A bill for an act

relating to natural resources; establishing medical standards for permitting off-highway vehicle use by disabled persons on public trails; amending Minnesota Statutes 2006, section 84.926, subdivision 1.

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

Section 1. Minnesota Statutes 2006, section 84.926, subdivision 1, is amended to read:

Subdivision 1. **Exception by permit.** (a) Notwithstanding sections 84.773, subdivision 1, and 84.777, on a case by case basis, the commissioner may issue a permit authorizing a person to operate an off-highway vehicle on individual public trails under the commissioner's jurisdiction during specified times and for specified purposes.

(b) When issuing a permit under paragraph (a) on the basis of a permanent physical disability, the permit recipient must be:

(1) unable to step from a vehicle without aid of a wheelchair, crutches, braces, or other mechanical support or prosthetic device; or

(2) unable to walk any distance because of a permanent lung, heart, or other internal disease that requires the person to use supplemental oxygen to assist breathing.

The permanent physical disability must be established by medical evidence verified in writing by a licensed physician or chiropractor. The commissioner may request additional information from the physician or chiropractor if needed to verify the applicant's eligibility for the permit. The commissioner may, in consultation with appropriate advocacy groups, establish reasonable minimum standards for permits to be issued under this paragraph.