

**SENATE
STATE OF MINNESOTA
NINETIETH SESSION**

S.F. No. 3064

(SENATE AUTHORS: INGEBRIGTSEN)

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OFFICIAL STATUS
Introduction and first reading
Referred to Environment and Natural Resources Policy and Legacy Finance
See SF3141, Art. 1, Sec. 9-10

1.1 A bill for an act
1.2 relating to natural resources; modifying all-terrain vehicle safety education and
1.3 training provisions for youth; amending Minnesota Statutes 2017 Supplement,
1.4 sections 84.925, subdivision 1; 84.9256, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2017 Supplement, section 84.925, subdivision 1, is amended
1.7 to read:

1.8 Subdivision 1. ~~Program~~ **Training and certification programs established.** (a) The
1.9 commissioner shall establish:

1.10 (1) a comprehensive all-terrain vehicle environmental and safety education and training
1.11 certification program, including the preparation and dissemination of vehicle information
1.12 and safety advice to the public, the training of all-terrain vehicle operators, and the issuance
1.13 of all-terrain vehicle safety certificates to vehicle operators over the age of 12 years who
1.14 successfully complete the all-terrain vehicle environmental and safety education and training
1.15 course; and

1.16 (2) a voluntary all-terrain vehicle online training program for youth and a parent or
1.17 guardian, offered at no charge for operators at least six years of age but younger than ten
1.18 years of age.

1.19 (b) A parent or guardian must be present at the hands-on a training portion of the program
1.20 for when the youth who are six through ten is under 11 years of age.

1.21 ~~(b)~~ (c) For the purpose of administering the program and to defray the expenses of
1.22 training and certifying vehicle operators, the commissioner shall collect a fee from each
1.23 person who receives the training for certification under paragraph (a), clause (1). The

commissioner shall collect a fee, to include a \$1 issuing fee for licensing agents, for issuing a duplicate all-terrain vehicle safety certificate. The commissioner shall establish both fees in a manner that neither significantly overrecovers nor underrecovers costs, including overhead costs, involved in providing the services. The fees are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. The fees may be established by the commissioner notwithstanding section 16A.1283. Fee proceeds, except for the issuing fee for licensing agents under this subdivision, shall be deposited in the all-terrain vehicle account in the natural resources fund and the amount thereof, except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, and issuing fees collected by the commissioner, is appropriated annually to the Enforcement Division of the Department of Natural Resources for the administration of the programs. In addition to the fee established by the commissioner, instructors may charge each person up to the established fee amount for class materials and expenses.

~~(e)~~ (d) The commissioner shall cooperate with private organizations and associations, private and public corporations, and local governmental units in furtherance of the ~~program~~ programs established under this section. School districts may cooperate with the commissioner and volunteer instructors to provide space for the classroom portion of the training. The commissioner shall consult with the commissioner of public safety in regard to ~~training program~~ the subject matter of the training programs and performance testing that leads to the certification of vehicle operators. The commissioner shall incorporate a riding component in the ~~safety education and training program~~ programs established under this section.

Sec. 2. Minnesota Statutes 2017 Supplement, section 84.9256, subdivision 1, is amended to read:

Subdivision 1. **Prohibitions on youthful operators.** (a) Except for operation on public road rights-of-way that is permitted under section 84.928 and as provided under paragraph (j), a driver's license issued by the state or another state is required to operate an all-terrain vehicle along or on a public road right-of-way.

(b) A person under 12 years of age shall not:

(1) make a direct crossing of a public road right-of-way;

(2) operate an all-terrain vehicle on a public road right-of-way in the state; or

(3) operate an all-terrain vehicle on public lands or waters, except as provided in paragraph (f).

(c) Except for public road rights-of-way of interstate highways, a person 12 years of age but less than 16 years may make a direct crossing of a public road right-of-way of a trunk, county state-aid, or county highway or operate on public lands and waters or state or grant-in-aid trails, only if that person possesses a valid all-terrain vehicle safety certificate issued by the commissioner and is accompanied by a person 18 years of age or older who holds a valid driver's license.

(d) To be issued an all-terrain vehicle safety certificate, a person at least 12 years old, but less than 16 years old, must:

(1) successfully complete the safety education and training program under section 84.925, subdivision 1, including a riding component; and

(2) be able to properly reach and control the handle bars and reach the foot pegs while sitting upright on the seat of the all-terrain vehicle.

(e) A person at least ~~six~~ ten years of age may take the safety education and training program and may receive an all-terrain vehicle safety certificate under paragraph (d), but the certificate is not valid until the person reaches age 12.

(f) A person at least ten years of age but under 12 years of age may operate an all-terrain vehicle with an engine capacity up to 110cc if the vehicle is a class 1 all-terrain vehicle with straddle-style seating or up to 170cc if the vehicle is a class 1 all-terrain vehicle with side-by-side-style seating on public lands or waters if accompanied by a parent or legal guardian.

(g) A person under 15 years of age shall not operate a class 2 all-terrain vehicle.

(h) A person under the age of 16 may not operate an all-terrain vehicle on public lands or waters or on state or grant-in-aid trails if the person cannot properly reach and control:

(1) the handle bars and reach the foot pegs while sitting upright on the seat of the all-terrain vehicle with straddle-style seating; or

(2) the steering wheel and foot controls of a class 1 all-terrain vehicle with side-by-side-style seating while sitting upright in the seat with the seat belt fully engaged.

(i) Notwithstanding paragraph (c), a nonresident at least 12 years old, but less than 16 years old, may make a direct crossing of a public road right-of-way of a trunk, county state-aid, or county highway or operate an all-terrain vehicle on public lands and waters or state or grant-in-aid trails if:

4.1 (1) the nonresident youth has in possession evidence of completing an all-terrain safety
4.2 course offered by the ATV Safety Institute or another state as provided in section 84.925,
4.3 subdivision 3; and

4.4 (2) the nonresident youth is accompanied by a person 18 years of age or older who holds
4.5 a valid driver's license.

4.6 (j) A person 12 years of age but less than 16 years of age may operate an all-terrain
4.7 vehicle on the roadway, bank, slope, or ditch of a public road right-of-way as permitted
4.8 under section 84.928 if the person:

4.9 (1) possesses a valid all-terrain vehicle safety certificate issued by the commissioner;
4.10 and

4.11 (2) is accompanied by a parent or legal guardian on a separate all-terrain vehicle.