

1.1 A bill for an act

1.2 relating to civil law; reversing the presumption outside metropolitan areas
1.3 regarding trespass with recreational motor vehicles; amending Minnesota
1.4 Statutes 2008, section 84.90, subdivisions 2, 3.

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

1.6 Section 1. Minnesota Statutes 2008, section 84.90, subdivision 2, is amended to read:

1.7 Subd. 2. ~~Within metropolitan area~~ **Restricted usage.** ~~Within the seven county~~
1.8 ~~metropolitan area,~~ No person shall enter and operate a recreational motor vehicle on lands
1.9 not owned by the person, except where otherwise allowed by law, without the written
1.10 or oral permission of the owner, occupant, or lessee of such lands. Written permission
1.11 may be given by a posted notice of any kind or description that the owner, occupant, or
1.12 lessee prefers, so long as it specifies the kind of vehicles allowed, such as by saying
1.13 "Recreational Vehicles Allowed," "Snowmobiles Allowed," "Trail Bikes Allowed,"
1.14 "All-Terrain Vehicles Allowed," or words substantially similar.

1.15 **EFFECTIVE DATE.** This section is effective July 1, 2009.

1.16 Sec. 2. Minnesota Statutes 2008, section 84.90, subdivision 3, is amended to read:

1.17 Subd. 3. ~~Outside metropolitan area~~ **Posting notice.** ~~Outside the seven county~~
1.18 ~~metropolitan area, no person shall enter on any land not owned by the person for the~~
1.19 ~~purpose of operating a recreational motor vehicle after being notified, either orally or by~~
1.20 ~~written or posted notice, by the owner, occupant, or lessee not to do so.~~ Where posted
1.21 notice is used, signs shall bear letters not less than two inches high and shall state one
1.22 of the following: "Recreational Vehicles Prohibited," "Snowmobiles Prohibited," "Trail
1.23 Bikes Prohibited," "All-Terrain Vehicles Prohibited," or words substantially similar. In

S.F. No. 1066, as introduced - 86th Legislative Session (2009-2010) [09-2166]

2.1 lieu of the above notice an owner, occupant or lessee may post any sign prohibiting
2.2 recreational motor vehicles which has been adopted by rule of the commissioner of natural
2.3 resources. The notice or sign shall be posted at corners and ordinary ingress and egress
2.4 to the property and when so posted shall serve so as to raise a conclusive presumption
2.5 that a person operating a recreational motor vehicle thereon had knowledge of entering
2.6 upon such posted lands. Failure to post notice as provided in this subdivision shall not
2.7 deprive a person of the right to bring a civil action for damage to one's person or property
2.8 as otherwise provided by law.

2.9 **EFFECTIVE DATE.** This section is effective July 1, 2009.