

## CHAPTER 168C

### BICYCLE REGISTRATION

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#### 168C.01 POLICY STATEMENT.

The legislature of the state of Minnesota finds that the use of bicycles as a means of travel and recreation embodying physical, environmental and social benefits is already recognized by many people in the state, and will be further encouraged given the opportunity for safe, convenient and pleasant bicycle travel. The legislature further finds that dependence on the private automobile must be reduced, particularly in the light of an energy shortage and encouragement of increased bicycle usage by the provision and maintenance of bikeways and with the addition of some traffic laws designed for the orderly integration of bicycles into traffic systems, is a way of reducing this dependence. However, the growth in popularity of the bicycle as a mode of transportation and as a recreational vehicle has led to an increase in the number of bicycle thefts. To more effectively deal with the problems associated with theft and to aid in the recovery of stolen bicycles, a statewide bicycle registration system is hereby created.

**History:** 1976 c 199 s 1

#### 168C.02 DEFINITIONS.

Subdivision 1. **Scope.** For purposes of Laws 1976, chapter 199, the terms defined in this section shall have the meanings given them.

Subd. 2. **Bicycle.** "Bicycle" means every device propelled by human power upon which a person may ride, having two tandem wheels either of which is over 14 inches in diameter, or any device generally recognized as a bicycle though equipped with two front or rear wheels, or a unicycle.

Subd. 3. **Bicycle dealer.** "Bicycle dealer" means a person, firm, partnership, association, or corporation which is engaged, wholly or partly, in the business of selling bicycles, or buying or taking in trade bicycles for the purpose of resale, selling, or offering for sale, or otherwise dealing in bicycles, whether or not the bicycles are owned by the person or entity. The term does not include agents or employees of the person or entity.

Subd. 4. **Commissioner.** "Commissioner" means the commissioner of public safety.

Subd. 5. **License plate.** "License plate" means a tag, plate, seal or other device which can be securely attached to a bicycle and is issued upon registration of the bicycle.

**History:** 1976 c 199 s 2; 1977 c 41 s 1

#### 168C.03 APPLICATIONS.

On or after March 1, 1977 any owner of a bicycle may apply for registration of the bicycle to the commissioner, to any deputy registrar of motor vehicles acting pursuant to section 168.33 or to any deputy registrar of bicycles appointed by the commissioner pursuant to section 168C.11. Applications shall contain the name and address of the owner, the signature of the owner, the name and address of the person from whom purchased, the date of purchase, the date of registration, the make, serial number, and any additional information as the commissioner may require. Applications shall be on a three-part form provided by the commissioner. The original shall be retained by or immediately forwarded to the commissioner, the second copy shall be retained by the purchaser and the third copy shall be retained for one year by the deputy registrar, if any, who received the application. The commissioner shall designate a number to be stamped or otherwise permanently affixed on the frames of bicycles

on which no serial number can be found, or on which the number is illegible or insufficient for identification purposes.

**History:** 1976 c 199 s 3; 1977 c 41 s 2

#### 168C.04 REGISTRATION REQUIREMENTS, FEE.

**Subdivision 1. Procedures.** The registration fee for bicycles shall be \$9 after July 1, 1991. These fees shall be paid at the time of registration. The fees, and any donations in excess of the fees must be deposited in a bicycle transportation account in the special revenue fund. Proof of purchase is required for registration. Bicycles lacking proof of purchase may be registered if there is no evidence that the bicycle is stolen. However, the registration record must be marked to indicate that no proof of purchase was provided. The registration is valid for three calendar years. A person registering a bicycle may add an additional amount to the registration fee, and all amounts so added must be deposited in the same manner as registration fees. A person registering a bicycle must at the time of registration be informed that a registrant may add an additional amount to the fee and that all such additional amounts will be used for the purposes specified in subdivision 2.

**Subd. 2. Bicycle transportation account; money allocated.** A bicycle transportation account is created in the special revenue fund. All funds in the account, up to a maximum of \$160,000 in a fiscal year, are annually appropriated as follows:

(1) one-half to the commissioner of transportation for the development of bicycle transportation and recreational facilities on public highways, including but not limited to bicycle lanes and ways on highways, off-road bicycle trails, and bicycle mapping; and

(2) one-half to the commissioner of public safety for bicycle safety programs, administration of the bicycle registration program, and public information and education designed to encourage participation in the program.

**Subd. 3. Considerations before money distributed.** An agency of the state expending funds from the bicycle transportation account must, in making expenditures for the purposes of subdivision 2, paragraph (c), give consideration to participation or nonparticipation by a political subdivision in the bicycle registration program as provided in section 168C.13 and the extent of local public participation in the program before approving a project or expenditure in that political subdivision.

**Subd. 4.** [Repealed by amendment, 1991 c 233 s 59]

**History:** 1976 c 199 s 4; 1984 c 572 s 1; 1986 c 444; 1991 c 233 s 59

#### 168C.05 REPORT OF TRANSFERS.

Every person who sells or transfers ownership of any bicycle registered pursuant to Laws 1976, chapter 199 shall report the sale or transfer to the commissioner, indicating the name and address of the person to whom the bicycle was sold or transferred. The report shall be made within 14 days of the sale or transfer.

**History:** 1976 c 199 s 5

#### 168C.06 NOTIFICATION OF CHANGE OF ADDRESS.

Upon moving or change of address, the owner of a bicycle registered pursuant to Laws 1976, chapter 199 shall notify the commissioner in writing of the new address within 14 days.

**History:** 1976 c 199 s 6; 1986 c 444

#### 168C.07 LICENSE PLATES.

The commissioner shall provide to the registrant a suitable registration card having the registration number stamped thereon and indicating the date of registration, the make and serial number of the bicycle, the owner's name and address, and any additional information as the commissioner may require. Information concerning each registration shall be retained by the commissioner. The commissioner shall issue a license plate which shall be securely attached to the bicycle covered by the registration. Upon a satisfactory showing that the license plate or registration card has been lost or destroyed the commissioner shall issue a re-

placement license plate or registration card upon payment of a fee of \$1. All fees so collected shall be deposited to the general fund.

**History:** 1976 c 199 s 7; 1977 c 41 s 3

#### **168C.08 ALTERING SERIAL NUMBERS; PENALTY.**

No person shall willfully remove, destroy, mutilate or otherwise alter the serial number or equivalent number of any bicycle designated by the commissioner pursuant to section 168C.03. No person shall willfully remove, destroy, mutilate, or otherwise alter any license plate during the time in which the license plate is operative. Any person who violates the provisions of this section is guilty of a misdemeanor.

**History:** 1976 c 199 s 8

#### **168C.09 THEFT; PENALTY.**

**Subdivision 1. Reports; entry into crime information center.** The local law enforcement agency shall report the theft of all bicycles registered pursuant to Laws 1976, chapter 199 to the department of public safety within five days. Reports of the stolen bicycles shall be entered in the Minnesota crime information center of the department of public safety. When the stolen bicycle has been recovered by a local law enforcement agency, the agency shall report the recovery to the department of public safety within five days of the recovery.

**Subd. 2. Records.** The commissioner shall maintain a record of all bicycles registered pursuant to Laws 1976, chapter 199 in the state in an automated system. The records shall be available to all authorized law enforcement agencies through the Minnesota crime information center.

**Subd. 3. Violation and penalty.** Any person who knowingly sells or offers for sale a bicycle registered under Laws 1976, chapter 199 which is not owned by that person or a family member is guilty of theft and subject to punishment under section 609.52, subdivision 3.

**History:** 1976 c 199 s 9; 1986 c 444

#### **168C.10 TAMPERING; PENALTY.**

No person, other than the owner or the owner's authorized agent, except for protection of the bicycle, shall tamper with any bicycle which has been locked or placed in a rack or otherwise secured. Any person who violates the provision of this section is guilty of a misdemeanor.

**History:** 1976 c 199 s 10

#### **168C.11 DEPUTY REGISTRARS OF BICYCLES.**

**Subdivision 1. Appointment.** Subject to the provisions of subdivision 2, the commissioner shall appoint as deputy registrars of bicycles any bicycle dealer, or agent or employee thereof, or agent or employee of a nonprofit organization promoting bicycling or in whose activities bicycling plays an integral part, or an agent or employee designated by a municipality that sells bicycles at public auction who applies for appointment in a manner prescribed by the commissioner; provided that concurrently there may be no more than one deputy for each separate place of business of a bicycle dealer. Deputy registrars of bicycles shall act as agents of the commissioner and may accept registrations as provided in Laws 1976, chapter 199, except that no deputy registrar of bicycles shall be required to register bicycles sold by other bicycle dealers. The commissioner, deputy registrars of motor vehicles, and deputy registrars of bicycles may charge and retain an additional \$1 per registration granted for their services. In the case of a deputy registrar of motor vehicles, the \$1 shall be deposited in the treasury of the place for which the deputy registrar is appointed, or if not a public official the deputy registrar shall retain the filing fee. Other registration fees collected by the commissioner, deputy registrars of motor vehicles, and deputy registrars of bicycles shall be processed, accounted for, and transmitted to the state treasurer as required by the commissioner.

**Subd. 2. Denial, suspension or revocation of appointments.** The commissioner, without prior notice or hearing, may issue an order denying, suspending or revoking any appointment made or applied for pursuant to this section upon finding that the applicant or deputy

registrar of bicycles has violated or failed to comply with any provision of Laws 1976, chapter 199 or any rule adopted hereunder. Upon the entry of such an order the commissioner shall promptly serve a copy thereof on the applicant or deputy registrar of bicycles. The order shall state the reasons for its issuance and, in the case of a suspension or revocation of appointment, shall specify that upon the written request of the deputy registrar of bicycles the matter will be set for hearing within 15 days after the receipt of the request, provided that with the consent of the deputy registrar of bicycles a hearing may be held subsequent to the expiration of the period specified herein. If no hearing is requested, the order will remain in effect until it is modified or vacated by the commissioner. If a hearing is requested, the commissioner, after notice and hearing in accordance with the provisions of chapter 14, shall affirm, modify or vacate the order.

**History:** 1976 c 199 s 11; 1977 c 41 s 4,5; 1981 c 363 s 25; 1982 c 424 s 130; 1984 c 572 s 2; 1986 c 444

#### **168C.12 ADMINISTRATION; RULES.**

The commissioner shall adopt rules for the implementation and administration of Laws 1976, chapter 199 no later than March 1, 1977. The commissioner shall begin to accept registrations and implement Laws 1976, chapter 199 on March 1, 1977. Nothing herein shall be construed to prevent the commissioner from contracting any service provided under Laws 1976, chapter 199 to any private person or entity or other unit of government.

**History:** 1976 c 199 s 12; 1977 c 41 s 6

#### **168C.13 REGISTRATION BY POLITICAL SUBDIVISIONS.**

**Subdivision 1. Deputy registrar powers; may require registration; application procedures.** After February 28, 1977, no political subdivision may license or register bicycles except as a deputy registrar pursuant to section 168C.11, subdivision 1. However, any political subdivision which had such power prior to March 1, 1977, may thereafter require that any or all bicycles used or ridden upon any highway, street, alley, sidewalk or other public property within the boundaries thereof shall be registered. Applications for new registrations required pursuant to this subdivision shall be made to the commissioner in the same manner and subject to the same rules, fees and penalties as those made voluntarily pursuant to section 168C.03.

**Subd. 2. Records of registration; notice of transfers.** Any political subdivision of the state which licensed or registered bicycles prior to March 1, 1977, may after such date, continue to maintain its licensing or registration records and may require the owner of record as of March 1, 1977, of any bicycle registered therewith on or prior to that date to notify the political subdivision upon selling or otherwise transferring ownership of the bicycle.

**History:** 1976 c 199 s 13; 1977 c 41 s 7; 1985 c 248 s 70; 1986 c 444