

# **Your Guide to:** **Low-Power and Off-Highway Vehicles**



**2010 Edition**

**Owatonna Police Department**

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**<http://ci.owatonna.mn.us/owatonna-police>**



## All Terrain Vehicle (ATV) Laws:

### Definitions:

**Class 1 ATVs:** Are motorized flotation-tired vehicles with at least three but no more than six low pressure tires that have an engine displacement of less than 960 cubic centimeters and a total dry weight of less than 900 pounds.

**Class 2 ATVs:** Are motorized flotation-tired vehicles with at least three, but no more than six, low pressure tires that have an engine displacement of less than 960 cubic centimeters and a total dry weight of 900 to 1,500 pounds. Dry weight is normally the weight of the vehicle without fluids.

**Public road right-of-way:** Means the entire right-of-way of a roadway that is not privately owned, including the traveled portions, banks, ditches, shoulders, and medians.

### ATV Registration:

Where you can legally operate your ATV is dependent on how your ATV is registered. ATVs can be registered for **public/recreational use or private agricultural use**, and in some cases **both**. No one under the age of 18 can register an ATV. All ATVs operated in Minnesota **must be registered** with the DNR, including those used exclusively on private property. **Class 1 or Class 2 will be indicated on the owners ATV registration card and decal.**

### Registration is NOT required for:

ATVs that are used exclusively in organized track racing events.  
ATVs that are 25 years and older.  
ATVs owned by a resident of another state or country that does not require registration of all-terrain vehicles; not in Minnesota for more than 30 consecutive days; and are operated on state and grant-in-aid trails by a non-resident **possessing a non-resident ATV state trail pass**. Effective Jan 1, 2010. Non-residents do NOT need a pass if operating on a portion of an ATV trail that is owned by the person or the person's spouse, child, or parent.

### Where You Can Operate Your ATV:

#### Public/Recreational Use Registration:

Public use registration allows for the operation of **Class 1 ATVs** in the ditch bottom; on the outer slope of roadside ditches along state and county roads; on the right side of township roads and city streets, if not prohibited by the road authority or other local laws.

Public use registration allows for the operation of **Class 2 ATVs** on the shoulder or extreme right side of county roads and on the right side of township roads and city streets, if not prohibited by the road authority or other local laws. **Class 2 ATVs may not be operated in the ditch** unless part of a designated Class 2 trail.

#### Display of Numbers and Decals:

ATVs **registered for public or dual use must display** the current public use registration number and decal on a plate at least 4 inches high and 7½ inches long. The plate must be clearly visible on the back of the vehicle and at least 12 inches from the ground. The plate and decal must be maintained in a clear and legible condition.

### Private/Agricultural Use Registration:

ATVs (**Class 1 and Class 2**) are registered for private use when used exclusively for agricultural activities, harvesting wood, or on private property. A private use registration does not expire and is valid until the ownership of the ATV is transferred.

**Agricultural Zone Restriction:** You may not drive an ATV within the right-of-way (ditch) of a state or county road from April 1 to August 1 in the agricultural zone. This does not apply to Class 1 ATVs registered and used exclusively for agricultural purposes. Class 2 ATVs cannot be operated in ditches.



### ATV General Regulations:

- All ATV riders (passengers and operator) under age 18 on public land must wear a helmet at all times.
- A driver's license is required to operate an ATV along or on public road rights-of-way.
- No operator **under age 12** can cross public roads or drive on public roads and lands, except an operator at least 10 years old may operate an ATV up to 90cc on public lands if accompanied by parent.
- Operators **between the age of 12 and 15** must have a safety training certificate and be accompanied by an adult 18 or older who possesses a driver's license to operate on public lands.
- In order to be issued a safety training certificate, operators under 12 must have completed a safety training course and be able to reach and control the handlebars and reach the footrests.
- Effective January 1, 2006, anyone born after July 1, 1987 and is 16 or older, must complete an independent study course component of ATV safety training before operating an ATV on public land.
- A rider may not operate an ATV on a trail designated "not for motorized use," posted public lands, state park lands, wildlife management areas, or unfrozen water.
- If an ATV is equipped with headlight and taillight, it may not be operated unless lighted at all times. All ATVs operated between ½ hour after sunset to ½ hour before sunrise must have lighted headlight and taillight.
- A person **under the age of 18** may not carry a passenger.
- A person **over the age of 18** may carry one passenger on a class 1 ATV.
- A person **over the age of 18** may carry a passenger; or up to the number of passengers for which a class 2 ATV was designed.
- A passenger **under the age of 18** must wear helmet and seatbelt if provided by manufacturer.



## All Terrain Vehicle (ATV) Laws:

### **ATV General Regulations - Continued:**

- You may not exceed 10 mph on the frozen surface of public waters within 100 feet of a person fishing or a fish house or other shelter.
- Overall noise emission from ATV's may not exceed 99 decibels at a distance of 20 inches when operated on public lands, waters, trails, and public streets and roads open to vehicle use.
- Do not operate an ATV at a speed greater than is reasonable under all of the surrounding circumstances or greater than the posted speed limit on any public lands, waters, trails, or public road rights-of-way.
- If accident results in a human injury requiring medical attention, hospitalization, or death; or total damage of \$500 or more, the ATV operator must file a written report to the DNR within 10 days of the accident.
- It is unlawful to operate an ATV while under the influence of alcohol, a controlled substance, or other hazardous substance.
- It is unlawful for a person to drink or consume alcoholic beverages when an ATV is operated on a roadway, or shoulder of a roadway, that is not part of a designated trail for ATVs.
- It is unlawful to operate an ATV in a careless, reckless, or negligent manner that endangers another person or property.
- Littering is unlawful.
- It is unlawful to enter or leave lands by cutting wire or tearing down a fence.
- It is unlawful to mutilate, destroy, damage, or remove any property within a trail or on state land.
- It is unlawful to post, damage, or remove any signs on any lands or waters unless you are the landowner, occupant, or lessee of the property.
- An ATV that is abandoned, stolen, or destroyed must be reported to the DNR License Center within 15 days.
- It is unlawful to operate an ATV in a manner to carelessly upset the natural and ecological balance of a wetland or public waters wetland.
- It is unlawful to wound or kill another person's domestic animal or destroy private property.
- It is unlawful to pass through a closed gate without returning it to the original position.
- It is unlawful to stray off the groomed portions of marked state trails.

### **Firearms Transportation:**

- A person may transport an unloaded and uncased shotgun or rifle in a motor vehicle while: 1) at a shooting range with permission; 2) lawfully hunting on public or private land; or 3) traveling to or from a site the person intends to hunt that day or has hunted that day.
- However, a person MAY NOT transport an uncased shotgun or rifle within: **1)** Anoka, Hennepin, or Ramsey counties; **2)** an area where discharge of a firearm is prohibited by ordinance; **3)** a city with a population of 2,500 or more; **4)** school grounds; **5)** game refuges; or **6)** as regulated under shining and night vision laws.
- A handgun/pistol cannot be transported uncased without a valid permit to carry.

### **ATV Cross-Country Travel:**

- ATV cross-country travel is prohibited on state lands except for Class 1 ATVs operated during certain times for big game hunting and retrieval, trapping, and constructing stands.

**\*For additional information regarding Minnesota ATV laws, refer to the Minnesota Department of Natural Resources:**

- **1-888-MINNDNR**
- **[www.mndnr.gov](http://www.mndnr.gov)**



## Snowmobile Laws:

### **Owatonna City Ordinance:**

#### **Section 725:10.** Regulation of Snowmobile Use.

**Subd. 1.** It shall be unlawful for any person to operate a snowmobile under the circumstances set forth in the sections which follow:

**A.** A snowmobile may be operated on City streets only for the purpose of going to and from the City limits on the most direct route from the point of origin to the City limits or returning there from.

**B.** On private property of another without the express permission to do so by the owner or occupant of said property. Said permission must be in writing from the owner or occupant of the property.

**C.** On public school grounds, park property, playgrounds, recreational areas and golf courses without express provision or permission to do so by the proper public authority. Said permission must be in writing from the proper public authority.

**D.** In a manner so as to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of other persons. It is a presumptive public nuisance for the operator of a snowmobile to discharge into the open air the exhaust from the snowmobile's engine except through a properly working muffler or other device that is in constant operation and effectively prevents loud or explosive engine noises, blends exhaust noise into the overall vehicle noise to prevent excessive or unusual noise such as sharp popping or crackling sounds, or other sounds likely to annoy, disturb, injure, or endanger the comfort, repose, health, peace, or safety of a reasonable person or ordinary sensibilities in its vicinity.

**E.** In a careless, reckless or negligent manner so as to endanger, or be likely to endanger, the safety of any person or the property of any other person.

**F.** Without having such snowmobile registered as provided for in Minnesota Statutes, Section 84.82.

**G.** No snowmobile shall be operated on any public street or highways within the downtown area designated as an area bounded on the south by Mill Street, by Oak Street on the west, by Rose Street on the north and Grove Street on the east.

**H.** The absolute **maximum speed limit** for the operation of snowmobiles **within the corporate limits** of this municipality is **15 miles per hour**. All snowmobiles must come to a complete stop at each street intersection before proceeding into and through the intersection.

**I.** All snowmobiles shall be operated in single file as close to the right hand curb of all public roads and streets of this municipality as possible. On public roads and streets not having curbs, snowmobiles will be operated in single file as close to the right hand edge of the traveled portion of roadways as possible.

**K.** No trailers shall be pulled by snowmobiles unless a solid type hitch is used connecting the trailer with the snowmobile, and any such trailer pulled shall likewise be equipped with a red tail light in working order on the rear most portion of said trailer. For purposes of this subdivision, a trailer shall be defined to include any sled, toboggan or other device used for carrying persons or property, which does not contain its own course of motivation.

**L.** No person under fourteen (14) years of age shall operate a snowmobile upon a street or highway within the City of Owatonna. A person fourteen (14) years of age or older, but less than eighteen (18) years of age, may operate a snowmobile in the City of Owatonna only if he/she has in his/her immediate possession a valid snowmobile safety certificate issued by the Commissioner of Natural Resources.

**M.** It is a misdemeanor to intentionally drive, chase, run over, or kill any animal, wild or domestic, with a snowmobile within the city limits of this municipality.

**N.** It is unlawful for the owner of a snowmobile to permit the snowmobile to be operated contrary to the provisions of this Ordinance or the laws of the State of Minnesota.

**O.** It is unlawful for any person to operate a snowmobile in the City after having received a visual or audible signal from any law enforcement officer to come to a stop or to operate a snowmobile in a willful and wanton disregard for such signal or to interfere with or endanger the law enforcement officer or any other person or vehicle or to increase speed or attempt to flee or elude the officer.

### **State Laws:**

- Maximum speed in Minnesota is 50 m.p.h.
- Registration is required to operate, transport, or permit to be operated.
- Display current snowmobile registration.
- Display snowmobile state trail sticker if operating on state or grant-in-aid trails.
- Stay off the roadway, shoulder, and inside slope of state and county roads.
- Operate your snowmobile in the same direction as roadway traffic when riding one-half hour after sunset to one-half hour before sunrise.
- Any youth operating a snowmobile must have a safety certificate.
- Stay off the median of four-lane roadways.
- Come to a complete stop and look both ways before crossing a public roadway whether there is a stop sign or not.
- Cross public roadways at a 90 degree angle.
- Any resident of Minnesota born after December 31, 1976 must have a snowmobile safety certificate to operate. (Exception: Persons under age of 14 may operate if they are supervised or accompanied by: parent, legal guardian, or other person over 18 as designated by parent or guardian.)



## Snowmobile Laws – Continued:

**Snowmobile Registration:** Snowmobiles operated or transported in Minnesota must be registered with the DNR. You must be at least 18 years old to register a snowmobile.

### **Exceptions to Snowmobile Registration:**

- If it's being used to groom a state or grant-in-aid trail.
- Owned and used by the federal government, another state, or political subdivision.
- Registered in a country other than the U.S. and being used temporarily in Minnesota.
- Currently registered in another state and not kept in Minnesota for more than 30 consecutive days.
- If it is used exclusively in organized track-racing events.
- In transit by a manufacturer, distributor or dealer.
- At least 15 years old in transit by an individual for use on land owned or leased by the individual.
- Used exclusively for agricultural purposes.

### **Equipment Requirements:**

**Helmet:** Operators **under 18 years of age** must wear an approved helmet, **except** when participating in a parade or operating on land belonging to a parent, grandparent, sibling, uncle or aunt.

### **Lights:**

- Headlights and taillights must be on during hours of darkness.
- Headlights must be able to reveal people and vehicles 100 feet ahead and aimed so they will not blind an oncoming snowmobiler.
- Colored lenses on headlights are NOT lawful when the snowmobiles is operated on roads or road rights-of-way, including crossing roads and operating in ditches or outside slopes.
- Red taillights must be visible for 500 feet to the rear of the snowmobile.

**Brakes:** Brakes must be able to control movement and to stop and hold the snowmobile track.

**Reflective Material:** Snowmobiles must have at least 16 square inches of reflector material on each side forward of the handle bars. Any sled, trailer, or other device that is towed by a snowmobile during hours of darkness must display visible reflector material on each side and at the rear.

**Mufflers:** Snowmobiles must be equipped with mufflers that are in good working order and that do not produce sharp popping or cracking sounds or excessive or unusual noise.

### **Safety Training Requirements:**

#### **Minnesota Residents:**

- Any resident of Minnesota **born after December 31, 1976** must have a snowmobile safety certificate to operate a snowmobile in Minnesota (See exception below).

#### **With snowmobile safety certificate:**

- Anyone **12 and 13 years old** can operate a snowmobile on public lands, public waters, state trails, and grant-in-aid trails. They may operate on private land with permission. They may NOT cross state or county roads.
- Anyone **14 years old and older** can operate a snowmobile in Minnesota, including crossing state and county roads. Must have permission to operate on certain private lands.

#### **Non-Residents of Minnesota:**

- Anyone **12 and 13 years old** must have a snowmobile safety certificate to operate on public lands, public waters, state trails, and grant-in-aid trails. They may operate on private land with permission. They may NOT cross state or county roads.
- Anyone **14 through 17 years old** must have a snowmobile safety certificate to cross state and county roads.
- Anyone **18 years old and older** does not need a snowmobile safety certificate.
- Non-residents certified in snowmobile safety in another state will be recognized in Minnesota.

#### **Exception for Residents and Non-Residents:**

- Without a snowmobile safety certificate, a person under the age of 14 years may operate a snowmobile only if they are supervised or accompanied by one of the following: Parent, legal guardian, or other person 18 years of age or older designated by the parent or guardian. The supervising or accompanying adult needs to be close enough to be able to direct the youth's operation of their snowmobile. This exception does not allow an operator under the age of 14 to cross a public road.

#### **General Operation - Where You May Ride:**

- In the bottom or outside slope of a ditch of a county or state road.
- In the same direction as road traffic in the ditch from one-half hour after sunset to one-half hour before sunrise (other than this time, you can ride in either direction).
- One-half hour after sunset to one-half hour before sunrise on two-way snowmobile trails that are located within the ditches or adjacent to streets or highways when specifically permitted by the road authority (look for posted two-way signs.)



## Snowmobile Laws – Continued:

### General Operation - Where You May Ride:

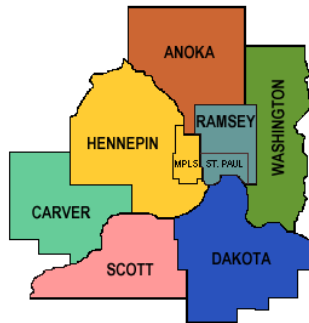
- On a bridge, other than a bridge that is part of the main-traveled lanes of an interstate highway, in order to avoid obstructions to travel when absolutely necessary (the snowmobile must be operated in the extreme right-hand lane, the entrance to the roadway must be made within 100 feet of the bridge, and crossing must be made as quickly as possible.)
- On state and local trails.
- On iced-over waters that have legal access (if not restricted by local ordinances.)
- On township roads when not restricted by local ordinance.
- On public lands that are open to motorized vehicles.

### Inside the seven-county metro area, you may ride:

- On your own land.
- On land that is posted with signs stating “snowmobiles allowed”.
- On land other than your own, with written or spoken permission of the landowner, occupant or lessee.
- On the groomed area of a snowmobile trail.

#### **Seven County Metro Area:**

Counties Include: Anoka, Carver, Dakota, Hennepin, Ramsey, Washington.



### Outside the seven-county metro area, you may ride:

- On your own land.
- On agricultural land that you have been given permission from the landowner.
- On land, other than agricultural land, that you have not been told verbally, by written warning, or by posted signs, that riding is prohibited.
- On the groomed area of a snowmobile trail.

### General Operation - Where You May NOT Ride:

- On the roadway, shoulder, or inner slope of the ditch of a state or county road.
- On the median of a four-lane roadway.
- Within the right-of-way of any interstate.
- On the right-of-way between opposing lanes of traffic.
- Against traffic at night within the road right-of-way.
- At airports.

### Where You May NOT Ride – Continued:

- In any state park, state recreation area, state historic site, wildlife management area, or state scientific and natural area with the exception of posted snowmobile trails and areas.
- In any wildlife management area south of U.S. Highway 2 from Grand Forks east to Bemidji, then south along U.S. Highway 71 to Wadena, then east along U.S. Highway 10 to Staples and U.S. Highway 210 to the eastern boundary of the state, without written permission from the DNR.
- On any iced-over waters located in a restricted area or iced-over waters where you don't have legal access.
- In any areas restricted by local ordinances or municipalities.
- In a tree nursery or planting area.
- On state forest lands that are posted or designated closed to snowmobiling.
- On state forest lands located in the Boundary Waters Canoe Area Wilderness, including all of Lake Isabella and Insula; and portions of Lake Jeanette and Burntside State Forests.
- In National Wildlife Refuges, Waterfowl Production Areas, or the Boundary Waters Canoe Area Wilderness.

### Inside the seven-county metro area, you may NOT ride:

- On land that you do not own, unless given written or oral permission to ride on that land by the owner, occupant, or lessee, or unless signs are posted stating snowmobiling is allowed.

### Outside the seven-county metro area, you may NOT ride:

- On land that you have been told not to orally, in writing, or by posted signs.
- On agricultural land without the permission of the owner.

### Other Prohibitions:

- It is unlawful to operate a snowmobile in a careless, reckless, or heedless manner that endangers the operator, or property of another, or causes injury or damage (intentionally driving over open water, or water skipping, may be considered careless or reckless unless done as an event under special permit.)
- Littering
- Enter or leave lands by cutting wire or tearing down a fence.
- Mutilate, destroy, damage, or remove any shelter, comfort station, or facility on any state or grant-in-aid trail.
- Post, damage, or remove any signs on any lands or waters unless you are the landowner, occupant, or lessee of the property.
- Operate on state forest lands in a manner that causes erosion or rutting, damages or destroys trees or growing crops.
- Operate on a state forest trail that is posted for non-motorized use.



## Snowmobile Laws – Continued:

### **Other Prohibitions - Continued:**

- Operate a snowmobile with metal traction devices on paved public trails except as specifically allowed by state or local government. (A **metal traction device** means any metal device, or array of metal devices, attached to a snowmobile track to enhance traction. This includes metal components that extend more than one-fourth inch from the bottom of the track. Note: Metal cleats affixed perpendicular to the direction of travel of a 1981 or earlier snowmobile are not considered metal traction device.)

### **Other General Laws:**

- **Snowmobiling While Intoxicated (SWI):** Operating a snowmobile while under the influence of alcohol, a controlled substance or its metabolite, or other hazardous substance.
- **Open Bottle Law:** It is unlawful for a person to drink or consume alcoholic beverages when a snowmobile is operated on a roadway or shoulder of a roadway that is not part of a designated snowmobile trail.
- **Accidents:** If you are involved in a snowmobile accident that results in injury requiring medical attention, death, or damage of more than \$500, you must file an official accident report with the Department of Natural Resources.

### **Speed Limits – It is unlawful to operate a snowmobile in excess of:**

- 50 MPH on any public lands or waters.
- The posted speed limits on a trail.
- A speed greater than various trail, terrain and visibility condition dictate.
- The posted road speed limit or 50 MPH, **whichever is LOWER**, while operating in the ditch.
- Any governmental unit snowmobile speed limit. Governmental units include any city, county, municipality, township, or conservation district.

### **Game Laws Related to Snowmobiling:**

- A person may transport an unloaded and uncased shotgun or rifle in a motor vehicle while: 1) at a shooting range with permission; 2) lawfully hunting on public or private land; or 3) traveling to or from a site the person intends to hunt that day or has hunted that day.
- However, a person MAY NOT transport an uncased shotgun or rifle within: **1)** Anoka, Hennepin, or Ramsey counties; **2)** an area where discharge of a firearm is prohibited by ordinance; **3)** a city with a population of 2,500 or more; **4)** school grounds; **5)** game refuges; or **6)** as regulated under shining and night vision laws.

### **Game Laws Related to Snowmobiling – Continued:**

- A handgun/pistol cannot be transported uncased without a valid permit to carry.

#### **It is unlawful to:**

- Use a snowmobile to chase, run over, or kill a wild animal.
- Shoot or attempt to shoot an animal from a snowmobile.
- Wound or kill another person's domestic animal or destroy private property.
- Pass through a closed gate without returning it to the original position.
- Stray off the groomed portions of marked state trails.

#### **\*For additional information regarding Minnesota Snowmobile laws, refer to the Minnesota Department of Natural Resources:**

- **1-888-MINNDNR**
- **[www.mndnr.gov](http://www.mndnr.gov)**



## Off-Highway Motorcycle Laws:

### **Definitions:**

**Off-Highway Motorcycles (OHMS):** OHMs are motorized off-highway vehicles traveling on two wheels. OHMs have a seat or saddle designed to be straddled by the operator and have handlebars for steering control. Motorcycles may be legal for highway use and still considered to be OHMs if used for off-highway operation on trails or natural terrain.

**Public road right-of-way:** Means the entire right-of-way of a roadway that is not privately owned, including the traveled portions, banks, ditches, shoulders, and medians.

### **OHM Registration:**

- All OHMs operated in Minnesota must be registered with DNR, even if used exclusively on private property or in track events.
- Some OHMs are equipped so that they may be legally licensed for highway use. An OHM licensed for highway use that is also used off-road must have both regular motorcycle license and the DNR OHM registration.

### **Display of Numbers and Decals:**

- OHMs **registered only for off-road use** must display the current registration decal on the side of the OHM so it is visible while the rider is on the OHM. It may be attached to the fork tube.
- When an OHM is operated on private property, or in a closed-course competition event, registration is required but the registration decal does not have to be displayed.
- OHMs **licensed in Minnesota for roadway use and registered for off-road use**, must display the OHM decal in the upper left corner of the rear regular motorcycle license plate. The DNR registration number should not be displayed.

### **OHM Youth Operator Requirements:**

#### **Under Age 12:**

- May not make a direct crossing of a public road right-of way.
- May not operate OHM on a public road or public road right-of-way.
- May not operate OHM on public lands or frozen public waters unless accompanied by a person 18 years of age or older.
- Must possess a valid OHM safety certificate to operate on public lands or frozen public waters.
- Must wear eye protection.
- Must wear an approved helmet when operating on public lands and frozen waters.
- Operator participating in DNR permitted event not required to be accompanied by an adult.

#### **Under Age 16:**

- Must possess a valid OHM safety certificate to operate on public lands or frozen public waters.
- May make a direct crossing of a public road (except an

### **OHM Youth Operator Requirements – Continued:**

- Must wear an approved helmet when operating on public lands, frozen waters, and public road rights-of-way.

#### **Age 16 and 17:**

- Must have a driver's license to operate an OHM on a public roadway, and the motorcycle must be licensed for highway use (A driver's license is not required on designated trails when the trail specifically includes the road right-of-way.)
- Must wear eye protection.
- Must wear an approved helmet when operating on public lands, frozen waters, and public road rights-of-way.

### **OHM Safety Training Requirement:**

- Persons under the age of 16 must successfully complete the OHM Safety Training Course before operating an OHM on public lands, frozen waters, public road rights-of-ways, or state or grant-in-aid trails.

### **OHM General Regulations:**

- You may not operate an OHM in ditches, unless it is a trail designated for OHM use. OHMs registered for highway use may operate on roadways.
- A valid driver's license with a motorcycle endorsement is required to operate anywhere on road rights-of-way including crossing roads. The only exception would be on portions of a designated trail that specifically include a road right-of-way.
- Your OHM must have a headlight, taillight, and brakes to be operated on a public road. The lights must be on while operating on a trunk, county, state aid, or county highway; or when crossing a public road right-of-way, one-half hour after sunset to one-half hour before sunrise; or in conditions of reduced visibility.
- You must wear eye protection when operating an OHM.
- You may not exceed 10 mph on the frozen surface of public waters within 100 feet of a person fishing or a fish house or other shelter.
- Sound levels for OHMs manufactured after 1986 may not exceed 96 decibels when operated on public lands.
- Do not operate an OHM at a speed greater than is reasonable under all of the surrounding circumstances or greater than the posted speed limit on any public lands, waters, trails, or public road rights-of-way.
- If accident results in a human injury requiring medical attention, hospitalization, or death; or total damage of \$500 or more, OHM operator must file a written report to the DNR within 10 days of the accident.
- It is unlawful to operate an OHM while under the influence of alcohol, a controlled substance, or other hazardous substance.
- It is unlawful for a person to drink or consume alcoholic beverages when an OHM is operated on a roadway, or shoulder of a roadway, that is not part of a designated trail for OHMs.



## **Off-Highway Motorcycle Laws – Continued:**

### **OHM General Regulations – Continued:**

- It is unlawful to operate an OHM in a careless, reckless, or negligent manner that endangers another person or property.
- Littering is unlawful.
- It is unlawful to enter or leave lands by cutting wire or tearing down a fence.
- It is unlawful to mutilate, destroy, damage, or remove any property within a trail or on state land.
- It is unlawful to post, damage, or remove any signs on any lands or waters unless you are the landowner, occupant, or lessee of the property.
- An OHM that is abandoned, stolen, or destroyed must be reported to the DNR License Center within 15 days.
- It is unlawful to operate an OHM in a manner to carelessly upset the natural and ecological balance of a wetland or public waters wetland.
- It is unlawful to wound or kill another person's domestic animal or destroy private property.
- It is unlawful to pass through a closed gate without returning it to the original position.
- It is unlawful to stray off the groomed portions of marked state trails.

### **Where You May Ride:**

- On private land with the landowners permission.
- On frozen public waters where you have legal access, if not restricted by law or local ordinance.
- On public lands and trails that are open to OHVs.
- You may not operate an OHM in ditches, unless it is a trail designated for OHM use. OHMs registered for highway use may operate on roadways.

**\*For additional information regarding Minnesota OHM laws, refer to the Minnesota Department of Natural Resources:**

- **1-888-MINNDNR**
- **[www.mndnr.gov](http://www.mndnr.gov)**

## Low Powered Vehicles Reference Chart



	Golf Carts	Mini-truck	Motor Scooter & Motorcycle	Motorized Bicycle	Electric Assisted Bicycle	Motorized Foot Scooter	Certain Electric Vehicles	Segway
<b>Key Characteristics:</b>	Powered by an electric or gas engine ranging from under 4 to over 20 horsepower. Top speed typically no more than 20 m.p.h.	600 cc or 7,500-watt engine, 900 to 2,200 pounds dry weight, does not meet federal safety standards.	Motor scooter: not defined.  Motorcycle: seat or saddle, up to three wheels.	50 cc and 2 hp engine, top speed of 30 m.p.h.	Saddle, pedals, two to three wheels, max. 1,000-watt electric motor, top speed of 20 m.p.h.	Handlebars, motor, max. 12-inch wheel, top speed of 15 m.p.h.	NEV: electric motor, four wheels, top speed of 20-25 m.p.h. MSEV: electric motor, misc. items, top speed of 35 m.p.h.	Electric motor, two nontandem wheels, designed for one person, top speed of 15 m.p.h.
<b>Registration:</b>	Local permit.	Local permit; possible DNR registration as ATV.	Title, registration, and license plate.	Registration and license plate.	Registration and license plate.	None; minimum operator age is 12.	Driver's license or permit.	None.
<b>Licensing:</b>	None.	Driver's license or permit.	Driver's license with two-wheels vehicle endorsement.	Driver's license or permit.	Driver's license or permit.	None; minimum operator age is 12.	Driver's license or permit.	None.
<b>Insurance:</b>	Liability and personal injury coverage (same as passenger autos)	Liability and personal injury coverage (same as passenger autos)	Liability coverage (same as passenger autos)	Liability coverage (same as passenger autos)	None.	None.	Liability and personal injury coverage (same as passenger autos)	None.
<b>Operation Rules:</b>	Generally same traffic laws as other motor vehicles; no operation at night.	Generally same traffic laws as other motor vehicles.	Generally same traffic laws as motorcycles and other motor vehicles.	Generally same traffic laws as motorcycles and other motor vehicles.	Generally same traffic laws as motorcycles and other motor vehicles; can be operated on certain bike paths.	Generally same traffic laws as bicycles; no operation on sidewalks; can be operated on certain bike paths and trails.	Generally same traffic laws as other motor vehicles; no operation on roads with speed limit above 35 m.p.h.	Generally same traffic laws as pedestrians; can be operated on bike paths.
<b>Safety Equipment:</b>	Rearview mirror; slow-moving vehicle emblem.	Headlights; taillights.; turn signals; mirrors; windshield; seatbelt; parking brake.	Helmet if under 18; eye protection for all operators; headlight must be on at all times.	Helmet if under 18; eye protection for all operators; headlight must be on at all times; taillight required for night.	Helmet; headlight must be on at all times; taillight required for night.	Helmet if under 18; headlight and reflector required for night.	Must meet federal equipment requirements.	Reflectors required.

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## Low-Power Vehicles

There has been an upsurge in recent years in the number and types of motorized low-power vehicles available in Minnesota, including mini-trucks, motor scooters, motorized foot scooters, pocket bikes, neighborhood electric vehicles, and Segways. They range from recreational devices intended primarily for children to more powerful vehicles aimed at young adults and even seniors.

This information brief describes the various types of vehicles and their status under Minnesota law, and looks at how some other states have addressed them.

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## **Introduction**

Minnesota law regulates vehicle operation on public streets and highways, establishing licensing, insurance, and equipment requirements for different types of vehicles. Recent legislation has established new classifications for vehicles and devices. This reflects an expansion in the variety of vehicles available to consumers.

This information brief summarizes low-power vehicle laws in Minnesota. Low-power vehicles include golf carts, mini-trucks, motor scooters, motorized foot scooters, motorized bicycles (or mopeds), and neighborhood electric vehicles. Although all of the vehicles are motorized, they vary greatly in form, size, features, and intended use. They can resemble small motorcycles or passenger automobiles, but have unique characteristics that set them apart from other motor vehicles.

## Summary of Low-Power Vehicles

The tables below outline the basic requirements for each type of low-power vehicle. Subsequent sections provide more detail on vehicle descriptions and regulations.

	<b>Golf Cart &amp; Certain ATVs</b>	<b>Mini-truck</b>	<b>Motor Scooter &amp; Motorcycle</b>	<b>Motorized Bicycle</b>
<b>Key characteristics</b>	ATV: 800 cc engine, four flotation tires, max. weight of 600 pounds Golf cart: not defined	600 cc or 7,500-watt engine, 900 to 2,200 pounds dry weight, does not meet federal safety standards	Motor scooter: not defined Motorcycle: seat or saddle, up to three wheels	50 cc and 2 hp engine, top speed of 30 m.p.h.
<b>Registration</b>	Local permit; possible DNR registration for ATVs	Local permit; possible DNR registration as ATV	Title, registration, and license plate	Registration and license plate
<b>Licensing</b>	None	Driver's license or permit	Driver's license with two-wheeled vehicle endorsement	Driver's license or permit
<b>Insurance</b>	Liability and personal injury coverage (same as passenger autos)	Liability and personal injury coverage (same as passenger autos)	Liability coverage (same as passenger autos)	Liability coverage (same as passenger autos)
<b>Operation rules</b>	Generally same traffic laws as other motor vehicles; no operation at night	Generally same traffic laws as other motor vehicles	Generally same traffic laws as motorcycles and other motor vehicles	Generally same traffic laws as motorcycles and other motor vehicles
<b>Safety equipment</b>	Rearview mirror; slow-moving vehicle emblem	Headlights; taillights; turn signals; mirrors; windshield; seat belt; parking brake	Helmet if under 18; eye protection for all operators; headlight must be on at all times	Helmet if under 18; eye protection for all operators; headlight must be on at all times; taillight required for night

	<b>Electric-Assisted Bicycle</b>	<b>Motorized Foot Scooter</b>	<b>Certain Electric Vehicles</b>	<b>Segway</b>
<b>Key Characteristics</b>	Saddle, pedals, two to three wheels, max. 1,000-watt electric motor, top speed of 20 m.p.h.	Handlebars, motor, max. 12-inch wheels, top speed of 15 m.p.h.	NEV: electric motor, four wheels, top speed of 20-25 m.p.h. MSEV: electric motor, misc. items, top speed of 35 m.p.h.	Electric motor, two nontandem wheels, designed for one person, top speed of 15 m.p.h.
<b>Registration</b>	Registration and license plate	None	Title, registration, and license plate	None
<b>Licensing</b>	Driver's license or permit	None; minimum operator age is 12	Driver's license or permit	None
<b>Insurance</b>	None	None	Liability and personal injury coverage (same as passenger autos)	None
<b>Operation rules</b>	Generally same traffic laws as motorcycles and motor vehicles; can be operated on certain bike paths	Generally same traffic laws as bicycles; no operation on sidewalks; can be operated on certain bike paths and trails	Generally same traffic laws as other motor vehicles; no operation on roads with speed limit above 35	Generally same traffic laws as pedestrians; can be operated on bike paths
<b>Safety equipment</b>	Helmet; headlight must be on at all times; taillight required for night	Helmet if under 18; headlight and reflector required for night	Must meet federal equipment requirements	Reflectors required

**Notes**

“NEV” refers to a neighborhood electric vehicle.  
“MSEV” refers to a medium-speed electric vehicle.

## Vehicle Descriptions and Regulations

Motorized vehicles are not usually subject to state regulation while they are being operated on private land, including private driveways. However, once they venture onto streets, roads, and even alleys they are subject to state, and in some places local, regulations. With the introduction of mini-trucks, motorized foot scooters, and neighborhood electric vehicles, recent changes in Minnesota law have expanded the assortment of vehicles that can be operated on public roadways. This section describes the basic classifications of different low-power vehicles under Minnesota law, outlines their legal definitions and general characteristics, and provides an overview of regulatory provisions for each.

## Golf Carts and All-Terrain Vehicles

### Classifications<sup>1</sup>

Golf carts are not specifically defined in statute. They were originally manufactured for use on golf courses, but their variety and uses have increased. The vehicle usually seats two to four people and can be powered by an electric or gasoline engine ranging from under 4 to over 20 horsepower. Vehicle weight can go from 500 to over 2,000 pounds. Top speed is typically less than 20 miles per hour. Some models can go up to 25 miles per hour and may be considered a neighborhood electric vehicle or medium-speed electric vehicle under Minnesota law.



For purposes of limited use by permit on public roads, four-wheel all-terrain vehicles (ATVs) are defined in statute as a motorized flotation-tired vehicle with four tires and an engine displacement of no more than 800 cc, weighing less than 600 pounds. [Minn. Stat. § 169.045](#), subd. 1. Note that while ATVs are not registered for on-road use, they generally must be registered with the Department of Natural Resources (which is not discussed in this publication).



### Regulations

Both motorized golf carts and ATVs are not titled or registered with the Department of Public Safety, and ordinarily they cannot be operated on public roads. However, Minnesota law does allow local units of government, such as counties and cities, to authorize both motorized golf carts and certain four-wheel ATVs to use streets and highways under their jurisdiction. [Minn. Stat. § 169.045](#).

### Registration

Operation of golf carts and certain four-wheel ATVs can be allowed via a special permit issued by counties, cities, or towns. [Minn. Stat. § 169.045](#), subd. 1. The Minnesota Department of Transportation cannot issue the permit for use on trunk highways. If a local unit of government so chooses, it can issue the permit to operate a motorized golf cart or four-wheeled ATV on roadways under its jurisdiction. However, a permit does not allow use on roads that are not under the authority of the issuing unit of government. A city-issued permit, for instance, would not authorize operation on county roads.

The permit can limit use to certain roads and must be renewed annually. It can be revoked at any time based on evidence of inability to safely operate the vehicle. The governing body must establish an ordinance that provides for permit application and confirmation that insurance requirements are met. The ordinance can establish additional conditions as well as require

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<sup>1</sup> Image sources: [www.floridaslargestgolfshow.com/register.htm](http://www.floridaslargestgolfshow.com/register.htm); <http://www.gekgo.com/cpi-gas-atvs.html>

certification by a physician of ability to safely operate the vehicle.

*Licensing* A driver's license or instruction permit is not required. [Minn. Stat. § 169.045](#), subd. 7.

*Insurance* Insurance requirements match that of other passenger automobiles, including liability coverage (which covers certain claims from another driver) and personal injury protection under the Minnesota No-Fault Automobile Insurance Act (which establishes minimum coverage levels for medical, lost wages, and related expenses).<sup>2</sup> If insurance cannot be obtained on the private market, it can be purchased from the Minnesota Automobile Insurance Plan with a rate determined by the Department of Commerce.

*Operation* Drivers of golf carts and ATVs are subject to the same traffic laws as operators of other motor vehicles. The vehicle can only be operated between sunrise and sunset, and cannot be used in bad weather or if there is not enough light to see people and other vehicles from 500 feet away. The vehicle can only be operated on designated roadways, although they may cross other roads and highways.

*Safety equipment* Standard equipment requirements for motor vehicles do apply to vehicles operating under the permit, except that a rearview mirror is needed. It must provide a view to the rear for at least 200 feet. Golf carts must also display a triangular slow-moving vehicle emblem.

## Mini-trucks

### Classification<sup>3</sup>

Mini-trucks often resemble pickup trucks, but are notably smaller in size and capacity. They are produced by a number of Asian manufacturers such as Daihatsu, Honda, Mitsubishi, Subaru, and Suzuki. They have generally been imported for off-road uses. In some cases, importers install a governor limiting the top speed to 25 miles per hour. The vehicle taxation structure in Japan, which creates incentives for owning newer vehicles that meet higher emissions standards, appears to have helped spawn exports to the United States.



The trucks typically weigh between 1,400 and 1,800 pounds and have 12-inch wheels. Although they come in different forms, the standard is an open flat bed behind a small enclosed cab for the driver and one passenger. Most engines range from 550 cc to 660 cc and have 3 or 4 cylinders. Other features can include air conditioning and all-wheel drive. Uses of mini-trucks include

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<sup>2</sup> The minimum liability coverage is \$30,000 per person for injuries, \$60,000 per occurrence for injuries, and \$10,000 for property damage. The minimum personal injury protection coverage is \$40,000 per person per accident (\$20,000 for hospital and medical expenses, and \$20,000 for other expenses such as lost wages).

<sup>3</sup> Image source: <http://www.made-in-china.com>

recreational off-road activity, work on farms and ranches, at construction sites, in industrial parks, and for grounds maintenance. The vehicles typically do not meet federally mandated equipment standards for motor vehicles (such as for vehicle lighting and occupant safety) and may not meet certain emissions requirements for on-road vehicles.

Mini-trucks were formally classified in statute under a 2009 law that authorized their operation under some circumstances. They are defined as a motor vehicle that:

- has four wheels;
- uses an electric motor rated at 7,500 watts or less, or uses an engine with a maximum displacement of 660 cc;
- weighs between 900 and 2,200 pounds;
- has an enclosed cabin;
- resembles a pickup truck or van and has a cargo area; and
- was not originally manufactured to meet federal safety standards for “low-speed vehicles.” [Minn. Stat. § 169.011](#), subd. 40a.

## **Regulations**

Mini-trucks cannot be registered with the Department of Public Safety to drive on public roads in Minnesota. However, under a 2009 law the vehicles can be operated on authorized streets and highways via a special permit issued by local units of government, such as counties or cities. [Laws 2009, ch. 158](#), § 10. The permit and regulations are mostly the same as allowed for golf carts and some ATVs (discussed in a previous section). [Minn. Stat. § 169.045](#). The authority for mini-truck operation expires July 31, 2012.

### *Registration*

Operation of mini-trucks can be allowed via a special permit issued by counties, cities, or towns. [Minn. Stat. § 169.045](#), subd. 1. The Minnesota Department of Transportation cannot issue the permit for use on trunk highways. If a local unit of government so chooses, it can issue a permit to operate the vehicle on roadways under its jurisdiction. However, a permit does not allow use on roads that are not under the authority of the issuing unit of government. A city-issued permit, for instance, would not authorize operation on county roads.

The permit can limit use to certain roads and must be renewed annually. It can be revoked at any time based on evidence of inability to safely operate the vehicle. The governing body must establish an ordinance that provides for permit application and confirmation that insurance requirements are met. The ordinance can establish additional conditions as well as require certification by a physician of ability to safely operate the vehicle.

### *Licensing*

Unlike golf carts and ATVs under the local permit, a driver’s license or instruction permit is required. [Minn. Stat. § 169.045](#), subd. 7.

### *Insurance*

Insurance requirements match that of other passenger automobiles, including liability coverage (which covers certain claims from another driver) and personal injury protection under the Minnesota No-Fault

Automobile Insurance Act (which establishes minimum coverage levels for medical, lost wages, and related expenses).<sup>4</sup> If insurance cannot be obtained on the private market, it can be purchased from the Minnesota Automobile Insurance Plan with a rate determined by the Department of Commerce.

*Operation* Drivers are subject to the same traffic laws as operators of other motor vehicles. Mini-trucks are not restricted from operation at night or in inclement weather. The vehicles can only be driven on designated roadways, although they may cross other roads and highways.

*Safety equipment* Some equipment requirements apply, including headlights and taillights; turn-signal lamps; some rearview mirrors; a windshield; front driver and passenger seat belts; and a parking brake.

## Motor Scooters and Motorcycles

### Classification<sup>5</sup>

Motor scooters, as they are commonly known, generally differ from motorcycles in a couple of ways. The engine is most often located underneath where the operator sits, and the standard design is step-through with a low platform for the operator's feet. They are generally lighter (200 pounds), smaller (145 cc engine), and slower (top speed under 60 miles per hour) than the average motorcycle. Vespa and Honda are among the best-selling manufacturers.



Motor scooters are not actually defined in Minnesota law separately from motorcycles and are therefore classified as a type of motorcycle. "Motorcycles" are defined as motor vehicles that have no more than three wheels and a seat or saddle for the driver. The classification excludes motorized bicycles, electric-assisted bicycles, and tractors. [Minn. Stat. § 169.011](#), subd. 44.

### Regulations

Motor scooters are treated under Minnesota law in the same manner as motorcycles, and the following summary is the same for motor scooters and motorcycles. [Minn. Stat. §§ 169.011](#), subd. 44; 169.974.

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<sup>4</sup> The minimum liability coverage is \$30,000 per person for injuries, \$60,000 per occurrence for injuries, and \$10,000 for property damage. The minimum personal injury protection coverage is \$40,000 per person per accident (\$20,000 for hospital and medical expenses, and \$20,000 for other expenses such as lost wages).

<sup>5</sup> Image source: <http://www.vespausa.com>

<i>Registration</i>	The vehicle must be registered and carries a registration tax of \$10. <a href="#">Minn. Stat. § 168.013</a> , subd. 1b. The license plate must be displayed on the rear of the vehicle. A certificate of title also needs to be obtained.
<i>Licensing</i>	A valid driver's license with a two-wheeled vehicle endorsement is required. A two-wheeled vehicle instruction permit is available to a person who is over 16 years old, has a driver's license, is enrolled in a two-wheeled driver's safety course, and passes a written exam.
<i>Insurance</i>	Liability insurance (which covers certain claims from another driver) is required and is the same as for passenger automobiles. <sup>6</sup> <a href="#">Minn. Stat. §§ 65B.43</a> , subd. 13; <a href="#">65B.48</a> , subd. 5. Motor scooters and motorcycles are exempt from the requirements of personal injury protection under the Minnesota No-Fault Automobile Insurance Act (which establishes minimum coverage levels for medical, lost wages, and related expenses).
<i>Operation</i>	Operation is allowed on streets but not sidewalks. Motor scooter and motorcycle operators are subject to the same traffic laws as operators of other motor vehicles (except those that by their nature would not be relevant). Instruction permit holders face additional limits on vehicle operation, including prohibitions on carrying passengers and driving at night. Additional passengers are allowed under some circumstances.
<i>Safety equipment</i>	The vehicle must have at least one rearview mirror, a brake light, a horn, and a headlight that is lighted at all times. A helmet is required for operators and passengers under the age of 18, and eye protection is required for all operators.

## **Motorized Bicycles (Mopeds) and Electric-Assisted Bicycles**

### **Classifications<sup>7</sup>**

Bicycles with attached motors are available in a number of styles that generally resemble a bicycle, although they weigh more (from 55 to over 250 pounds), have additional features such as built-in headlights and turn signals, and may not necessarily have pedals for manual use. Many are commonly referred to as "mopeds," although that term can describe other vehicles as well.

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<sup>6</sup> The minimum liability coverage is \$30,000 per person for injuries, \$60,000 per occurrence for injuries, and \$10,000 for property damage. Note that the insurance requirements do not appear to apply to all motorcycles: under the definition of "motorcycle" in the chapter on automobile insurance, the vehicle's engine must be "rated at greater than five horsepower." [Minn. Stat. § 65B.43](#), subd. 13.

<sup>7</sup> Image sources: <http://www.egovehicles.com>; <http://www.electric-bikes.com/others.htm>

**Motorized bicycles.** A motorized bicycle resembles a bicycle with motorized capability. State law defines it as a bicycle propelled by an electric or liquid fuel motor that has an engine displacement of up to 50 cc and up to 2 brake horsepower, and is capable of a top speed of 30 miles per hour on a flat surface. Although it is classified as a bicycle in law, pedals are not specifically required. [Minn. Stat. § 169.011](#), subd. 45.



**Electric-assisted bicycles.** Electric-assisted bicycles are a subset of motorized bicycles. To be classified as an electric-assisted bicycle in Minnesota, it must have a saddle and operable pedals, two or three wheels, and an electric motor of up to 1,000 watts, as well as meet certain federal motor vehicle safety standards. The motor must disengage during braking and have a maximum speed of 20 miles per hour (whether assisted by human power or not). [Minn. Stat. § 169.011](#), subd. 27.



## Regulations

Motorized bicycles and electric-assisted bicycles are regulated in a manner similar to motor scooters. Most of the laws for motorcycles and motor scooters also apply to motorized bicycles, with a few exceptions. A few regulations are different for electric-assisted bicycles. [Minn. Stat. § 169.223](#).

<i>Registration</i>	The bicycle must be registered, with an annual tax of \$6. <a href="#">Minn. Stat. § 168.013</a> , subd. 1h. The license plate must be displayed on the rear of the vehicle. A title is not required.
<i>Licensing</i>	An operator must have a driver's license (a two-wheeled vehicle endorsement is not required), motorized bicycle operator's permit, or motorized bicycle instruction permit. Minors at least 15 years old can obtain an operator's or instruction permit. <a href="#">Minn. Stat. § 171.02</a> .
<i>Insurance</i>	For a motorized bicycle, liability insurance (which covers certain claims from another driver) is required and is the same as for passenger automobiles. <sup>8</sup> However, liability coverage is not required for an electric-assisted bicycle. <a href="#">Minn. Stat. §§ 65B.43</a> , subd. 13; <a href="#">65B.48</a> , subd. 5. Both types of bicycles are exempt from the requirements of personal injury protection under the Minnesota No-Fault Automobile Insurance Act (which establishes minimum coverage levels for medical, lost wages, and related expenses).
<i>Operation</i>	The bicycle may not be operated on a sidewalk, except to cross it. An electric-assisted bicycle, but not other motorized bicycles, can be operated

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<sup>8</sup> The minimum liability coverage is \$30,000 per person for injuries, \$60,000 per occurrence for injuries, and \$10,000 for property damage.

on a bicycle path or lane unless (1) it is reserved for nonmotorized use, or (2) operation is restricted by local government.

Operators must ride as close as is practical to the right-hand side of the road, and must follow the same traffic laws as operators of motor scooters, motorcycles, and other motor vehicles (except those that by their nature would not be relevant).

*Safety equipment*

The bicycle must have at least one rearview mirror, a horn, and a headlight that is on at all times. A taillight is additionally required for operation at night.

A bicycle helmet is mandatory for operators under the age of 18 or if operating an electric-assisted bicycle. Eye protection is required except for operators of electric-assisted bicycles.

## Motorized Foot Scooters

### Classification<sup>9</sup>

In the past few years, motorized foot scooters have become increasingly popular among youth. They are also called “motorized scooters” and “go-peds.” The devices are usually lightweight platforms with two small wheels, having a design similar to a skateboard but with a motor as well as steering and acceleration control via handlebars mounted on the front. Braking is from a hand brake on the handlebar or by using a foot-operated rear-wheel brake. Some have a seat or saddle that sometimes is removable, which is typically found on more powerful and expensive models. Many motorized foot scooters weigh around 20 to 65 pounds, although heavier designs are available.



Types include both gas and electric motors. Electric models generally have a top speed below 15 miles per hour and a range of up to 20 miles. Models with gas engines commonly range from 25 to 50 cc (1.5 to 2.5 horsepower), and can have a top speed of over 30 miles per hour.

Under a Minnesota law passed in 2005 and modified in 2008, a motorized foot scooter is defined as a device that:

- has handlebars;
- can be stood or sat on by the operator (a seat or saddle is not required);
- is powered by an internal combustion engine or an electric motor;
- has wheels no more than 12 inches in diameter; and

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<sup>9</sup> Image sources: <http://www.electrikmotion.com/GTscotersmain.htm>;  
<http://www.lifesaversconference.org/webfiles2006/porter.ppt>

- has an engine capable of a maximum speed of not more than 15 miles per hour on a flat surface. [Minn. Stat. § 169.011](#), subd. 46.

**Pocket bikes.** Pocket bikes (also referred to as mini-bikes, mini-motorcycles, and mini-choppers) have become popular in recent years and are marketed as toys. They come in a variety of styles, but often resemble a miniature-sized motorcycle, with a saddle that is most commonly located about two feet off the ground. The vehicles are typically powered by a 49-cc gas engine (although electric models are available). They have wheel sizes around 10 inches, weights ranging from just over 30 pounds to about 100 pounds, and top speeds ranging from 30 to over 50 miles per hour.



Starting August 1, 2008, a legislative change increased the maximum wheel size of motorized foot scooters from 10 to 12 inches, which effectively eliminated pocket bikes from the motorized foot scooter classification. Before the changes, motorized foot scooters had been defined based on having a small wheel size *or* a modest top speed, which meant that the category included many pocket bikes.

Since most pocket bikes are no longer treated as a type of motorized foot scooter, it is likely that they can no longer be legally operated on public roads. Some pocket bikes may fit within the motorized bicycle classification while others will be treated as motorcycles, but will not be able to be registered (see the section Identifying the Type of Vehicle on page 16 for more information).

### **Regulations**

Minnesota law treats motorized foot scooters like bicycles, meaning that operators have the same rights as bicyclists and must generally follow the same laws. [Minn. Stat. § 169.225](#).

*Registration*            A motorized foot scooter does not need to be registered, and a certificate of title is not necessary.

*Licensing*             A driver's license or permit is not required for operation. The minimum operator age is 12 years old.

*Insurance*             The device does not need to be insured.

*Operation*             A motorized foot scooter may not be operated on a sidewalk, except to cross it. The device can be operated on a bicycle path, bicycle trail, bicycle lane, or bikeway unless (1) the pathway is reserved for nonmotorized use, or (2) operation is restricted by local government.

Operators must ride as close as is practical to the right-hand side of the road, and must follow the same traffic laws as bicyclists. This includes a

requirement that when making a left turn, the rider must dismount and cross the roadway on foot (the person is then subject to any restrictions applicable to a pedestrian).

No passengers besides the operator can be carried.

*Safety equipment* Any person under age 18 must wear a helmet.

The device can be operated when it is dark out, but under current Department of Public Safety regulations it must meet the same lighting requirements that apply to a bicycle: a headlight that is visible at least 500 feet ahead and a red reflector that can be seen from 600 feet behind when in the path of a motor vehicle's headlight.

## Neighborhood Electric Vehicles and Medium-Speed Electric Vehicles

### Classifications<sup>10</sup>

Neighborhood electric vehicles and medium-speed electric vehicles are similar to golf carts, but have more power, can carry more passengers or cargo, and are designed for potential operation on public roads.

**Neighborhood electric vehicle.** A Minnesota law passed in 2006 defines a neighborhood electric vehicle (NEV) as a four-wheeled, electrically powered motor vehicle that has a maximum speed of between 20 and 25 miles per hour on a flat surface. [Minn. Stat. § 169.011](#), subd. 47.



**Medium-speed electric vehicle.** A 2008 law created a related classification: the medium-speed electric vehicle (MSEV). An MSEV is defined similarly to an NEV. It too is four-wheeled, electrically powered motor vehicle, but it can have a top speed of up to 35 miles per hour on a flat surface. It also must be fully enclosed, have at least one door for entry, be equipped with a roll cage or crush-proof design, have a minimum wheelbase of 40 inches, have wheels with a diameter of at least 10 inches, and other than speed capability, it must meet the federal safety standard for low-speed vehicles. [Minn. Stat. § 169.011](#), subd. 39.



The electric vehicles are rechargeable through the electrical grid and have a range of between 30 to 75 miles before needing to recharge. Models come in styles ranging from two-seaters to small-scale trucks, normally weighing 1,000 to around 1,500 pounds. They have primarily been produced for niche uses such as military bases and retirement communities, but their use is

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<sup>10</sup> Image sources: <http://www.gemcar.com>; <http://electriccarsofamerica.com/ev-car-news/1-latest-news/2-30-electric-cars>

widening. Demand also grew out of combined use on golf courses and adjacent streets. The largest U.S. market is in California.

### **Federal Low-Speed Vehicle Classification**

Both NEVs and MSEVs must meet a federal safety standard for “low-speed vehicles” in order to be legally operated on public roads in Minnesota.<sup>11</sup> However, the NEV and MSEV definitions under state law do not completely match the federal classification. There are a couple of differences, but a key one regards the top speed capability of MSEVs, which under state law is allowed to be higher than the 25 miles per hour maximum allowed under the federal low-speed vehicle standard. This may raise issues with federal preemption as well as the ability of vehicle manufacturers to legally produce MSEVs.

### **Regulations**

Under Minnesota law NEVs and MSEVs are treated similarly to passenger motor vehicles, but their use is restricted to slower streets. *See* [Minn. Stat. § 169.224](#). Because of registration, titling, and vehicle equipment requirements, most golf carts would not be considered an NEV or an MSEV that could be operated on public roads (except under the permit discussed earlier). Similarly, because of safety standards that must be met by manufacturers, mini-trucks could not be classified as an NEV or MSEV.

*Registration*            Both NEVs and MSEVs are considered passenger automobiles and must be registered. They are subject to the same registration tax (based on vehicle value, depreciated over time) as cars, pickup trucks, and vans. License plates must be displayed on the vehicles.

A certificate of title also must be obtained, which requires a vehicle identification number and a manufacturer’s certificate of origin.<sup>12</sup> Homemade electric vehicles and retrofitted golf carts do not qualify for titling. [Minn. Stat. § 168A.05](#), subd. 9.

*Licensing*            A valid driver’s license or instruction permit is required, and no special endorsement is necessary.

*Insurance*            Insurance requirements match that of other passenger automobiles, including liability coverage (which covers certain claims from another driver) and personal injury protection under the Minnesota No-Fault

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<sup>11</sup> Federal law establishes a number of safety standards that regulate manufactured motor vehicles. The U.S. Department of Transportation, National Highway Traffic Safety Administration (NHTSA) establishes and oversees the safety standards through federal regulations. [49 U.S.C. § 30111](#); [49 C.F.R. § 571](#). The regulations cover technical and engineering specifications for motor vehicle safety equipment, ranging from windshield wipers and brake hoses to crash resistance and material flammability. Each specification is referred to as a “federal motor vehicle safety standard.”

<sup>12</sup> The certificate of origin is created by the vehicle manufacturer and sent to a dealer along with the vehicle itself. The dealer then provides the certificate to the Department of Public Safety when the vehicle is sold.

Automobile Insurance Act (which establishes minimum coverage levels for medical, lost wages, and related expenses).<sup>13</sup>

*Operation*

Drivers of an NEV or MSEV are subject to the same traffic laws as operators of other motor vehicles. Neither type of vehicle can be operated on a street or highway with a speed limit above 35 miles per hour, except to directly cross it. A local government can restrict use of the vehicle on its roads.

*Safety equipment*

The vehicle may only be operated on public streets and highways if it meets federal equipment standards established for low-speed vehicles. This includes: a windshield, headlamps, tail-lamps, brake lights, front and rear turn signals, reflectors at the rear, rearview mirrors, a parking break, a seat belt, and a vehicle identification number. [49 CFR § 571.500](#).

An NEV or an MSEV must have a slow-moving vehicle emblem. [Minn. Stat. § 169.522](#), subd. 1.

## Segways

### Classification<sup>14</sup>

Segways were first introduced in 2001. They are referred to in law as “electric personal assistive mobility devices.” They have two wheels that are parallel rather than tandem and handlebars that a standing operator uses for steering. They are designed to be self-balancing, which contrasts with the other two-wheeled low-speed vehicles that require balancing by the vehicle operator. The latest Segways have a top speed of 12.5 miles per hour and a range of about 24 miles. To be considered an electric personal assistive mobility device under Minnesota law, a device must have two nontandem wheels, be able to transport only one person, use an electric motor, and have a maximum speed of 15 miles per hour on a flat surface. [Minn. Stat. § 169.011](#), subd. 26.



### Regulations

Operators of a Segway (or other electric personal assistive mobility device) have the same rights and responsibilities as pedestrians, with some additional requirements. [Minn. Stat. § 169.212](#).

*Registration*

They do not need to be registered, and a certificate of title is not necessary.

*Licensing*

A driver’s license or permit is not required for operation.

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<sup>13</sup> The minimum liability coverage is \$30,000 per person for injuries, \$60,000 per occurrence for injuries, and \$10,000 for property damage. The minimum personal injury protection coverage is \$40,000 per person per accident (\$20,000 for hospital and medical expenses, and \$20,000 for other expenses such as lost wages).

<sup>14</sup> Image source: <http://www.segway.com>

<i>Insurance</i>	The device does not need to be insured.
<i>Operation</i>	The device may be operated on a bicycle path. Operators must use due care and go at speeds that are “reasonable and prudent under the conditions.” <a href="#">Minn. Stat. § 169.212</a> .  Segways can only be operated on a road if directly crossing the roadway, the sidewalk is obstructed or unavailable, under direction of a traffic control device, or temporarily to reach a motor vehicle.  No passengers may be carried.
<i>Safety equipment</i>	The device must have reflectors on its front, back, and wheels, which can be seen from 600 feet when in the path of a motor vehicle’s headlight.

## Wheelchairs

Wheelchairs are in a separate category from most vehicles. The statutory classification includes scooters and tricycles “used by a disabled person as a substitute for walking.” [Minn. Stat. § 169.011](#), subd. 93.

Under Minnesota law, persons in wheelchairs are considered pedestrians rather than vehicle operators and have the same rights and responsibilities as pedestrians. This is true whether the wheelchair is powered or not. Wheelchairs are required to remain on sidewalks and stay off streets except to cross them, or in situations where a passable or useable sidewalk is not available.

## Identifying the Type of Vehicle

A wide variety of low-power vehicles and devices have come onto the market in recent years. Determining whether a specific model is classified as a motor scooter, motorized bicycle, motorized foot scooter, or motorcycle can be challenging. The characteristics of a particular vehicle, such as engine size, top speed, and safety equipment, determine how it is treated under Minnesota law. Although other features are relevant, engine size can be an important factor in classifying scooters, mopeds, and motorcycles.

A key question is whether the vehicle fits one of the definitions of those vehicles identified under Minnesota law. With a vehicle that does not clearly fit any low-power vehicle definition, if it has two or three wheels as well as a seat or saddle, it is likely to be classified as a motorcycle. Vehicle title and registration would therefore be required. However, smaller devices such as pocket bikes that might fall into the motorcycle classification often lack safety equipment required under federal regulations, preventing a vehicle identification number (VIN) from being assigned. Since a VIN is needed in order to issue a title, the vehicle would not be able to be titled and registered, which is necessary for legal operation of motorcycles on public roads. *See* [Minn. Stat. §§ 168.013](#), subd. 1; [168A.04](#), subd. 1; [168A.085](#).

The default categorization for a vehicle or device that does not conform to any other low-power vehicle definition is likely a motor vehicle. As such, it would need to be registered and have license plates, the operator must have a driver's license, full insurance coverage is required, and the vehicle must have safety equipment that includes lights, turn signals, and brakes at both the front and rear.

## Legislation in Other States

**Electric vehicles.** Almost all states now have regulations governing NEVs. The definition of an NEV generally matches Minnesota's, which is based on a federal safety standard. States commonly allow operation only on roads with a speed limit of 35 miles per hour or less. A handful of states allow further regulations by local units of government. Nationally, the MSEV classification is quite recent. At least five states have enacted legislation establishing the new class (Minnesota, Montana, Oklahoma, Tennessee, and Washington), and the vehicle is defined similarly as in Minnesota. As with NEVs, MSEV operation is restricted to relatively slower roads, with a top speed limit between 35 and 45 miles per hour.

**Motorized foot scooters.** Many states have addressed the status of motorized foot scooters, and there is variation among those states that have specific laws. Some, including Delaware and New Jersey, prohibit operation on public roads, trails, and sidewalks. Others have different provisions for:

- minimum operator age (ranging from no minimum in Washington to age 16 in California, Florida, and Oregon);
- helmet requirements (generally required);
- driver's license (required in a couple of states including Florida and Maine); and
- maximum speed limit of streets on which they can be operated (25 miles per hour in a few states, such as California and Oregon).

Legislative activity on pocket bikes has primarily consisted of prohibiting their operation on public streets and roads, sidewalks, trails, and other public lands. Concerns about the vehicles include engine noise, lack of safety equipment such as horns and mirrors, stability at higher speeds, and reduced visibility of both the vehicle (due to its small size) and the operator (due to positioning quite low to the ground). A couple of states have also recently enacted labeling and disclosure laws. California, New Hampshire, and Connecticut require that manufacturers or retailers affix a label stating that pocket bikes cannot be legally operated on public roads. New Hampshire additionally requires disclosure by the retailer that the vehicle might not be covered under an operator's insurance policy.

**Mini-trucks.** Nationally, mini-trucks have been another area of recent legislative activity, with a number of laws having gone into effect within the past two years. According to the Insurance Institute for Highway Safety, 12 states, including Arkansas, Illinois, Kansas, Missouri, North Dakota, South Dakota, Utah, and Wyoming, allow their use on some public roads. The vehicles are generally restricted from operating on certain roads, such as prohibited use on interstates or multilane highways. Often, local units of government such as counties and cities can further

restrict vehicles from roads under their jurisdiction. Top speed capability restrictions vary from 25 miles per hour to no limit. Some states require that the truck meets federal safety standards for “low-speed vehicles.” This is the same standard that Minnesota requires for operation of NEVs and MSEVs.

**Other types of vehicles.** There are relatively longstanding laws addressing motorcycles and motor scooters in most states. The majority of states allow Segways to be used on public sidewalks and bike paths. A handful have not enacted legislation governing their use, and they are not allowed in a couple of states.

*For more information about vehicles and traffic regulation, visit the transportation area of our web site, [www.house.mn/hrd/hrd.htm](http://www.house.mn/hrd/hrd.htm).*