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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4350

02/28/2024 Authored by Petersburg The bill was read for the first time and referred to the Committee on Transportation Finance and Policy

1.1 A bill for an act
1.2 relating to transportation; establishing registration and operation requirements for
1.3 roadable aircraft; establishing criminal penalties; amending Minnesota Statutes
1.4 2022, sections 168.002, subdivision 18; 168.12, subdivision 1; 169.011,
1.5 subdivisions 3a, 44, by adding a subdivision; 360.013, by adding a subdivision;
1.6 360.075, subdivision 1; proposing coding for new law in Minnesota Statutes,
1.7 chapters 168; 169.

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

1.9 Section 1. Minnesota Statutes 2022, section 168.002, subdivision 18, is amended to read:

1.10 Subd. 18. Motor vehicle. (a) "Motor vehicle" means any self-propelled vehicle designed
1.11 and originally manufactured to operate primarily on highways, and not operated exclusively
1.12 upon railroad tracks. It includes any vehicle propelled or drawn by a self-propelled vehicle
1.13 and includes vehicles known as trackless trolleys that are propelled by electric power obtained
1.14 from overhead trolley wires but not operated upon rails.

1.15 (b) "Motor vehicle" includes an all-terrain vehicle only if the all-terrain vehicle (1) has
1.16 at least four wheels, (2) is owned and operated by a physically disabled person, and (3)
1.17 displays both disability plates and a physically disabled certificate issued under section
1.18 169.345.

1.19 (c) "Motor vehicle" does not include an all-terrain vehicle except (1) an all-terrain vehicle
1.20 described in paragraph (b), or (2) an all-terrain vehicle licensed as a motor vehicle before
1.21 August 1, 1985. The owner may continue to license an all-terrain vehicle described in clause
1.22 (2) as a motor vehicle until it is conveyed or otherwise transferred to another owner, is
1.23 destroyed, or fails to comply with the registration and licensing requirements of this chapter.

2.1 (d) "Motor vehicle" does not include a snowmobile; a manufactured home; a park trailer;  
2.2 an electric personal assistive mobility device as defined in section 169.011, subdivision 26;  
2.3 a motorized foot scooter as defined in section 169.011, subdivision 46; or an electric-assisted  
2.4 bicycle as defined in section 169.011, subdivision 27.

2.5 (e) "Motor vehicle" includes an off-highway motorcycle modified to meet the  
2.6 requirements of chapter 169 according to section 84.788, subdivision 12.

2.7 (f) "Motor vehicle" includes a roadable aircraft as defined in section 169.011, subdivision  
2.8 67a.

2.9 Sec. 2. Minnesota Statutes 2022, section 168.12, subdivision 1, is amended to read:

2.10 Subdivision 1. **Plates; design, visibility, periods of issuance.** (a) The commissioner,  
2.11 upon approval and payment, shall issue to the applicant the plates required by this chapter,  
2.12 bearing the state name and an assigned vehicle registration number. The number assigned  
2.13 by the commissioner may be a combination of a letter or sign with figures. The color of the  
2.14 plates and the color of the abbreviation of the state name and the number assigned must be  
2.15 in marked contrast. The plates must be lettered, spaced, or distinguished to suitably indicate  
2.16 the registration of the vehicle according to the rules of the commissioner.

2.17 (b) When a vehicle is registered on the basis of total gross weight, the plates issued must  
2.18 clearly indicate by letters or other suitable insignia the maximum gross weight for which  
2.19 the tax has been paid.

2.20 (c) Plates issued to a noncommercial vehicle must bear the inscription "noncommercial"  
2.21 unless the vehicle is displaying a special plate authorized and issued under this chapter.

2.22 (d) A one-ton pickup truck that is used for commercial purposes and is subject to section  
2.23 168.185, is eligible to display special plates as authorized and issued under this chapter.

2.24 (e) The plates must be so treated as to be at least 100 times brighter than the conventional  
2.25 painted number plates. When properly mounted on an unlighted vehicle, the plates, when  
2.26 viewed from a vehicle equipped with standard headlights, must be visible for a distance of  
2.27 not less than 1,500 feet and readable for a distance of not less than 110 feet.

2.28 (f) The commissioner shall issue plates for the following periods:

2.29 (1) New plates issued pursuant to section 168.012, subdivision 1, must be issued to a  
2.30 vehicle for as long as the vehicle is owned by the exempt agency and the plate shall not be  
2.31 transferable from one vehicle to another but the plate may be transferred with the vehicle  
2.32 from one tax-exempt agency to another.

3.1 (2) Plates issued for passenger automobiles must be issued for a seven-year period. All  
3.2 plates issued under this paragraph must be replaced if they are seven years old or older at  
3.3 the time of registration renewal or will become so during the registration period.

3.4 (3) Plates issued under sections 168.053 and 168.27, subdivisions 16 and 17, must be  
3.5 for a seven-year period.

3.6 (4) Plates issued under subdivisions 2c and 2d and sections 168.123, 168.1235, and  
3.7 168.1255 must be issued for the life of the veteran under section 169.79.

3.8 (5) Plates for any vehicle not specified in clauses (1) to (3) must be issued for the life  
3.9 of the vehicle.

3.10 (g) In a year in which plates are not issued, the commissioner shall issue for each  
3.11 registration a sticker to designate the year of registration. This sticker must show the year  
3.12 or years for which the sticker is issued, and is valid only for that period. The plates and  
3.13 stickers issued for a vehicle may not be transferred to another vehicle during the period for  
3.14 which the sticker is issued, except when issued for a vehicle registered under section 168.187.

3.15 (h) Despite any other provision of this subdivision, plates issued to a vehicle used for  
3.16 behind-the-wheel instruction in a driver education course in a public school may be  
3.17 transferred to another vehicle used for the same purpose without payment of any additional  
3.18 fee. The public school shall notify the commissioner of each transfer of plates under this  
3.19 paragraph. The commissioner may prescribe a format for notification.

3.20 (i) In lieu of plates required under this section, the commissioner must issue registration  
3.21 decals as provided in section 168.24 for roadable aircraft operating on public roadways.

3.22 **Sec. 3. [168.24] ROADABLE AIRCRAFT REGISTRATION.**

3.23 (a) For purposes of this section, "roadable aircraft" has the meaning given in section  
3.24 360.013, subdivision 57c.

3.25 (b) An owner of a roadable aircraft must comply with all rules and requirements of this  
3.26 chapter and chapter 168A governing the titling, registration, taxation, and insurance of  
3.27 motor vehicles.

3.28 (c) A person seeking to register a roadable aircraft for operation as a motor vehicle on  
3.29 public roadways in Minnesota must apply to the commissioner. The application must contain:

3.30 (1) the name and address of the owner of the roadable aircraft;

3.31 (2) the federally issued tail number assigned to the aircraft;

4.1 (3) the make and model of the roadable aircraft; and

4.2 (4) any other information the commissioner may require.

4.3 (d) Upon receipt of a valid and complete application for registration of a roadable aircraft,  
 4.4 the commissioner must issue a certificate of registration. The commissioner must also issue  
 4.5 two decals to the owner of the roadable aircraft for placement on the front and rear of the  
 4.6 roadable aircraft. The decal must contain:

4.7 (1) the state name;

4.8 (2) the make and model of the roadable aircraft; and

4.9 (3) the federally issued tail number assigned to the aircraft.

4.10 (e) The registration decals must be visibly affixed near the front and rear of the roadable  
 4.11 aircraft when in operation on public roadways in Minnesota. The rear decal must not hide,  
 4.12 obscure, or cover up the roadable aircraft's federally issued tail number.

4.13 (f) A valid registration certificate issued under this section must be located inside the  
 4.14 roadable aircraft when the aircraft is in operation on public roadways.

4.15 (g) A roadable aircraft registered as a motor vehicle under this section must also be  
 4.16 registered as an aircraft as provided in section 360.60.

4.17 Sec. 4. Minnesota Statutes 2022, section 169.011, subdivision 3a, is amended to read:

4.18 Subd. 3a. **Autocycle.** (a) "Autocycle" means a motorcycle that:

4.19 (1) has three wheels in contact with the ground;

4.20 (2) is designed with seating that does not require operators or any occupants to straddle  
 4.21 or sit astride it;

4.22 (3) has a steering wheel;

4.23 (4) is equipped with antilock brakes; and

4.24 (5) is originally manufactured to meet federal motor vehicle safety standards for  
 4.25 motorcycles in Code of Federal Regulations, title 49, part 571, and successor requirements.

4.26 (b) An autocycle does not include a roadable aircraft as defined in subdivision 67a.

4.27 Sec. 5. Minnesota Statutes 2022, section 169.011, subdivision 44, is amended to read:

4.28 Subd. 44. **Motorcycle.** "Motorcycle" means every motor vehicle having a seat or saddle  
 4.29 for the use of the rider and designed to travel on not more than three wheels in contact with

5.1 the ground, including motor scooters and autocycles. Motorcycle does not include (1)  
5.2 motorized bicycles as defined in subdivision 45, (2) electric-assisted bicycles as defined in  
5.3 subdivision 27, ~~or~~ (3) a tractor, or (4) roadable aircraft as defined in subdivision 67a.

5.4 Sec. 6. Minnesota Statutes 2022, section 169.011, is amended by adding a subdivision to  
5.5 read:

5.6 Subd. 67a. **Roadable aircraft.** "Roadable aircraft" means any aircraft capable of taking  
5.7 off and landing from a suitable airfield which is also designed to be driven as a conveyance  
5.8 on public roadways as a motor vehicle as defined in subdivision 42.

5.9 Sec. 7. **[169.975] OPERATION OF ROADABLE AIRCRAFT.**

5.10 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have  
5.11 the meanings given.

5.12 (b) "Aircraft" has the meaning given in section 360.013, subdivision 37.

5.13 (c) "Airport" has the meaning given in section 360.013, subdivision 39.

5.14 (d) "Restricted landing area" has the meaning given in section 360.013, subdivision 57.

5.15 Subd. 2. **Operation.** (a) A roadable aircraft is considered a motor vehicle when in  
5.16 operation, including on public roadways, except when the vehicle is (1) at an airport, (2)  
5.17 on a restricted landing area, or (3) in flight. When operating a roadable aircraft as a motor  
5.18 vehicle, an operator must comply with all rules and requirements set forth in this chapter  
5.19 governing the operation of a motor vehicle.

5.20 (b) When in operation at an airport, a restricted landing area, or in flight, a roadable  
5.21 aircraft is considered an aircraft and the operator must comply with all rules and requirements  
5.22 set forth in chapter 360. An owner of a roadable aircraft registered in Minnesota under this  
5.23 chapter must comply with all rules and requirements of this chapter and chapter 360  
5.24 governing the registration, taxation, and insurance of aircraft.

5.25 (c) A roadable aircraft may only take off or land at an approved airport or restricted  
5.26 landing area.

5.27 Subd. 3. **Equipment.** (a) A roadable aircraft must not have extended wings or tail  
5.28 components while in operation on public roadways.

5.29 (b) An operator of a roadable aircraft must not extend, swing, unfurl, open, or expand  
5.30 the wings or tail components of the vehicle for flight while in operation on a public roadway.

6.1 (c) A violation of this subdivision is a misdemeanor. A second or subsequent violation  
6.2 of this subdivision is a gross misdemeanor.

6.3 Sec. 8. Minnesota Statutes 2022, section 360.013, is amended by adding a subdivision to  
6.4 read:

6.5 Subd. 57c. **Roadable aircraft.** "Roadable aircraft" means any aircraft capable of taking  
6.6 off and landing from a suitable airfield which is also designed to be driven on public  
6.7 roadways as a motor vehicle.

6.8 Sec. 9. Minnesota Statutes 2022, section 360.075, subdivision 1, is amended to read:

6.9 Subdivision 1. **Misdemeanor.** Every person who:

6.10 (1) operates an aircraft either on or over land or water in this state without the consent  
6.11 of the owner of such aircraft;

6.12 (2) operates aircraft while in the possession of any federal license, certificate, or permit  
6.13 or any certificate of registration issued by the Transportation Department of this state, or  
6.14 displays, or causes or permits to be displayed, such federal license, certificate, or permit or  
6.15 such state certificate of registration, knowing either to have been canceled, revoked,  
6.16 suspended, or altered;

6.17 (3) lends to, or knowingly permits the use of by, one not entitled thereto of any federal  
6.18 airman's or aircraft license, certificate, or permit, or any state airman's or aircraft certificate  
6.19 of registration issued to that person;

6.20 (4) displays or represents as the person's own any federal airman's or aircraft license,  
6.21 certificate, or permit or any state airman's or aircraft certificate of registration not issued to  
6.22 that person;

6.23 (5) tampers with, climbs upon or into, makes use of, or navigates any aircraft without  
6.24 the knowledge or consent of the owner or person having control thereof, whether while the  
6.25 same is in motion or at rest, or hurls stones or any other missiles at aircraft, or the occupants  
6.26 thereof, or otherwise damages or interferes with the same, or places upon any portion of  
6.27 any airport any object, obstruction, or other device tending to injure aircraft or parts thereof;

6.28 (6) uses a false or fictitious name, gives a false or fictitious address, knowingly makes  
6.29 any false statement or report, or knowingly conceals a material fact, or otherwise commits  
6.30 a fraud in any application or form required under the provisions of sections 360.011 to  
6.31 360.076, or by any rules or orders of the commissioner;

7.1 (7) operates any aircraft in such a manner as to indicate either a willful or a wanton  
7.2 disregard for the safety of persons or property;

7.3 (8) carries on or over land or water in this state in an aircraft other than a public aircraft  
7.4 any explosive substance except as permitted by the Federal Explosives Act, as amended by  
7.5 Public Law 77-775;

7.6 (9) discharges a gun, pistol, or other weapon in or from any aircraft in this state except  
7.7 as the hunting of certain wild animals from aircraft may be permitted by other laws of this  
7.8 state, or unless the person is the pilot or officer in command of the aircraft or a peace officer  
7.9 or a member of the military or naval forces of the United States, engaged in the performance  
7.10 of duty;

7.11 (10) carries in any aircraft, other than a public aircraft, any shotgun, rifle, pistol, or small  
7.12 arms ammunition except in the manner in which such articles may be lawfully carried in  
7.13 motor vehicles in this state, or is a person excepted from the provisions of clause (9);

7.14 (11) engages in acrobatic or stunt flying without being equipped with a parachute and  
7.15 without providing any other occupants of the aircraft with parachutes and requiring that  
7.16 they be worn;

7.17 (12) while in flying over a thickly inhabited area or over a public gathering in this state,  
7.18 engages in trick or acrobatic flying or in any acrobatic feat;

7.19 (13) except while in landing or taking off, flies at such low levels as to endanger persons  
7.20 on the surface beneath, or engages in advertising through the playing of music or transcribed  
7.21 or oral announcements, or makes any noise with any siren, horn, whistle, or other audible  
7.22 device which is not necessary for the normal operation of the aircraft, except that sound  
7.23 amplifying devices may be used in aircraft when operated by or under the authority of any  
7.24 agency of the state or federal government for the purpose of giving warning or instructions  
7.25 to persons on the ground;

7.26 (14) drops any object, except loose water, loose fuel, or loose sand ballast, without the  
7.27 prior written consent of the commissioner of transportation and the prior written consent  
7.28 of the municipality or property owner where objects may land; drops objects from an aircraft  
7.29 that endanger person or property on the ground, or drops leaflets for any purpose whatsoever;  
7.30 ~~or~~

7.31 (15) while in flight in an aircraft, whether as a pilot, passenger, or otherwise, endangers,  
7.32 kills, or attempts to kill any birds or animals or uses any aircraft for the purpose of  
7.33 concentrating, driving, rallying, or stirring up migratory waterfowl; or

- 8.1 (16) while operating a roadable aircraft, takes off or lands the aircraft on a public road
- 8.2 unless under conditions of an emergency;
- 8.3 except as may be permitted by other laws of this state, shall be guilty of a misdemeanor.