

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 1796

01/24/2012 Authored by Hackbarth

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance

1.1 A bill for an act
1.2 relating to natural resources; providing for snowmobile registration by agents;
1.3 modifying snowmobile registration and trail sticker requirements; modifying
1.4 fees; providing for disposition of fees; authorizing rulemaking; amending
1.5 Minnesota Statutes 2010, sections 84.82, subdivisions 2, 3, by adding a
1.6 subdivision; 84.8205, subdivision 1; 84.83, subdivisions 2, 3; 84.86, subdivision
1.7 1.

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

1.9 Section 1. Minnesota Statutes 2010, section 84.82, subdivision 2, is amended to read:

1.10 Subd. 2. **Application, issuance, ~~reports, additional~~ issuing fee.** (a) Application for
1.11 registration or reregistration shall be made to the commissioner ~~or~~ an authorized deputy
1.12 registrar of motor vehicles, or an agent appointed by the commissioner according to
1.13 subdivision 12 in a format prescribed by the commissioner and shall state the legal name
1.14 and address of every owner of the snowmobile.

1.15 (b) A person who purchases a snowmobile from a retail dealer shall make application
1.16 for registration to the dealer at the point of sale. The dealer shall issue a dealer temporary
1.17 21-day registration permit to each purchaser who applies to the dealer for registration.
1.18 The temporary permit must contain the dealer's identification number and phone number.
1.19 Each retail dealer shall submit completed registration and fees ~~to the deputy registrar~~ at
1.20 least once a week. No fee may be charged by a dealer to a purchaser for providing the
1.21 temporary permit.

1.22 (c) Upon receipt of the application and the appropriate fee ~~as hereinafter provided,~~
1.23 the commissioner ~~or~~ deputy registrar, or agent shall issue to the applicant, or provide
1.24 to the dealer, an assigned registration number or a ~~commissioner or deputy registrar~~
1.25 temporary 21-day permit. Once issued, the registration ~~number~~ decal must be affixed to

the snowmobile in a clearly visible and permanent manner for enforcement purposes as the commissioner of natural resources shall prescribe. A dealer subject to paragraph (b) shall provide the registration materials or temporary permit to the purchaser within the temporary 21-day permit period. The registration is not valid unless signed by at least one owner. ~~The temporary permit must indicate whether a snowmobile state trail sticker under section 84.8205 was purchased.~~

(d) Each deputy registrar of motor vehicles acting pursuant to section 168.33, shall also be a deputy registrar of snowmobiles. The commissioner of natural resources in agreement with the commissioner of public safety may prescribe the accounting and procedural requirements necessary to assure efficient handling of registrations and registration fees. Deputy registrars shall strictly comply with these accounting and procedural requirements.

(e) A fee of \$2 in addition to that otherwise prescribed by law shall be charged for:

(1) each snowmobile registered by the registrar or a deputy registrar and the additional fee shall be disposed of in the manner provided in section 168.33, subdivision 2; ~~or~~

(2) each snowmobile registered by the commissioner and the additional fee shall be deposited in the state treasury and credited to the snowmobile trails and enforcement account in the natural resources fund; and

(3) each snowmobile registered by an agent and the additional fee may be retained by the agent.

Sec. 2. Minnesota Statutes 2010, section 84.82, subdivision 3, is amended to read:

Subd. 3. **Fees for registration.** (a) The fee for registration of each snowmobile, other than those used for an agricultural purpose, as defined in section 84.92, subdivision 1c, or those registered by a dealer or manufacturer pursuant to paragraph (b) or (c) shall be as follows: ~~\$45~~ \$75 for three years and ~~\$4~~ \$10 for a duplicate or transfer.

(b) The total registration fee for all snowmobiles owned by a dealer and operated for demonstration or testing purposes shall be \$50 per year.

(c) The total registration fee for all snowmobiles owned by a manufacturer and operated for research, testing, experimentation, or demonstration purposes shall be \$150 per year. Dealer and manufacturer registrations are not transferable.

(d) The onetime fee for registration of an exempt snowmobile under subdivision 6a is \$6.

Sec. 3. Minnesota Statutes 2010, section 84.82, is amended by adding a subdivision to read:

Subd. 12. **Registration agents.** The commissioner may appoint agents to issue snowmobile registrations. The commissioner may revoke the appointment of an agent at any time. The commissioner may adopt additional rules as provided in section 97A.485, subdivision 11. An agent shall observe all rules adopted by the commissioner for accounting and handling of snowmobile registrations pursuant to section 97A.485, subdivision 11. An agent shall promptly deposit and remit all money received from the sale of snowmobile registrations, exclusive of the issuing fee, to the commissioner.

Sec. 4. Minnesota Statutes 2010, section 84.8205, subdivision 1, is amended to read:

Subdivision 1. **Sticker required; fee.** (a) ~~Except as provided in paragraph (b), a person~~ A snowmobile that is not registered in the state or that is registered by a manufacturer or dealer under section 84.82, subdivision 3, paragraph (b) or (c), may not ~~operate a snowmobile~~ be operated on a state or grant-in-aid snowmobile trail unless a snowmobile state trail sticker is affixed to the snowmobile.

(b) The commissioner of natural resources shall issue a sticker upon application and payment of a \$15 fee. The fee for a three-year snowmobile state trail sticker that is purchased at the time of snowmobile registration is \$30 is:

(1) \$35 for a one-year snowmobile state trail sticker purchased by an individual; and

(2) \$15 for a one-year snowmobile state trail sticker purchased by a dealer or manufacturer.

(c) In addition to other penalties prescribed by law, ~~a person~~ an individual in violation of this subdivision must purchase an annual state trail sticker for a fee of ~~\$30~~ \$70. The sticker is valid from November 1 through June 30. Fees collected under this section, except for the issuing fee for licensing agents, shall be deposited in the state treasury and credited to the snowmobile trails and enforcement account in the natural resources fund and, except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, must be used for grants-in-aid, trail maintenance, grooming, and easement acquisition.

~~(b)~~ (d) A state trail sticker is not required under this section for:

(1) ~~a snowmobile owned by the state or a political subdivision of the state that is registered under section 84.82, subdivision 5;~~

~~(2)~~ a snowmobile that is owned and used by the United States, an Indian tribal government, another state, or a political subdivision thereof that is exempt from registration under section 84.82, subdivision 6;

4.1 ~~(3)~~ (2) a collector snowmobile that is operated as provided in a special permit issued
4.2 for the collector snowmobile under section 84.82, subdivision 7a;

4.3 ~~(4)~~ (3) a person operating a snowmobile only on the portion of a trail that is owned
4.4 by the person or the person's spouse, child, or parent; or

4.5 ~~(5)~~ (4) a snowmobile while being used to groom a state or grant-in-aid trail.

4.6 ~~(c) A temporary registration permit issued by a dealer under section 84.82,~~
4.7 ~~subdivision 2, may include a snowmobile state trail sticker if the trail sticker fee is~~
4.8 ~~included with the registration application fee.~~

4.9 Sec. 5. Minnesota Statutes 2010, section 84.83, subdivision 2, is amended to read:

4.10 Subd. 2. **Money deposited in the account.** Fees from the registration of
4.11 snowmobiles and from the issuance of snowmobile state trail stickers and the unrefunded
4.12 gasoline tax attributable to snowmobile use pursuant to section 296A.18 shall be deposited
4.13 in the state treasury and credited to the snowmobile trails and enforcement account.

4.14 Sec. 6. Minnesota Statutes 2010, section 84.83, subdivision 3, is amended to read:

4.15 Subd. 3. **Purposes for the account; allocation.** (a) The money deposited in the
4.16 account and interest earned on that money may be expended only as appropriated by
4.17 law for the following purposes:

4.18 (1) for a grant-in-aid program to counties and municipalities for construction and
4.19 maintenance of snowmobile trails, including maintenance of trails on lands and waters of
4.20 Voyageurs National Park; on Lake of the Woods; on Rainy Lake; on the following lakes in
4.21 St. Louis County: Burntside, Crane, Little Long, Mud, Pelican, Shagawa, and Vermilion;
4.22 and on the following lakes in Cook County: Devil Track and Hungry Jack;

4.23 (2) for acquisition, development, and maintenance of state recreational snowmobile
4.24 trails;

4.25 (3) for snowmobile safety programs; and

4.26 (4) for the administration and enforcement of sections 84.81 to 84.91 and
4.27 appropriated grants to local law enforcement agencies.

4.28 (b) No less than percent of revenue collected from snowmobile registration
4.29 and snowmobile state trail sticker fees must be expended for grants-in-aid to develop,
4.30 maintain, and groom trails and acquire easements.

4.31 Sec. 7. Minnesota Statutes 2010, section 84.86, subdivision 1, is amended to read:

4.32 Subdivision 1. **Required rules.** With a view of achieving maximum use of
4.33 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~~ decals.

(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.

(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 expenses of training and certifying snowmobile operators, the commissioner shall collect a fee from each person who receives the youth or adult training. The commissioner shall collect a fee, to include a \$1 issuing fee for licensing agents, for issuing a duplicate snowmobile 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. The fees, except for the issuing fee for licensing agents under this subdivision, shall be deposited in the snowmobile trails and enforcement 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 such 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. 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. 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 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. 8. **TRANSITION.**

An individual who, on the effective date of this act, possesses an unexpired snowmobile registration that was issued before the effective date of this act and who was required to display a valid snowmobile state trail sticker before the effective date of this act must continue to display a valid snowmobile state trail sticker according to Minnesota Statutes 2010, section 84.8205, until such time as the snowmobile registration is renewed under the terms of this act.

Sec. 9. **CONFORMING RULEMAKING.**

The commissioner of natural resources may use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to amend Minnesota Rules, chapter 6100, to conform to sections 1 to 8. Minnesota Statutes, section 14.386, does not apply to rulemaking under this section, except as provided in Minnesota Statutes, section 14.388.