

SENATE
STATE OF MINNESOTA
EIGHTY-SEVENTH LEGISLATURE

S.F. No. 729

(SENATE AUTHORS: HOFFMAN and Gazelka)

DATE	D-PG	OFFICIAL STATUS
03/10/2011	483	Introduction and first reading Referred to Transportation See HF2685, Art. 3, Sec. 56

1.1 A bill for an act
1.2 relating to transportation; authorizing mini truck operation on local roads;
1.3 eliminating special permits for mini truck operation; amending Minnesota
1.4 Statutes 2010, sections 168.002, subdivision 24; 168A.05, by adding a
1.5 subdivision; 169.045; Laws 2009, chapter 158, section 10; proposing coding for
1.6 new law in Minnesota Statutes, chapter 169.

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

1.8 Section 1. Minnesota Statutes 2010, section 168.002, subdivision 24, is amended to
1.9 read:

1.10 Subd. 24. **Passenger automobile.** (a) "Passenger automobile" means any motor
1.11 vehicle designed and used for carrying not more than 15 individuals, including the driver.

1.12 (b) "Passenger automobile" does not include motorcycles, motor scooters, buses,
1.13 school buses, or commuter vans as defined in section 168.126. Except as provided in
1.14 paragraph (c), clause (1), a vehicle with a gross vehicle weight rating of 9,000 to 13,000
1.15 pounds that is a pickup truck or a van is not a passenger automobile.

1.16 (c) "Passenger automobile" includes, but is not limited to:

1.17 (1) a vehicle that is (i) a pickup truck or a van, (ii) not used in furtherance of a
1.18 commercial enterprise, and (iii) not subject to state or federal regulation as a commercial
1.19 motor vehicle;

1.20 (2) neighborhood electric vehicles, as defined in section 169.011, subdivision 47; ~~and~~

1.21 (3) medium-speed electric vehicles, as defined in section 169.011, subdivision 39;

1.22 and

1.23 (4) mini trucks, as defined in section 169.011, subdivision 40a.

2.1 Sec. 2. Minnesota Statutes 2010, section 168A.05, is amended by adding a subdivision
2.2 to read:

2.3 Subd. 10. **Mini trucks; certificate required.** Mini trucks, as defined in section
2.4 169.011, subdivision 40a, must be titled as specified in section 168A.02. The department
2.5 shall not issue a title for a mini truck that lacks a vehicle identification number.

2.6 Sec. 3. Minnesota Statutes 2010, section 169.045, is amended to read:

2.7 **169.045 SPECIAL VEHICLE USE ON ROADWAY.**

2.8 Subdivision 1. **Designation of roadway, permit.** (a) The governing body of any
2.9 county, home rule charter or statutory city, or town may by ordinance authorize the
2.10 operation of ~~motorized golf carts, four-wheel all-terrain vehicles, or mini trucks,~~ special
2.11 vehicles on designated roadways or portions thereof under its jurisdiction. Authorization
2.12 to operate a ~~motorized golf cart, four-wheel all-terrain vehicle, or mini truck~~ special
2.13 vehicles is by permit only.

2.14 (b) For purposes of this section:

2.15 (1) "special vehicle" means a motorized golf cart or four-wheel all-terrain vehicle;

2.16 and

2.17 (2) a "four-wheel all-terrain vehicle" is a motorized flotation-tired vehicle with four
2.18 low-pressure tires that is limited in engine displacement of less than 800 cubic centimeters
2.19 and total dry weight less than 600 pounds, ~~and a mini truck has the meaning given in~~
2.20 ~~section 169.011, subdivision 40a.~~

2.21 Subd. 2. **Ordinance.** The ordinance shall designate the roadways, prescribe the
2.22 form of the application for the permit, require evidence of insurance complying with the
2.23 provisions of section 65B.48, subdivision 5 and may prescribe conditions, not inconsistent
2.24 with the provisions of this section, under which a permit may be granted. Permits may be
2.25 granted for a period of not to exceed one year, and may be annually renewed. A permit
2.26 may be revoked at any time if there is evidence that the permittee cannot safely operate
2.27 the ~~motorized golf cart, four-wheel all-terrain vehicle, or mini truck~~ special vehicle on the
2.28 designated roadways. The ordinance may require, as a condition to obtaining a permit,
2.29 that the applicant submit a certificate signed by a physician that the applicant is able to
2.30 safely operate a ~~motorized golf cart, four-wheel all-terrain vehicle, or mini truck~~ special
2.31 vehicle on the roadways designated.

2.32 Subd. 3. **Times of operation.** ~~Motorized golf carts and four-wheel all-terrain~~
2.33 Special vehicles may only be operated on designated roadways from sunrise to sunset.
2.34 They shall not be operated in inclement weather or when visibility is impaired by weather,

3.1 smoke, fog or other conditions, or at any time when there is insufficient light to clearly see
3.2 persons and vehicles on the roadway at a distance of 500 feet.

3.3 Subd. 4. **Slow-moving vehicle emblem.** Motorized golf carts shall display
3.4 the slow-moving vehicle emblem provided for in section 169.522, when operated on
3.5 designated roadways.

3.6 Subd. 5. **Crossing intersecting highways.** The operator, under permit, of a
3.7 ~~motorized golf cart, four-wheel all-terrain vehicle, or mini truck~~ special vehicle may cross
3.8 any street or highway intersecting a designated roadway.

3.9 Subd. 6. **Application of traffic laws.** Every person operating a ~~motorized golf cart,~~
3.10 ~~four-wheel all-terrain vehicle, or mini truck~~ special vehicle under permit on designated
3.11 roadways has all the rights and duties applicable to the driver of any other vehicle under
3.12 the provisions of this chapter, except when those provisions cannot reasonably be applied
3.13 to ~~motorized golf carts, four-wheel all-terrain vehicles, or mini trucks~~ special vehicles and
3.14 except as otherwise specifically provided in subdivision 7.

3.15 Subd. 7. **Nonapplication of certain laws.** The provisions of chapter 171 are
3.16 ~~applicable to persons operating mini trucks, but are~~ not applicable to persons operating
3.17 ~~motorized golf carts or four-wheel all-terrain~~ special vehicles under permit on designated
3.18 roadways pursuant to this section. Except for the requirements of section 169.70,
3.19 the provisions of this chapter relating to equipment on vehicles are not applicable to
3.20 ~~motorized golf carts or four-wheel all-terrain~~ special vehicles operating, under permit,
3.21 on designated roadways.

3.22 Subd. ~~7a.~~ **Required equipment on mini trucks.** ~~Notwithstanding sections 169.48~~
3.23 ~~to 169.68, or any other law, a mini truck may be operated under permit on designated~~
3.24 ~~roadways if it is equipped with:~~

- 3.25 (1) ~~at least two headlamps;~~
3.26 (2) ~~at least two taillamps;~~
3.27 (3) ~~front and rear turn-signal lamps;~~
3.28 (4) ~~an exterior mirror mounted on the driver's side of the vehicle and either (i) an~~
3.29 ~~exterior mirror mounted on the passenger's side of the vehicle or (ii) an interior mirror;~~
3.30 (5) ~~a windshield;~~
3.31 (6) ~~a seat belt for the driver and front passenger; and~~
3.32 (7) ~~a parking brake.~~

3.33 Subd. 8. **Insurance.** In the event persons operating a ~~motorized golf cart, four-wheel~~
3.34 ~~all-terrain vehicle, or mini truck~~ special vehicle under this section cannot obtain liability
3.35 insurance in the private market, that person may purchase automobile insurance, including

4.1 no-fault coverage, from the Minnesota Automobile Insurance Plan under sections 65B.01
4.2 to 65B.12, at a rate to be determined by the commissioner of commerce.

4.3 EFFECTIVE DATE. This section is effective August 1, 2011.

4.4 Sec. 4. [169.2245] MINI TRUCKS.

4.5 Subdivision 1. Required equipment. Notwithstanding sections 169.48 to 169.68,
4.6 or any other law, a mini truck may be operated on public streets and highways as provided
4.7 in this section when it is equipped with the following equipment in working order:

4.8 (1) at least two headlamps;

4.9 (2) at least two taillamps;

4.10 (3) front and rear turn-signal lamps;

4.11 (4) an exterior mirror mounted on the driver's side of the vehicle and either (i) an
4.12 exterior mirror mounted on the passenger's side of the vehicle or (ii) an interior mirror;

4.13 (5) a windshield;

4.14 (6) a seat belt for the driver and front passenger; and

4.15 (7) a parking brake.

4.16 Subd. 2. Operation. (a) A person operating a mini truck on public streets and
4.17 highways under this section has all the rights and duties applicable to the driver of any
4.18 other vehicle under this chapter.

4.19 (b) A person may not operate a mini truck on a trunk highway.

4.20 (c) A person operating a mini truck as allowed under this section may cross any
4.21 street or highway, including a trunk highway, intersecting the road upon which the vehicle
4.22 is being operated.

4.23 (d) A person operating a mini truck on a highway having two or more lanes in
4.24 the same direction must drive in the lane farthest to the right, except to make a left
4.25 turn. A person may make a left turn from an appropriate lane if it is safe to do so under
4.26 the prevailing conditions.

4.27 (e) The provisions of chapter 171 concerning driver licensing are applicable to
4.28 a person operating a mini truck.

4.29 Subd. 3. Restrictions and prohibitions. (a) A local road authority may by
4.30 ordinance prohibit the operation of a mini truck on streets and highways under the local
4.31 road authority's jurisdiction.

4.32 (b) A mini truck may not be used to take any examination to demonstrate ability to
4.33 exercise control in the operation of a motor vehicle as required under section 171.13.

4.34 EFFECTIVE DATE. This section is effective August 1, 2011.

S.F. No. 729, as introduced - 87th Legislative Session (2011-2012) [11-2006]

5.1 Sec. 5. Laws 2009, chapter 158, section 10, is amended to read:

5.2 Sec. 10. **EFFECTIVE DATE.**

5.3 Sections 2 and 3 are effective August 1, 2009, ~~and the amendments made in sections~~
5.4 ~~2 and 3 to Minnesota Statutes, sections 169.011 and 169.045, expire July 31, 2012.~~

5.5 **EFFECTIVE DATE.** This section is effective August 1, 2011.

5.6 Sec. 6. **MINI TRUCKS; CANCELLATION OF LOCAL PERMITS.**

5.7 On and after August 1, 2011, a local permit issued by a county, statutory or home
5.8 rule charter city, or town, under Minnesota Statutes, section 169.045, permitting operation
5.9 of a mini truck, as defined in Minnesota Statutes, section 169.011, subdivision 40a, is
5.10 canceled and superseded by Minnesota Statutes, section 169.2245. A person operating a
5.11 mini truck on or after August 1, 2011, must meet the requirements of Minnesota Statutes,
5.12 section 169.2245.

5.13 **EFFECTIVE DATE.** This section is effective the day following final enactment.