

(b) The protections in this section may be invoked as follows:

(1) the person, or an appropriate officer from the military organization in which the person will be serving, must give advance verbal or written notice that the person is being called or ordered to qualifying service;

(2) advance notice is not required if the giving of notice is precluded by military necessity or, under all the relevant circumstances, the giving of notice is impossible or unreasonable; and

(3) upon written request from the post-secondary institution, the person must provide written verification of service.

(c) This section provides minimum protections for students. Nothing in this section prevents post-secondary institutions from providing additional options or protections to students who are called or ordered to state or federal active military service.

Sec. 3. **EFFECTIVE DATE.**

Sections 1 and 2 are effective retroactive to September 11, 2001.

Presented to the governor March 25, 2002

Signed by the governor March 26, 2002, 2:33 p.m.

CHAPTER 285—H.F.No. 2882

An act relating to traffic regulations; regulating the operation of electric personal assistive mobility devices on roadways and sidewalks; amending Minnesota Statutes 2000, sections 168.011, subdivision 4; 169.01, subdivision 3, by adding a subdivision; 171.01, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 169.

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

Section 1. Minnesota Statutes 2000, section 168.011, subdivision 4, is amended to read:

Subd. 4. **MOTOR VEHICLE.** (a) "Motor vehicle" means any self-propelled vehicle not operated exclusively upon railroad tracks and any vehicle propelled or drawn by a self-propelled vehicle and includes vehicles known as trackless trolleys which are propelled by electric power obtained from overhead trolley wires but not operated upon rails, except snowmobiles, manufactured homes, and park trailers.

(b) "Motor vehicle" also includes an all-terrain vehicle, as defined in section 84.92, subdivision 8, which (1) has at least four wheels, (2) is owned and operated by a physically disabled person, and (3) displays both physically disabled license plates and a physically disabled certificate issued under section 169.345, subdivision 3.

New language is indicated by underline, deletions by ~~strikeout~~.

(c) "Motor vehicle" does not include an all-terrain vehicle as defined in section 84.92, subdivision 8; except (1) an all-terrain vehicle described in paragraph (b), or (2) an all-terrain vehicle licensed as a motor vehicle before August 1, 1985, in which case the owner may continue to license it as a motor vehicle until it is conveyed or otherwise transferred to another owner, is destroyed, or fails to comply with the registration and licensing requirements of this chapter.

(d) "Motor vehicle" does not include an electric personal assistive mobility device as defined in section 169.01, subdivision 90.

Sec. 2. Minnesota Statutes 2000, section 169.01, subdivision 3, is amended to read:

Subd. 3. **MOTOR VEHICLE.** "Motor vehicle" means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires. Motor vehicle does not include an electric personal assistive mobility device or a vehicle moved solely by human power.

Sec. 3. Minnesota Statutes 2000, section 169.01, is amended by adding a subdivision to read:

Subd. 90. **ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE.** "Electric personal assistive mobility device" means a self-balancing device with two nontandem wheels, designed to transport not more than one person, and operated by an electric propulsion system that limits the maximum speed of the device to 15 miles per hour.

Sec. 4. **[169.212] OPERATION OF ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES.**

Subdivision 1. RIGHTS AND RESPONSIBILITIES OF PEDESTRIANS. Except as otherwise provided by law, a person operating an electric personal assistive mobility device has the rights and responsibilities of a pedestrian.

Subd. 2. **OPERATION.** (a) An electric personal assistive mobility device may be operated on a bicycle path.

(b) No person may operate an electric personal assistive mobility device on a roadway, sidewalk, or bicycle path at a rate of speed that is not reasonable and prudent under the conditions. Every person operating an electric personal assistive mobility device on a roadway, sidewalk, or bicycle path is responsible for becoming and remaining aware of the actual and potential hazards then existing on the roadway or sidewalk and must use due care in operating the device.

(c) An electric personal assistive mobility device may be operated on a roadway only:

(1) while making a direct crossing of a roadway in a marked or unmarked crosswalk;

(2) where no sidewalk is available;

New language is indicated by underline, deletions by ~~strikeout~~.

(3) where a sidewalk is so obstructed as to prevent safe use;

(4) when so directed by a traffic control device or by a peace officer; or

(5) temporarily in order to gain access to a motor vehicle.

(d) An electric personal assistive mobility device may not be operated at any time on a roadway with a speed limit of more than 35 miles per hour except to make a direct crossing of the roadway in a marked crosswalk.

(e) An electric personal assistive mobility device may not be operated at any time while carrying more than one person.

(f) A person operating an electric personal assistive mobility device on a sidewalk must yield the right-of-way to pedestrians at all times. A person operating an electric personal assistive mobility device on a bicycle path must yield the right-of-way to bicycles at all times.

Subd. 3. REFLECTORS. An electric personal assistive mobility device may not be operated unless the device bears reflectorized material on the front, back, and wheels, visible at night from 600 feet when illuminated by the lower beams of head lamps of a motor vehicle.

Subd. 4. LOCAL REGULATION. A local road authority may not further regulate the operation of electric personal assistive mobility devices, except that a local road authority may allow and regulate the operation of these devices on roadways within its jurisdiction that have a speed limit of more than 35 miles per hour.

Sec. 5. Minnesota Statutes 2000, section 171.01, subdivision 3, is amended to read:

Subd. 3. MOTOR VEHICLE. Every vehicle which that is self-propelled, other than an electric personal assistive mobility device as defined in section 169.01, subdivision 90, and any vehicle propelled or drawn by a self-propelled vehicle, and not deriving its power from overhead wires except snowmobiles.

Presented to the governor March 25, 2002

Signed by the governor March 26, 2002, 2:27 p.m.

CHAPTER 286—S.F.No. 2821

An act relating to commerce; regulating the conduct of real estate industry licensees; modifying disclosures; regulating records retention requirements; amending Minnesota Statutes 2000, sections 82.19, subdivision 9; 82.23, subdivision 1; 82.27, by adding a subdivision; Minnesota Statutes 2001 Supplement, section 82.197, subdivisions 1, 4, 6.

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

New language is indicated by underline, deletions by ~~strikeout~~.