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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. **3516**

03/23/2016 Authored by Hackbarth

The bill was read for the first time and referred to the Committee on Mining and Outdoor Recreation Policy

1.1 A bill for an act
1.2 relating to natural resources; modifying off-road vehicle registration
1.3 requirements; providing for resident trail pass; amending Minnesota Statutes
1.4 2014, sections 84.798, subdivision 2; 84.8035.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2014, section 84.798, subdivision 2, is amended to read:

1.7 Subd. 2. **Exemptions.** Registration is not required for an off-road vehicle that is:

1.8 (1) owned and used by the United States, an Indian tribal government, the state,
1.9 another state, or a political subdivision; ~~or~~

1.10 (2) registered in another state or country and has not been in this state for more than
1.11 30 consecutive days; or

1.12 (3) operated with a valid state trail pass according to section 84.8035.

1.13 Sec. 2. Minnesota Statutes 2014, section 84.8035, is amended to read:

1.14 **84.8035 NONRESIDENT OFF-ROAD VEHICLE STATE TRAIL PASS.**

1.15 Subdivision 1. **Pass required; fee.** (a) Except as provided under paragraph (c), a
1.16 ~~nonresident person~~ may not operate an off-road vehicle on a state or grant-in-aid off-road
1.17 vehicle trail or use area unless the vehicle displays a ~~nonresident~~ an off-road vehicle state
1.18 trail pass sticker issued according to this section. The pass must be viewable by a peace
1.19 officer, a conservation officer, or an employee designated under section 84.0835.

1.20 (b) ~~The fee for an annual pass is \$20. The pass is valid from January 1 through~~
1.21 ~~December 31. The fee for a three-year pass is \$30.~~ The commissioner of natural resources
1.22 shall issue a pass upon application and payment of the fee. Fees collected under this
1.23 section, except for the issuing fee for licensing agents, shall be deposited in the state

treasury and credited to the off-road vehicle account in the natural resources fund and, except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, must be used for grants-in-aid to counties and municipalities for off-road vehicle organizations to construct and maintain off-road vehicle trails and use areas.

(c) ~~A nonresident~~ An off-road vehicle state trail pass is not required for:

(1) an off-road vehicle that is owned and used by the United States, another state, or a political subdivision thereof that is exempt from registration under section 84.798, subdivision 2;

(2) a person operating an off-road vehicle only on the portion of a trail that is owned by the person or the person's spouse, child, or parent; or

(3) a ~~nonresident~~ person operating an off-road vehicle that is registered according to section 84.798.

(d) The fee for an annual nonresident off-road vehicle state trail pass is \$20. The nonresident pass is valid from January 1 through December 31. The fee for a nonresident three-year pass is \$30.

(e) The fee for a resident off-road vehicle state trail pass is \$20. The resident pass is valid for 30 consecutive days after the date of issuance.

Subd. 2. **License agents.** The commissioner may appoint agents to issue and sell ~~nonresident~~ off-road vehicle state trail passes. The commissioner may revoke the appointment of an agent at any time. The commissioner may adopt additional rules as provided in section 97A.485, subdivision 11. An agent shall observe all rules adopted by the commissioner for accounting and handling of passes pursuant to section 97A.485, subdivision 11. An agent shall promptly deposit and remit all money received from the sale of the passes, exclusive of the issuing fee, to the commissioner.

Subd. 3. **Issuance of passes.** The commissioner and agents shall issue and sell ~~nonresident~~ off-road vehicle state trail passes. The commissioner shall also make the passes available through the electronic licensing system established under section 84.027, subdivision 15.

Subd. 4. **Agent's fee.** In addition to the fee for a pass, an issuing fee of \$1 per pass shall be charged. The issuing fee may be retained by the seller of the pass. Issuing fees for passes issued by the commissioner shall be deposited in the off-road vehicle account in the natural resources fund and retained for the operation of the electronic licensing system.

Subd. 5. **Duplicate passes.** The commissioner and agents shall issue a duplicate pass to persons whose pass is lost or destroyed using the process established under section

- 3.1 97A.405, subdivision 3, and rules adopted thereunder. The fee for a duplicate ~~nonresident~~
- 3.2 off-road vehicle state trail pass is \$4, with an issuing fee of 50 cents.