
CHAPTER 199—H.F.No.920

[Coded in Part]

An act relating to recreation; environmental preservation and energy conservation; conserving human and natural resources by promoting health and recreation and abating environmental pollution by encouraging the use of bicycles; providing for a bicycle registration system, and prescribing the powers and duties of the commissioner of public safety in relation thereto; directing the commissioner of public safety to study the use of bicycles on streets, highways, bicycle ways and bicycle lanes; directing the commissioner of education to submit a proposal for bicycle safety education; directing the commissioner of natural resources to develop a program for an interconnecting system of bicycle trails; providing for the construction of bicycle lanes or ways using federal funds; prescribing penalties; and appropriating money.

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

Section 1. [168C.01] BICYCLE REGISTRATION; POLICY STATEMENT. The legislature of the state of Minnesota finds that the use of bicycles as a means of travel and recreation embodying physical, environmental and social benefits is already recognized by many people in the state, and will be further encouraged given the opportunity for safe, convenient and pleasant bicycle travel. The legislature further finds that dependence on the private automobile must be reduced, particularly in the light of an energy shortage and encouragement of increased bicycle usage by the provision and maintenance of bikeways and with the addition of some traffic laws designed for the orderly integration of bicycles into traffic systems, is a way of reducing this dependence. However, the growth in popularity of the bicycle as a mode of transportation and as a recreational vehicle has led to an increase in the number of bicycle thefts. To more effectively deal with the problems associated with theft and to aid in the recovery of stolen bicycles, a statewide bicycle registration system is hereby created.

Sec. 2. [168C.02] DEFINITIONS. Subdivision 1. For purposes of sections 1 to 19 the terms defined in this section shall have the meanings given them.

Subd. 2. "Bicycle" means every device propelled by human power upon which a person may ride, having two tandem wheels either of which is over 14 inches in diameter, and including any device generally recognized as a bicycle though equipped with two front or rear wheels.

Subd. 3. "Bicycle dealer" means a person, firm, partnership, association, or corporation which is engaged, wholly or partly, in the business of selling bicycles, or buying or taking in trade bicycles for the purpose of resale, selling, or offering for sale, or otherwise dealing in bicycles, whether or not the bicycles are owned by the person or en-

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tity. The term does not include agents or employees of the person or entity.

Subd. 4. "Commissioner" means the commissioner of public safety.

Subd. 5. "License plate" means a tag, plate, seal or other device which can be securely attached to a bicycle and is issued upon registration of the bicycle.

Sec. 3. **[168C.03] APPLICATIONS.** On or after March 1, 1977 any owner of a bicycle may apply for registration of the bicycle to the commissioner, to any deputy registrar of motor vehicles acting pursuant to Minnesota Statutes, Section 168.33 or to any deputy registrar of bicycles appointed by the commissioner pursuant to section 11. Applications shall contain the name and address of the owner, the signature of the owner, the name and address of the person from whom purchased, the date of purchase, the date of registration, the make, serial number, model number, and any additional information as the commissioner may require. Applications shall be on a three part form provided by the commissioner. The original shall be retained by or immediately forwarded to the commissioner, the second copy shall be retained by the purchaser and the third copy shall be retained for one year by the deputy registrar, if any, who received the application. The commissioner shall designate a number to be stamped or otherwise permanently affixed on the frames of bicycles on which no serial number can be found, or on which the number is illegible or insufficient for identification purposes.

Sec. 4. **[168C.04] REGISTRATION FEE.** The registration fee for bicycles shall be \$3. These fees shall be paid at the time of registration. All fees so collected shall be deposited in the general fund. Proof of purchase shall be required for registration. Bicycles lacking proof of purchase shall be registered if there is no evidence that such bicycle is stolen. However, the registration record shall be marked to indicate that no proof of purchase was provided. The registration of a bicycle shall be valid for a term of three calendar years.

Sec. 5. **[168C.05] REPORT OF TRANSFERS.** Every person who sells or transfers ownership of any bicycle registered pursuant to this act shall report the sale or transfer to the commissioner, indicating the name and address of the person to whom the bicycle was sold or transferred. The report shall be made within 14 days of the sale or transfer.

Sec. 6. **[168C.06] NOTIFICATION OF ADDRESS CHANGE.** Whenever the owner of a bicycle registered pursuant to this act moves or changes address, he shall notify the commissioner in writing of the new address within 14 days.

Sec. 7. **[168C.07] LICENSE PLATES.** The commissioner shall
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provide to the registrant a suitable registration card having the registration number stamped thereon and indicating the date of registration, the make, serial number, and model number of the bicycle, the owner's name and address, and any additional information as the commissioner may require. Information concerning each registration shall be retained by the commissioner. The commissioner shall issue a license plate which shall be securely attached to the bicycle covered by the registration. Upon a satisfactory showing that the license plate or registration card has been lost or destroyed the commissioner shall issue a replacement license plate or registration card upon payment of a fee of \$1. All fees so collected shall be deposited to the general fund.

Sec. 8. **[168C.08] MUTILATION.** No person shall willfully remove, destroy, mutilate or otherwise alter the serial number or equivalent number of any bicycle designated by the commissioner pursuant to section 3. No person shall willfully remove, destroy, mutilate, or otherwise alter any license plate during the time in which the license plate is operative. Any person who violates the provisions of this section is guilty of a misdemeanor.

Sec. 9. **[168C.09] THEFT.** Subdivision 1. The local law enforcement agency shall report the theft of all bicycles registered pursuant to this act to the department of public safety within five days. Reports of the stolen bicycles shall be entered in the Minnesota crime information center of the department of public safety. When the stolen bicycle has been recovered by a local law enforcement agency, the agency shall report the recovery to the department of public safety within five days of the recovery.

Subd. 2. The commissioner shall maintain a record of all bicycles registered pursuant to this act in the state in an automated system. The records shall be available to all authorized law enforcement agencies through the Minnesota crime information center.

Subd. 3. Any person who knowingly sells or offers for sale a bicycle registered under this act which is not owned by him or a member of his family is guilty of theft and subject to punishment under Minnesota Statutes, Section 609.52, Subdivision 3.

Sec. 10. **[168C.10] TAMPERING WITH A BICYCLE.** No person, other than the owner or the owner's authorized agent, except for protection of the bicycle, shall tamper with any bicycle which has been locked or placed in a rack or otherwise secured. Any person who violates the provision of this section is guilty of a misdemeanor.

Sec. 11. **[168C.11] DEPUTY REGISTRARS OF BICYCLES.** Subdivision 1. **APPOINTMENT.** Subject to the provisions of subdivision 2, the commissioner shall appoint as deputy registrars of bicycles any bicycle dealer, or agent or employee thereof, who applies for appointment in a manner prescribed by the commissioner; provided that concurrently there may be no more than one such deputy for each

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separate place of business of a bicycle dealer. Deputy registrars of bicycles shall act as agents of the commissioner and may accept registrations as provided in this act, except that no deputy registrar of bicycles shall be required to register bicycles sold by other bicycle dealers. Deputy registrars of bicycles may charge and retain an additional 50 cents per registration granted for their services. All other registration fees collected by such deputies shall be processed, accounted for and transmitted to the state treasurer as required by the commissioner.

Subd. 2. DENIAL, SUSPENSION OR REVOCATION OF APPOINTMENTS. The commissioner, without prior notice or hearing, may issue an order denying, suspending or revoking any appointment made or applied for pursuant to this section if he finds that the applicant or deputy registrar of bicycles has violated or failed to comply with any provision of this act or any rule or regulation adopted hereunder. Upon the entry of such an order the commissioner shall promptly serve a copy thereof on the subject applicant or deputy registrar of bicycles. The order shall state the reasons for its issuance and shall specify that upon the written request of the applicant or deputy registrar of bicycles the matter will be set for hearing within 15 days after the receipt of the request, provided that with the consent of the applicant or deputy registrar of bicycles a hearing may be held subsequent to the expiration of the period specified herein. If no hearing is requested, the order will remain in effect until it is modified or vacated by the commissioner. If a hearing is requested, the commissioner, after notice and hearing in accordance with the provisions of Minnesota Statutes, Chapter 15, shall affirm, modify or vacate the order.

Sec. 12. [168C.12] ADMINISTRATION. The commissioner shall adopt rules and regulations for the implementation and administration of this act no later than January 1, 1977. The commissioner shall begin to accept registrations and implement this act on January 1, 1977. Nothing herein shall be construed to prevent the commissioner from contracting any service provided under this act to any private person or entity or other unit of government.

Sec. 13. [168C.13] REGISTRATION BY POLITICAL SUBDIVISIONS. Subdivision 1. After March 1, 1977, no political subdivision may license or register bicycles. However, any political subdivision which had such power prior to March 1, 1977, may thereafter require that any or all bicycles used or ridden upon any highway, street, alley, sidewalk or other public property within the boundaries thereof shall be registered. Applications for new registrations required pursuant to this subdivision shall be made to the commissioner in the same manner and subject to the same regulations, fees and penalties as those made voluntarily pursuant to section 3.

Subd. 2. Any political subdivision of the state which licensed or registered bicycles prior to March 1, 1977, may after such date, continue to maintain its licensing or registration records and may require the owner of record as of March 1, 1977, of any bicycle registered

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therewith on or prior to that date to notify the political subdivision when he sells or otherwise transfers ownership of the bicycle.

Sec. 14. Subdivision 1. **SAFETY REGULATION STUDY.** The commissioner, with the cooperation of representatives of regional and local units of government and law enforcement agencies, the state trail council, the Governor's trail advisory committee, the commissioner of highways, highway user groups and associations, and cycling groups and associations shall review and analyze problems relating to the operation of bicycles on the public roads and ways.

As part of this review and analysis the commissioner shall review the Minnesota motor vehicle code to identify provisions which give motorists and bicyclists inadequate guidelines where such traffic conflicts or which may be inconsistent or ambiguous when applied to traffic situations involving special bicycle facilities within or adjacent to public streets and highways.

No later than January 15, 1977 the commissioner shall report the results of this review and analysis and his recommendations for any necessary action to the legislative committees having jurisdiction over the subject.

Subd. 2. **MANDATORY REGISTRATION STUDY.** Before January 15, 1977, the commissioner of public safety shall study and report to the legislature its recommendations for the mandatory registration of all bicycles operated in the state.

Sec. 15. **[160.263] BICYCLE LANES AND WAYS.** Subdivision 1. **DEFINITIONS.** As used in this section, "bicycle lane" means that portion of a roadway set aside by the governing body of a political subdivision having jurisdiction over the roadway for the exclusive use of bicycles or other vehicles propelled by human power and so designated by appropriate signs and markings; and "bicycle way" means any path or sidewalk or portion thereof designated for the use of bicycles or other vehicles propelled by human power by the governing body of a political subdivision.

Subd. 2. **POWERS OF POLITICAL SUBDIVISIONS.** The governing body of any political subdivision may by ordinance:

(a) Designate any roadway or portion thereof under its jurisdiction as a bicycle lane.

(b) Designate any sidewalk or portion thereof under its jurisdiction as a bicycle way provided that the designation does not destroy a pedestrian way or pedestrian access.

Subd. 3. **DESIGNATION OF LANE.** A governing body designating a sidewalk or portion thereof as a bicycle way, or a highway or portion thereof as a bicycle lane under this section may:

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(a) Designate the type and character of vehicles or other modes of travel which may be operated on a bicycle lane or bicycle way, provided that the operation of such vehicle or other mode of travel is not inconsistent with the safe use and enjoyment of the bicycle lane or bicycle way by bicycle traffic.

(b) Establish priority of right of way on the bicycle lane or bicycle way and otherwise regulate the use of the bicycle lane or bicycle way as it deems necessary:

(c) Paint lines or construct curbs or establish other physical separations to exclude the use of the bicycle lane or bicycle way by vehicles other than those specifically permitted to operate thereon.

The designating governing body may, after public hearing, prohibit through traffic on any highway or portion thereof designated as a bicycle lane, except that through traffic may not be prohibited on a trunk highway. The designating governing body shall erect and maintain official signs giving notice of the regulations and priorities established under this subdivision, and shall mark all bicycle lanes and bicycle ways with appropriate signs.

Subd. 4. SPEED ON STREET WITH BICYCLE LANE. Notwithstanding section 169.14, subdivision 5, the governing body of any political subdivision, by resolution or ordinance and without an engineering or traffic investigation, may designate a safe speed for any street or highway under its authority upon which it has established a bicycle lane; provided that such safe speed shall not be lower than 25 miles per hour. The ordinance or resolution designating a safe speed is effective when appropriate signs designating the speed are erected along the street or highway, as provided by the governing body.

Sec. 16. [160.264] REPLACEMENT OF BICYCLE AND PEDESTRIAN WAYS. Whenever an existing bicycle lane, bicycle way, pedestrian way or roadway used by bicycles or pedestrians or the sole access to such is destroyed by any new, reconstructed or relocated federal, state or local highway, the road authority responsible shall replace the destroyed facility or access with a comparable facility or access. Replacement is not required where it would be contrary to public safety or when sparsity of population, other available ways or other factors indicate an absence of need for such facility or access.

Sec. 17. [85.016] STATE BICYCLE TRAIL PROGRAM. The commissioner of natural resources shall develop a program for an interconnecting statewide system of bicycle trails utilizing both the state trails authorized by Minnesota Statutes, Section 85.015, and existing and proposed local bicycle trails. In addition the commissioner shall provide technical assistance to local units of government in planning bicycle trail systems. The state bicycle trail program shall, as a minimum, describe the location, design, construction, maintenance and land acquisition needs of each component trail and shall give due consider-

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ation to the model standards for the establishment of recreational vehicle lanes promulgated by the commissioner of highways pursuant to Minnesota Statutes, Section 160.262. The program shall include a proposal for a system of state aid to localities. The proposal for a system of state aid to localities shall include a provision that the amount of aid apportioned to a locality will depend, in part, upon the numbers of bicycles registered in the locality. The program shall be developed after consultation with the state trail council and regional and local units of government and bicyclists organizations.

Sec. 18. Subdivision 1. There is appropriated to the commissioner of public safety from the general fund \$243,000 to carry out the purposes of sections 1 to 14. This appropriation shall be available until June 30, 1977. The commissioner may exercise all powers necessary and convenient to apply for, accept and disburse federal money for the purposes of this act, and shall seek federal moneys for those purposes when available.

Subd. 2. There is appropriated to the commissioner of natural resources \$100,000 from the general fund to implement the statewide bicycle trail program provided in section 17. This appropriation shall be available until June 30, 1977.

Subd. 3. There is appropriated to the commissioner of highways and transferred to the trunk highway fund the sum of \$150,000 from the general fund to be used exclusively to match available federal money for construction of bicycle lanes and bicycle ways on or adjacent to proposed or existent public highways and local streets. This appropriation is available until June 30, 1977. The political subdivisions in which any lane or way is constructed shall appropriate to the state an amount of money equal to two-thirds of the state share of the construction cost, or in lieu thereof shall provide in kind contributions equal in value to two-thirds of the construction costs. In constructing these bicycle ways and trails the commissioner of highways shall give due consideration to standards for bicycle and recreational vehicle lanes promulgated pursuant to Minnesota Statutes, Section 160.262, and the program established by the commissioner of natural resources pursuant to section 17.

Sec. 19. **EFFECTIVE DATE.** Except as otherwise specifically provided, this act is effective the day following its final enactment.

Approved April 8, 1976.

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