

Minnesota

Department of Natural Resources

84.025 Contracts for professional and maintenance

services.

Subdivision 1. Repealed, 1969 c 1129 art 3 s 2

Subd. 2. Repealed, 1969 c 1129 art 3 s 2

Subd. 3. Repealed, 1969 c 1129 art 3 s 2

Subd. 4. Repealed, 1969 c 1129 art 3 s 2

Subd. 5. Repealed, 1969 c 1129 art 3 s 2

Subd. 6. Repealed, 1977 c 172 s 3

Subd. 7. **Contracts.** The commissioner of natural resources may contract with the federal government, local governmental units, the University of Minnesota, and other educational institutions, and private persons as may be necessary in the performance of duties. Contracts made pursuant to this section for professional services shall not be subject to the provisions of chapter 16C, as they relate to competitive bidding.

Subd. 8. **Recreational areas; maintenance services.**

Notwithstanding any other law to the contrary, the commissioner of natural resources may negotiate contracts, with or without requiring the submission of bids therefor, for the providing of maintenance services for recreational facilities on land under the control of the commissioner of natural resources. The terms and conditions of such contracts shall be as agreed upon and shall be such as to promote and encourage the employment of needy, elderly persons.

Subd. 9. **Professional services support account.** The commissioner of natural resources may bill the various programs carried out by the commissioner for the costs of providing them with professional support services. Receipts must be credited to a special account in the state treasury and are appropriated to the commissioner to pay the costs for which the billings were made.

The commissioner of natural resources shall submit to the commissioner of finance before the start of each fiscal year a work plan showing the estimated work to be done during the coming year, the estimated cost of doing the work, and the positions and fees that will be necessary. This account is exempted from statewide and agency indirect cost payments.

Subd. 10. **Recreational vehicles and boats used for**

public purposes. All snowmobiles and outboard motors that are purchased by the commissioner of natural resources must be of the four-stroke engine model, except that the commissioner may purchase models with two-stroke engines if the commissioner determines that they are as environmentally efficient or that four-stroke engines are not practical for the intended natural resource management purpose. The commissioner shall give preference to engine models manufactured in the United States. All all-terrain vehicles purchased by the commissioner must be manufactured in the state of Minnesota.

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84.773 Restrictions on operation.

Subdivision 1. **Restrictions.** A person may not intentionally operate an off-highway vehicle:

(1) on a trail on public land that is designated or signed for nonmotorized use only;

(2) on restricted areas within public lands that are posted or where gates or other clearly visible structures are placed to prevent unauthorized motorized vehicle access;

(3) except as specifically authorized by law or rule adopted by the commissioner, in unfrozen public waters, as defined in section [103G.005](#); in a state park; in a scientific and natural area; or in a wildlife management area; or

(4) in a calcareous fen, as identified by the commissioner.

Subd. 2. **Wetland disturbance.** A person may not operate an off-highway vehicle in a manner to:

(1) indicate a willful, wanton, or reckless disregard for the safety of persons or property;

(2) carelessly upset the natural and ecological balance of a wetland or public waters wetland; or

(3) impact a wetland or public waters wetland in excess of the amounts authorized in section [103G.2241](#), subdivision 9, unless:

(i) sequencing of the impact is followed according to

section [103G.222](#), subdivision 1, paragraph (b), and the impact is repaired under section [103G.2242](#), and rules adopted pursuant to that section; or

(ii) the activity is exempt under section [103G.2241](#).

Subd. 3. **Private land access.** The commissioner may grant up to a ten-year permit to exempt a private landowner or leaseholder from this section when the only reasonable access to a permit applicant's land is across state land.

84.775 Off-highway vehicle civil citations.

Subdivision 1. **Civil citation; authority to issue.**

(a) A conservation officer or other licensed peace officer may issue a civil citation to a person who operates:

(1) an off-highway motorcycle in violation of sections [84.773](#), subdivision 1 or 2, clause (1); [84.777](#); [84.788](#) to [84.795](#); or [84.90](#);

(2) an off-road vehicle in violation of sections [84.773](#), subdivision 1 or 2, clause (1); [84.777](#); [84.798](#) to [84.804](#); or [84.90](#); or

(3) an all-terrain vehicle in violation of sections [84.773](#),

subdivision 1 or 2, clause (1); [84.777](#); [84.90](#); or [84.922](#) to [84.928](#).

(b) A civil citation under paragraph (a) shall require restitution for public and private property damage and impose a penalty of:

- (1) \$100 for the first offense;
- (2) \$200 for the second offense; and
- (3) \$500 for third and subsequent offenses.

(c) A conservation officer or other licensed peace officer may issue a civil citation to a person who operates an off-highway motorcycle, off-road vehicle, or all-terrain vehicle in violation of section [84.773](#), subdivision 2, clause (2) or (3). A civil citation under this paragraph shall require restitution for damage to wetlands and impose a penalty of:

- (1) \$100 for the first offense;
- (2) \$500 for the second offense; and
- (3) \$1,000 for third and subsequent offenses.

(d) If the peace officer determines that there is damage to property requiring restitution, the commissioner must send a written explanation of the extent of the damage and the cost of the repair by first class mail to the address provided by the person receiving the citation within 15 days of the date of the citation.

(e) An off-road vehicle or all-terrain vehicle that is equipped with a snorkel device and receives a civil citation under this section is subject to twice the penalty amounts in paragraphs (b) and (c).

Subd. 2. **Appeals.** Civil citations issued under subdivision 1 may be appealed according to section [116.072](#), if the recipient of the citation requests a hearing by notifying the commissioner in writing within 30 days after receipt of the citation or, if applicable, within 15 days after the date of mailing the explanation of restitution. For the purposes of this section, the terms "commissioner" and "agency" as used in section [116.072](#) mean the commissioner of natural resources. If a hearing is not requested within the 30-day period, the citation becomes a final order not subject to further review.

Subd. 3. **Enforcement.** Civil citations issued under subdivision 1 may be enforced under section [116.072](#), subdivision 9. Penalty amounts must be remitted within 30 days of issuance

of the citation.

Subd. 4. **Allocation of penalty amounts.** Penalty amounts collected from civil citations issued under this section must be paid to the treasury of the unit of government employing the officer that issued the civil citation. Penalties retained by the commissioner shall be credited as follows: to the off-highway motorcycle account under section [84.794](#) for citations involving off-highway motorcycles; to the off-road vehicle account under section [84.803](#) for citations involving off-road vehicles; or to the all-terrain vehicle account under section [84.927](#) for citations involving all-terrain vehicles. Penalty amounts credited under this subdivision are dedicated for the enforcement of off-highway vehicle laws.

Subd. 5. **Selection of remedy.** A peace officer may not seek both civil and misdemeanor penalties for offenses listed in subdivision 1.

84.777 Off-highway vehicle use of state lands restricted.

(a) Except as otherwise allowed by law or rules adopted by the commissioner, effective June 1, 2003, notwithstanding sections [84.787](#) to [84.805](#) and [84.92](#) to [84.929](#), the use of off-highway vehicles is prohibited on state land administered by the commissioner of natural resources, and on county-administered forest land within the boundaries of a state

forest, except on roads and trails specifically designated and posted by the commissioner for use by off-highway vehicles.

(b) Paragraph (a) does not apply to county-administered land within a state forest if the county board adopts a resolution that modifies restrictions on the use of off-highway vehicles on county-administered land within the forest.

84.780 Off-highway vehicle damage account.

(a) The off-highway vehicle damage account is created in the natural resources fund. Money in the off-highway vehicle damage account is appropriated to the commissioner of natural resources for the repair or restoration of property damaged by the operation of off-highway vehicles in an unpermitted area after August 1, 2003, and for the costs of administration for this section. Before the commissioner may make a payment from this account, the commissioner must determine whether the damage to the property was caused by the unpermitted use of off-highway vehicles, that the applicant has made reasonable efforts to identify the responsible individual and obtain payment from the individual, and that the applicant has made reasonable efforts to prevent reoccurrence. By June 30, 2008, the commissioner of finance must transfer the remaining balance in the account to the off-highway motorcycle account under section [84.794](#), the off-road vehicle account under section [84.803](#), and the

all-terrain vehicle account under section [84.927](#). The amount transferred to each account must be proportionate to the amounts received in the damage account from the relevant off-highway vehicle accounts.

(b) Determinations of the commissioner under this section may be made by written order and are exempt from the rulemaking provisions of chapter 14. Section [14.386](#) does not apply.

(c) This section expires July 1, 2008.

84.781 Use of department resources.

The commissioner of natural resources may permit Department of Natural Resources personnel and equipment from the Division of Trails and Waterways to be used to assist local units of government in developing and maintaining off-highway vehicle grant-in-aid trails located on property owned by or under the control of the local unit of government.

84.91 Operation of snowmobiles and all-terrain vehicles

by persons under the influence of alcohol or controlled substances.

Subdivision 1. **Acts prohibited.** (a) No owner or other person having charge or control of any snowmobile or all-terrain vehicle shall authorize or permit any individual the

person knows or has reason to believe is under the influence of alcohol or a controlled substance or other substance to operate the snowmobile or all-terrain vehicle anywhere in this state or on the ice of any boundary water of this state.

(b) No owner or other person having charge or control of any snowmobile or all-terrain vehicle shall knowingly authorize or permit any person, who by reason of any physical or mental disability is incapable of operating the vehicle, to operate the snowmobile or all-terrain vehicle anywhere in this state or on the ice of any boundary water of this state.

(c) A person who operates or is in physical control of a snowmobile or all-terrain vehicle anywhere in this state or on the ice of any boundary water of this state is subject to chapter 169A. In addition to the applicable sanctions under chapter 169A, a person who is convicted of violating section [169A.20](#) or an ordinance in conformity with it while operating a snowmobile or all-terrain vehicle, or who refuses to comply with a lawful request to submit to testing under sections [169A.50](#) to [169A.53](#) or an ordinance in conformity with it, shall be prohibited from operating the snowmobile or all-terrain vehicle for a period of one year. The commissioner shall notify the person of the time period during which the person is prohibited from operating a snowmobile or all-terrain vehicle.

(d) Administrative and judicial review of the operating privileges prohibition is governed by section [97B.066](#), subdivisions 7 to 9, if the person does not have a prior impaired driving conviction or prior license revocation, as defined in section [169A.03](#). Otherwise, administrative and judicial review of the prohibition is governed by section [169A.53](#).

(e) The court shall promptly forward to the commissioner and the Department of Public Safety copies of all convictions and criminal and civil sanctions imposed under this section and chapters 169 and 169A relating to snowmobiles and all-terrain vehicles.

(f) A person who violates paragraph (a) or (b), or an ordinance in conformity with either of them, is guilty of a misdemeanor. A person who operates a snowmobile or all-terrain vehicle during the time period the person is prohibited from operating a vehicle under paragraph (c) is guilty of a misdemeanor.

Subd. 2. Repealed, 1Sp1997 c 2 s 69

Subd. 3. Repealed, 1Sp1997 c 2 s 69

Subd. 4. Repealed, 1Sp1997 c 2 s 69

Subd. 5. Repealed, 1Sp1997 c 2 s 69

Subd. 5a. Repealed, 1Sp1997 c 2 s 69

Subd. 6. Repealed, 1Sp1997 c 2 s 69

Subd. 7. Repealed, 1Sp1997 c 2 s 69

Subd. 8. Repealed, 1Sp1997 c 2 s 69

84.911 Reports of death.

Subdivision 1. Repealed, 1Sp1997 c 2 s 69

Subd. 2. Repealed, 1Sp1997 c 2 s 69

Subd. 3. Repealed, 1Sp1997 c 2 s 69

Subd. 4. Repealed, 1Sp1997 c 2 s 69

Subd. 5. Repealed, 1Sp1997 c 2 s 69

Subd. 6. Repealed, 1Sp1997 c 2 s 69

Subd. 7. **Coroner to report death.** Every coroner or

medical examiner shall report in writing to the Department of Natural Resources the death of any person within the jurisdiction of the coroner or medical examiner as the result of an accident involving an off-road recreational vehicle, as defined in section [169A.03](#), subdivision 16, and the circumstances of the accident. The report shall be made within 15 days after the death.

In the case of drivers killed in off-road recreational vehicle accidents and of the death of passengers 14 years of age or older, who die within four hours after accident, the coroner or medical examiner shall examine the body and shall make tests as are necessary to determine the presence and percentage concentration of alcohol, and drugs if feasible, in the blood of the victim. This information shall be included in each report submitted pursuant to the provisions of this subdivision and shall be tabulated by the Department of Natural Resources. Periodically, the commissioner of natural resources must transmit a summary of the reports to the commissioner of public safety.

84.915 Land use for certain vehicles restricted.

After June 1, 1993, the commissioner may not allow the use of state lands or acquire private lands for development or operation of a motor sports area for use by all-terrain vehicles, motorcycles, or four-wheel drive trucks without

legislative approval. This restriction does not apply to recreational trails.

84.92 Definitions.

Subdivision 1. **Scope.** The definitions in this section apply to sections 84.92 to [84.929](#).

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. 1b. **Accompanied.** "Accompanied" means being subject to continuous direction or control.

Subd. 1c. **Agricultural purpose.** "Agricultural purpose" means used exclusively for an agricultural use as defined in subdivision 1d.

Subd. 1d. **Agricultural use.** "Agricultural use" means use in agriculturally related activities or harvesting of wood

for commercial or firewood purposes by any person.

Subd. 1e. **City.** "City" means a home rule charter or statutory city.

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

Subd. 3. **Dealer.** "Dealer" means a person engaged in the business of selling all-terrain vehicles at wholesale or retail.

Subd. 4. **Manufacturer.** "Manufacturer" means a person engaged in the business of manufacturing 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 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](#) (b)(27).

Subd. 6a. **Public road right-of-way.** "Public road right-of-way" means the entire right-of-way of a public road, including the traveled portions, banks, ditches, shoulders, and

medians of a roadway, that is not privately owned.

Subd. 7. **Register.** "Register" means the act of assigning a registration number to an all-terrain vehicle.

Subd. 8. **All-terrain vehicle.** "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 900 pounds.

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84.922 Registration.

Subdivision 1. **General requirements.** Unless exempted in subdivision 1a, a person may not operate and an owner may not give permission for another to operate an all-terrain vehicle within the state unless the vehicle has been registered with the commissioner of natural resources, or is exempt from registration.

Subd. 1a. **Exemptions.** All-terrain vehicles exempt from registration are:

(1) vehicles owned and used by the United States, the state, another state, or a political subdivision;

(2) vehicles registered in another state or country that have not been in this state for more than 30 consecutive days; and

(3) vehicles used exclusively in organized track racing events.

Subd. 2. **Application, issuance, reports.** (a) Application for registration or continued registration shall be made to the commissioner or an authorized deputy registrar of motor vehicles in a form prescribed by the commissioner. The form must state the name and address of every owner of the vehicle.

(b) A person who purchases an all-terrain vehicle from a retail dealer shall make application for registration to the dealer at the point of sale. The dealer shall issue a dealer temporary ten-day registration permit to each purchaser who applies to the dealer for registration. The dealer shall submit the completed registration application and fees to the deputy

registrar at least once each week. No fee may be charged by a dealer to a purchaser for providing the temporary permit.

(c) Upon receipt of the application and the appropriate fee, the commissioner or deputy registrar shall issue to the applicant, or provide to the dealer, an assigned registration number or a commissioner or deputy registrar temporary ten-day permit. Once issued, the registration number must be affixed to the vehicle in a manner prescribed by the commissioner. A dealer subject to paragraph (b) shall provide the registration materials or temporary permit to the purchaser within the ten-day temporary permit period. The commissioner shall use the snowmobile registration system to register vehicles under this section.

(d) Each deputy registrar of motor vehicles acting under section [168.33](#), is also a deputy registrar of all-terrain vehicles. The commissioner of natural resources in agreement with the commissioner of public safety may prescribe the accounting and procedural requirements necessary to assure efficient handling of registrations and registration fees. Deputy registrars shall strictly comply with the accounting and procedural requirements.

(e) In addition to other fees prescribed by law, a filing fee of \$4.50 is charged for each all-terrain vehicle

registration renewal, duplicate or replacement registration card, and replacement decal and a filing fee of \$7 is charged for each all-terrain vehicle registration and registration transfer issued by:

(1) a deputy registrar and shall be deposited in the treasury of the jurisdiction where the deputy is appointed, or retained if the deputy is not a public official; or

(2) the commissioner and shall be deposited to the state treasury and credited to the all-terrain vehicle account in the natural resources fund.

Subd. 2a. **Private use registration.** All-terrain vehicles may be registered for private use that are used exclusively for private or agricultural use or used exclusively on private property. Private use registration is valid from the date of issuance until ownership of the all-terrain vehicle is transferred. Private or agricultural use registrations are not transferable.

Subd. 3. **Registration card; signature.** 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. The registration is not valid unless signed by at least one owner. 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 all-terrain vehicle account in the natural resources fund.

Subd. 4. **Report of transfers.** A person who sells or transfers ownership of a vehicle registered under this section shall report the sale or transfer to the commissioner within 15 days of the date of transfer. An application for transfer must be executed by the registered owner and the purchaser on a form prescribed by the commissioner with the owner's registration certificate, a bill of sale and a \$4 fee.

Subd. 5. **Fees for registration.** (a) The fee for a three-year registration of an all-terrain vehicle under this section, other than those registered by a dealer or manufacturer under paragraph (b) or (c), is:

(1) for public use before January 1, 2005, \$23;

(2) for public use on January 1, 2005, and after, \$30;

(3) for private use, \$6; and

(4) for a duplicate or transfer, \$4.

(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 must be credited to the all-terrain vehicle account.

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

Subd. 7. **Vehicles owned by state or political subdivision.** A registration number must be issued without the payment of a fee for all-terrain vehicles owned by the state or a political subdivision upon application.

Subd. 8. Repealed, 1989 c 331 s 26

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](#).

Subd. 10. **Registration by minors prohibited.** No person under the age of 18 may register an all-terrain vehicle.

Subd. 11. **Proof of sales tax payment.** A person applying for initial registration in Minnesota of an all-terrain vehicle shall provide a purchaser's certificate showing a complete description of the all-terrain vehicle, the seller's name and address, the full purchase price of the all-terrain vehicle, and the trade-in allowance, if any. The certificate also must include information showing either that (1) the sales and use tax under chapter 297A was paid, or (2) the purchase was exempt from tax under chapter 297A. The certificate is not required if the applicant provides a receipt, invoice, or other document that shows the all-terrain vehicle was purchased from a retailer maintaining a place of business in this state as defined in section [297A.66](#), subdivision 1.

Subd. 12. **Refunds.** The commissioner may issue a

refund on a registration, not including any issuing fees paid under subdivision 2, paragraph (e), or section [84.027](#), subdivision 15, paragraph (a), clause (3), if the refund request is received within 12 months of the original registration and:

(1) the vehicle was registered incorrectly by the commissioner or the deputy registrar; or

(2) the vehicle was registered twice, once by the dealer and once by the customer.

84.923 Requirements of makers of all-terrain vehicles.

Subdivision 1. **Identification number.** All vehicles made after January 1, 1985, and sold in the state, must have manufacturer's permanent identification number stamped in letters and numbers on the vehicle in the form and at a location prescribed by the commissioner.

Subd. 2. **Registration number.** All vehicles made after January 1, 1985, and sold in the state, must be designed and made to provide an area to affix the registration number. This area shall be at a location and of dimensions prescribed by the commissioner.

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;

(4) uniform signs to be used by the state, counties, and cities necessary or 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 and an officer investigating an accident 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 \$500 or more shall within ten business days forward a written report of the accident to the commissioner of natural resources on a form prescribed by either the commissioner of natural resources or by the commissioner of public safety. If the operator is killed or is unable to file a report due to incapacitation, any peace officer investigating the accident shall file the accident report within ten business days. Periodically, the commissioner of natural resources must transmit a summary of the accident reports to the commissioner of public safety.

84.925 Education and training program.

Subdivision 1. **Program established.** (a) The commissioner shall establish a comprehensive 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 all-terrain vehicle operators, and the issuance of all-terrain vehicle safety certificates to vehicle operators over the age of 12 years who successfully complete the all-terrain vehicle environmental and safety education and training course.

(b) 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 \$15 from each person who receives the training. The commissioner shall collect a fee, to include a \$1 issuing fee for licensing agents, for issuing a duplicate all-terrain vehicle safety certificate. The commissioner shall establish the fee for a duplicate all-terrain vehicle safety certificate that neither significantly overrecovers nor underrecovers costs, including overhead costs, involved in providing the service. Fee proceeds, except for the issuing fee for licensing agents under this subdivision, shall be deposited in the all-terrain vehicle account in the natural resources fund. In addition to the fee established by the commissioner, instructors may charge each person the cost of class material and expenses.

(c) 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. School districts may cooperate with the commissioner and volunteer instructors to provide space for the classroom portion of the training. 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. By June 30, 2003, the commissioner shall incorporate a riding component in

the safety education and training program.

Subd. 2. Repealed, 1989 c 331 s 26

Subd. 3. **All-terrain vehicle safety courses;**
reciprocity with other states. The commissioner may enter into reciprocity agreements or otherwise certify all-terrain vehicle environmental and safety education and training courses from other states that are substantially similar to in-state courses. Proof of completion of a course subject to a reciprocity agreement or certified as substantially similar is adequate to meet the safety certificate requirements of sections [84.92](#) to [84.929](#).

Subd. 4. **Exemption from rulemaking and legislative approval.** The fee to issue a duplicate all-terrain vehicle safety certificate under subdivision 1 is not subject to the rulemaking provisions of chapter 14 and section [14.386](#) does not apply. The commissioner may establish the duplicate all-terrain safety certificate fee notwithstanding section [16A.1283](#).

Subd. 5. **Training requirements.** (a) An individual who was born after July 1, 1987, and who is 16 years of age or older, must successfully complete the independent study course component of all-terrain vehicle safety training before operating an all-terrain vehicle on public lands.

(b) An individual who is convicted of violating a law related to the operation of an all-terrain vehicle must successfully complete the independent study course component of all-terrain vehicle safety training before continuing operation of an all-terrain vehicle.

(c) An individual who is convicted for a second or subsequent excess speed, trespass, or wetland violation in an all-terrain vehicle season, or any conviction for careless or reckless operation of an all-terrain vehicle, must successfully complete the independent study and the testing and operating course components of all-terrain vehicle safety training before continuing operation of an all-terrain vehicle.

(d) An individual who receives three or more citations and convictions for violating a law related to the operation of an all-terrain vehicle in a two-year period must successfully complete the independent study and the testing and operating course components of all-terrain vehicle safety training before continuing operation of an all-terrain vehicle.

(e) An individual must present evidence of compliance with this subdivision before an all-terrain vehicle registration is issued or renewed.

84.925 Education and training program.

Subdivision 1. **Program established.** (a) The commissioner shall establish a comprehensive 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 all-terrain vehicle operators, and the issuance of all-terrain vehicle safety certificates to vehicle operators over the age of 12 years who successfully complete the all-terrain vehicle environmental and safety education and training course.

(b) 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 \$15 from each person who receives the training. The commissioner shall collect a fee, to include a \$1 issuing fee for licensing agents, for issuing a duplicate all-terrain vehicle safety certificate. The commissioner shall establish the fee for a duplicate all-terrain vehicle safety certificate that neither significantly overrecovers nor underrecovers costs, including overhead costs, involved in providing the service. Fee proceeds, except for the issuing fee for licensing agents under this subdivision, shall be deposited in the all-terrain vehicle account in the natural resources fund. In addition to the fee established by the commissioner, instructors may charge each

person the cost of class material and expenses.

(c) 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. School districts may cooperate with the commissioner and volunteer instructors to provide space for the classroom portion of the training. 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. By June 30, 2003, the commissioner shall incorporate a riding component in the safety education and training program.

Subd. 2. Repealed, 1989 c 331 s 26

Subd. 3. **All-terrain vehicle safety courses; reciprocity with other states.** The commissioner may enter into reciprocity agreements or otherwise certify all-terrain vehicle environmental and safety education and training courses from other states that are substantially similar to in-state courses. Proof of completion of a course subject to a reciprocity agreement or certified as substantially similar is adequate to meet the safety certificate requirements of sections [84.92](#) to [84.929](#).

Subd. 4. **Exemption from rulemaking and legislative approval.** The fee to issue a duplicate all-terrain vehicle safety certificate under subdivision 1 is not subject to the rulemaking provisions of chapter 14 and section [14.386](#) does not apply. The commissioner may establish the duplicate all-terrain safety certificate fee notwithstanding section [16A.1283](#).

Subd. 5. **Training requirements.** (a) An individual who was born after July 1, 1987, and who is 16 years of age or older, must successfully complete the independent study course component of all-terrain vehicle safety training before operating an all-terrain vehicle on public lands.

(b) An individual who is convicted of violating a law related to the operation of an all-terrain vehicle must successfully complete the independent study course component of all-terrain vehicle safety training before continuing operation of an all-terrain vehicle.

(c) An individual who is convicted for a second or subsequent excess speed, trespass, or wetland violation in an all-terrain vehicle season, or any conviction for careless or reckless operation of an all-terrain vehicle, must successfully complete the independent study and the testing and operating course components of all-terrain vehicle safety training before continuing operation of an all-terrain vehicle.

(d) An individual who receives three or more citations and convictions for violating a law related to the operation of an all-terrain vehicle in a two-year period must successfully complete the independent study and the testing and operating course components of all-terrain vehicle safety training before continuing operation of an all-terrain vehicle.

(e) An individual must present evidence of compliance with this subdivision before an all-terrain vehicle registration is issued or renewed.

84.9256 Youthful operators; prohibitions.

Subdivision 1. **Prohibitions on youthful operators.**

(a) Except for operation on public road rights-of-way that is permitted under section [84.928](#), a driver's license issued by the state or another state is required to operate an all-terrain vehicle along or on a public road right-of-way.

(b) A person under 12 years of age shall not:

(1) make a direct crossing of a public road right-of-way;

(2) operate an all-terrain vehicle on a public road right-of-way in the state; or

(3) operate an all-terrain vehicle on public lands or waters, except as provided in paragraph (e).

(c) Except for public road rights-of-way of interstate highways, a person 12 years of age but less than 16 years may make a direct crossing of a public road right-of-way of a trunk, county state-aid, or county highway or operate on public lands and waters, only if that person possesses a valid all-terrain vehicle safety certificate issued by the commissioner and is accompanied on another all-terrain vehicle by a person 18 years of age or older who holds a valid driver's license.

(d) To be issued an all-terrain vehicle safety certificate, a person at least 12 years old, but less than 16 years old, must:

(1) successfully complete the safety education and training program under section [84.925](#), subdivision 1, including a riding component; and

(2) be able to properly reach and control the handle bars and reach the foot pegs while sitting upright on the seat of the all-terrain vehicle.

(e) A person at least ten years of age but under 12 years of age may operate an all-terrain vehicle with an engine

capacity up to 90cc on public lands or waters if accompanied by a parent or legal guardian.

Subd. 2. **Helmet required.** A person less than 18 years of age shall not operate an all-terrain vehicle on public land, public waters, or on a public road right-of-way unless wearing a safety helmet approved by the commissioner of public safety.

Subd. 3. **Prohibitions on person in lawful control.** It is unlawful for any person who is in lawful control 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) 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.

84.9257 Passengers.

(a) A parent or guardian may operate an all-terrain vehicle carrying one passenger who is under 16 years of age and who wears a safety helmet approved by the commissioner of public safety.

(b) For the purpose of this section, "guardian" means a legal guardian of a person under age 16, or a person 18 or older who has been authorized by the parent or legal guardian to supervise the person under age 16.

(c) A person 18 years of age or older may operate an all-terrain vehicle carrying one passenger who is 16 or 17 years of age and wears a safety helmet approved by the commissioner of public safety.

(d) A person 18 years of age or older may operate an all-terrain vehicle carrying one passenger who is 18 years of age or older.

84.926 Vehicle use on public lands; exceptions.

Subdivision 1. **Exception by permit.** Notwithstanding sections [84.773](#), subdivision 1, and [84.777](#), on a case by case basis, the commissioner may issue a permit authorizing a person to operate an off-highway vehicle on individual public trails under the commissioner's jurisdiction during specified times and

for specified purposes.

Subd. 2. **All-terrain vehicles; managed or limited forests; off trail.** Notwithstanding section [84.777](#), but subject to the commissioner's authority under subdivision 5, on state forest lands classified as managed or limited, other than the Richard J. Dorer Memorial Hardwood Forest, a person may use an all-terrain vehicle off forest trails or forest roads when:

(1) hunting big game or transporting or installing hunting stands during October, November, and December, when in possession of a valid big game hunting license;

(2) retrieving big game in September, when in possession of a valid big game hunting license;

(3) tending traps during an open trapping season for protected furbearers, when in possession of a valid trapping license; or

(4) trapping minnows, when in possession of a valid minnow dealer, private fish hatchery, or aquatic farm license.

Subd. 3. **All-terrain vehicles; closed forests; hunting.**

Notwithstanding section [84.777](#), the commissioner may determine whether all-terrain vehicles are allowed on specific

forest roads, on state forest lands classified as closed, for the purpose of hunting big game during an open big game season. The determination shall be by written order as published in the State Register and is exempt from chapter 14. Section [14.386](#) does not apply.

Subd. 4. **Off-road and all-terrain vehicles; limited or managed forests; trails.** Notwithstanding section [84.777](#), but subject to the commissioner's authority under subdivision 5, on state forest lands classified as limited or managed, other than the Richard J. Dorer Memorial Hardwood Forest, a person may use vehicles registered under chapter 168 or section [84.798](#) or [84.922](#) on forest trails that are not designated for a specific use when:

(1) hunting big game or transporting or installing hunting stands during October, November, and December, when in possession of a valid big game hunting license;

(2) retrieving big game in September, when in possession of a valid big game hunting license;

(3) tending traps during an open trapping season for protected furbearers, when in possession of a valid trapping license; or

(4) trapping minnows, when in possession of a valid minnow dealer, private fish hatchery, or aquatic farm license.

Subd. 5. **Limitations on off-trail and undesignated trail use.** The commissioner may designate areas on state forest lands that are not subject to the exceptions provided in subdivisions 2 and 4. Such designations are not subject to the rulemaking provisions of chapter 14 and section [14.386](#) does not apply. Before designating such areas, the commissioner shall hold a public meeting in the county where the largest portion of the forest lands are located to provide information to and receive comment from the public regarding the proposed designation. Sixty days before the public meeting, notice of the proposed designation shall be published in the legal newspapers that serve the counties in which the lands are located, in a statewide Department of Natural Resources news release, and in the State Register.

84.927 All-terrain vehicle account; receipts and allocations.

Subdivision 1. **Registration revenue.** Fees from the registration of all-terrain vehicles and the unrefunded gasoline tax attributable to all-terrain vehicle use under section [296A.18](#), as well as the net proceeds from the sale of all-terrain vehicles forfeited pursuant to section [169A.63](#), shall be deposited in the state treasury and credited to the

all-terrain vehicle account in the natural resources fund.

Subd. 2. **Purposes.** Subject to appropriation by the legislature, money in the all-terrain vehicle account may only be spent for:

(1) the education and training program under section [84.925](#);

(2) administration, enforcement, and implementation of sections [84.773](#) to [84.929](#);

(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;

(5) grants-in-aid to local safety programs; and

(6) enforcement and public education grants to local law enforcement agencies.

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

84.928 Operation requirements; local regulation.

Subdivision 1. **Operation on roads and rights-of-way.**

(a) Unless otherwise allowed in sections [84.92](#) to [84.929](#), a person shall not operate an all-terrain vehicle in this state along or on the roadway, shoulder, or inside bank or slope of a public road right-of-way of a trunk, county state-aid, or county highway other than in the ditch or the outside bank or slope of a trunk, county state-aid, or county highway unless prohibited under paragraph (b).

(b) A road authority as defined under section [160.02](#), subdivision 25, may after a public hearing restrict the use of all-terrain vehicles in the ditch or outside bank or slope of a public road right-of-way under its jurisdiction.

(c) The restrictions in paragraphs (a), (b), (g), (h), and (i) do not apply to the operation of an all-terrain vehicle on the shoulder, inside bank or slope, ditch, or outside bank or slope of a trunk, interstate, county state-aid, or county highway when the all-terrain vehicle is:

(1) owned by or operated under contract with a publicly or privately owned utility or pipeline company; and

(2) used for work on utilities or pipelines.

(d) The commissioner may limit the use of a right-of-way for a period of time if the commissioner determines that use of the right-of-way causes:

(1) degradation of vegetation on adjacent public property;

(2) siltation of waters of the state;

(3) impairment or enhancement to the act of taking game; or

(4) a threat to safety of the right-of-way users or to individuals on adjacent public property.

(e) The commissioner must notify the road authority as soon as it is known that a closure will be ordered. The notice must state the reasons and duration of the closure.

(f) A person may operate an all-terrain vehicle registered for private use and used for agricultural purposes on a public road right-of-way of a trunk, county state-aid, or county highway in this state if the all-terrain vehicle is operated on the extreme right-hand side of the road, and left turns may be made from any part of the road if it is safe to do so under the prevailing conditions.

(g) A person shall not operate an all-terrain vehicle within the public road 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. This paragraph does not apply to an agent or employee of a road authority, as defined in section [160.02](#), subdivision 25, or the Department of Natural Resources when performing or exercising official duties or powers.

(h) A person shall not operate an all-terrain vehicle within the public road 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.

(i) A person shall not operate an all-terrain vehicle at any time within the right-of-way of an interstate highway or freeway within this state.

Subd. 1a. **Crossing a public road right-of-way.** (a)

An all-terrain vehicle may make a direct crossing of a public road right-of-way provided:

(1) the crossing is made at an angle of approximately 90

degrees to the direction of the road 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 road;

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

(4) in crossing a divided road, the crossing is made only at an intersection of the road with another public road; 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.

(b) 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, or roadway shoulder or inside bank of a public road right-of-way 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 or obstacle, and the crossing is made without undue delay.

(c) 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, 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.

(d) An all-terrain vehicle may be operated upon a public road right-of-way 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.

(e) Chapters 169 and 169A apply 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.

(f) 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.

(g) A driver's license is not required to operate an all-terrain vehicle along or on a public road right-of-way if

the right-of-way encompasses a trail administered by the commissioner and designated for all-terrain vehicle use or multiple use.

(h) A road authority as defined in section [160.02](#), subdivision 25, may by permit designate corridor access trails on public road rights-of-way for purposes of accessing established all-terrain vehicle trails. A driver's license is not required to operate an all-terrain vehicle on a designated corridor access trail.

Subd. 2. **Operation generally.** A person may not 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;

(5) in a tree nursery or planting in a manner that damages or destroys growing stock;

(6) without a brake operational by either hand or foot;

(7) with more than one person on the vehicle, except as allowed under section [84.9257](#);

(8) at a speed exceeding ten miles per hour on the frozen surface of public waters within 100 feet of a person not on an all-terrain vehicle or within 100 feet of a fishing shelter;

(9) with a snorkel device that has a raised air intake six inches or more above the vehicle manufacturer's original air intake, except within the Iron Range Off-Highway Vehicle Recreation Area as described in section [85.013](#), subdivision 12a, or other public off-highway vehicle recreation areas; or

(10) in a manner that violates operation rules adopted by the commissioner.

Subd. 3. Repealed, 1994 c 615 s 28

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 39.

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.** (a) Notwithstanding any law to the contrary, a city or town, acting through its governing body, may by resolution or ordinance prohibit the operation of all-terrain vehicles on city streets or town roads in its jurisdiction provided the regulations are otherwise consistent with sections [84.92](#) to [84.929](#).

(b) 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 jurisdiction other than

public road rights-of-way within its boundaries, by resolution or ordinance of the governing body and by giving appropriate notice, provided:

(1) the regulations must be consistent with sections [84.92](#) to [84.929](#) and rules adopted under section [84.924](#);

(2) an ordinance may not impose 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 a city; and

(3) an ordinance may not require an all-terrain vehicle operator to possess a motor vehicle driver's license while operating an all-terrain vehicle.

(c) Notwithstanding any law to the contrary, a county board by ordinance may allow the operation of all-terrain vehicles on the road right-of-way shoulder, or inside bank or slope of a county highway or county state-aid highway, if:

(1) the highway is in the agricultural zone; or

(2) safe operation in the ditch or outside slope is impossible, and the county posts the appropriate notice.

Subd. 7. Repealed, 1989 c 331 s 26

84.929 Penalties.

Any person who violates any provision of sections [84.92](#) to [84.928](#) or rules of the commissioner is guilty of a misdemeanor.

84.930 Motorized trail grants-in-aid.

(a) This section applies to grants-in-aid for motorized trail construction and maintenance under sections [84.794](#), [84.803](#), [84.83](#), and [84.927](#).

(b) If the commissioner of natural resources determines that a grant-in-aid recipient has violated any federal or state law or any of the terms of the grant agreement with the commissioner, the commissioner may withhold all grant payments for any work occurring after the date the recipient was notified of the violation and seek restitution for any property damage caused by the violation.

(c) A grant-in-aid recipient may appeal the commissioner's decision under paragraph (b) in a contested case hearing under section [14.58](#).

Division of Parks and Recreation

85.018 Trail use; vehicles regulated, restricted.

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

(a) "All-terrain vehicle" has the meaning given in section [84.92](#), subdivision 8.

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

(c) "Off-road vehicle" has the meaning given in section [84.797](#), subdivision 7.

(d) "Snowmobile" has the meaning given in section [84.81](#), subdivision 3.

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

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:

(1) designate the trail for use by snowmobiles or for

nonmotorized use from December 1 to April 1 of any year; and

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

(b) A local government unit that receives state grants-in-aid under section [84.794](#), subdivision 2, [84.803](#), subdivision 2, or [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 or off-road vehicles or off-highway motorcycles, 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.

(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, off-highway motorcycles, all-terrain and off-road vehicles.

Subd. 3. **Motorized use; permits, restrictions.**

Permits may be issued for motorized vehicles, other than those

designated, to use a trail designated for use by snowmobiles, off-highway motorcycles, all-terrain or off-road 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.** No motorized vehicle shall be operated on a trail designated for nonmotorized use. This subdivision does not apply to motorized wheelchairs or other motorized devices operated by an individual who is physically disabled.

Subd. 5. **Motorized 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 or off-road vehicle

and an off-highway motorcycle, unless authorized by permit, shall be permitted on a trail designated for use by all-terrain vehicles, off-road vehicles, or both, and off-highway motorcycles.

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](#).

Subd. 8. **Enforcement.** The provisions of this section may be enforced by officers of the Department of Natural Resources as provided in sections [97A.201](#) to [97A.235](#).

State Forests; Tree Planting; Forest Roads

89.025 Dorer Memorial Hardwood Forest; land use restricted.

After June 1, 1993, the commissioner may not allow the use of additional state forest lands within the boundaries of the Richard J. Dorer Memorial Hardwood State Forest for development or operation of a motor sports area for use by all-terrain vehicles, motorcycles, or four-wheel drive trucks without legislative approval. This restriction does not apply to recreational trails.

Game and Fish

97A.133 State management wildlife areas.

Subdivision 1. **Establishment.** State wildlife management areas are established and designated as provided under this section. State wildlife management areas are located and named as indicated in this section.

HIST: 2000 c 485 s 16

Subd. 2. **Payment in lieu of taxes.** The consolidated conservation lands included in state wildlife management areas are subject to the payment in lieu of tax as provided in section [477A.12](#), paragraph (a), clause (1).

HIST: 2000 c 485 s 16

Subd. 3. **All-terrain vehicle travel within designated wildlife management areas.** (a) On lands acquired by the state under chapter 84A that are designated after January 1, 1986, as wildlife management areas, the commissioner shall, by January 15, 2004, identify, designate, and sign at least 90 miles of all-terrain vehicle trails, not including public roads that are maintained and open to travel by other noncommercial vehicles, in corridors of disturbance that:

(1) the commissioner determines are appropriate to connect trails, forest roads established under section [89.71](#), subdivision 1, and public highways to provide reasonable travel for all-terrain vehicles; or

(2) are areas of historic all-terrain vehicle use, including trails that end within a wildlife management area.

The designated trails must be either within or contiguous to the wildlife management areas. The commissioner shall consult with wildlife management area users, including both motorized and nonmotorized trail users, in identifying and designating trails under this paragraph. Trail establishment must be in compliance with other state and federal law. Local governments and other trail sponsors may propose the designation of trails, including the designation as a grant-in-aid trail for the purposes of funding under section [84.927](#), subdivision 2. Designation of trails by the commissioner, authorized under this subdivision, shall be by written order published in the State Register. Designations are not subject to the rulemaking provisions of chapter 14 and section [14.386](#) does not apply.

(b) The following roads shall be open to travel by all-terrain vehicles when the roads are open to other noncommercial vehicles:

(1) the Rapid River Forest Road, beginning at the west boundary of the Red Lake Wildlife Management Area at the southwest corner of Section 7, Township 156 North, Range 35 West, Beltrami County, thence in an easterly and northeasterly direction through the Red Lake Wildlife Management Area to the east boundary of the Red Lake Wildlife Management Area at the southwest corner of Section 7, Township 157 North, Range 33

West, Lake of the Woods County;

(2) the Blanchard Forest Road, beginning at the junction of the North Shore Road along the northern shore of Upper Red Lake and the Blanchard State Forest Road at the west section line of Section 30, Township 155 North, Range 31 West, Beltrami County, thence in a westerly direction to the west section line of Section 31, Township 155 North, Range 32 West;

(3) the Moose River Forest Road, beginning at the junction of Dick's Parkway State Forest Road and the Moose River State Forest Road at the southwest corner of Section 31, Township 36 West, Range 158 North, thence in a westerly direction along the Moose River State Forest Road to the junction of Beltrami County Road 706; and

(4) the existing west access road to the Moose River dike, which is included in meeting the required all-terrain vehicle trail mileage specified in paragraph (a).

(c) The commissioner shall sign each road and trail designated under this subdivision indicating the motorized uses allowed.

(d) During the regular firearms deer season, on all wildlife management area lands within the area described in

paragraph (e), a person licensed to take deer may operate an all-terrain vehicle:

(1) before legal shooting hours;

(2) after legal shooting hours; and

(3) from 11:00 a.m. to 2:00 p.m.

(e) Paragraph (d) applies from where State Highway No. 1 intersects the west boundary of the Red Lake Indian Reservation, then west to State Highway No. 219, then north on State Highway No. 219 to State Highway No. 89, then north on State Highway No. 89 to County Highway No. 6, then east on County Highway No. 6 to County Highway No. 54 and County Highway No. 1 (Beltrami/Marshall county line) then north along the Beltrami/Marshall county line to Roseau county line, then east on Beltrami/Roseau county line to Dick's Parkway, then south on Dick's Parkway to County Road No. 704, Beltrami County, then south to County State-Aid Highway No. 44 to Fourtown, then south on State Highway No. 89 to the north boundary of the Red Lake Indian Reservation, then west and south following the boundary of the Red Lake Indian Reservation to where it intersects State Highway No. 1.

(f) For the purposes of this subdivision, "corridors of

disturbance" means rights-of-way such as ditches, ditch banks, transmission lines, pipelines, permanent roads, winter roads, and recreational trails. The existence of a corridor of disturbance eligible for corridor designation may be demonstrated by physical evidence, document recorded in the office of the county recorder or other public official, aerial survey, or other evidence similar to the above. Cross-country motorized use of land shall not cause that land to be considered a corridor of disturbance.

Vehicle Registration, Taxation, Sale

168.011 Definitions.

Subdivision 1. **Words, terms, and phrases.** Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases, for the purposes of this chapter, shall be given the meanings subjoined to them.

Subd. 2. **Application for registration; listing for taxation.** "Application for registration" shall have the same meaning as "listing for taxation," and when a motor vehicle is registered it is also listed.

Subd. 2a. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Public Safety.

Subd. 3. **Highway.** "Highway" has the meaning given "street or highway" in section [169.01](#), subdivision 29.

Subd. 4. **Motor vehicle.** (a) "Motor vehicle" means any self-propelled vehicle designed and originally manufactured to operate primarily on highways, and not operated exclusively upon railroad tracks. It includes any vehicle propelled or drawn by a self-propelled vehicle and includes vehicles known as trackless trolleys that are propelled by electric power obtained from overhead trolley wires but not operated upon rails. It does not include snowmobiles, manufactured homes, or park trailers.

(b) "Motor vehicle" includes an all-terrain vehicle only if the all-terrain vehicle (1) has at least four wheels, (2) is owned and operated by a physically disabled person, and (3) displays both disability plates and a physically disabled certificate issued under section [169.345](#).

(c) "Motor vehicle" does not include an all-terrain vehicle 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. The owner may continue to license an all-terrain vehicle described in clause (2) 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.

(e) "Motor vehicle" does not include a motorized foot scooter as defined in section [169.01](#), subdivision 4c.

Subd. 5. **Owner.** "Owner" means any person owning or leasing a vehicle, or having the exclusive use of the vehicle, under a lease or otherwise, for a period greater than 30 days.

Subd. 5a. **Registered owner.** "Registered owner" means any person, other than a secured party, having title to a vehicle. If a passenger automobile is under lease for a term of 180 days or more, the lessee is deemed to be the registered owner, for purposes of registration only; provided that the application for renewal of the registration of a passenger automobile is sent to the lessor.

Subd. 6. **Tax.** "Tax" means the annual registration tax imposed on vehicles in lieu of all other taxes, except wheelage taxes which may be imposed by any city, and gross earnings taxes paid by companies. The annual tax is both a

property tax and a highway use tax and shall be on the basis of the calendar year.

Subd. 7. **Passenger automobile.** (a) "Passenger automobile" means any motor vehicle designed and used for carrying not more than 15 individuals including the driver.

(b) "Passenger automobile" does not include motorcycles, motor scooters, buses, or school buses.

(c) "Passenger automobile" includes pickup trucks and vans, including those vans designed to carry passengers, with a manufacturer's nominal rated carrying capacity of one ton, but does not include commuter vans as defined in section [168.126](#).

Subd. 8. **Manufactured home; park trailer; travel trailer.** (a) "Manufactured home" has the meaning given it in section [327.31](#), subdivision 6.

(b) "Park trailer" means a trailer that:

(1) exceeds 8-1/2 feet in width in travel mode but is no larger than 400 square feet when the collapsible components are fully extended or at maximum horizontal width; and

(2) is used as temporary living quarters.

"Park trailer" does not include a manufactured home.

(c) "Travel trailer" means a trailer, mounted on wheels, that:

(1) is designed to provide temporary living quarters during recreation, camping, or travel;

(2) does not require a special highway movement permit based on its size or weight when towed by a motor vehicle; and

(3) complies with sections [169.80](#), subdivision 2, and [169.81](#), subdivision 2.

Subd. 9. **Bus; intercity bus.** (a) "Bus" means (1) every motor vehicle designed for carrying more than 15 passengers including the driver and used for transporting persons, (2) every motor vehicle that is (i) designed for carrying more than ten passengers including the driver, (ii) used for transporting persons, and (iii) owned by a nonprofit organization and not operated for hire or for commercial purposes, or (3) every motor vehicle certified by the Department of Transportation as a special transportation service provider vehicle and receiving reimbursement as provided in section [256B.0625](#), subdivision 17.

(b) "Intercity bus" means any bus operating as a common passenger carrier over regular routes and between fixed termini, but excluding all buses operating wholly within the limits of one city, or wholly within two or more contiguous cities, or between contiguous cities and a terminus outside the corporate limits of such cities, and not more than 20 miles distant measured along the fixed route from such corporate limits.

Subd. 10. **Truck.** "Truck" means any motor vehicle designed and used for carrying things other than passengers, except pickup trucks and vans included within the definition of passenger automobile in subdivision 7.

Subd. 11. **Tractor.** "Tractor" means any motor vehicle designed or used for drawing other vehicles but having no provision for carrying loads independently.

Subd. 12. **Truck-tractor.** "Truck-tractor" means:

(1) a motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load drawn; and

(2) a motor vehicle designed and used primarily for drawing other vehicles used exclusively for transporting motor vehicles

and capable of carrying motor vehicles on its own structure.

Subd. 13. **Trailer.** "Trailer" means any vehicle designed for carrying property or passenger on its own structure and for being drawn by a motor vehicle but shall not include a trailer drawn by a truck-tractor semitrailer combination, or an auxiliary axle on a motor vehicle which carries a portion of the weight of the motor vehicle to which it is attached. For the purpose of registration, trailers coupled with a truck-tractor, semitrailer combination are semitrailers.

Subd. 14. **Semitrailer.** "Semitrailer" means a vehicle of the trailer type so designed and used in conjunction with a truck-tractor that a considerable part of its own weight or that of its load rests upon and is carried by the truck-tractor and shall include a trailer drawn by a truck-tractor semitrailer combination. For the purpose of registration, trailers coupled with a truck-tractor, semitrailer combination are semitrailers.

Subd. 15. **Unloaded weight.** "Unloaded weight" means the actual weight of the vehicle fully equipped without a load.

Subd. 16. **Gross weight.** (a) "Gross weight" means the actual unloaded weight of the vehicle, either a truck or tractor, or the actual unloaded combined weight of a truck-tractor and semitrailer or semitrailers, or of the

truck-tractor, semitrailer and one additional semitrailer, fully equipped for service, plus the weight of the maximum load which the applicant has elected to carry on such vehicle or combined vehicles.

(b) The term gross weight applied to a truck used for towing a trailer means the unloaded weight of the truck, fully equipped for service, plus the weight of the maximum load which the applicant has elected to carry on such truck, including the weight of such part of the trailer and its load as may rest upon the truck.

(c) The term gross weight applied to school buses means the weight of the vehicle fully equipped with all fuel tanks full of fuel, plus the weight of the passengers and their baggage computed at the rate of 100 pounds per passenger seating capacity, including that for the driver. The term gross weight applied to other buses means the weight of the vehicle fully equipped with all fuel tanks full of fuel, plus the weight of passengers and their baggage computed at the rate of 150 pounds per passenger seating capacity, including that for the driver. For bus seats designed for more than one passenger, but which are not divided so as to allot individual seats for the passengers that occupy them, allow two feet of its length per passenger to determine seating capacity.

(d) The term gross weight applied to a truck, truck-tractor or a truck used as a truck-tractor used exclusively by the owner thereof for transporting unfinished forest products or used by the owner thereof to transport agricultural, horticultural, dairy and other farm products including livestock produced or finished by the owner of the truck and any other personal property owned by the farmer to whom the license for such truck is issued, from the farm to market, and to transport property and supplies to the farm of the owner, as described in subdivision 17, shall be the actual weight of the truck, truck-tractor or truck used as a truck-tractor or the combined weight of the truck-tractor and semitrailer plus the weight of the maximum load which the applicant has elected to carry on such vehicle or combined vehicles and shall be licensed and taxed as provided by section [168.013](#), subdivision 1c.

(e) The term gross weight applied to a truck-tractor or a truck used as a truck-tractor used exclusively by the owner, or by a for-hire carrier hauling exclusively for one owner, for towing an equipment dolly shall be the actual weight of the truck-tractor or truck used as a truck-tractor plus the weight of such part of the equipment dolly and its load as may rest upon the truck-tractor or truck used as a truck-tractor, and shall be licensed separately and taxed as provided by section [168.013](#), subdivision 1e, and the equipment dolly shall be licensed separately and taxed as provided in section [168.013](#),

subdivision 1d, which is applicable for the balance of the weight of the equipment dolly and the balance of the maximum load the applicant has elected to carry on such combined vehicles. The term "equipment dolly" as used in this subdivision means a heavy semitrailer used solely by the owner, or by a for-hire carrier hauling exclusively for one owner, to transport the owner's construction machinery, equipment, implements and other objects used on a construction project, but not to be incorporated in or to become a part of a completed project.

(f) The term gross weight applied to a tow truck or towing vehicle defined in section [169.01](#), subdivision 52, means the weight of the tow truck or towing vehicle fully equipped for service, including the weight of the crane, winch and other equipment to control the movement of a towed vehicle, but does not include the weight of a wrecked or disabled vehicle towed or drawn by the tow truck or towing vehicle.

Subd. 17. **Farm truck.** (a) "Farm truck" means all single-unit trucks, truck-tractors, tractors, semitrailers, and trailers used by the owner thereof to transport agricultural, horticultural, dairy, and other farm products, including livestock, produced or finished by the owner of the truck, and any other personal property owned by the farmer to whom the license for the truck is issued, from the farm to market, and to

transport property and supplies to the farm of the owner.

Trucks, truck-tractors, tractors, semitrailers, and trailers registered as "farm trucks" may be used by the owner thereof to occasionally transport unprocessed and raw farm products, not produced by the owner of the truck, from the place of production to market when the transportation constitutes the first haul of the products, and may be used by the owner thereof, either farmer or logger who harvests and hauls forest products only, to transport logs, pulpwood, lumber, chips, railroad ties and other raw and unfinished forest products from the place of production to an intermediate or final assembly point or transfer yard or railhead, which transportation may be continued by another farm truck to a place for final processing or manufacture located within 200 miles of the place of production and all of which is deemed to constitute the first haul of unfinished wood products; provided that the owner and operator of the vehicle transporting planed lumber shall have in immediate possession a statement signed by the producer of the lumber designating the governmental subdivision, section, and township where the lumber was produced and that this haul, indicating the date, is the first haul thereof. The licensed vehicles may also be used by the owner thereof to transport, to and from timber-harvesting areas, equipment and appurtenances incidental to timber harvesting, and gravel and other road-building materials for timber haul roads.

(b) "Farm trucks" shall also include only single-unit trucks that, because of their construction, cannot be used for any other purpose and are used exclusively to transport milk and cream en route from a farm to an assembly point or place for final manufacture, and for transporting milk and cream from an assembly point to a place for final processing or manufacture. This section shall not be construed to mean that the owner or operator of the truck cannot carry on usual accommodation services for patrons on regular return trips, such as butter, cream, cheese, and other dairy supplies.

Subd. 18. **Registrar.** "Registrar" means the registrar of motor vehicles designated in this chapter.

Subd. 19. Repealed, 1Sp2005 c 6 art 3 s 108

Subd. 20. **First year of life.** "First year of life" means the year of model designation of the vehicle, or, if there be no year of model designation, it shall mean the year of manufacture.

Subd. 21. **Dealer.** "Dealer" means any person, firm, or corporation regularly engaged in the business of manufacturing, or selling, purchasing, and generally dealing in new and unused motor vehicles having an established place of business for the sale, trade, and display of new and unused

motor vehicles and having in possession new and unused motor vehicles for the purposes of sale or trade. "Dealer" also includes any person, firm or corporation regularly engaged in the business of manufacturing or selling, purchasing, and generally dealing in new and unused motor vehicle bodies, chassis mounted or not, and having an established place of business for the sale, trade and display of such new and unused motor vehicle bodies, and having in possession new and unused motor vehicle bodies for the purposes of sale or trade.

Subd. 22. **Special mobile equipment.** "Special mobile equipment" means every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including but not limited to: ditch-digging apparatuses, moving dollies, pump hoists and other water well-drilling equipment registered under chapter 103I, street-sweeping vehicles, and other machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck-tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, truck-mounted log loaders, earth-moving carryalls, scrapers, power shovels, draglines, self-propelled cranes, and earth-moving equipment. The term does not include travel trailers, dump trucks, truck-mounted transit mixers, truck-mounted feed grinders, or other motor vehicles designed for the transportation of persons or property to which machinery

has been attached.

Subd. 23. Repealed, 1989 c 140 s 14

Subd. 24. Repealed, 1973 c 218 s 9

Subd. 25. **Recreational vehicle.** (a) "Recreational vehicle" means travel trailers including those that telescope or fold down, chassis-mounted campers, motor homes, tent trailers, and converted buses that provide temporary human living quarters.

(b) "Recreational vehicle" is a vehicle that:

(1) is not used as the residence of the owner or occupant;

(2) is used while engaged in recreational or vacation activities; and

(3) is either self-propelled or towed on the highways incidental to the recreational or vacation activities.

Subd. 25a. **Motor home.** (a) "Motor home" means a recreational vehicle designed to provide temporary living quarters. The motor home has a living unit built into as an integral part of, or permanently attached to the chassis of, a motor vehicle or van.

(b) A motor home must contain permanently installed, independent, life-support systems that meet the American National Standards Institute standard number A119.2 for recreational vehicles and provide at least four of the following facilities, two of which must be from the systems listed in clauses (1), (5), and (6): (1) a cooking facility with liquid propane gas supply, (2) a refrigerator, (3) a self-contained toilet or a toilet connected to a plumbing system with a connection for external water disposal, (4) a heating or air conditioning system separate from the motor vehicle engine, (5) a potable water supply system including a sink with a faucet either self-contained or with connections for an external source, and (6) a separate 110-125 volts electrical power supply.

(c) For purposes of this subdivision, "permanently installed" means built into or attached as an integral part of a chassis or van, and designed not to be removed except for repair or replacement. A system that is readily removable or held in place by clamps or tie-downs is not permanently installed.

(d) Motor homes include a:

(1) type A motor home, which is a raw chassis upon which is built a driver's compartment and an entire body that provides temporary living quarters as described in paragraph (b);

(2) type B motor home, which is a van that conforms to the description in paragraph (b) and has been completed or altered by a final-stage manufacturer; and

(3) type C motor home, which is an incomplete vehicle upon which is permanently attached a body designed to provide temporary living quarters as described in paragraph (b).

(e) A motor vehicle with a slip-in camper or other removable equipment that is mounted into or on a motor vehicle is not a motor home, is not a recreational vehicle, and must not be registered as a recreational vehicle under section [168.013](#).

Subd. 26. **Motorcycle.** "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including motor scooters and bicycles with motor attached, other than those vehicles defined as motorized bicycles in subdivision 27, but excluding a tractor.

Subd. 27. **Motorized bicycle.** "Motorized bicycle" means a bicycle that is propelled by an electric or a liquid fuel motor of a piston displacement capacity of 50 cubic centimeters or less, and a maximum of two brake horsepower, which is capable of a maximum speed of not more than 30 miles

per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged. "Motorized bicycle" includes an electric-assisted bicycle as defined in section [169.01](#), subdivision 4b.

Subd. 28. **Van.** "Van" means any vehicle of box-like design with no barrier or separation between the operator's area and the remainder of the cargo-carrying area, and with a manufacturer's nominal rated carrying capacity of three-fourths ton or less.

Subd. 29. **Pickup truck.** "Pickup truck" means any truck with a manufacturer's nominal rated carrying capacity of three-fourths ton or less and commonly known as a pickup truck.

Subd. 30. **Distributor.** "Distributor" means a person, firm, or corporation which has a bona fide contract or franchise with a manufacturer to distribute the new motor vehicles of that manufacturer to licensed new motor vehicle dealers, but does not include a dealer.

Subd. 31. **First-stage manufacturer.** "First-stage manufacturer" means a person, firm, or corporation which manufactures, assembles, and sells new motor vehicles for resale in this state.

Subd. 32. **Final-stage manufacturer.** "Final-stage manufacturer" means a person, firm, or corporation which performs manufacturing operations on an incomplete motor vehicle or a van-type motor vehicle so that it becomes a type A, B, or C motor home.

Subd. 33. **Van converter or modifier.** "Van converter or modifier" means a person, firm, or corporation engaged in the business of modifying, completing or converting van-type vehicles into multipurpose passenger vehicles which are not motor homes as defined in subdivision 25.

Subd. 34. **Fleet.** "Fleet" means a combination of 50 or more vehicles and trailers owned by a person solely for the use of that person or employees of the person and registered in this state under section [168.127](#). It does not include vehicles licensed under section [168.187](#).

Subd. 35. **Limousine.** "Limousine" means a luxury passenger automobile that is not a van or station wagon and has a seating capacity of not more than 12 persons, excluding the driver.

Subd. 36. Repealed, 1999 c 238 art 2 s 92

Subd. 37. **All-terrain vehicle.** "All-terrain vehicle"

has the meaning given in section [84.92](#), subdivision 8.

Subd. 38. **Person.** "Person" has the meaning given in section [168A.01](#), subdivision 14.

Subd. 39. **State.** "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

Subd. 40. **Vehicle.** "Vehicle" has the meaning given in section [168A.01](#), subdivision 24.

Vehicle Registration, Taxation, Sale

168.011 Definitions.

Subdivision 1. **Words, terms, and phrases.** Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases, for the purposes of this chapter, shall be given the meanings subjoined to them.

Subd. 2. **Application for registration; listing for taxation.** "Application for registration" shall have the same meaning as "listing for taxation," and when a motor vehicle is registered it is also listed.

Subd. 2a. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Public Safety.

Subd. 3. **Highway.** "Highway" has the meaning given "street or highway" in section [169.01](#), subdivision 29.

Subd. 4. **Motor vehicle.** (a) "Motor vehicle" means any self-propelled vehicle designed and originally manufactured to operate primarily on highways, and not operated exclusively upon railroad tracks. It includes any vehicle propelled or drawn by a self-propelled vehicle and includes vehicles known as trackless trolleys that are propelled by electric power obtained from overhead trolley wires but not operated upon rails. It does not include snowmobiles, manufactured homes, or park trailers.

(b) "Motor vehicle" includes an all-terrain vehicle only if the all-terrain vehicle (1) has at least four wheels, (2) is owned and operated by a physically disabled person, and (3) displays both disability plates and a physically disabled certificate issued under section [169.345](#).

(c) "Motor vehicle" does not include an all-terrain vehicle 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. The owner may continue to license an all-terrain vehicle described in clause (2) 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.

(e) "Motor vehicle" does not include a motorized foot scooter as defined in section [169.01](#), subdivision 4c.

Subd. 5. **Owner.** "Owner" means any person owning or leasing a vehicle, or having the exclusive use of the vehicle, under a lease or otherwise, for a period greater than 30 days.

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tax imposed on vehicles in lieu of all other taxes, except wheelage taxes which may be imposed by any city, and gross earnings taxes paid by companies. The annual tax is both a property tax and a highway use tax and shall be on the basis of the calendar year.

Subd. 7. **Passenger automobile.** (a) "Passenger automobile" means any motor vehicle designed and used for carrying not more than 15 individuals including the driver.

(b) "Passenger automobile" does not include motorcycles, motor scooters, buses, or school buses.

(c) "Passenger automobile" includes pickup trucks and vans, including those vans designed to carry passengers, with a manufacturer's nominal rated carrying capacity of one ton, but does not include commuter vans as defined in section [168.126](#).

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(b) "Park trailer" means a trailer that:

(1) exceeds 8-1/2 feet in width in travel mode but is no larger than 400 square feet when the collapsible components are

fully extended or at maximum horizontal width; and

(2) is used as temporary living quarters.

"Park trailer" does not include a manufactured home.

(c) "Travel trailer" means a trailer, mounted on wheels,
that:

(1) is designed to provide temporary living quarters during
recreation, camping, or travel;

(2) does not require a special highway movement permit
based on its size or weight when towed by a motor vehicle; and

(3) complies with sections [169.80](#), subdivision 2, and
[169.81](#), subdivision 2.

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every motor vehicle designed for carrying more than 15
passengers including the driver and used for transporting
persons, (2) every motor vehicle that is (i) designed for
carrying more than ten passengers including the driver, (ii)
used for transporting persons, and (iii) owned by a nonprofit
organization and not operated for hire or for commercial
purposes, or (3) every motor vehicle certified by the Department

of Transportation as a special transportation service provider vehicle and receiving reimbursement as provided in section [256B.0625](#), subdivision 17.

(b) "Intercity bus" means any bus operating as a common passenger carrier over regular routes and between fixed termini, but excluding all buses operating wholly within the limits of one city, or wholly within two or more contiguous cities, or between contiguous cities and a terminus outside the corporate limits of such cities, and not more than 20 miles distant measured along the fixed route from such corporate limits.

Subd. 10. **Truck.** "Truck" means any motor vehicle designed and used for carrying things other than passengers, except pickup trucks and vans included within the definition of passenger automobile in subdivision 7.

Subd. 11. **Tractor.** "Tractor" means any motor vehicle designed or used for drawing other vehicles but having no provision for carrying loads independently.

Subd. 12. **Truck-tractor.** "Truck-tractor" means:

(1) a motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load drawn; and

(2) a motor vehicle designed and used primarily for drawing other vehicles used exclusively for transporting motor vehicles and capable of carrying motor vehicles on its own structure.

Subd. 13. **Trailer.** "Trailer" means any vehicle designed for carrying property or passenger on its own structure and for being drawn by a motor vehicle but shall not include a trailer drawn by a truck-tractor semitrailer combination, or an auxiliary axle on a motor vehicle which carries a portion of the weight of the motor vehicle to which it is attached. For the purpose of registration, trailers coupled with a truck-tractor, semitrailer combination are semitrailers.

Subd. 14. **Semitrailer.** "Semitrailer" means a vehicle of the trailer type so designed and used in conjunction with a truck-tractor that a considerable part of its own weight or that of its load rests upon and is carried by the truck-tractor and shall include a trailer drawn by a truck-tractor semitrailer combination. For the purpose of registration, trailers coupled with a truck-tractor, semitrailer combination are semitrailers.

Subd. 15. **Unloaded weight.** "Unloaded weight" means the actual weight of the vehicle fully equipped without a load.

Subd. 16. **Gross weight.** (a) "Gross weight" means the

actual unloaded weight of the vehicle, either a truck or tractor, or the actual unloaded combined weight of a truck-tractor and semitrailer or semitrailers, or of the truck-tractor, semitrailer and one additional semitrailer, fully equipped for service, plus the weight of the maximum load which the applicant has elected to carry on such vehicle or combined vehicles.

(b) The term gross weight applied to a truck used for towing a trailer means the unloaded weight of the truck, fully equipped for service, plus the weight of the maximum load which the applicant has elected to carry on such truck, including the weight of such part of the trailer and its load as may rest upon the truck.

(c) The term gross weight applied to school buses means the weight of the vehicle fully equipped with all fuel tanks full of fuel, plus the weight of the passengers and their baggage computed at the rate of 100 pounds per passenger seating capacity, including that for the driver. The term gross weight applied to other buses means the weight of the vehicle fully equipped with all fuel tanks full of fuel, plus the weight of passengers and their baggage computed at the rate of 150 pounds per passenger seating capacity, including that for the driver. For bus seats designed for more than one passenger, but which are not divided so as to allot individual seats for the

passengers that occupy them, allow two feet of its length per passenger to determine seating capacity.

(d) The term gross weight applied to a truck, truck-tractor or a truck used as a truck-tractor used exclusively by the owner thereof for transporting unfinished forest products or used by the owner thereof to transport agricultural, horticultural, dairy and other farm products including livestock produced or finished by the owner of the truck and any other personal property owned by the farmer to whom the license for such truck is issued, from the farm to market, and to transport property and supplies to the farm of the owner, as described in subdivision 17, shall be the actual weight of the truck, truck-tractor or truck used as a truck-tractor or the combined weight of the truck-tractor and semitrailer plus the weight of the maximum load which the applicant has elected to carry on such vehicle or combined vehicles and shall be licensed and taxed as provided by section [168.013](#), subdivision 1c.

(e) The term gross weight applied to a truck-tractor or a truck used as a truck-tractor used exclusively by the owner, or by a for-hire carrier hauling exclusively for one owner, for towing an equipment dolly shall be the actual weight of the truck-tractor or truck used as a truck-tractor plus the weight of such part of the equipment dolly and its load as may rest upon the truck-tractor or truck used as a truck-tractor, and

shall be licensed separately and taxed as provided by section [168.013](#), subdivision 1e, and the equipment dolly shall be licensed separately and taxed as provided in section [168.013](#), subdivision 1d, which is applicable for the balance of the weight of the equipment dolly and the balance of the maximum load the applicant has elected to carry on such combined vehicles. The term "equipment dolly" as used in this subdivision means a heavy semitrailer used solely by the owner, or by a for-hire carrier hauling exclusively for one owner, to transport the owner's construction machinery, equipment, implements and other objects used on a construction project, but not to be incorporated in or to become a part of a completed project.

(f) The term gross weight applied to a tow truck or towing vehicle defined in section [169.01](#), subdivision 52, means the weight of the tow truck or towing vehicle fully equipped for service, including the weight of the crane, winch and other equipment to control the movement of a towed vehicle, but does not include the weight of a wrecked or disabled vehicle towed or drawn by the tow truck or towing vehicle.

Subd. 17. **Farm truck.** (a) "Farm truck" means all single-unit trucks, truck-tractors, tractors, semitrailers, and trailers used by the owner thereof to transport agricultural, horticultural, dairy, and other farm products, including

livestock, produced or finished by the owner of the truck, and any other personal property owned by the farmer to whom the license for the truck is issued, from the farm to market, and to transport property and supplies to the farm of the owner. Trucks, truck-tractors, tractors, semitrailers, and trailers registered as "farm trucks" may be used by the owner thereof to occasionally transport unprocessed and raw farm products, not produced by the owner of the truck, from the place of production to market when the transportation constitutes the first haul of the products, and may be used by the owner thereof, either farmer or logger who harvests and hauls forest products only, to transport logs, pulpwood, lumber, chips, railroad ties and other raw and unfinished forest products from the place of production to an intermediate or final assembly point or transfer yard or railhead, which transportation may be continued by another farm truck to a place for final processing or manufacture located within 200 miles of the place of production and all of which is deemed to constitute the first haul of unfinished wood products; provided that the owner and operator of the vehicle transporting planed lumber shall have in immediate possession a statement signed by the producer of the lumber designating the governmental subdivision, section, and township where the lumber was produced and that this haul, indicating the date, is the first haul thereof. The licensed vehicles may also be used by the owner thereof to transport, to and from timber-harvesting areas, equipment and appurtenances incidental to timber

harvesting, and gravel and other road-building materials for timber haul roads.

(b) "Farm trucks" shall also include only single-unit trucks that, because of their construction, cannot be used for any other purpose and are used exclusively to transport milk and cream en route from a farm to an assembly point or place for final manufacture, and for transporting milk and cream from an assembly point to a place for final processing or manufacture. This section shall not be construed to mean that the owner or operator of the truck cannot carry on usual accommodation services for patrons on regular return trips, such as butter, cream, cheese, and other dairy supplies.

Subd. 18. **Registrar.** "Registrar" means the registrar of motor vehicles designated in this chapter.

Subd. 19. Repealed, 1Sp2005 c 6 art 3 s 108

Subd. 20. **First year of life.** "First year of life" means the year of model designation of the vehicle, or, if there be no year of model designation, it shall mean the year of manufacture.

Subd. 21. **Dealer.** "Dealer" means any person, firm, or corporation regularly engaged in the business of

manufacturing, or selling, purchasing, and generally dealing in new and unused motor vehicles having an established place of business for the sale, trade, and display of new and unused motor vehicles and having in possession new and unused motor vehicles for the purposes of sale or trade. "Dealer" also includes any person, firm or corporation regularly engaged in the business of manufacturing or selling, purchasing, and generally dealing in new and unused motor vehicle bodies, chassis mounted or not, and having an established place of business for the sale, trade and display of such new and unused motor vehicle bodies, and having in possession new and unused motor vehicle bodies for the purposes of sale or trade.

Subd. 22. **Special mobile equipment.** "Special mobile equipment" means every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including but not limited to: ditch-digging apparatuses, moving dollies, pump hoists and other water well-drilling equipment registered under chapter 103I, street-sweeping vehicles, and other machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck-tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, truck-mounted log loaders, earth-moving carryalls, scrapers, power shovels, draglines, self-propelled cranes, and earth-moving equipment. The term does not include travel

trailers, dump trucks, truck-mounted transit mixers, truck-mounted feed grinders, or other motor vehicles designed for the transportation of persons or property to which machinery has been attached.

Subd. 23. Repealed, 1989 c 140 s 14

Subd. 24. Repealed, 1973 c 218 s 9

Subd. 25. **Recreational vehicle.** (a) "Recreational vehicle" means travel trailers including those that telescope or fold down, chassis-mounted campers, motor homes, tent trailers, and converted buses that provide temporary human living quarters.

(b) "Recreational vehicle" is a vehicle that:

(1) is not used as the residence of the owner or occupant;

(2) is used while engaged in recreational or vacation activities; and

(3) is either self-propelled or towed on the highways incidental to the recreational or vacation activities.

Subd. 25a. **Motor home.** (a) "Motor home" means a recreational vehicle designed to provide temporary living

quarters. The motor home has a living unit built into as an integral part of, or permanently attached to the chassis of, a motor vehicle or van.

(b) A motor home must contain permanently installed, independent, life-support systems that meet the American National Standards Institute standard number A119.2 for recreational vehicles and provide at least four of the following facilities, two of which must be from the systems listed in clauses (1), (5), and (6): (1) a cooking facility with liquid propane gas supply, (2) a refrigerator, (3) a self-contained toilet or a toilet connected to a plumbing system with a connection for external water disposal, (4) a heating or air conditioning system separate from the motor vehicle engine, (5) a potable water supply system including a sink with a faucet either self-contained or with connections for an external source, and (6) a separate 110-125 volts electrical power supply.

(c) For purposes of this subdivision, "permanently installed" means built into or attached as an integral part of a chassis or van, and designed not to be removed except for repair or replacement. A system that is readily removable or held in place by clamps or tie-downs is not permanently installed.

(d) Motor homes include a:

(1) type A motor home, which is a raw chassis upon which is built a driver's compartment and an entire body that provides temporary living quarters as described in paragraph (b);

(2) type B motor home, which is a van that conforms to the description in paragraph (b) and has been completed or altered by a final-stage manufacturer; and

(3) type C motor home, which is an incomplete vehicle upon which is permanently attached a body designed to provide temporary living quarters as described in paragraph (b).

(e) A motor vehicle with a slip-in camper or other removable equipment that is mounted into or on a motor vehicle is not a motor home, is not a recreational vehicle, and must not be registered as a recreational vehicle under section [168.013](#).

Subd. 26. **Motorcycle.** "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including motor scooters and bicycles with motor attached, other than those vehicles defined as motorized bicycles in subdivision 27, but excluding a tractor.

Subd. 27. **Motorized bicycle.** "Motorized bicycle" means a bicycle that is propelled by an electric or a liquid

fuel motor of a piston displacement capacity of 50 cubic centimeters or less, and a maximum of two brake horsepower, which is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged. "Motorized bicycle" includes an electric-assisted bicycle as defined in section [169.01](#), subdivision 4b.

Subd. 28. **Van.** "Van" means any vehicle of box-like design with no barrier or separation between the operator's area and the remainder of the cargo-carrying area, and with a manufacturer's nominal rated carrying capacity of three-fourths ton or less.

Subd. 29. **Pickup truck.** "Pickup truck" means any truck with a manufacturer's nominal rated carrying capacity of three-fourths ton or less and commonly known as a pickup truck.

Subd. 30. **Distributor.** "Distributor" means a person, firm, or corporation which has a bona fide contract or franchise with a manufacturer to distribute the new motor vehicles of that manufacturer to licensed new motor vehicle dealers, but does not include a dealer.

Subd. 31. **First-stage manufacturer.** "First-stage manufacturer" means a person, firm, or corporation which

manufactures, assembles, and sells new motor vehicles for resale in this state.

Subd. 32. **Final-stage manufacturer.** "Final-stage manufacturer" means a person, firm, or corporation which performs manufacturing operations on an incomplete motor vehicle or a van-type motor vehicle so that it becomes a type A, B, or C motor home.

Subd. 33. **Van converter or modifier.** "Van converter or modifier" means a person, firm, or corporation engaged in the business of modifying, completing or converting van-type vehicles into multipurpose passenger vehicles which are not motor homes as defined in subdivision 25.

Subd. 34. **Fleet.** "Fleet" means a combination of 50 or more vehicles and trailers owned by a person solely for the use of that person or employees of the person and registered in this state under section [168.127](#). It does not include vehicles licensed under section [168.187](#).

Subd. 35. **Limousine.** "Limousine" means a luxury passenger automobile that is not a van or station wagon and has a seating capacity of not more than 12 persons, excluding the driver.

Subd. 36. Repealed, 1999 c 238 art 2 s 92

Subd. 37. **All-terrain vehicle.** "All-terrain vehicle" has the meaning given in section [84.92](#), subdivision 8.

Subd. 38. **Person.** "Person" has the meaning given in section [168A.01](#), subdivision 14.

Subd. 39. **State.** "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

Subd. 40. **Vehicle.** "Vehicle" has the meaning given in section [168A.01](#), subdivision 24.

168.012 Vehicles exempt from tax or license fees.

Subdivision 1. **Vehicles exempt from tax, fees, or plate display.** (a) The following vehicles are exempt from the provisions of this chapter requiring payment of tax and registration fees, except as provided in subdivision 1c:

(1) vehicles owned and used solely in the transaction of official business by the federal government, the state, or any political subdivision;

(2) vehicles owned and used exclusively by educational institutions and used solely in the transportation of pupils to and from those institutions;

(3) vehicles used solely in driver education programs at nonpublic high schools;

(4) vehicles owned by nonprofit charities and used exclusively to transport disabled persons for charitable, religious, or educational purposes;

(5) ambulances owned by ambulance services licensed under section [144E.10](#), the general appearance of which is unmistakable; and

(6) vehicles owned by a commercial driving school licensed under section [171.34](#), or an employee of a commercial driving school licensed under section [171.34](#), and the vehicle is used exclusively for driver education and training.

(b) Vehicles owned by the federal government, municipal fire apparatuses including fire-suppression support vehicles, police patrols, and ambulances, the general appearance of which is unmistakable, are not required to register or display number plates.

(c) Unmarked vehicles used in general police work, liquor investigations, or arson investigations, and passenger automobiles, pickup trucks, and buses owned or operated by the Department of Corrections, must be registered and must display appropriate license number plates, furnished by the registrar at cost. Original and renewal applications for these license plates authorized for use in general police work and for use by the Department of Corrections must be accompanied by a certification signed by the appropriate chief of police if issued to a police vehicle, the appropriate sheriff if issued to a sheriff's vehicle, the commissioner of corrections if issued to a Department of Corrections vehicle, or the appropriate officer in charge if issued to a vehicle of any other law enforcement agency. The certification must be on a form prescribed by the commissioner and state that the vehicle will be used exclusively for a purpose authorized by this section.

(d) Unmarked vehicles used by the Departments of Revenue and Labor and Industry, fraud unit, in conducting seizures or criminal investigations must be registered and must display passenger vehicle classification license number plates, furnished at cost by the registrar. Original and renewal applications for these passenger vehicle license plates must be accompanied by a certification signed by the commissioner of revenue or the commissioner of labor and industry. The certification must be on a form prescribed by the commissioner

and state that the vehicles will be used exclusively for the purposes authorized by this section.

(e) Unmarked vehicles used by the Division of Disease Prevention and Control of the Department of Health must be registered and must display passenger vehicle classification license number plates. These plates must be furnished at cost by the registrar. Original and renewal applications for these passenger vehicle license plates must be accompanied by a certification signed by the commissioner of health. The certification must be on a form prescribed by the commissioner and state that the vehicles will be used exclusively for the official duties of the Division of Disease Prevention and Control.

(f) Unmarked vehicles used by staff of the Gambling Control Board in gambling investigations and reviews must be registered and must display passenger vehicle classification license number plates. These plates must be furnished at cost by the registrar. Original and renewal applications for these passenger vehicle license plates must be accompanied by a certification signed by the board chair. The certification must be on a form prescribed by the commissioner and state that the vehicles will be used exclusively for the official duties of the Gambling Control Board.

(g) All other motor vehicles must be registered and display tax-exempt number plates, furnished by the registrar at cost, except as provided in subdivision 1c. All vehicles required to display tax-exempt number plates must have the name of the state department or political subdivision, nonpublic high school operating a driver education program, or licensed commercial driving school, plainly displayed on both sides of the vehicle; except that each state hospital and institution for the mentally ill and mentally retarded may have one vehicle without the required identification on the sides of the vehicle, and county social service agencies may have vehicles used for child and vulnerable adult protective services without the required identification on the sides of the vehicle. This identification must be in a color giving contrast with that of the part of the vehicle on which it is placed and must endure throughout the term of the registration. The identification must not be on a removable plate or placard and must be kept clean and visible at all times; except that a removable plate or placard may be utilized on vehicles leased or loaned to a political subdivision or to a nonpublic high school driver education program.

Subd. 1a. **Special markings on conservation officer vehicle.** Notwithstanding the provisions of this section, or any other law to the contrary, motor vehicles of the conservation officer service need not be specially marked in any way.

Subd. 1b. **Markings required for conservation officer vehicle.** Motor vehicles of the conservation officer service shall have printed thereon the markings required by this section, for tax-exempt vehicles.

Subd. 1c. **Payment of administrative, plate, and filing fee.** The annual administrative fee for a tax-exempt vehicle under this section is \$5. The license plate fee for a tax-exempt vehicle, except a trailer, is \$10 for two plates per vehicle, payable only on the first tax-exempt registration of the vehicle. The registration period for a tax-exempt vehicle is biennial. The administrative fee is due on March 1 biennially and payable the preceding January 1, with validating stickers issued at time of payment.

Subd. 1d. **State Lottery vehicle.** Unmarked passenger vehicles used by the State Lottery for the purpose of conducting security or criminal investigations or ensuring that lottery retailers are in compliance with law and with their contracts are not required to display tax-exempt number plates, but must be registered and must display passenger vehicle license plates. The registrar shall furnish the license plates to the director of the State Lottery at cost. On applying for initial registration or renewal of a registration under this subdivision, the director of the State Lottery must certify, on

a form prescribed by the registrar and signed by the director, that the vehicles will be used exclusively for the purposes of this subdivision.

Subd. 2. **Farm vehicle.** Implements of husbandry, as defined in section [168A.01](#), subdivision 8, and tractors used solely for agricultural purposes or tractors, together with trailers or wagons thereto attached, occasionally hauling agricultural products or necessary commodities used on the farm from said farm to and from the usual marketplace of the owner, tractors for drawing threshing machinery and implements of husbandry temporarily moved upon the highway, shall not be taxed as motor vehicles using the public streets and highways and shall be exempt from the provisions of this chapter.

Subd. 2a. **Small farm trailer.** Farm trailers with a gross weight of less than 10,000 pounds, drawn by a passenger automobile or farm truck and used exclusively for transporting agricultural products from farm to farm and to and from the usual marketplace of the owner, shall not be taxed as motor vehicles using the public streets and highways and shall be exempt from the provisions of this chapter.

Subd. 2b. **Fertilizer trailer.** A trailer used exclusively to carry liquid or dry fertilizer for use on a farm shall not be taxed as a motor vehicle using the public streets

and highways and shall be exempt from the provisions of this chapter.

Subd. 3. **Special mobile equipment, snowmobile.**

Special mobile equipment and snowmobiles shall not be taxed as motor vehicles using the public streets and highways, and shall be exempt from the provisions of this chapter.

Subd. 3a. **Special 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.

Subd. 4. **Camp equipment.** Bunkhouses, supply cars, shop cars, and other similar camp equipment mounted on trailers and used by highway construction contractors exclusively at construction camp sites shall not be taxed as motor vehicles using the public streets and highways and shall be exempt from the provisions of this chapter. Such trailers with such mounted bunkhouses, supply cars, shop cars, and other similar camp equipment thereon shall be listed and taxed as personal property.

Subd. 5. **Carrier of certain equipment.** Motor vehicles, which are used primarily for the purpose of carrying sawing machines; well-drilling machines, pump hoists, and other equipment registered under chapter 103I; barn sprayers or corn

shellers permanently attached to them, shall not be subject to the registration tax as herein provided, but shall be listed for taxation as personal property as provided by law. The exemption in this subdivision for well-drilling machines, pump hoists, and other equipment registered under chapter 103I applies regardless of whether the well-drilling machine, pump hoist, or other equipment is also carrying materials related to its operation.

Subd. 5a. **Vehicle used for testing.** Motor vehicles operated for testing under section [168.25](#) are not subject to registration taxes under this chapter.

Subd. 6. **Fire truck or ambulance operated without profit.** All motor vehicle fire apparatuses and ambulances operated without profit while owned by a farmers' cooperative association, a body of farmers, a volunteer fire department or association, or a group of citizens, and used solely for the extinguishment of fire in the community in which it is so owned and employed or, in the case of an ambulance used only for the benefit of the community in which it is owned or employed, shall be exempt from taxation.

Subd. 7. **Vehicle not used; domiciled in another state.**

(a) The owner of a motor vehicle that during any calendar year, or in the case of a vehicle registered under section [168.017](#) during the registration period provided for in that

section, is not operated on a public highway is exempt from the provisions of this chapter requiring registration, payment of tax, and penalties for tax nonpayment, but only if the owner of the vehicle first files a verified written application with the registrar, correctly describing the vehicle and certifying that it has not been operated upon a public highway.

(b) A motor vehicle domiciled in a foreign state, legally licensed in that state, and owned by a Minnesota resident is exempt from this chapter; except that it is subject to section [168.181](#), subdivision 3, provided, that this exemption does not conflict with any existing reciprocal agreement with the state in which the vehicle is domiciled.

Subd. 8. **60-day exemption for vehicle of new resident.**

Every passenger automobile, travel trailer, other than manufactured homes, or passenger car utility trailer duly registered in any foreign state, district, territory, or country and displaying all license number plates or like insignia required by the laws of such state, district, territory, or country shall be exempt from the provisions of this chapter during the first 60 days of residence of the owner in this state; provided that if the 60-day period expires after the 15th day of any month, the remainder of that month shall be deemed to be within the 60-day period and provided further that any such vehicles shall become subject to the provisions of this chapter

immediately upon transfer of the ownership of such vehicles or upon expiration of the registration.

Subd. 9. **Manufactured homes and park trailers.**

Manufactured homes and park trailers shall not be taxed as motor vehicles using the public streets and highways and shall be exempt from the motor vehicle tax provisions of this chapter. Except as provided in section [273.125](#), manufactured homes and park trailers shall be taxed as personal property. The provisions of Minnesota Statutes 1957, section [272.02](#) or any other act providing for tax exemption shall be inapplicable to manufactured homes and park trailers, except such manufactured homes as are held by a licensed dealer and exempted as inventory. Travel trailers not conspicuously displaying current registration plates on the property tax assessment date shall be taxed as manufactured homes if occupied as human dwelling places.

Subd. 10. **Exemption determined by use.** If a vehicle is used for a purpose which would make it exempt pursuant to subdivision 1 but title is held by a seller or a vendor or is assigned to a third party under a lease agreement or a lease purchase agreement or installment sale permitted under section [465.71](#), exemption shall be determined by the use rather than the holder of the title.

Subd. 11. **Semitrailer.** Semitrailers as defined in

section [168.011](#), subdivision 14, shall not be taxed as a motor vehicle using the public streets and highways and shall display a number plate for identification purposes only.

Subd. 12. Repealed, 1Sp2005 c 6 art 2 s 48

Traffic Regulations

169.045 Special vehicle use on roadway.

Subdivision 1. **Designation of roadway, permit.** The governing body of any county, 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. 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.

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.

Subd. 8. **Insurance.** In the event persons operating a motorized golf cart or four-wheel, all-terrain vehicle under this section cannot obtain liability insurance in the private market, that person may purchase automobile insurance, including no-fault coverage, from the Minnesota Automobile Assigned Risk Plan at a rate to be determined by the commissioner of commerce.

Drivers' Licenses and Training Schools

171.03 Persons exempt.

The following persons are exempt from license hereunder:

(a) A person in the employ or service of the United States federal government is exempt while driving or operating a motor vehicle owned by or leased to the United States federal government.

(b) A person in the employ or service of the United States federal government is exempt from the requirement to possess a valid class A, class B, or class C commercial driver's license while driving or operating for military purposes a commercial motor vehicle owned by or leased to the United States federal government if the person is:

(1) on active duty in the U. S. Coast Guard;

(2) on active duty in a branch of the U. S. Armed Forces, which includes the Army, Air Force, Navy, and Marine Corps;

(3) a member of a reserve component of the U. S. Armed Forces; or

(4) on active duty in the Army National Guard or Air National Guard, which includes (i) a member on full-time National Guard duty, (ii) a member undergoing part-time National Guard training, and (iii) a National Guard military technician, who is a civilian required to wear a military uniform.

The exemption provided under this paragraph does not apply to a U. S. Armed Forces Reserve technician.

(c) Any person while driving or operating any farm tractor or implement of husbandry temporarily on a highway is exempt. For purposes of this section, an all-terrain vehicle, as defined in section [84.92](#), subdivision 8, an off-highway motorcycle, as defined in section [84.787](#), subdivision 7, and an off-road vehicle, as defined in section [84.797](#), subdivision 7, are not implements of husbandry.

(d) A nonresident who is at least 15 years of age and who has in immediate possession a valid driver's license issued to the nonresident in the home state or country may operate a motor vehicle in this state only as a driver.

(e) A nonresident who has in immediate possession a valid commercial driver's license issued by a state or jurisdiction in accordance with the standards of Code of Federal Regulations, title 49, part 383, and who is operating in Minnesota the class

of commercial motor vehicle authorized by the issuing state or jurisdiction is exempt.

(f) Any nonresident who is at least 18 years of age, whose home state or country does not require the licensing of drivers may operate a motor vehicle as a driver, but only for a period of not more than 90 days in any calendar year, if the motor vehicle so operated is duly registered for the current calendar year in the home state or country of the nonresident.

(g) Any person who becomes a resident of the state of Minnesota and who has in possession a valid driver's license issued to the person under and pursuant to the laws of some other state or jurisdiction or by military authorities of the United States may operate a motor vehicle as a driver, but only for a period of not more than 60 days after becoming a resident of this state, without being required to have a Minnesota driver's license as provided in this chapter.

(h) Any person who becomes a resident of the state of Minnesota and who has in possession a valid commercial driver's license issued by another state or jurisdiction in accordance with the standards of Code of Federal Regulations, title 49, part 383, is exempt for not more than 30 days after becoming a resident of this state.

(i) Any person operating a snowmobile, as defined in section [84.81](#), is exempt.

Department of Natural Resources Rules

6100.0100 STATUTORY AUTHORITY.

Parts 6100.0100 to [6100.2400](#) are authorized by Minnesota Statutes, sections [16A.1285](#), [84.03](#), [85.052](#), [85.053](#), [85.20](#), [86A.05](#), [86A.06](#), [89.031](#), [89.19](#), [89.20](#), [89.21](#), and [89.71](#), subdivision 4.

STAT AUTH: MS s [14.045](#); [84.03](#); [85.052](#); [85.053](#); [85.20](#); [86A.05](#); [86A.06](#); [89.031](#); [89.19](#) to [89.21](#); [89.71](#)

6100.0200 PURPOSE.

The purpose of parts [6100.0100](#) to [6100.2400](#) is to regulate public use and promote public enjoyment of state parks and forest lands in ways that will leave them unimpaired and minimize conflicts among users.

6100.0300 SCOPE.

Unless stated otherwise, parts [6100.0100](#) to [6100.2400](#) apply to all state parks and forest lands under the control of or operated by the commissioner of natural resources.

6100.0500 DEFINITIONS.

Subpart 1. **Scope.** For the purpose of parts [6100.0100](#) to [6100.2400](#), unless a different meaning is manifest from the context, the terms defined in this part have the meanings given them.

Subp. 1a. **All-terrain vehicle or ATV.** "All-terrain vehicle" or "ATV" has the meaning given in Minnesota Statutes, section [84.92](#), subdivision 8.

6100.0525 PENALTY.

A person who violates any of parts [6100.0100](#) to [6100.2400](#) is guilty of a misdemeanor and subject to immediate removal from the state park or forest lands and to other appropriate legal action, including revocation of any permits issued.

6100.0900 ENVIRONMENTAL PROTECTION.

Subpart 1. **Generally.** Unless otherwise provided by law, no person in a state park or forest recreation area shall disturb, destroy, injure, damage, deface, molest, or remove any state property, including, but not limited to, wildflowers or vegetation of any kind dead or alive, ruins, wild animals, geological formations, historical or archaeological artifacts or

sites, historic structures, signs, or facilities, except edible fruit, mushrooms, legally taken wild animals, and vegetation unavoidably damaged or destroyed by the ordinary recreational uses of these areas as specifically permitted by parts [6100.0100](#) to [6100.2400](#). Collections for scientific and educational purposes may be made only with the written permission of the commissioner. It is unlawful to damage vegetation or damage and deface rock formations with rock-climbing equipment.

Subp. 2. **State parks.**

A. Within a state park, collecting, harvesting, or taking a tangible object for resale or commercial use is prohibited, except by written permission of the commissioner. The commissioner may further restrict collecting, harvesting, or taking a plant, animal, or other tangible object for scientific, educational, commercial, or any other purpose if the commissioner finds it necessary for the protection of the park's resources.

B. Collection of firewood in state parks, except where expressly permitted, is prohibited.

C. Subject to posted restrictions, rock specimens and fossils may be collected at Hill Annex Mine State Park for noncommercial use.

D. Harvesting wild rice on bodies of water totally enclosed within a state park boundary is prohibited except by written permission of the commissioner.

E. Collecting or possessing naturally occurring plants in a fresh state in state parks is prohibited, except that edible fruit and mushrooms may be harvested for personal, noncommercial use.

F. Except for scientific research conducted under special permit from the commissioner and with a field archaeology license issued by the state archaeologist, the use of metal detectors in state parks is permitted only for locating specifically identified items of lost personal property. Metal detectors may be used only with prior written permission from the park manager and under the supervision of the park manager.

G. It is unlawful at any time to construct, occupy, or use an elevated scaffold or other elevated device in a state park, except that a portable tree stand may be used for hunting or watching wild animals if the stand is removed each day and does no permanent damage to the tree in which it is placed.

H. A person may not release, place, or transplant plant or animal life in a state park unless approved by the

commissioner. This item does not apply to a person operating under a contract, lease, license, or permit from the commissioner that allows releasing, placing, or transplanting plant or animal life in a state park.

Subp. 3. **Forest lands.**

A. Wood that is dead and lying on the ground on forest lands may be used to build fires, as long as it is used on forest lands and not removed, except under permit issued by the commissioner.

B. No person may cut live merchantable trees on forest lands for constructing an elevated scaffold, except that shrubs, the lateral branches of trees, and saplings measuring smaller than four inches in diameter at 4-1/2 feet off the ground may be removed.

C. A person may not release, place, or transplant plant or animal life on forest lands unless approved by the commissioner. This item does not apply to a person operating under a contract, lease, license, or permit from the commissioner that allows releasing, placing, or transplanting plant or animal life on forest lands.

**6100.1900 MOTOR VEHICLES AND SNOWMOBILES IN STATE PARKS, FOREST
CAMPGROUNDS, AND DAY USE AREAS.**

Subpart 1. **Motor vehicle use.** Only motor vehicles licensed for use on Minnesota highways may be operated within state parks, forest campgrounds, and forest day use areas. The operator must have a valid driver's license. Snowmobiles or other motor vehicles may operate in a forest campground or forest day use area on a trail or road that is posted and designated for that use. Operation must comply with all applicable laws and rules.

Subp. 2. **Designated roads.** Licensed motor vehicles may be operated only on designated roads and parking areas and may be parked only in designated parking areas or parking spurs. Motor vehicles may not be driven on roads that are posted, chained, or gated. Parking in an area not designated as a parking area is prohibited and subjects the vehicle to being towed at the owner's expense.

Subp. 3. **Speed limit.** A motor vehicle shall not be operated in excess of posted speeds or in a reckless, careless, or exhibitivive manner. No person shall operate a vehicle in such a manner as to create unnecessary engine noise, tire squeals, skidding, or sliding.

Subp. 4. **Motor vehicle law.** Minnesota Statutes, chapter 169, governing motor vehicle use on public roads and highways,

applies to all roads within state parks.

Subp. 5. **Snowmobiles.** No person shall operate a snowmobile in a state park unless on trails and areas posted and designated for snowmobile use, under conditions of snow cover considered adequate for protection of the park by the park manager. Within state parks no snowmobile shall be operated before 8:00 a.m. or after 10:00 p.m., except as otherwise posted.

6100.1950 MOTOR VEHICLES AND SNOWMOBILES; FOREST LANDS.

Subpart 1. **Classified forest lands.** The operation of motor vehicles and snowmobiles on forest lands classified by the commissioner for purposes of motor vehicle use according to subpart 2 and Minnesota Statutes, section [89.002](#), is regulated according to items A to C.

A. On forest lands classified as managed, a person may operate a motor vehicle only on forest roads and forest trails that are not posted and designated closed and in areas that are posted and designated to allow motor vehicle use, subject to the limitations and exceptions in this part.

B. On forest lands classified as limited, a person may operate a motor vehicle only on forest roads that are not posted and designated closed and on forest trails or areas that

are posted and designated to allow motor vehicle use, subject to the limitations and exceptions in this part.

C. No person shall operate a motor vehicle or snowmobile on forest lands classified as closed, unless on frozen public waters where operation is not otherwise prohibited. Motor vehicles that are licensed for use on public highways may be operated on forest roads that are not posted or gated closed. Snowmobiles may operate on designated trails.

Subp. 2. **Criteria for classification.** The following criteria shall be considered when classifying forest lands for motor vehicle use:

- A. resource sensitivity and management objectives;
- B. resource impact by motorized and nonmotorized use, including erosion, rutting, and impacts on vegetation, wildlife, air, water, or natural habitats;
- C. motorized and nonmotorized recreational opportunity in area;
- D. user needs, such as trails, parking, signs, and access;

E. the degree and trend of motor vehicle use in the area;

F. the degree and trend of nonmotor vehicle use in the area;

G. competing interests among different user groups; and

H. public safety and law enforcement concerns.

Subp. 3. **Notice and public meeting.** Before changing the classification of forest lands for motor vehicle use, the commissioner shall provide notice and a public meeting according to items A to C.

A. A public meeting shall be held in the county where the largest portion of the forest lands are located to provide information to and receive comment from the public regarding the proposed classification change.

B. Sixty days before the public meeting, notice of the proposed classification change shall be published in legal newspapers that serve the counties in which the lands are located and in a statewide Department of Natural Resources news release and in the State Register. The notice shall include a

summary of the proposed action, a request for public comment, and notice of the public meeting.

C. Twenty-one days before the public meeting, notice of the meeting shall be announced in a statewide Department of Natural Resources news release.

Subp. 4. **Commissioner's decision.** The commissioner shall make a decision about the proposed classification change after considering the criteria listed in subpart 2 and any public comment received and explaining how the nature and magnitude of the criteria and comments relate to the classification.

Subp. 5. **Nonmotorized trails.** No person shall operate a motor vehicle or snowmobile on forest lands on a designated nonmotorized trail, including ski, foot, horse, bike, or accessible trail, unless the trail is also posted open for a motorized use.

Subp. 6. **Lakes, rivers, and streams.** No person shall operate a motor vehicle on forest lands on or over the beds of lakes, rivers, or streams when ice is not covering the water body, except on a bridge, culvert, or similar structure or designated low water crossing.

Subp. 7. **Other prohibitions and exceptions.**

A. No person shall operate a motor vehicle or snowmobile on forest lands in a manner that causes erosion or rutting or injures, damages, or destroys trees or growing crops. The rutting prohibition does not apply on trails that are designated and maintained for motorized use.

B. No person shall operate motor vehicles or snowmobiles on forest lands within the boundaries of an area that is posted and designated as closed to the operation of motor vehicles or snowmobiles.

C. No person shall operate a motor vehicle or snowmobile in the Richard J. Dorer Memorial Hardwood Forest, except on forest roads that are not posted and designated as closed, and on forest trails or areas that are posted and designated to allow the use of motor vehicles or snowmobiles. The exception under item D does not apply.

D. Except as provided in item C, on forest lands classified as managed or limited, a person may use an ATV off forest trails in a manner consistent with this subpart when lawfully:

(1) engaged in hunting big game or constructing hunting stands during October, November, and December;

(2) retrieving big game during September; or

(3) trapping during open seasons.

E. No person shall construct an unauthorized permanent trail on forest lands.

F. Subpart 1 does not apply to motor vehicles used to carry out silvicultural activities, including timber cruising, and the harvest and transport of forest products for commercial purposes.

G. The commissioner may grant a variance from the requirements of subpart 1 to private landowners and leaseholders when the only reasonable access to their land is across state forest lands.

Subp. 8. **Forest roads.**

A. A motor vehicle on a forest road shall travel at a speed that is reasonable and prudent. It is a violation of this part to exceed a posted speed limit.

B. All posted parking and traffic regulations, including signs designating speed limits, stop signs, one-way

traffic, and do not enter, shall be obeyed on a forest road.

C. No person, passenger, or operator of a motor vehicle shall travel on or along a forest road that is designated as closed with signs, barricaded, or blocked with a gate.

D. Removing snow from a forest road is prohibited when the road is posted for no snow removal.

E. No person shall operate, nor shall an owner permit the operation of a motor vehicle, on a forest road or trail in a manner that causes damage to the road, land, or other natural resources.

Recreational Vehicles

6102.0001 SCOPE AND PURPOSE.

The scope and purpose of this chapter is to provide regulation of off-highway motorcycles, off-road vehicles, and all-terrain vehicles pursuant to Minnesota Statutes, sections [84.787](#) to [84.796](#), [84.797](#) to [84.805](#), and [84.92](#) to [84.929](#).

6102.0002 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of parts 6102.0002 to

[6102.0080](#), the terms defined in this part have the meanings given them.

6102.0010 VEHICLE REGISTRATION AND DISPLAY OF NUMBERS.

Subpart 1. **Application.** Application for vehicle registration shall be made to the commissioner or authorized agent providing information relevant to registration in the format prescribed by the commissioner. Applicants must be 18 years of age or older before applying for registration. Upon presentation of a bill of sale and payment of the fee as required by Minnesota Statutes, sections [84.788](#), [84.798](#), and [84.922](#), a registration certificate shall be issued.

Registration is valid for up to three years beginning January 1 of the year in which the vehicle is registered. Private use ATV registration certificates and decals are valid until ownership is transferred as prescribed by Minnesota Statutes, section [84.922](#), subdivision 2a.

Subp. 2. **Required information.** The applicant shall furnish all the information completely and accurately as required by the application for registration.

Subp. 3. **Display of number and decals.** The current ATV and OHM registration numbers and decal must be displayed on a plate not less than four inches high and 7-1/2 inches wide, which is clearly visible on the back of the vehicle, at least 12

inches from the ground. The decal must be displayed in the upper-left section of the plate. The plate, registration numbers, and registration decal must be maintained in a clear and legible condition.

ATVs registered for private use as prescribed by Minnesota Statutes, section [84.922](#), subdivision 2a, must display the private use decal in the upper-right section of the plate. If registered only for private use, no numbers need be displayed.

OHMs licensed under Minnesota Statutes, chapter 168, for highway use must display the OHM decal in the upper-left section of the license plate issued by the Department of Public Safety, Division of Motor Vehicles.

Subp. 4. **Description of decal and number.** Letters and numbers shall be:

- A. at least 1-1/2 inches high and 3/16 inch stroke;
- B. in English language characters placed to read from left to right; and
- C. in a color that contrasts with the background to which they are applied.

Subp. 5. **Replacement card, numbers, decals.** A replacement registration card shall be issued upon application by the owner to the commissioner providing information relevant to registration in the format provided and upon payment of the fee as required by Minnesota Statutes, sections [84.788](#), subdivision 4; [84.798](#), subdivision 5; and [84.922](#), subdivision 3. A replacement registration decal may be obtained from the department's License Bureau, or any conservation officer. When any previously affixed registration number or decal is lost or destroyed, a replacement shall be affixed in the same manner as the original.

Subp. 6. [Repealed, 22 SR 1026]

Subp. 7. **Reporting of abandoned, stolen, or destroyed vehicles.** A vehicle registered under this part that is abandoned, stolen, or destroyed must be reported to the commissioner within 15 days by completing the reverse side of the registration certificate completely and accurately. A fee is not charged for the reporting.

6102.0020 DEALER'S AND MANUFACTURER'S REGISTRATION.

Subpart 1. **Demonstration or testing purposes.** Application for registration of all vehicles owned by a dealer and operated for demonstration or testing purposes within this state shall be made to the commissioner providing information relevant to

registration in the format prescribed by the commissioner. Upon payment of the fee as required by Minnesota Statutes, sections [84.788](#), subdivision 6; [84.798](#), subdivision 6; and [84.922](#), subdivision 5, a registration certificate and one registration plate shall be issued. The registration certificate shall be conspicuously displayed by the dealer in the dealer's place of business.

Subp. 2. **Research, experimentation, or demonstration purposes.** Application for registration of all vehicles owned by a manufacturer and operated for research, testing, experimentation, or demonstration purposes shall be made to the commissioner providing information relevant to registration in the format prescribed by the commissioner. Upon payment of the fee as required by Minnesota Statutes, sections [84.788](#), subdivision 6; [84.798](#), subdivision 6; and [84.922](#), subdivision 5, a registration certificate and one registration plate shall be issued. The registration certificate shall be conspicuously displayed by the manufacturer in the manufacturer's place of business.

Subp. 2a. **Duplicate registration plates.** A duplicate registration plate may be purchased by a registered dealer or registered manufacturer upon payment of the fee as required by Minnesota Statutes, sections [84.788](#), subdivision 6; [84.798](#), subdivision 6; and [84.922](#), subdivision 5.

Subp. 3. **Display required.** A dealer or manufacturer may not operate or permit to be operated within this state any vehicle owned by or under the control of a dealer or manufacturer unless a valid registration plate is clearly displayed on the vehicle in the manner prescribed by part [6102.0010](#), subpart 3.

6102.0030 SPECIAL OPERATING PERMITS.

Subpart 1. **Issuance.** Upon written application by the responsible event sponsor to the commissioner, special operating permits for limited periods of time not to exceed 30 days may be issued to operators of vehicles from states that do not require registration when the special operating permits are to be used in connection with an organized group outing, trail ride, race, rally, or other promotional event. The permit shall be in the format prescribed by the commissioner and is valid only under the terms and conditions specified by the permit for the event. The permit must be carried by the vehicle operator.

Subp. 2. **Commissioner's review.** If a special operating permit is granted with conditions or is denied, the applicant may file with the commissioner a written request for review. The commissioner shall review the permit application and render a decision within 15 days of the request for review.

Subp. 3. **Contested case hearing.** If the applicant wishes to appeal the decision of the commissioner after review under subpart 2, the applicant may file with the commissioner a written request for a contested case hearing under Minnesota Statutes, chapter 14.

6102.0040 REQUIRED EQUIPMENT.

Subpart 1. **Vehicle.** A vehicle shall not be operated on public lands, waters, and trails or on public streets and highways which are open to vehicle use unless equipped according to items A to E.

A. When operating during hours of darkness or reduced visibility, a vehicle must have at least one headlamp in operation, having a minimum candlepower of sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead under normal atmospheric conditions. The headlamp must be so aimed that glaring rays are not projected into the eyes of oncoming vehicle operators.

B. When operating during hours of darkness or reduced visibility, a vehicle must have at least one red tail lamp in operation, having a minimum candlepower of sufficient intensity to exhibit a red light, plainly visible from a distance of 500

feet to the rear under normal atmospheric conditions.

C. A vehicle must have brakes adequate to control the movement of, to stop, and to hold the vehicle under normal operating conditions.

D. A vehicle must have a throttle so designed that when pressure used to advance the throttle is removed, the engine will immediately and automatically return to idle.

E. An ORV must have a seat belt for each human occupant. All human occupants must wear seat belts when the vehicle is in operation.

Subp. 2. **Sled, trailer, or device towed by a vehicle.** A sled, trailer, or other device being towed by a vehicle must be equipped with a straight arm bar if the sled, trailer, or other device being towed by a vehicle contains one or more human passengers, except that a disabled vehicle being towed by any means may contain one human passenger if necessary to steer the vehicle. During the hours of darkness under normal atmospheric conditions the device being towed must also be equipped according to items A and B.

A. Unobstructed and visible reflective material of at least 16 square inches must be mounted on each side and at the

rear of the sled, trailer, or device.

B. The reflection material required must have at least the minimum intensity values prescribed in Table II of the Federal Specifications L-S-300C, dated March 29, 1977, Code of Federal Regulations, title 49, chapter V, section [571.108](#), S5.7.2, or be in accordance with Reflex Reflectors, Society of Automotive Engineers, SAE J594F, which are incorporated by reference, are not subject to frequent change, and are available through the Minitex interlibrary loan system. The manufacturer's trade name, or other decorative material, if meeting minimum reflectorization standards, may be included in computing the required 16 square inch area.

Subp. 3. **Maker's permanent identification number.** All ATVs made after January 1, 1995, and OHMs made after January 1, 1994, that are sold in this state must bear the maker's permanent identification number. All ATVs and OHMs so manufactured shall bear an individual number that is not duplicated by that maker at any time within the succeeding ten years. The maker's permanent identification number must:

A. be permanently stamped into the steering head or on a frame member on the forward half of the vehicle;

B. have numerals and letters of not less than four

millimeters in height, and in English language characters placed to read from left to right; and

C. be readable without removing any part of the vehicle.

Subp. 4. **Mufflers.**

A. No person shall operate a vehicle unless it is equipped with a muffler having a spark arrestor approved by the United States Forest Service as described by Code of Federal Regulations, title 36, chapter II, section [261.52](#), paragraph (j).

B. Vehicles shall not be sold, offered for sale, or operated in this state unless equipped so that overall noise emission does not exceed a sound level limitation of not more than 99 decibels on the A scale from a distance of 20 inches using test procedures and instrumentation as set forth in the Society of Automotive Engineers' Standard, SAE J1287, June 1988, or, if different procedures or instrumentation are used, a noise level equivalent to that level.

C. No noise suppressing system or muffler shall be equipped with a cutout, bypass, or similar device and no person shall modify or alter that system or its operation in any manner which will amplify or increase the noise emitted by the

vehicle's motor to exceed the noise limits established in this subpart, except for organized events as authorized by Minnesota Statutes, sections [84.795](#), subdivision 7; [84.804](#), subdivision 5; and [84.928](#), subdivision 5.

6102.0050 OPERATIONAL RESTRICTIONS.

Subpart 1. **Traffic control.** To control traffic on public lands, waters, and trails, all vehicle operators must comply with items A to G.

A. Signs posted by the department must be obeyed. Signs shall be posted when necessary and desirable to control, direct, or regulate the operation and use of a vehicle, or to protect natural resources or public safety. Signs may also be posted restricting access to certain areas.

B. One-way trails must be traveled in the direction indicated.

C. When on a trail treadway, an operator must stay on the right half of the treadway when meeting or being passed by another trail user.

D. When passing another trail user traveling in the same direction, an operator must pass on the left half of the treadway and may pass only when the left half is clearly visible

and is free of oncoming traffic for a sufficient distance ahead to permit overtaking and passing to be completely made without interfering with the safety of any trail user.

E. Any trail user who is about to enter onto or cross a trail treadway shall yield the right-of-way to any trail user already on the treadway to be entered or crossed.

F. When two trail users are about to enter an otherwise unmarked treadway intersection from different treadways at approximately the same time, or are approaching an otherwise unmarked merger of two treadways from any two directions at approximately the same time, the trail user on the right shall have the right-of-way.

G. Trail users shall yield to nonmotorized trail users and shall shut off their vehicles when meeting a horse until the horse has passed or until waved on by the rider or driver of the horse.

Subp. 2. **Operation of vehicles.** It is unlawful on any public lands, waters, trails, or public road rights-of-way open for vehicle use for any person to drive or operate a vehicle in any of the following ways:

A. At a speed greater than is reasonable or proper

under all of the surrounding circumstances or greater than the posted speed limit. When necessary, the commissioner may establish and post at reasonable intervals a reasonable and safe maximum speed limit for the operation of a vehicle along a specific portion of the trail or in areas under the commissioner's jurisdiction. The speed limit is effective when signs are erected and any operation of a vehicle within the posted portion of the trail or area in excess of the posted speed limit is unlawful.

The speed limit may be waived in writing by the commissioner for an organized race or similar competitive event held upon lands, waters, or trails under the jurisdiction of the commissioner.

B. Without a lighted headlamp and tail lamp when operated at night or during reduced visibility.

Subp. 3. **Regulations by governmental subdivisions.**

Governmental subdivisions may, by ordinance, regulate the operation of a vehicle on public waters within their boundaries, provided the ordinance is approved by the commissioner and is not inconsistent with law or rule. An ordinance affecting vehicle use on public waters is not valid with respect to such action unless first submitted to the commissioner and approved in writing.

Subp. 4. [Repealed, 22 SR 1026]

6102.0050 OPERATIONAL RESTRICTIONS.

Subpart 1. **Traffic control.** To control traffic on public lands, waters, and trails, all vehicle operators must comply with items A to G.

A. Signs posted by the department must be obeyed. Signs shall be posted when necessary and desirable to control, direct, or regulate the operation and use of a vehicle, or to protect natural resources or public safety. Signs may also be posted restricting access to certain areas.

B. One-way trails must be traveled in the direction indicated.

C. When on a trail treadway, an operator must stay on the right half of the treadway when meeting or being passed by another trail user.

D. When passing another trail user traveling in the same direction, an operator must pass on the left half of the treadway and may pass only when the left half is clearly visible and is free of oncoming traffic for a sufficient distance ahead

to permit overtaking and passing to be completely made without interfering with the safety of any trail user.

E. Any trail user who is about to enter onto or cross a trail treadway shall yield the right-of-way to any trail user already on the treadway to be entered or crossed.

F. When two trail users are about to enter an otherwise unmarked treadway intersection from different treadways at approximately the same time, or are approaching an otherwise unmarked merger of two treadways from any two directions at approximately the same time, the trail user on the right shall have the right-of-way.

G. Trail users shall yield to nonmotorized trail users and shall shut off their vehicles when meeting a horse until the horse has passed or until waved on by the rider or driver of the horse.

Subp. 2. **Operation of vehicles.** It is unlawful on any public lands, waters, trails, or public road rights-of-way open for vehicle use for any person to drive or operate a vehicle in any of the following ways:

A. At a speed greater than is reasonable or proper under all of the surrounding circumstances or greater than the

posted speed limit. When necessary, the commissioner may establish and post at reasonable intervals a reasonable and safe maximum speed limit for the operation of a vehicle along a specific portion of the trail or in areas under the commissioner's jurisdiction. The speed limit is effective when signs are erected and any operation of a vehicle within the posted portion of the trail or area in excess of the posted speed limit is unlawful.

The speed limit may be waived in writing by the commissioner for an organized race or similar competitive event held upon lands, waters, or trails under the jurisdiction of the commissioner.

B. Without a lighted headlamp and tail lamp when operated at night or during reduced visibility.

Subp. 3. Regulations by governmental subdivisions.

Governmental subdivisions may, by ordinance, regulate the operation of a vehicle on public waters within their boundaries, provided the ordinance is approved by the commissioner and is not inconsistent with law or rule. An ordinance affecting vehicle use on public waters is not valid with respect to such action unless first submitted to the commissioner and approved in writing.

Subp. 4. [Repealed, 22 SR 1026]

6102.0060 UNIFORM SIGNS.

Subpart 1. **In general.** The department shall post signs when necessary and desirable to control, direct, or regulate the operation and use of vehicles, or to protect natural resources or public safety. The department may post signs restricting access to certain areas. Specifications for signs used by the state or any of its subdivisions shall be pursuant to the department sign manual. Detailed plans and specifications for signs are available upon request to the commissioner.

Subp. 2. [Repealed, 22 SR 1026]

Subp. 3. [Repealed, 22 SR 1026]

Subp. 4. [Repealed, 22 SR 1026]

Subp. 5. [Repealed, 22 SR 1026]

Subp. 6. [Repealed, 22 SR 1026]

Subp. 7. [Repealed, 22 SR 1026]

Subp. 8. [Repealed, 22 SR 1026]

Subp. 9. [Repealed, 22 SR 1026]

6102.0070 EDUCATION AND TRAINING PROGRAMS FOR ATV AND OHM.

Subpart 1. **Administration.** The education and training program shall be administered by the safety coordinator, Enforcement Division, Department of Natural Resources.

Subp. 2. **Course content.** The course content shall include the following:

- A. machine nomenclature;
- B. control familiarization;
- C. machine safety features;
- D. operating procedures;
- E. OHM and ATV laws and rules;
- F. loading and towing procedures;
- G. OHM and ATV code of ethics;

H. safety hazards of operation including possible hearing damage;

I. environmental consequences of OHM and ATV use; and

J. written tests.

Subp. 3. **Safety certificate.** Upon successful completion of the training program, a student may submit the student's name, address, and date of birth to the safety coordinator who shall issue to the student, on behalf of the commissioner, a safety certificate. A duplicate certificate shall be issued if the original is lost or destroyed, upon application and payment of the current issuance fee. Each safety certificate issued shall show on its face the name and birth date of the person to whom it was issued.

6102.0080 OFFICIAL USE AND VARIANCE.

The requirements of parts [6102.0010](#) to [6102.0050](#) do not apply to a licensed peace officer or an employee or agent of the department while engaged in the performance of official duties. In addition, the commissioner may grant a variance from the requirements of parts [6102.0010](#) to [6102.0050](#) when the commissioner considers it necessary for maintenance, conservation, or public safety purposes.

