

## CHAPTER 73: SNOWMOBILES AND ALL-TERRAIN VEHICLES

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### § 73.01 REGULATION.

The use and operation of certain vehicles, commonly called *SNOWMOBILES*, meaning a self-propelled vehicle designed for travel on snow or ice steered by skis or runners, and *ALL-TERRAIN VEHICLES* or *ATVs*, meaning a motorized flotation-tired vehicle of not less than three low pressure tires, but not more than six tires, that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 900 pounds, and also, off-highway motorcycles (licensed for highway use), amphibious vehicles, and similar devices other than snowmobiles used at least partially for travel on natural terrain but not "special mobile equipment" defined in M.S. § 168.011 Subdivision 22, which is hereby incorporated herein by reference, within the city limits is hereby regulated as set forth in this part.

(Ord. 163, passed 2-16-88; Am. Ord. 209, passed 12-5-05)

### § 73.02 STATE SNOWMOBILE AND ALL-TERRAIN VEHICLE LAWS AND STATUTES ADOPTED.

(A) The state snowmobile laws, M.S. §§ 84.81 through 84.915, as they may be amended from time to time; the game laws relating to the use of snowmobiles, M.S. §§ 100.26 and 100.29, as they may be amended from time to time; and Minn. Rules Parts 6100.5000 to 6100.5800, as they may be amended from time to time, are hereby adopted and made part of this chapter by reference.

(B) The state all-terrain vehicle laws, M.S. §§ 84.92 through 84.929, as they may be amended from time to time; the game laws relating to the use of all-terrain vehicles, M.S. §§ 100.26 and 100.29, as they may be amended from time to time; and Minn. Rules Parts 6100.5000 to 6100.5800, as they may be amended from time to time, are hereby adopted and made part of this chapter by reference.

(Ord. 163, passed 2-16-88; Am. Ord. 209, passed 12-5-05)

### § 73.03 PROHIBITED OPERATIONS.

(A) It shall be unlawful and punishable for any person to operate a snowmobile or all-terrain vehicle within the city limits in violation of the following restrictions:

- (1) On private property without the permission or consent of the owner or occupant;
- (2) On the boulevard of any public street;
- (3) On a sidewalk, except that a direct crossing may be made in the same manner as provided for direct crossing of a city street;
- (4) At a rate of speed in excess of 15 miles per hour;
- (5) Other than single file on a roadway;
- (6) Other than at the extreme right-hand side of a roadway along the curb;
- (7) On publicly owned land, including school land, park property, playgrounds, golf courses, and cemeteries;
- (8) Within 100 feet of any church property, nursing home, hospital, skating rink or sliding area, or in any other area where the operation would conflict or interfere with normal use of the property or would endanger persons or property;
- (9) To tow any person or object except through use of a rigid tow bar attached to the rear of the snowmobile or all-terrain vehicle;
- (10) To intentionally drive, chase, run over, or kill any animal with a snowmobile or all-terrain vehicle;
- (11) To operate an ATV on a public street without a valid driver's license.

(B) It is unlawful for the owner of a snowmobile or an ATV to permit the snowmobile or ATV to be operated contrary to the provisions of this section.

(Ord. 163, passed 2-16-88; Am. Ord. 209, passed 12-5-05) Penalty, see § 10.99

**§ 73.04 DIRECT CROSSINGS.**

It is unlawful to operate a snowmobile or all-terrain vehicle upon a roadway except to make a direct crossing, and only as follows:

(A) The crossing is made at an angle of approximately 90 degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing.

(B) The snowmobile or ATV is brought to a complete stop before crossing the shoulder or main traveled way of the highway.

(C) The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard.

(D) In crossing a divided highway, the crossing is made only at an intersection of the highway with another public street.

(Ord. 163, passed 2-16-88; Am. Ord. 209, passed 12-5-05) Penalty, see § 10.99

**§ 73.05 EXCEPTIONS TO PROHIBITED USE OF ROADWAYS.**

Notwithstanding the prohibition of operating a snowmobile or ATV upon a roadway to the contrary, the operation is hereby permitted only as follows:

(A) From the owner's residence or place the snowmobile or ATV is generally stored, in a direct route to and from a place of destination, provided the place of destination is a place that the snowmobile may be lawfully operated.

(B) In an emergency during the period of time when and at locations where snow upon the roadway renders travel by automobile impractical.

(Ord. 163, passed 2-16-88; Am. Ord. 209, passed 12-5-05)

**§ 73.06 HOURS OF OPERATION.**

It is unlawful to operate a snowmobile or ATV within the city from 10:00 p.m. to 7:00 a.m. for any purpose other than in going to or returning from an evening ride, except in an emergency as defined in § 73.05(B).

(Ord. 163, passed 2-16-88; Am. Ord. 209, passed 12-5-05) Penalty, see § 10.99

**§ 73.07 REQUIRED EQUIPMENT.**

(A) For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

***SAFETY OR DEADMAN THROTTLE.*** A device which, when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving mechanism.

(B) It is unlawful for any person to operate a snowmobile or ATV unless it is equipped with the following:

(1) Standard mufflers which are properly attached and which reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cut out, bypass, straight pipe, or similar device on a snowmobile or ATV motor;

(2) Brakes adequate to control the movement of and to stop and hold the snowmobile or ATV under any condition of operation;

(3) A safety or so-called deadman throttle in operating condition;

(4) When operated between the hours of one-half hour after sunset to one-half hour before sunrise, or at times of reduced visibility, at least one clear lamp attached to the front, with sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during the hours of darkness under normal atmospheric conditions. The headlamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming snowmobile or ATV operator. It shall also be equipped with at least one red tail lamp having a minimum candle power of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during hours of darkness under normal atmospheric conditions;

(5) Reflective materials at least 16 square inches on each side, forward of the handlebars, or steering device of a snowmobile or ATV, and at the highest practical point on any towed object, so as to reflect light at a 90 degree angle.

(Ord. 163, passed 2-16-88; Am. Ord. 209, passed 12-5-05) Penalty, see § 10.99

#### **§ 73.08 UNATTENDED SNOWMOBILE OR ATV.**

Every person leaving a snowmobile or ATV unattended shall lock the ignition and remove the key from the ignition and take the keys with them.

(Ord. 163, passed 2-16-88; Am. Ord. 209, passed 12-5-05)

#### **§ 73.09 MINIMUM AGE OF OPERATOR.**

No person under the age of fourteen years shall operate a snowmobile on any public land in the city. A person 14 years of age or older, but less than 18 years of age, may operate a snowmobile on streets and highways as permitted under this chapter, and make a direct crossing of streets and highways only if he or she has in his or her immediate possession a valid snowmobile safety certificate issued by the Commissioner, and then only for purposes of travel between his or her home, or the home location of the snowmobile, and a point outside the city. This travel must be accomplished by the shortest distance, taking the most direct route while complying with applicable laws.

(Ord. 163, passed 2-16-88) Penalty, see § 10.99