

## CHAPTER 126.

H. F. No. 375

*An act to provide for the appointment of side path commissioners, to define their powers, to provide for the construction, maintenance and preservation and to regulate the use of bicycle side paths, and for licensing bicycles.*

Bicycle side paths.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. The county commissioners of any county in this state having more than fifty thousand inhabitants shall, upon the petition of two hundred resident wheelmen of such county, appoint from the resident citizens thereof, five persons, each of whom shall be a bicyclist, who shall constitute a board of side path commissioners for such county, thereby giving to each city, and to one or more villages in such county, a representation on the board, as nearly as practicable in proportion to the estimated number of bicyclists residing in such localities. The terms of office of such side path commissioners shall be one, two, three, four and five years, respectively, from and including the first day of January of the year in which such appointment is made. A side path commissioner thereafter appointed for a full term shall hold his office for five years from and including the first day of January of the year in which the appointment is made. A side path commissioner appointed to fill a vacancy occurring otherwise than by expiration of term, shall be appointed for the unexpired term of his predecessor in office. Whenever a vacancy shall occur in the office of such a side path commissioner, by expiration of term, or otherwise, the chairman or secretary of the board of side path commissioners shall immediately file a notice with the county auditor, specifying the name of such side path commissioner, to the city or town in which he resided, and the term for which his successor shall be appointed. The county commissioners shall, at their next regular meeting after the filing of such notice, appoint a person to fill such vacancy, and the auditor shall file such appointment in his office, and forthwith notify such person of his appointment, and the person so appointed shall take office immediately upon filing his written acceptance thereof with the county auditor. If any person so appointed fails to file such acceptance with the county auditor within ten (10) days after receiving notice of his appointment, or if any member of the board fails to attend three consecutive

Petition by wheelmen in counties with population of 50,000 for board of commissioners.

Vacancy, how filled.

regular meetings without being excused by a vote of the board, the board may declare the place vacant by a majority vote. In case charges against any such side path commissioner are made in writing and filed with the county auditor, the auditor shall notify such side path commissioner to appear before the board of county commissioners at its next meeting and make answer to such charges. And said county commissioners may remove such side path commissioner from office if sufficient cause be shown. Such side path commissioners shall serve without compensation, but shall be repaid their actual and necessary disbursements out of the side path fund.

Removal,  
how made.

Power of  
commission-  
ers to con-  
struct and  
maintain  
paths.

In villages  
and cities.

SEC. 2. Such board of side path commissioners is hereby authorized and empowered to construct and maintain side paths along any public road or street of the county, provided the said board of side path commissioners shall obtain the written approval of the county commissioners of the county in which said side path shall be built; and file the same in the county auditor's office before constructing side paths along any road outside the limits of incorporated cities or villages; and provided that they shall secure the approval of the trustees of an incorporated village, by resolution, before constructing side paths along any street of such village. And, provided, that they shall secure the approval of the common council of a city by resolution before constructing side paths along any street, or section thereof, in said city. Such side paths shall be not less than five nor more than ten feet wide, and shall be constructed within the limits and along and upon either side of such public road or street. No member, or any number of members, of the side path commission shall begin or in any manner authorize the construction of a side path to be built from the side path fund until a record of the proceedings of the board of side path commissioners shows that it has voted to construct such side paths.

Bicycle  
license or  
badge.

SEC. 3. Such board of side path commissioners shall, at their first meeting, or within a reasonable time thereafter, and in each succeeding calendar year, adopt a form of license, badge, emblem or device suitable to be affixed to a bicycle, and to be known as a "bicycle path license." Such bicycle path license shall be plainly numbered, and shall bear the name of the county issuing it, the year of the issuance thereof, and the number of such license. Any person, upon the payment of a fee to be determined by such side path commissioners, of not less than fifty (50) cents, nor more than one dollar (\$1), shall be entitled to receive such bicycle path license,

which shall be good during the calendar year for which it is issued, and no longer. Every such license to be valid must be issued by the side path commissioners of the county wherein the bicyclist resides, except that any bicyclist who resides within another state or within some county of this state where there are no side path commissioners, may secure a bicycle path license in any county where a side path commission has been lawfully appointed, and such bicycle path license shall be valid for the use of the person so purchasing until a side path commission is organized in the county where it is issued, and no longer. No person shall ride a bicycle on any side path in any county of this state where a side path commission exists, unless a valid bicycle path license is attached or affixed to the left side of the front fork of the bicycle, so that the bicycle path license shall show on the left side of such bicycle. No person shall counterfeit any such bicycle path license, or make, sell, give away, or have on his or her bicycle a license purporting to be issued by any county in this state, unless regularly issued by the commissioners appointed pursuant to law. No bicycle license shall be valid unless attached to a bicycle in the manner as in this act provided, and any mutilation of the name of the county issuing such license, or of the number thereof, or of the year of the issuance thereof, so as to deceive, or be calculated to deceive, shall render such bicycle path license invalid. It shall be unlawful to use upon any bicycle ridden upon any side path in any county in this state in which a side path commission exists, any bicycle path license in any year except a valid bicycle path license issued by the authority of a regularly appointed side path commission for such year. Any valid bicycle path license issued by a side path commission in any county in this state shall have full rights upon any side path in this state.

Riders must  
have  
licenses.

SEC. 4. The license fees collected by the said boards of side path commissioners shall be deposited on or before the first day of each month with the county treasurer of their respective counties, by whom they shall be credited to a special fund to be called "the side path fund," upon which the boards of side path commissioners are authorized to draw warrants signed by a majority of the board but no warrants shall be drawn in excess of the amount actually on deposit, nor shall any contract or purchase be made exceeding the amount of such funds at the time of making such contract or purchase.

Side path  
fund.

All bills shall be sworn to and verified by the party presenting the same for payment. Each board of side

Annual  
report.

path commissioners shall report, on or before December 31st of each year, to the county auditor of their respective counties, giving a detailed financial statement for such year, and filing with said report the vouchers of each expenditure, which report and vouchers shall be deposited and kept in the county auditor's office.

Funds to be used for repairing and constructing paths.

SEC. 5. The said board of side path commissioners shall use the money so collected for no other purpose than the repairing of existing side paths in their respective counties, the construction of new side paths, and the necessary and authorized expenses and disbursements incurred in carrying out the provisions of this act. Provided, however, that the board of county commissioners shall when presented with a resolution adopted by the board of side path commissioners of their county, wherein it is recited that the sum of money named is necessary for the purchase of license tags or devices and record books, appropriate such sum therefor, and thereupon the county auditor shall draw his warrant upon the county treasurer in favor of the board of side path commissioners for such purpose, and the moneys paid upon such order shall be immediately paid into and accredited to the side path fund, and thereupon be disbursed for such purposes, or so much thereof as may be necessary therefor. It shall be the duty of the board of side path commissioners to pay into the county treasury, out of the first moneys received by it from the issuance of licenses, sufficient thereof to reimburse the county for the moneys so advanced by it.

Protection of paths.

SEC. 6. No person shall wilfully lead, stand, hitch, ride or drive any horse, cattle, sheep, swine or other animals upon any side path now constructed or hereafter to be constructed, in this state, except for the purpose of access to and egress from lands abutting on the highway.

SEC. 7. No person shall wilfully obstruct, injure or destroy any side path, or any portion thereof, now constructed or hereafter to be constructed in this state. Nor shall any person throw, place or deposit upon, or cause to be thrown, placed or deposited upon any side path in this state, any glass, bottle, tack, nails or iron, or anything calculated to injure bicycle tires.

SEC. 8. The side paths heretofore constructed, and hereafter to be constructed, in this state, are hereby placed under the control and direction of the boards of side path commissioners of the various counties in which they are located.

Penalties.

SEC. 9. Any person who rides a bicycle on any side path in this state in a dangerous or reckless manner, or

in violation of any of the sections of this act, or does any of the acts, by the provisions of this law forbidden, is guilty of a misdemeanor, and shall be punished by a fine of not less than five (5) nor more than twenty-five (25) dollars and, in case of failure to pay such fine, such person may be imprisoned in the county jail for a period not exceeding one day for each dollar of such fine.

SEC. 10. This act shall take effect and be in force from and after its passage.

Approved April 2, 1901.

## CHAPTER 127.

H. F. No. 300.

*An act to amend chapter three hundred and seventy-seven (377) of the General Laws of eighteen hundred and ninety-seven (1897), entitled "An act fixing the general term of the district court in the several counties of the Sixteenth judicial district."*

Amendment.  
16th Judicial  
District.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The general term of the district court in the several counties of the Sixteenth Judicial district, this state, shall hereafter be held as follows:

In the county of Big Stone, on the second Monday in May, and the last Monday in November.

Terms of  
court.

In the county of Grant, on the fourth Monday in May, and the first Monday in November in odd numbered years, and the first Wednesday after the first Monday in even numbered years.

In the county of Pope, on the second Monday in June, and the first Monday in December.

In the county of Stevens, on the third Monday in March, and the third Monday in October.

In the county of Traverse, on the third Monday in June, and the Third Tuesday in November.

In the county of Wilkin, on the first Monday in June and the second Monday in December.

SEC. 2. The grand jury, if any is drawn, for any of said terms of court, shall be summoned to appear on the first day thereof, and petit jury shall be summoned to appear on the second day, at which time the trial of cases shall commence.

SEC. 3. All acts inconsistent with this act are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 2, 1901.