

CHAPTER 12.06

REGULATING SPECIAL VEHICLES.

Section 1. SPECIAL VEHICLES: Motorized Golf Carts, Utility Task Vehicles, And All-Terrain Vehicles.

A. Permit Requirements

1. No person shall operate a motorized golf cart, utility task vehicle, or all-terrain vehicle (as defined in Minn. Stat. § 84.92) on streets, alleys, sidewalks or other public property without a valid driver's license and without obtaining a permit as provided herein.
 - a. Youth under age 18 who are operating an ATV or as a passenger on an ATV must wear a DOT certified helmet.
 - b. Youth ages 16 and 17 must have a valid driver's license and ATV Safety Certification to make a direct crossing of a roadway or operate on road right-of-way or roadway open by local ordinance
 - c. 15 year-olds with a valid ATV Safety Certificate may operate an ATV when accompanied by a parent or legal guardian as a passenger or on a separate ATV immediately following the youth's ATV.
2. Every application for a permit shall be made on a form supplied by the city and shall contain all of the following information:
 - a. The name and address of the applicant.
 - b. The nature of the applicant's physical handicap, if any.
 - c. Model name, make, and year and number of the motorized golf cart, all-terrain vehicle, or mini-truck.
 - d. Provide a valid driver's license.
 - e. Other information as the city may require.
3. The permit fee shall be as set forth in the amount determined by City Council Resolution.

4. Permits shall be granted for a period of one calendar year. Every permit shall expire on the last day of December in each year.
5. No permit shall be granted or renewed unless the following conditions are met:
 - a. The applicant may be required to submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart, utility task vehicle or all-terrain vehicle on the roadways designated.
 - b. The applicant must provide evidence of insurance in compliance with the provisions of Minnesota Statutes concerning insurance coverage for the golf cart, utility task vehicle, or all-terrain vehicle.
 - c. The applicant has not had his or her driver's license revoked as the result of criminal proceedings.
6. Motorized golf carts, utility task vehicles, or all-terrain vehicles are permitted to operate on all city streets and only on sidewalks and trails that have been designated as permissible by City Council resolution. Motorized golf carts, utility task vehicles, or all-terrain vehicles are prohibited from operating on state or federal highways, except to cross at designated intersections.
7. A person operating a special vehicle on a designated sidewalk or trail must yield the right-of-way to pedestrians and bicycles at all times.
8. Motorized golf carts, utility task vehicles and all-terrain vehicles may only be operated on designated roadways from sunrise to sunset unless equipped with original equipment headlights, taillights, and rear-facing brake lights. They shall not be operated in inclement weather 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 as required by Minn. Stat. § 169.045
9. Motorized golf carts shall display the slow-moving vehicle emblem provided for in Minn. Stat. § 169.045, as it may be amended from time to time, when operated on designated roadways.
10. Motorized golf carts, utility task vehicles, or all-terrain vehicles shall be equipped with a rear-view mirror to provide the driver with adequate vision from behind as required by Minn. Stat. § 169.70.
11. The operator of a motorized golf cart, utility task vehicle, or all-terrain vehicle may cross any street or highway intersecting a designated roadway.

12. Every person operating a motorized golf cart, a utility task vehicle, or an 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 Minn. Stat. ch. 169, as it may be amended from time to time, except when these provisions cannot reasonably be applied to motorized golf carts or mini-trucks and except as otherwise specifically provided in Minn. Stat. § 169.045, subd.7, as it may be amended from time to time.
 13. The City Council may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any of the provisions of this section or Minn. Stat. ch. 169, as it may be amended from time to time, or if there is evidence that the permit holder cannot safely operate the motorized golf cart, utility task vehicle, all-terrain vehicle, or mini-truck on the designated roadways.
 14. The number of occupants on the golf cart, utility task vehicle, or all-terrain vehicle may not exceed the design occupant load.
 15. Any operator of a golf cart, utility task vehicle, or all-terrain vehicle shall not exceed 20mph and must operate on the far right side of the road except when making a left turn.
- B.** For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.
1. Driver. The person driving and having physical control over the motorized golf cart, utility task vehicle, all-terrain vehicle, or mini-truck and being the licensee.
 2. Motorized Golf Cart. Any passenger conveyance being driven with four wheels with four low-pressure tires that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 800 pounds.
 3. Utility Task Vehicle. As defined by Minn. Stat. § 169.045, subd. 1 (3), a side-by-side, four-wheel drive, off-road vehicle that has four wheels, is propelled by an internal combustion engine with a piston displacement capacity of 1,200 cubic centimeters or less, and has a total dry weight of 1,800 but less than 2,600 pounds.
 4. Mini-Truck. As defined in Minn. Stat. § 169.011, subd. 40(a), a motor vehicle that has four wheels; is propelled by an electric motor with a rated power of 7,500 watts or less or an internal combustion engine with a piston displacement capacity of 660 cubic centimeters or less; has a total dry weight

of 900 to 2,200 pounds; contains an enclosed cabin and a seat for the vehicle operator; commonly resembles a pickup truck or van, including a cargo area or bed located at the rear of the vehicle; and was not originally manufactured to meet federal motor vehicle safety standards required of motor vehicles in the Code of Federal Regulations, title 49, sections 571.101 to 571.404, and successor requirements. A mini-truck does not include: a neighborhood electric vehicle or a medium-speed electric vehicle as defined by § 73.11; or a motor vehicle that meets or exceeds the regulations in the Code of Federal Regulations, title 49, section 571.500, as it may be amended from time to time.

C. Authorized city staff may operate city owned motorized golf carts and mini-trucks without obtaining a permit within the city on city streets, sidewalks, trails, rights-of-way, and public property when conducting city business.

D. Mini-truck equipment requirements:

1. A mini-truck may be operated under permit on designated roadways if it is equipped with all of the following:
 - a. At least two headlamps.
 - b. At least two tail lamps.
 - c. Front and rear turn-signal lamps.
 - d. An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror.
 - e. A windshield.
 - f. A seat belt for the driver and front passenger.
 - g. A parking brake.

Section 2. Snowmobiles

A. Definitions.

1. Snowmobile. As defined in Minn. Stat. § 84.81, subd. 3, a self-propelled vehicle originally manufactured and designed for travel on snow or ice steered by skis or runners. Snowmobile does not include the following vehicles equipped with aftermarket ski and track configurations:
 - a. an all-terrain vehicle defined in section 84.92;
 - b. an off-highway motorcycle defined in section 84.787;
 - c. an off-road vehicle defined in section 84.797;
 - d. a mini truck defined in section 169.011;
 - e. a utility task vehicle described in section 169.045; or

- f. any other vehicle being operated off road.

B. Operation Requirements.

1. Any person operating a snowmobile is only allowed to go to and from a specific destination within the city.
2. It is unlawful for any person to operate a Snowmobile:
 - a. On private property in the seven-county metropolitan area as defined in Minn. Stat. § 473.121, subd. 2, without written or oral permission of the owner of the property.
 - b. On publicly owned land, including school, exclusive city streets, park property, playgrounds, recreation areas and golf courses, except where permitted by this ordinance.
 - c. In a manner so as to create a loud, unnecessary, or unusual noise that disturbs, annoys, or interferes with the peace and quiet of other persons.
 - d. On a public sidewalk or walkway provided or used for pedestrian travel.
 - e. At a place while under the influence of intoxicating liquor or narcotics or habit-forming drugs.
 - f. At a rate of speed greater than reasonable or proper under all the surrounding circumstances.
 - g. At any place in a careless, reckless, or negligent manner so as to endanger or be likely to endanger any person or property or to cause injury or damage thereto.
 - h. On any public street, highway, or right-of-way unless registered pursuant to Minnesota law.
 - i. To intentionally drive, chase, run over, or kill any animal, wild or domestic.
 - j. By halting any snowmobile carelessly or heedlessly in disregard of the rights or the safety of others or in a manner so as to endanger or be likely to endanger any person or property or in excess of 25 miles per hour on publicly owned lands.
3. Snowmobiles may only be operated between the hours of 8:00 am to 10:00 pm.
4. Snowmobile operators shall comply with all registration and equipment requirements as provided for in Minn. Stat. ch. 84, as it may be amended from time to time.

Section 3. Operation of Electric Personal Assistive Mobility Devices.

A. Electric Personal Assistive Mobility Device means a self-balancing device with two non-tandem wheels, designed to transport not more than one person, and operated by an electric propulsion system that limits the maximum speed of the device to 15 miles per hour.

B. Except as otherwise provided by law, a person operating an electric personal assistive mobility device has the rights and responsibilities of a pedestrian.

C. Operation.

2. An electric personal assistive mobility device may be operated on a bicycle path.
3. No person may operate an electric personal assistive mobility device on a roadway, sidewalk, or bicycle path at a rate of speed that is not reasonable and prudent under the conditions. Every person operating an electric personal assistive mobility device on a roadway, sidewalk, or bicycle path is responsible for becoming and remaining aware of the actual and potential hazards then existing on the roadway or sidewalk and must use due care in operating the device.
4. An electric personal assistive mobility device may be operated on a roadway only under the following circumstances:
 - a. While making a direct crossing of a roadway in a marked or unmarked crosswalk.
 - b. Where no sidewalk is available.
 - c. Where a sidewalk is so obstructed as to prevent safe use.
 - d. When so directed by a traffic control device or by a peace officer.
 - e. Temporarily in order to gain access to a motor vehicle.
 - f. As provided in division (6) below by Council resolution.
5. An electric personal assistive mobility device may not be operated at any time on a roadway with a speed limit of more than 35 miles per hour except to make a direct crossing of the roadway in a marked crosswalk.
6. An electric personal assistive mobility device may not be operated at any time while carrying more than one person.
7. Designated exclusive city streets. The City Council may, by resolution, designate exclusive city streets within its jurisdiction where the operation of electric personal assistive mobility devices is not permitted, provided that any street so designated has a speed limit of more than 35 miles per hour.

8. A person operating an electric personal assistive mobility device on a sidewalk must yield the right-of-way to pedestrians at all times. A person operating an electric personal assistive mobility device on a bicycle path must yield the right-of-way to bicycles at all times.
9. An electric personal assistive mobility device may not be operated unless the device bears reflectorized material on the front, back, and wheels, visible at night from 600 feet when illuminated by the lower beams of headlamps of a motor vehicle.

Section 4. Motorized Foot Scooters

- A. Motorized Foot Scooter means a device with handlebars designed to be stood or sat upon by the operator, and powered by an internal combustion engine or electric motor that is capable of propelling the device with or without human propulsion, and that has no more than two 12-inch or smaller diameter wheels and has an engine or motor that is capable of a maximum speed of 15 miles per hour on a flat surface with not more than 1 percent grade in any direction when the motor is engaged. An electric personal assistive mobility device, a motorized bicycle, an electric-assisted bicycle, or a motorcycle is not a motorized foot scooter.
- B. Operation of a motorized foot scooter on city bicycle paths, bicycle lanes, bicycle trails, or bikeways is prohibited except as provided in division (C) below.
- C. The City Council may, by resolution, designate specific bicycle paths, bicycle lanes, bicycle trails, or bikeways as available for use by motorized foot scooters.
- D. Every person operating a motorized foot scooter shall have all rights and duties applicable to the operator of a bicycle, except in respect to those provisions relating expressly to motorized foot scooters and in respect to those provisions of law that by their nature cannot reasonably be applied to motorized foot scooters.
- E. No person may operate a motorized foot scooter upon a sidewalk, except when necessary to enter or leave adjacent property. No person may operate a motorized foot scooter that is carrying any person other than the operator.
- F. No person under the age of 12 years may operate a motorized foot scooter.
- G. No person under the age of 18 years may operate a motorized foot scooter without wearing properly fitted and fastened protective headgear that complies with standards established by the commissioner of Public Safety.
- H. A motorized foot scooter must be equipped with a headlight and a taillight that comply with standards established by the commissioner of Public Safety if the vehicle is operated under conditions when vehicle lights are required by law.
- I. A person operating a motorized foot scooter on a roadway shall ride as close as practicable to the right-hand curb or edge of the roadway, except in the following situations:

1. When overtaking and passing another vehicle proceeding in the same direction.
2. When preparing for a left turn, in which case the operator shall stop and dismount at the right-hand curb or right edge of the roadway, and shall complete the turn by crossing the roadway on foot, subject to restrictions placed by law on pedestrians.
3. When reasonably necessary to avoid impediments or conditions that make it unsafe to continue along the right-hand curb or edge, including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or narrow lanes.

Section 5. Medium-Speed Electric Vehicles and Neighborhood Electric Vehicles

A. Definitions.

1. “Medium Speed Electric Vehicle” means an electrically powered four-wheeled motor vehicle, equipped with a roll cage or crushproof body design, that can attain a maximum speed of 35 miles per hour on a paved level surface, is fully enclosed and has at least one door for entry, has a wheelbase of 40 inches or greater and a wheel diameter of 10 inches or greater, and except with respect to maximum speed, otherwise meets or exceeds regulations in the Code of Federal Regulations, title 49, section 571.500, and successor requirements.
2. “Neighborhood Electric Vehicle” means an electrically powered motor vehicle that has four wheels, and has a speed attainable in one mile of at least 20 miles per hour, but not more than 25 miles per hour on a paved level surface.

B. Operation of neighborhood electric vehicles on city streets is prohibited except as provided in C. below.

C. Use on designated exclusive city streets. The City Council may, by resolution, designate exclusive city streets within its jurisdiction where the operation of neighborhood electric vehicles or medium-speed electric vehicles is permissible, provided that no street so designated has a speed limit of more than 35 miles per hour.

D. A neighborhood electric vehicle or a medium-speed electric vehicle may be operated on public streets and highways only if it meets all equipment and vehicle safety requirements in Code of Federal Regulations, title 49, section 571.500, as it may be amended from time to time.

E. Authorized city staff may operate city owned neighborhood electric vehicles and medium-speed electric vehicles within the city on city streets, sidewalks, trails, rights-of-way, and public property when conducting city business.

Section 6. Penalty. Any person convicted of violating any provision of this ordinance is guilty of a misdemeanor and shall be punished by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment for not more than ninety (90) days, or both, plus the costs of prosecution in either case.

Section 7. Severability. If any provision of this ordinance is found to be invalid for any reason by a court of competent jurisdiction, the validity of the remaining provisions shall not be affected.

Adopted by the City Council of the City of Howard Lake, Minnesota this 17th day of April, 2018.