-terrain~~ vehicle operators, and the issuance of ~~three-wheel off-road all-terrain~~ vehicle safety certificates to vehicle operators over the age of 12 years who successfully complete the ~~three-wheel off-road all-terrain~~ vehicle environmental and safety education and training course. For the purpose of administering the program and to defray a portion of the expenses of training and certifying vehicle operators, the commissioner shall collect a fee of not to exceed \$5 from each person who receives the training and shall deposit the fee in the ~~three-wheel off-road all-terrain~~ vehicle account. The commissioner shall cooperate with private organizations and associations, private and public corporations, and local governmental units in furtherance of the program established under this section. The commissioner shall consult with the commissioner of public safety in regard to training program subject matter and performance testing that leads to the certification of vehicle operators.

Subd. 2. **YOUTHFUL OPERATORS.** (a) A person under the age of 14 years may not operate a ~~three-wheel off-road~~ an all-terrain vehicle on any public land or water under the jurisdiction of the commissioner unless accompanied by an adult on the vehicle or on an accompanying ~~three-wheel off-road all-terrain~~ vehicle or on a device towed by the same or an accompanying ~~three-wheel off-road all-terrain~~ vehicle. However, a person 12 years of age or older may operate a ~~three-wheel off-road~~ an all-terrain vehicle on public lands and waters under the jurisdiction of the commissioner if he has in his immediate possession a valid ~~three-wheel off-road all-terrain~~ vehicle safety certificate issued by the commissioner.

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(b) It is unlawful for the owner of a ~~three-wheel off-road~~ an all-terrain vehicle to allow the vehicle to be operated contrary to the provisions of this section.

Sec. 12. **[84.9254] SIGNAL FROM OFFICER TO STOP.**

It is unlawful for an all-terrain vehicle operator, after having received a visual or audible signal from a law enforcement officer to come to a stop, to (1) operate an all-terrain vehicle in willful or wanton disregard of the signal to stop, (2) interfere with or endanger the law enforcement officer or any other person or vehicle, or (3) increase speed or attempt to flee or elude the officer.

Sec. 13. **[84.9256] YOUTHFUL OPERATORS; PROHIBITIONS.**

Subdivision 1. PROHIBITIONS ON YOUTHFUL OPERATORS. (a) Despite section 84.928 to the contrary, a person under 12 years of age shall not make a direct crossing of a trunk, county state-aid, or county highway as the operator of an all-terrain vehicle, or operate the vehicle upon a street or highway within a municipality.

(b) A person 12 years of age but less than 14 years may make a direct crossing of a trunk, county state-aid, or county highway only if that person possesses a valid all-terrain vehicle safety certificate and is accompanied by a person over 18 years of age or holding a valid driver's license. A person under the age of 14 years shall not operate an all-terrain vehicle on public land or water under the jurisdiction of the commissioner unless accompanied by one of the following listed persons on the same vehicle, if designed for more than one person, or an accompanying all-terrain vehicle: the person's parent, legal guardian, or other person 18 years of age or older or holding a valid driver's license.

However, a person 12 years of age or older may operate an all-terrain vehicle on public lands and waters under the jurisdiction of the commissioner if that person possesses a valid all-terrain vehicle safety certificate issued by the commissioner.

(c) A person 14 years of age or older, but less than 16 years of age, may make a direct crossing of a trunk, county state-aid, or county highway only if that person possesses a valid all-terrain vehicle safety certificate issued by the commissioner or a valid motor vehicle operator's license.

Subd. 2. HELMET REQUIRED. A person less than 16 years of age shall not operate an all-terrain vehicle on public land unless wearing a safety helmet approved by the commissioner of public safety.

Subd. 3. PROHIBITIONS ON OWNER. It is unlawful for the owner of an all-terrain vehicle to permit it to be operated contrary to this section.

Subd. 4. SUSPENSION. When the judge of a juvenile court, or its duly authorized agent, determines that a person, while less than 18 years of age, has violated sections 84.92 to 84.929, or other state or local law or ordinance regulating the operation of an all-terrain vehicle, the judge or duly authorized agent shall immediately report the determination to the commissioner and (1)

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may recommend the suspension of the person's all-terrain vehicle safety certificate, or (2) may recommend to the commissioner of public safety, the suspension of the person's driver's license. The commissioner may suspend the certificate without a hearing.

Sec. 14. Minnesota Statutes 1984, section 84.927, is amended to read:

84.927 REGISTRATION FEES; UNREFUNDED GASOLINE TAX; ALLOCATION.

Subdivision 1. **REGISTRATION REVENUE.** Fees from the registration of ~~three-wheel off-road~~ all-terrain vehicles and the unrefunded gasoline tax attributable to all-terrain vehicle use under section 296.16 shall be deposited in the state treasury and credited to the ~~three-wheel off-road~~ all-terrain vehicle account.

Subd. 2. **PURPOSES.** Subject to appropriation by the legislature, money in the ~~three-wheel off-road~~ all-terrain vehicle account may only be spent for the following purposes:

- (1) the education and training program under section 84.925;
- (2) administration and implementation of sections 84.92 to 84.929 and Laws 1984, chapter 647, sections 1 to 9 and 10; and
- (3) acquisition, maintenance, and development of vehicle trails and use areas;
- (4) grant-in-aid programs to counties and municipalities to construct and maintain all-terrain vehicle trails and use areas; and
- (5) grants-in-aid to local safety programs.

The distribution of funds made available through grant-in-aid programs must be guided by the statewide comprehensive outdoor recreation plan.

Sec. 15. Minnesota Statutes 1984, section 84.928, is amended to read:

84.928 OPERATION ON STREETS AND HIGHWAYS REQUIREMENTS; LOCAL REGULATION.

Subdivision 1. OPERATION ON STREETS AND HIGHWAYS. ~~Except as provided in chapter 168 or in this section, a three-wheel off-road vehicle may not be driven or operated on a highway (a) A person shall not operate an all-terrain vehicle upon the roadway, shoulder, or inside bank or slope of a trunk, county state-aid, or county highway in this state and, in the case of a divided trunk or county highway, on the right-of-way between the opposing lanes of traffic, except as provided in sections 84.92 to 84.929. A person shall not operate an all-terrain vehicle within the right-of-way of a trunk, county state-aid, or county highway from April 1 to August 1 in the agricultural zone unless the vehicle is being used exclusively as transportation to and from work on agricultural lands. A person shall not operate an all-terrain vehicle within the right-of-way of a trunk, county state-aid, or county highway between the hours of one-half hour after sunset to one-half hour before sunrise, except on the right-hand side of the right-of-way and in the same direction as the highway traffic on the nearest lane of the adjacent roadway. A person shall not operate~~

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an all-terrain vehicle at any time within the right-of-way of an interstate highway or freeway within this state.

A (b) An all-terrain vehicle may make a direct crossing of a street or highway provided:

(1) the crossing is made at an angle of approximately 90 degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing;

(2) the vehicle is brought to a complete stop before crossing the shoulder or main traveled way of the highway;

(3) the driver yields the right of way to all oncoming traffic that constitutes an immediate hazard;

(4) in crossing a divided highway, the crossing is made only at an intersection of the highway with another public street or highway; and

(5) if the crossing is made between the hours of one-half hour after sunset to one-half hour before sunrise or in conditions of reduced visibility, only if both front and rear lights are on.

(c) An all-terrain vehicle may be operated upon a bridge, other than a bridge that is part of the main traveled lanes of an interstate highway, when required for the purpose of avoiding obstructions to travel when no other method of avoidance is possible; provided the all-terrain vehicle is operated in the extreme right-hand lane, the entrance to the roadway is made within 100 feet of the bridge, and the crossing is made without undue delay.

(d) A person shall not operate an all-terrain vehicle upon a public street or highway unless the vehicle is equipped with at least one headlight and one taillight, each of minimum candlepower as prescribed by rules of the commissioner, with reflector material of a minimum area of 16 square inches mounted on each side forward of the handlebars, and with brakes conforming to standards prescribed by rule of the commissioner, and all of which are subject to the approval of the commissioner of public safety.

(e) An all-terrain vehicle may be operated upon a public street or highway other than as provided by paragraph (b) in an emergency during the period of time when and at locations where the condition of the roadway renders travel by automobile impractical.

(f) Chapter 169 applies to the operation of all-terrain vehicles upon streets and highways, except for those provisions relating to required equipment and except those provisions which by their nature have no application.

(g) A sled, trailer, or other device being towed by an all-terrain vehicle must be equipped with reflective materials as required by rule of the commissioner.

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Subd. 2. OPERATION GENERALLY. It is unlawful for a person to drive or operate an all-terrain vehicle:

(1) at a rate of speed greater than reasonable or proper under the surrounding circumstances;

(2) in a careless, reckless, or negligent manner so as to endanger or to cause injury or damage to the person or property of another;

(3) without headlight and taillight lighted at all times if the vehicle is equipped with headlight and taillight;

(4) without a functioning stoplight if so equipped; or

(5) in a tree nursery or planting in a manner which damages or destroys growing stock.

Subd. 3. OPERATING UNDER INFLUENCE OF ALCOHOL OR CONTROLLED SUBSTANCE. A person may not operate or be in control of an all-terrain vehicle while under the influence of alcohol, as provided in section 169.121, subdivision 1, or a controlled substance defined in section 152.01, subdivision 4. A person violating this subdivision is guilty of a crime and is punishable in accordance with the provisions of section 169.121, subdivisions 3 and 4.

Subd. 4. OPERATION PROHIBITED ON AIRPORTS. Except for employees and agents while acting incident to the operation of the airport, it is unlawful for a person to drive or operate an all-terrain vehicle on an airport defined in section 360.013, subdivision 5.

Subd. 5. ORGANIZED CONTESTS, USE OF HIGHWAYS AND PUBLIC LANDS AND WATERS. Nothing in this section or chapter 169 prohibits the use of all-terrain vehicles within the right-of-way of a state trunk or county state-aid highway or upon public lands or waters under the jurisdiction of the commissioner of natural resources, in an organized contest or event, subject to the consent of the official or board having jurisdiction over the highway or public lands or waters.

In permitting the contest or event, the official or board having jurisdiction may prescribe restrictions or conditions as they may deem advisable.

Subd. 6. REGULATIONS BY POLITICAL SUBDIVISIONS. Despite any provision in this section to the contrary, a county board, by resolution, may permit the operation of all-terrain vehicles upon the roadway, shoulder, or inside bank or slope of a county highway or county state-aid highway if the roadway is in the agricultural zone or if safe operation in the ditch or outside bank or slope of the highway is impossible, in which case the county board shall provide appropriate notice.

A county or city, or a town acting by its town board, may regulate the operation of all-terrain vehicles on public lands, waters, and property under its

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jurisdiction and on streets and highways within its boundaries, by resolution or ordinance of the governing body and by giving appropriate notice, provided the regulations are consistent with sections 84.92 to 84.929 and rules adopted under section 10. However, the local governmental unit may not adopt an ordinance which (1) imposes a fee for the use of public land or water under the jurisdiction of either the department of natural resources or other agency of the state, or for the use of an access to it owned by the state or a county or city, or (2) requires an all-terrain vehicle operator to possess a motor vehicle driver's license while operating an all-terrain vehicle.

Subd. 7. LIABILITY TO ROAD OR TRAIL AUTHORITY. When a road, trail, or highway right-of-way is used as provided by sections 84.92 to 84.928, 85.018, 100.273, subdivision 9, and 296.16, the authority having jurisdiction and the officers and employees of the authority are exempt from liability for any claim by any person arising from that use. This section shall have no effect on the liability of any party or organization having responsibility for the maintenance of a trail or roadway for all-terrain vehicles.

Sec. 16. Minnesota Statutes 1984, section 85.018, is amended to read:

85.018 TRAIL USE; VEHICLES REGULATED, RESTRICTED.

Subdivision 1. **DEFINITIONS.** For the purposes of this section:

(a) "Trail" means a recreational trail, which is funded in whole or in part by state grants-in-aid to a local unit of government.

(b) "Commissioner" means the commissioner of the state agency from which the grants-in-aid are received.

Subd. 2. **AUTHORITY OF LOCAL GOVERNMENT.** (a) A local government unit that receives state grants-in-aid for any trail, with the concurrence of the commissioner, and the landowner or land lessee, may:

(a) (1) designate the trail for use by snowmobiles or for nonmotorized use from December 1 to April 1 of any year; and

(b) (2) issue any permit required under subdivisions 3 to 5.

(b) A local government unit that receives state grants-in-aid under section 84.927, subdivision 2, for any trail, with the concurrence of the commissioner, and landowner or land lessee, may:

(1) designate the trail specifically for use at various times of the year by all-terrain vehicles, for nonmotorized use such as ski touring, snowshoeing, and hiking, and for multiple use, but not for motorized and nonmotorized use at the same time; and

(2) issue any permit required under subdivisions 3 to 5.

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(c) A local unit of government that receives state grants-in-aid for any trail, with the concurrence of the commissioner and landowner or land lessee, may designate certain trails for joint use by snowmobiles and all-terrain vehicles.

Subd. 3. **MOTORIZED USE; PERMITS, RESTRICTIONS.** Motorized use of trails shall be allowed only by permit between April 2 and November 30 of any year. Permits may be issued for motorized vehicles, other than those designated, to use a trail designated for use by snowmobiles or all-terrain vehicles. Notice of the permit must be conspicuously posted, at the expense of the permit holder, at no less than one-half mile intervals along the trail, for the duration of the permit. Permits shall require that permit holders return the trail and any associated facility to their original condition if any damage is done by the permittee. Limited permits for special events such as races may be issued and shall require the removal of any trail markers, banners and other material used in connection with the special event.

Subd. 4. **NONMOTORIZED USE TRAILS; WINTER.** ~~From December 1 to April 1 of any year~~ No motorized vehicle shall be operated on a trail designated for nonmotorized use ~~such as ski touring or snowshoe use.~~

Subd. 5. **SNOWMOBILE AND ALL-TERRAIN VEHICLE TRAILS RESTRICTED.** (a) From December 1 to April 1 in any year no use of a motorized vehicle other than a snowmobile, unless authorized by permit, lease or easement, shall be permitted on a trail designated for use by snowmobiles.

(b) From December 1 to April 1 in any year no use of a motorized vehicle other than an all-terrain vehicle, unless authorized by permit, shall be permitted on a trail designated for use by all-terrain vehicles.

Subd. 6. **EXCEPTIONS.** The following motor vehicles are exempt from the provisions of subdivisions 3 to 5:

(a) military, fire, emergency or law enforcement vehicles used for official or emergency purposes;

(b) vehicles registered to the county, state or federal government;

(c) vehicles authorized by permit, lease or contract;

(d) vehicles owned by private persons engaged in the upkeep and maintenance of the trail systems under the direction of the local unit of government that manages the trail; and

(e) vehicles registered to or operated with the permission of a land owner on whose lands the trail system has been constructed, but only with respect to operation on the land of that owner.

Subd. 7. **STREETS AND HIGHWAYS.** This section does not apply to any portion of a trail located on any street or highway as defined in section 169.01.

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Subd. 8. **ENFORCEMENT.** The provisions of this section may be enforced by officers of the department of natural resources as provided in section 97.50.

Sec. 17. Minnesota Statutes 1984, section 100.273, subdivision 9, is amended to read:

Subd. 9. Violation of any provision of this section is a misdemeanor. Upon a person's conviction for violating any provision of this section, any license issued to him pursuant to chapter 98, or any registration pursuant to section 84.82 or 84.922, under which he was exercising or attempting to exercise a privilege while violating this section shall immediately become null and void.

Sec. 18. Minnesota Statutes 1984, section 168.012, subdivision 3a, is amended to read:

Subd. 3a. **MOTORIZED GOLF CARTS SPECIAL HANDICAPPED PERMITS.** Motorized golf carts and four-wheel all-terrain vehicles operated under permit and on roadways designated pursuant to section 169.045 are exempt from the provisions of this chapter.

Sec. 19. Minnesota Statutes 1984, section 169.045, is amended to read:

169.045 **MOTORIZED GOLF CARTS; OPERATION; REGULATION SPECIAL VEHICLE USE ON ROADWAY BY HANDICAPPED.**

Subdivision 1. **DESIGNATION OF ROADWAYS, PERMIT.** The governing body of any home rule charter or statutory city or town may by ordinance authorize the operation of motorized golf carts, or four-wheel all-terrain vehicles, on designated roadways or portions thereof under its jurisdiction. Authorization to operate a motorized golf cart or four-wheel all-terrain vehicle is by permit only. Permits are restricted to physically handicapped persons defined in section 169.345, subdivision 2. For purposes of this section, a four-wheel all-terrain vehicle is a motorized flotation-tired vehicle with four low-pressure tires that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 600 pounds.

Subd. 2. **ORDINANCE.** The ordinance shall designate the roadways, prescribe the form of the application for the permit, require evidence of insurance complying with the provisions of section 65B.48, subdivision 5 and may prescribe conditions, not inconsistent with the provisions of this section, under which a permit may be granted. Permits may be granted for a period of not to exceed one year, and may be annually renewed. A permit may be revoked at any time if there is evidence that the permittee cannot safely operate the motorized golf cart or four-wheel all-terrain vehicle on the designated roadways. The ordinance may require, as a condition to obtaining a permit, that the applicant submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart or four-wheel all-terrain vehicle on the roadways designated.

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Subd. 3. **TIMES OF OPERATION.** Motorized golf carts and four-wheel all-terrain vehicles may only be operated on designated roadways from sunrise to sunset. They shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog or other conditions, or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.

Subd. 4. **SLOW MOVING VEHICLE EMBLEM.** Motorized golf carts shall display the slow moving vehicle emblem provided for in section 169.522, when operated on designated roadways.

Subd. 5. **CROSSING INTERSECTING HIGHWAYS.** The operator, under permit, of a motorized golf cart or four-wheel all-terrain vehicle may cross any street or highway intersecting a designated roadway.

Subd. 6. **APPLICATION OF TRAFFIC LAWS.** Every person operating a motorized golf cart or four-wheel all-terrain vehicle under permit on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of this chapter, except when those provisions cannot reasonably be applied to motorized golf carts or four-wheel all-terrain vehicles and except as otherwise specifically provided in subdivision 7.

Subd. 7. **NONAPPLICATION OF CERTAIN LAWS.** The provisions of chapter 171, are not applicable to persons operating motorized golf carts or four-wheel all-terrain vehicles under permit on designated roadways pursuant to this section. Except for the requirements of section 169.70, the provisions of this chapter relating to equipment on vehicles is not applicable to motorized golf carts or four-wheel all-terrain vehicles operating, under permit, on designated roadways.

For purposes of the Minnesota base rate schedule, for vehicles with six or more axles in the "S" and "T" categories, the base rates are \$1,520 and \$1,620 respectively.

Sec. 20. Minnesota Statutes 1984, section 169.825, subdivision 8, is amended to read:

Subd. 8. **PNEUMATIC-TIRED VEHICLES.** No vehicle or combination of vehicles equipped with pneumatic tires shall be operated upon the highways of this state:

(a) Where the gross weight on any wheel exceeds 9,000 pounds, except that on designated routes the gross weight on any single wheel shall not exceed 10,000 pounds;

(b) Where the gross weight on any single axle exceeds 18,000 pounds, except that on designated routes the gross weight on any single axle shall not exceed 20,000 pounds;

(c) Where, prior to July 1, 1989, the maximum wheel load exceeds 600

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pounds per inch of tire width or the manufacturer's recommended load, whichever is less.

After July 1, 1989, the maximum wheel load may not exceed the following:

<u>Axle Group</u>	<u>Maximum Weight in Pounds</u> <u>Per Inch of Tire Width</u>
<u>Single</u>	<u>600</u>
<u>Tandem</u>	<u>450</u>
<u>Tridem and quad axle groups</u>	<u>400</u>

or the manufacturer's recommended load, whichever is less;

(d) Where the gross weight on any axle of a tridem exceeds 15,000 pounds, except that for vehicles to which an additional axle has been added prior to June 1, 1981, the maximum gross weight on any axle of a tridem may be up to 16,000 pounds provided the gross weight of the tridem combination does not exceed 37,000 pounds where the first and third axles of the tridem are spaced seven feet apart; 38,500 pounds where the first and third axles of the tridem are spaced eight feet apart; and 39,900 pounds where the first and third axles of the tridem are spaced nine feet apart.

(e) Where the gross weight on any group of axles exceeds the weights permitted under this section with any or all of the interior axles disregarded and their gross weights subtracted from the gross weight of all axles of the group under consideration.

Sec. 21. Minnesota Statutes 1984, section 296.16, subdivision 1, is amended to read:

Subdivision 1. **INTENT.** All gasoline received in this state and all gasoline produced in or brought into this state except aviation gasoline and marine gasoline shall be determined to be intended for use in motor vehicles in this state.

Approximately three-fourths of one percent of all gasoline received in this state and three-fourths of one percent of all gasoline produced or brought into this state, except gasoline used for aviation purposes, is being used as fuel for the operation of motor boats on the waters of this state and of the total revenue derived from the imposition of the gasoline fuel tax for uses other than in motor boats, three-fourths of one percent of such revenues is the amount of tax on fuel used in motor boats operated on the waters of this state.

Approximately three-fourths of one percent of all gasoline received in and produced or brought into this state, except gasoline used for aviation purposes, is being used as fuel for the operation of snowmobiles in this state, and of the total revenue derived from the imposition of the gasoline fuel tax for uses other than in snowmobiles, three-fourths of one percent of such revenues is the amount of tax on fuel used in snowmobiles operated in this state.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Approximately 0.15 of one percent of all gasoline received in or produced or brought into this state, except gasoline used for aviation purposes, is being used for the operation of all-terrain vehicles in this state, and of the total revenue derived from the imposition of the gasoline fuel tax, 0.15 of one percent is the amount of tax on fuel used in all-terrain vehicles operated in this state.

Sec. 22. TRUNK HIGHWAY SYSTEM; NEW ROUTE SUBSTITUTED FOR EXISTING ROUTE.

Subdivision 1. ADDITIONAL ROUTE. There is added to the trunk highway system a new route in Minnesota Statutes, section 161.115, described as follows:

Route No. 240. Beginning at a point on Route No. 69, at or near Annandale; thence extending in a general northerly direction to a point on Route No. 3.

Subd. 2. SUBSTITUTION. The route established in subdivision 1 is substituted for route numbered 240 as contained and described in Minnesota Statutes 1984, section 161.115. Route numbered 240 as contained and described in that section is discontinued and removed from the trunk highway system.

Subd. 3. DIRECTIONS TO REVISOR. The revisor of statutes, in compiling the next and subsequent editions of Minnesota Statutes, shall substitute the route established in subdivision 1 for the route discontinued and removed from the trunk highway system in subdivision 2.

Sec. 23. TRUNK HIGHWAY SYSTEM; NEW ROUTE SUBSTITUTED FOR EXISTING ROUTE.

Subdivision 1. ADDITIONAL ROUTE. There is added to the trunk highway system a new route in Minnesota Statutes, section 161.115, described as follows:

Route No. 241. Beginning at a point in or adjacent to St. Michael; then extending in a general easterly direction to a point on Route No. 392.

Subd. 2. SUBSTITUTION. The route established in subdivision 1 is substituted for route numbered 241 as contained and described in Minnesota Statutes 1984, section 161.115. Route numbered 241 as contained and described in that section is discontinued and removed from the trunk highway system.

Subd. 3. DIRECTIONS TO REVISOR. The revisor of statutes, in compiling the next and subsequent editions of Minnesota Statutes, shall substitute the route established in subdivision 1 for the route discontinued and removed from the trunk highway system in subdivision 2.

Sec. 24. TRUNK HIGHWAY SYSTEM; NEW ROUTE SUBSTITUTED FOR EXISTING ROUTE.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subdivision 1. ADDITIONAL ROUTE. There is added to the trunk highway system a new route in Minnesota Statutes, section 161.115, described as follows:

Route No. 279. Beginning at a point on Route No. 390 in Dakota county southwesterly of Fort Snelling; thence extending in a general northerly direction across the Minnesota River to a point on Route No. 116 in Minneapolis.

Subd. 2. SUBSTITUTION. The route established in subdivision 1 is substituted for route numbered 279 as contained and described in Minnesota Statutes 1984, section 161.115. Route numbered 279 as contained and described in that section is discontinued and removed from the trunk highway system.

Subd. 3. DIRECTIONS TO REVISOR. The revisor of statutes, in compiling the next and subsequent editions of Minnesota Statutes, shall substitute the route established in subdivision 1 for the route discontinued and removed from the trunk highway system in subdivision 2.

Sec. 25. TRUNK HIGHWAY SYSTEM; NEW ROUTE SUBSTITUTED FOR EXISTING ROUTE.

Subdivision 1. ADDITIONAL ROUTE. There is added to the trunk highway system a new route in Minnesota Statutes, section 161.115, described as follows:

Route No. 108. Beginning at the terminus of Route No. 12 on the easterly limits of the city of St. Paul; thence extending in a westerly direction through the city of St. Paul to a point on the easterly limits of Hennepin County.

Subd. 2. SUBSTITUTION. The route established in subdivision 1 is substituted for route numbered 108 as contained and described in Minnesota Statutes 1984, section 161.115. Route numbered 108 as contained and described in that section is discontinued and removed from the trunk highway system.

Subd. 3. DIRECTIONS TO REVISOR. The revisor of statutes, in compiling the next and subsequent editions of Minnesota Statutes, shall substitute the route established in subdivision 1 for the route discontinued and removed from the trunk highway system in subdivision 2.

Sec. 26. TRUNK HIGHWAY SYSTEM; NEW ROUTE SUBSTITUTED FOR EXISTING ROUTE.

Subdivision 1. ADDITIONAL ROUTE. There is added to the trunk highway system a new route in Minnesota Statutes, section 161.115, described as follows:

Route No. 156. Beginning at a point on Route No. 394 in the city of Minneapolis and extending in a northerly and westerly direction to a point on Route No. 62 easterly of the Great Northern Railway.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 2. SUBSTITUTION. The route established in subdivision 1 is substituted for route numbered 156 as contained and described in Minnesota Statutes 1984, section 161.115. Route numbered 156 as contained and described in that section is discontinued and removed from the trunk highway system.

Subd. 3. DIRECTIONS TO REVISOR. The revisor of statutes, in compiling the next and subsequent editions of Minnesota Statutes, shall substitute the route established in subdivision 1 for the route discontinued and removed from the trunk highway system in subdivision 2.

Sec. 27. **TRUNK HIGHWAY SYSTEM; REMOVAL OF ROUTE NO. 129.**

Subdivision 1. ROUTE DISCONTINUED. Route No. 129 as contained and described in Minnesota Statutes 1984, section 161.115, is discontinued and removed from the trunk highway system.

Subd. 2. DIRECTIONS TO REVISOR. The revisor of statutes, in compiling the next and subsequent editions of Minnesota Statutes, shall delete the route specified in subdivision 1.

Sec. 28. **TRUNK HIGHWAY SYSTEM; REMOVAL OF ROUTE NO. 114.**

Subdivision 1. ROUTE DISCONTINUED. Route No. 114 as contained and described in Minnesota Statutes 1984, section 161.115, is discontinued and removed from the trunk highway system.

Subd. 2. DIRECTIONS TO REVISOR. The revisor of statutes, in compiling the next and subsequent editions of Minnesota Statutes, shall delete the route specified in subdivision 1.

Sec. 29. Minnesota Statutes 1984, section 161.117, is amended to read:

161.117 TRUNK HIGHWAYS; ADDITIONAL ROUTES.

There may be added by order of the commissioner of transportation to the trunk highway system new routes described as follows:

(1) Route No. 380. Beginning at a point on Route No. 390 at its intersection with Shepard Road in the city of St. Paul; thence extending in a northeasterly direction generally following along the course of Shepard Road to a point on Route No. 112; thence extending in a northeasterly direction to a point on Route No. 392 easterly of the downtown area of St. Paul; providing a connector route between Route No. 390 and Route Nos. 112 and 392;

(2) Route No. 382. Beginning at a point on Route No. 390 at its junction with Route No. 111, thence extending in a general northerly direction, within the corridor of the right of way already acquired on May 31, 1975, for Route No. 390, to a point on Short Line Road; thence extending in a northeasterly

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direction within said corridor of right of way to the intersection of Pleasant Avenue and Kellogg Boulevard in the city of St. Paul.

(3) Route No. 383. Beginning at a point on Route No. 393 in the city of Bloomington and continuing in a northerly direction above the present alignment of Hennepin county state aid highway No. 18 to its intersection with Route No. 3 in or near the city of Brooklyn Park.

(4) Route No. 384. Beginning at a point on Route No. 393 in the city of Eden Prairie and continuing in an easterly direction along the present alignment of Hennepin county state aid highway No. 62 to its intersection with Route No. 116.

(5) Route No. 385. Beginning at a point on Route No. 394 in the city of Minneapolis and continuing in an easterly direction to a point on University Avenue in the city of Minneapolis.

Sec. 30. TRANSFERS OF JURISDICTION.

Subdivision 1. DUTIES OF COMMISSIONER. The commissioner of transportation shall assume ownership of all right-of-way now owned by Hennepin county for the routes added to the trunk highway system under section 29.

Subd. 2. TRANSFER TO HENNEPIN COUNTY. The commissioner shall transfer to Hennepin county the following trunk highway segments and associated right-of-way:

(1) Excelsior Boulevard from its intersection with marked Trunk Highway No. 100 in the city of St. Louis Park to its intersection with marked Trunk Highway No. 121 on the westerly limits of the city of Minneapolis;

(2) Excelsior Boulevard, Lake Street, and Lyndale Avenue from the intersection of Excelsior Boulevard and marked Trunk Highway No. 121 on the westerly limits of the city of Minneapolis, to the intersection of Lake Street and Lyndale Avenue and thence northerly along Lyndale Avenue to its intersection with Franklin Avenue near marked Interstate Highway No. 94, in the city of Minneapolis;

(3) marked Trunk Highway No. 7 and West Lake Street from its intersection with marked Trunk Highway No. 100 in the city of St. Louis Park to its intersection with Excelsior Boulevard in the city of Minneapolis;

(4) that portion of previous marked Trunk Highway No. 12 in the city of Wayzata from its intersection with the current alignment of marked Trunk Highway No. 12 to its intersection with marked Trunk Highway No. 101;

(5) marked Trunk Highway No. 12 on its alignment on University Avenue in the city of Minneapolis, from its intersection with Washington Avenue to the easterly limits of the city of Minneapolis;

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(6) marked Trunk Highway No. 52 on its alignment on University Avenue, Fourth Street Southeast and Oak Street in the city of Minneapolis, from its intersection with marked Interstate Highway No. 35W to its intersection with Washington Avenue;

(7) marked Trunk Highway No. 81 from its intersection with marked Interstate Highway No. 94 in the city of Minneapolis to its intersection with marked Trunk Highway No. 100 in the city of Robbinsdale;

(8) marked Trunk Highway No. 88 from its intersection with marked Interstate Highway No. 35W to the easterly limits of Hennepin county;

(9) New Brighton Boulevard from its intersection with marked Interstate Highway No. 35W to its intersection with Broadway Street Northeast, in the city of Minneapolis;

(10) marked Trunk Highway No. 101 from its intersection with marked Interstate Highway No. 94 in Rogers to the southerly limits of Hennepin county;

(11) Lake Street from its intersection with marked Trunk Highway No. 55 in the city of Minneapolis to the easterly limits of Hennepin county;

(12) marked Trunk Highway No. 121 from its intersection with Excelsior Boulevard on the westerly limits of the city of Minneapolis to its intersection with West Fifty-Eighth Street in the city of Minneapolis;

(13) marked Trunk Highway No. 152 from its intersection with marked Trunk Highway No. 101 in the city of Dayton to its intersection with present marked Trunk Highway No. 169 in the city of Brooklyn Park;

(14) marked Trunk Highway No. 169 from its intersection with present marked Trunk Highway No. 152 in the city of Brooklyn Park to its intersection with marked Trunk Highway No. 100 in the city of Robbinsdale; and

(15) marked Trunk Highway No. 252 from its intersection with marked Trunk Highway No. 169 in the city of Champlin to its intersection with Ninety-Third Avenue North in the city of Brooklyn Park.

Subd. 3. TRANSFERS; CONDITIONS. All right-of-way transferred to the commissioner of transportation by Hennepin county under sections 22 to 32 and 35 is subject to Minnesota Statutes, section 161.18. All right-of-way transferred to Hennepin county by the commissioner of transportation under sections 22 to 32 and 35 vests the county, without compensation therefor, with all rights, titles, easements, and appurtenances held by or vested in the state of Minnesota prior to the transfer of ownership. All transfers of right-of-way under sections 22 to 32 and 35 include the transfer of ownership of interchange ramps and loops, bridges, signals, lighting devices, and all other appurtenances within the right-of-way.

Sec. 31. STATUTORY PROVISIONS.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Minnesota Statutes, section 161.082, subdivision 2, does not apply to transfers of trunk highways to Hennepin county under sections 22 to 32 and 35.

Sec. 32. AGREEMENT REQUIRED.

No transfer of a highway or associated right-of-way under sections 22 to 32 and 35 is effective unless the transfer has been mutually agreed upon by the commissioner of transportation and Hennepin county and a copy of the agreement, signed by the commissioner and the chair of the Hennepin county board, has been filed in the office of the commissioner.

Sec. 33. APPROPRIATION.

\$475,000 is appropriated from the all-terrain vehicle account to the commissioner of natural resources to administer sections 1 to 17. For the development and administration of trails under this act, the complement of the commissioner of natural resources is increased by two positions.

Sec. 34. APPLICABILITY.

Section 21 applies to gasoline received in or produced or brought into this state on and after January 1, 1986.

Sec. 35. EFFECTIVE DATE.

Sections 22 to 28 are each effective on the day following certification by the commissioner of transportation to the secretary of state that the ownership of a trunk highway and associated right-of-way are no longer needed for trunk highway purposes by reason of that section having been transferred to Hennepin county in accordance with sections 22 to 32 and this section, or by reason of route description revisions required by the transfer. Section 30, subdivisions 1 and 2, are effective the day following final enactment, subject to the provisions of section 32. Section 30, subdivision 3, and sections 29, 31 and 32 are effective the day following final enactment.

Approved March 25, 1986

CHAPTER 453—S.F.No. 1641

An act relating to motor vehicles; establishing a system of registration of fleet vehicles; appropriating money; amending Minnesota Statutes 1984, section 168.011, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 168.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1984, section 168.011, is amended by adding a subdivision to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.