

## CHAPTER 269—H.F.No. 532

*An act relating to public safety; motorized bicycles; establishing standards for the safe operation of motorized bicycles; appropriating money; amending Minnesota Statutes 1986, sections 65B.001, by adding a subdivision; 65B.43, subdivision 13; 168.011, subdivision 27; 169.01, subdivision 4a; 169.223; 171.01, subdivision 20; and 171.02, subdivision 3.*

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

Section 1. Minnesota Statutes 1986, section 65B.001, is amended by adding a subdivision to read:

Subd. 5. MOTORCYCLE. "Motorcycle" means a self-propelled vehicle designed to travel on fewer than four wheels that has an engine rated at greater than five horsepower, and includes a trailer with one or more wheels, when the trailer is connected to or being towed by a motorcycle. For purposes of this chapter, motorcycle includes a motorized bicycle as defined in section 169.01, subdivision 4a.

Sec. 2. Minnesota Statutes 1986, section 65B.43, subdivision 13, is amended to read:

Subd. 13. "Motorcycle" means a self-propelled vehicle designed to travel on fewer than four wheels which has an engine rated at greater than five horsepower, and includes (1) a trailer with one or more wheels, when the trailer is connected to or being towed by a motorcycle; and (2) a motorized bicycle as defined in section 169.01, subdivision 4a.

Sec. 3. Minnesota Statutes 1986, section 168.011, subdivision 27, is amended to read:

Subd. 27. **MOTORIZED BICYCLE.** "Motorized bicycle" means a bicycle with fully operatable pedals which may be that is propelled by ~~human power or a motor, or by both,~~ with a motor of a piston displacement capacity of ~~less than~~ 50 cubic centimeters ~~piston or less displacement,~~ and a maximum of two brake horsepower, which is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged.

Sec. 4. Minnesota Statutes 1986, section 169.01, subdivision 4a, is amended to read:

Subd. 4a. **MOTORIZED BICYCLE.** "Motorized bicycle" means a bicycle with fully operatable pedals which may be that is propelled by ~~human power or a motor, or by both,~~ with a motor of a piston displacement capacity of ~~less than~~ 50 cubic centimeters ~~piston or less displacement,~~ and a maximum of two brake horsepower, which is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 5. Minnesota Statutes 1986, section 169.223, is amended to read:

**169.223 MOTORIZED BICYCLES.**

Subdivision 1. Except as otherwise provided in this section the provisions of ~~section 169.222~~ 169.974 relating to the operation of bicycles on roadways are motorcycles is applicable to the operation and the parking of motorized bicycles, except that the provisions of section 169.222 governing the parking of bicycles apply to motorized bicycles.

Subd. 2. Motorized bicycles shall not be operated on any bicycle way or bicycle lane, as those terms are defined in section 160.263. A motorized bicycle may be operated under either a driver's license or a motorized bicycle permit issued under section 171.02, subdivision 3. A person under the age of 16 operating a motorized bicycle under a motorized bicycle permit is subject to the restrictions imposed by section 169.974, subdivision 2, on operation of a motorcycle under a two-wheel instruction permit.

Subd. 3. No person shall operate a motorized bicycle upon a sidewalk at any time, except when such operation is necessary for the most direct access to a roadway from a driveway, alley or building. No person shall operate a motorized bicycle that is carrying any person other than the operator.

Subd. 4. Every motorized bicycle shall be subject to the same requirements as to lighting and brake equipment as apply to motorcycles, except that The provisions of section 169.974, subdivision 5, clause (i), shall not apply to motorized bicycles that are equipped with headlights. After June 1, 1987, a new motorized bicycle sold or offered for sale in Minnesota must be equipped with a headlight.

Subd. 5. When operated within a statutory or home rule charter city, a motorized bicycle is entitled to the full use of a traffic lane. No motor vehicle shall be driven or operated in a way that deprives a motorized bicycle of the full use of a traffic lane. When operated on a highway that is not within a statutory or home rule charter city, a motorized bicycle shall be operated on the paved portion of the shoulder, or, if the shoulder is not paved, as near as is practicable to the right-hand side of the roadway. This section does not permit the operation of a motorized bicycle on a bikeway or other lane that is reserved for the exclusive use of nonmotorized traffic.

Sec. 6. Minnesota Statutes 1986, section 171.01, subdivision 20, is amended to read:

Subd. 20. **MOTORIZED BICYCLE.** "Motorized bicycle" means a bicycle with fully operatable pedals which may be that is propelled by human power or a motor, or by both, with a motor of a piston displacement capacity of less than 50 cubic centimeters piston or less displacement, and a maximum of two brake horsepower, which is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 7. Minnesota Statutes 1986, section 171.02, subdivision 3, is amended to read:

Subd. 3. **MOTORIZED BICYCLES.** No motorized bicycle shall be operated on any public roadway by any person who does not possess a valid ~~drivers~~ driver's license, unless the person has obtained a motorized bicycle operator's permit or motorized bicycle instruction permit from the commissioner of public safety. The operator's permit may be issued to any person who has attained the age of 15 years and who has passed the examination prescribed by the commissioner. The instruction permit may be issued to any person who has attained the age of 15 years and who has successfully completed an approved safety course and passed the written portion of the examination prescribed by the commissioner.

This course must consist of, but is not limited to, a basic understanding of:

- (1) motorized bicycles and their limitations;
- (2) motorized bicycle laws and rules;
- (3) safe operating practices and basic operating techniques;
- (4) helmets and protective clothing;
- (5) motorized bicycle traffic strategies; and
- (6) effects of alcohol and drugs on motorized bicycle operators.

The commissioner may promulgate rules prescribing the content of the safety course, examination, and the information to be contained on the permits. A person operating a motorized bicycle under a motorized bicycle permit is subject to the restrictions imposed by section 169.974, subdivision 2, on operation of a motorcycle under a two-wheel instruction permit.

The fees for motorized bicycle operator's permits are as follows:

(a) Examination and operator's permit, valid for one year	\$4	\$6
(b) Duplicate	\$2	\$3
(c) Renewal permit before age 19 and valid until age 19	\$6	\$9
(d) Renewal permit after age 19 and valid for four years	\$10	\$15
(e) Duplicate of any renewal permit	\$3	\$4.50
(f) Written examination and instruction permit, valid for 30 days	\$4	\$6

#### Sec. 8. **APPROPRIATION.**

The sum of \$20,000 is appropriated from the trunk highway fund to the commissioner of public safety to provide approved motorized bicycle safety courses to be available until June 30, 1989.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

**Sec. 9. EFFECTIVE DATE.**

Sections 1 to 8 are effective June 1, 1987.

Approved May 28, 1987

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**CHAPTER 270—H.F.No. 591**

*An act relating to human services; authorizing the commissioner to make direct payments to shelter facilities; allowing facilities providing shelter services to women and children to appeal the denial of general assistance payments; amending Minnesota Statutes 1986, sections 256.01, subdivision 2; and 256D.05, by adding a subdivision.*

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

Section 1. Minnesota Statutes 1986, section 256.01, subdivision 2, is amended to read:

Subd. 2. **SPECIFIC POWERS.** Subject to the provisions of section 241.021, subdivision 2, the commissioner of human services shall:

(1) Administer and supervise all forms of public assistance provided for by state law and other welfare activities or services as are vested in the commissioner.

(2) Administer and supervise all child welfare activities; promote the enforcement of laws protecting handicapped, dependent, neglected and delinquent children, and children born to mothers who were not married to the children's fathers at the times of the conception nor at the births of the children; license and supervise child-caring and child-placing agencies and institutions; supervise the care of children in boarding and foster homes or in private institutions; and generally perform all functions relating to the field of child welfare now vested in the state board of control.

(3) Administer and supervise all noninstitutional service to handicapped persons, including those who are visually impaired, hearing impaired, or physically impaired or otherwise handicapped. The commissioner may provide and contract for the care and treatment of qualified indigent children in facilities other than those located and available at state hospitals when it is not feasible to provide the service in state hospitals.

(4) Assist and actively cooperate with other departments, agencies and institutions, local, state, and federal, by performing services in conformity with the purposes of Laws 1939, chapter 431.

(5) Act as the agent of and cooperate with the federal government in matters of mutual concern relative to and in conformity with the provisions of Laws

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