

Sec. 2. EFFECTIVE DATE.

Section 1 is effective the day after its final enactment.

Presented to the governor March 1, 1999

Signed by the governor March 4, 1999, 9:15 a.m.

CHAPTER 4—H.F.No. 6

An act relating to recreational vehicles; modifying rulemaking authority; modifying certain restrictions on the use of snowmobile metal traction devices; establishing fines for operation of snowmobiles with metal traction devices on paved public trails; modifying certain definitions; amending Minnesota Statutes 1998, sections 84.86, subdivision 1; and 169.1217, subdivision 1; Laws 1998, chapter 401, section 61; proposing coding for new law in Minnesota Statutes, chapter 84; repealing Minnesota Statutes 1998, sections 84.871, subdivision 2; 84.8715; and 85.015, subdivision 1c.

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

Section 1. Minnesota Statutes 1998, section 84.86, subdivision 1, is amended to read:

Subdivision 1. With a view of achieving maximum use of snowmobiles consistent with protection of the environment the commissioner of natural resources shall adopt rules in the manner provided by chapter 14, for the following purposes:

- (1) Registration of snowmobiles and display of registration numbers.
- (2) Use of snowmobiles insofar as game and fish resources are affected.
- (3) Use of snowmobiles on public lands and waters, or on grant-in-aid trails, ~~including, but not limited to, the use of specified metal traction devices and nonmetal traction devices.~~
- (4) Uniform signs to be used by the state, counties, and cities, which are necessary or desirable to control, direct, or regulate the operation and use of snowmobiles.
- (5) Specifications relating to snowmobile mufflers.
- (6) A comprehensive snowmobile information and safety education and training program, including but not limited to the preparation and dissemination of snowmobile information and safety advice to the public, the training of snowmobile operators, and the issuance of snowmobile safety certificates to snowmobile operators who successfully complete the snowmobile safety education and training course. For the purpose of administering such program and to defray a portion of the expenses of training and certifying snowmobile operators, the commissioner shall collect a fee of not to exceed \$5 from each person who receives the youth and young adult training and a fee established under chapter 16A from each person who receives the adult training. The commissioner shall deposit the fee in the snowmobile trails and enforcement account and the amount thereof is appropriated annually to the commissioner of natural resources for the administration

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of such programs. The commissioner shall cooperate with private organizations and associations, private and public corporations, and local governmental units in furtherance of the program established under this clause. The commissioner shall consult with the commissioner of public safety in regard to training program subject matter and performance testing that leads to the certification of snowmobile operators.

(7) The operator of any snowmobile involved in an accident resulting in injury requiring medical attention or hospitalization to or death of any person or total damage to an extent of \$500 or more, shall forward a written report of the accident to the commissioner on such form as the commissioner shall prescribe. If the operator is killed or is unable to file a report due to incapacitation, any peace officer investigating the accident shall file the accident report within ten business days.

Sec. 2. [84.8712] METAL TRACTION DEVICES; PROHIBITION ON PAVED TRAILS.

Subdivision 1. PROHIBITION. A person may not use a snowmobile with metal traction devices on any paved public trail, except:

- (1) as provided by a local government with jurisdiction over a trail;
- (2) to make the shortest possible crossing over a paved state trail at slow speed; or
- (3) on any portion of a paved state trail designated by the commissioner.

Subd. 2. CIVIL CITATION; AUTHORITY TO ISSUE. Conservation officers and other licensed peace officers may issue civil citations to a person who operates a snowmobile in violation of this section. The citation must impose a penalty of no more than \$50 for the first offense, no more than \$300 for the second offense, and no more than \$600 for third and subsequent offenses.

Subd. 3. APPEALS. Civil citations for offenses under this section may be appealed under the procedures in section 116.072, subdivision 6, if the recipient of the citation requests a hearing by notifying the commissioner in writing within 15 days after receipt of the citation. For the purposes of the enforcement of this section, the terms "commissioner" and "agency" as used in section 116.072 mean the commissioner of natural resources. If a hearing is not requested within the 15-day period, the citation becomes a final order not subject to further review.

Subd. 4. ENFORCEMENT. Civil citations for offenses under this section may be enforced under section 116.072, subdivision 9. If a person fails to pay a penalty owed under this section, the person may not operate a snowmobile until the penalty is paid. Penalty amounts must be remitted within 30 days of issuance of the penalty citation.

Subd. 5. ALLOCATION OF PENALTY AMOUNTS. Penalty amounts collected from civil citations issued under this section are deposited to the unit of government employing the officer that issues the civil citation. The commissioner must deposit penalty amounts received by the state in the snowmobile trails and enforcement account established by section 84.83, subdivision 1. The penalty amounts in the account must be dedicated for the repair of paved public trails.

Subd. 6. SELECTION OF REMEDY. A person operating a snowmobile in violation of this section is guilty of a petty misdemeanor punishable by a fine of no more than

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Section 1 is effective the day following final enactment.

Presented to the governor March 5, 1999

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CHAPTER 6—S.F.No. 424

An act relating to agriculture; authorizing the commissioner of agriculture to allow the distribution of nonregistered pesticides for certain uses outside the state; amending Minnesota Statutes 1998, section 18B.26, subdivision 1.

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

Section 1. Minnesota Statutes 1998, section 18B.26, subdivision 1, is amended to read:

Subdivision 1. **REQUIREMENT.** (a) Except as provided in paragraphs (b) to (d), a person may not use or distribute a pesticide in this state unless it is registered with the commissioner. Pesticide registrations expire on December 31 of each year and may be renewed on or before that date for the following calendar year.

(b) Registration is not required if a pesticide is shipped from one plant or warehouse to another plant or warehouse operated by the same person and used solely at the plant or warehouse as an ingredient in the formulation of a pesticide that is registered under this chapter.

(c) An unregistered pesticide that was previously registered with the commissioner may be used for a period of two years following the cancellation of the registration of the pesticide, unless the commissioner determines that the continued use of the pesticide would cause unreasonable adverse effects on the environment, or with the written permission of the commissioner. To use the unregistered pesticide at any time after the two-year period, the pesticide end user must demonstrate to the satisfaction of the commissioner, if requested, that the pesticide has been continuously registered under a different brand name or by a different manufacturer and has similar composition, or, the pesticide end user obtains the written permission of the commissioner.

(d) The commissioner may allow specific pesticide products that are not registered with the commissioner to be distributed in this state for use in another state.

(e) Each pesticide with a unique United States Environmental Protection Agency pesticide registration number or a unique brand name must be registered with the commissioner.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective retroactive to January 1, 1999.

Presented to the governor March 5, 1999

Signed by the governor March 8, 1999, 11:08 a.m.

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