

CHAPTER 6100

DEPARTMENT OF NATURAL RESOURCES

PARKS, TRAILS, AND SNOWMOBILES

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PARKS AND TRAILS; PUBLIC USE OF STATE PARKS AND OTHER RECREATIONAL AREAS

6100.0100 STATUTORY AUTHORITY.

Parts 6100.0100 to 6100.2400 are authorized by Minnesota Statutes, sections 84.03, 85.052, 89.031, 89.19, and 89.21.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497; 18 SR 1145*

6100.0200 PURPOSE.

The purpose of parts 6100.0100 to 6100.2400 is to provide for public enjoyment of the same in a way that will leave them unimpaired and minimize conflicts among users.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497*

6100.0300 SCOPE.

Parts 6100.0100 to 6100.2400 apply to state parks, recreational areas, historic sites, waysides, forest campgrounds, and forest day use areas under the control of or operated by the commissioner of natural resources.

Parts 6100.1910, 6100.1920, and 6100.2000 also apply to state forest lands in the Richard J. Dorer Memorial Hardwood State Forest which are under the control of, or operated by, the commissioner of natural resources.

Parts 6100.1905, 6100.1930, and 6100.2400 apply to all forest lands under the authority of the commissioner of natural resources as defined in Minnesota Statutes, section 89.001, subdivision 13.

Parts 6100.0100 to 6100.2400 shall not apply to a person lawfully engaged in the performance of the person's duties in the management and administration of these areas including, but not limited to, the commissioner of natural resources, the commissioner's agents, employees, those persons operating under contract with the Department of Natural Resources, and law enforcement officers.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497; 18 SR 1145*

6100.0400 PENALTY.

A person who violates any of parts 6100.0100 to 6100.2400 is guilty of a misdemeanor and subject to immediate removal from the park, forest campground, forest day use area, the Richard J. Dorer Memorial Hardwood State Forest, or other forest lands under the authority of the commissioner of natural resources and to appropriate legal action.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497; 18 SR 1145*

6100.0500 DEFINITIONS.

Subpart 1. **Scope.** For the purpose of parts 6100.0100 to 6100.2400, unless a different meaning is manifest from the context, the terms defined in this part have the meanings given them.

Subp. 2. **Beach.** "Beach" means that part of a body of water and shore designated for swimming and sunning.

Subp. 3. **Commissioner.** "Commissioner" means the commissioner of natural resources, state of Minnesota, acting directly or through authorized agents.

Subp. 3a. **Disabled person.** "Disabled person" means a person who is unable to walk with or without crutches, braces, or other mechanical support.

Subp. 4. **Forest campground.** "Forest campground" means those areas developed and maintained by the commissioner on state lands administered by the Division of Forestry for camping and related recreational activities.

Subp. 5. **Forest day use area.** "Forest day use area" means a designated area to be used for daytime activities such as picnic areas, swimming beaches, boat accesses, and the like.

Subp. 5a. **Forest lands under the authority of the commissioner.** "Forest lands under the authority of the commissioner" has the meaning defined in Minnesota Statutes, section 89.001, subdivision 13.

Subp. 5b. **Forest officer.** "Forest officer" means a certified Department of Natural Resources, Division of Forestry employee authorized by Minnesota Statutes and commissioner's operational orders to enforce rules; and, for the purposes of parts 6100.0100 to 6100.2400, Minnesota state conservation officers.

Subp. 5c. **Richard J. Dorer Memorial Hardwood State Forest.** "Richard J. Dorer Memorial Hardwood State Forest" means all posted state forest lands over which the commissioner of natural resources has regulatory authority within the boundaries of the state forest as defined in Minnesota Statutes, section 89.021, subdivision 33.

Subp. 5d. **Highway.** "Highway" means roads or highways as defined in Minnesota Statutes, section 160.02.

Subp. 6. **Intoxicating liquor.** "Intoxicating liquor" means intoxicating liquor as defined in Minnesota Statutes, section 340A.101.

Subp. 7. **Motor vehicle.** "Motor vehicle" means any self-propelled vehicle including, but not limited to, automobiles, trucks, dune buggies, minibikes, motorcycles, trail bikes, and all terrain vehicles (ATV's), but not including snowmobiles.

Subp. 7a. **Park manager.** "Park manager" means all managers of state parks acting directly or through authorized employees.

Subp. 7b. **Park officer.** "Park officer" means all certified Department of Natural Resources, Division of Parks and Recreation peace officers authorized by Minnesota Statutes and commissioner's operational orders; and, for the purposes of parts 6100.0100 to 6100.2400, Minnesota state conservation officers.

Subp. 7c. **Recreational motor vehicle.** "Recreational motor vehicle" means a self-propelled vehicle or a vehicle propelled or drawn by a self-propelled vehicle used for recreational purposes, including, but not limited to, snowmobile, trail bike, or other all-terrain vehicle, hovercraft, or motor vehicle licensed for highway operation, which is being used for off-road recreational purposes.

Subp. 8. **Person.** "Person" means any individual, partnership, corporation, or association.

Subp. 9. **Shelter.** "Shelter" means equipment used to sleep in or on, excluding sleeping bags. Examples are tents, trailers, pickup campers, buses, station wagons, motor homes, and boats.

Subp. 10. **Snowmobile.** "Snowmobile" means any self-propelled vehicle designed for travel on snow or ice and steered by skis or runners.

Subp. 10a. **Special event.** "Special event" means an event that is held on forest lands under the authority of the commissioner where an activity is occurring that is not normally allowed in the forest or where an event will attract large numbers of people that could disrupt normal use of the forest. Special events include, but are not limited to, motorcycle enduros, snowmobile races, orienteering trials, group camp outs that do not occur at designated group camps, dog sled races, sports car rallies, and dog trials.

Subp. 11. **State park.** "State park" means all of those areas over which the commissioner of natural resources has regulatory authority within the confines of any legislatively designated state park, state recreation area, state wayside, or state historic site.

Subp. 12. **Watercraft.** "Watercraft" means any contrivance used or designed for navigation on water other than duck boats during the duck hunting season, rice boats during the harvest season, or seaplanes.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *L 1985 c 305 art 3 s 1; 14 SR 2497; 17 SR 1279; 18 SR 1145*

6100.0600 HOURS AND DAYS OF OPERATION.

Subpart 1. **State parks.** State parks will be open each day of the year from 8:00 a.m. to 10:00 p.m., except trails otherwise posted, and except during emergencies.

After 10:00 p.m. and until 8:00 a.m. the next day, no person shall enter or remain in a state park unless as a registered overnight guest, except that during these hours, park managers may, at their discretion, allow entrance for direct access to specific locations within the park so that guests may engage in specific approved activities. Between the hours of 10:00 p.m. and 8:00 a.m., motor vehicle travel by registered overnight guests shall be restricted to entering their registered place of lodging, or exiting their lodging area for specific locations, as above, or to leave the park.

Subp. 2. **Forest campgrounds and forest day use areas.** Forest campgrounds and forest day use areas will be open each day of the year unless otherwise posted.

In campgrounds where fees are charged, fees will be collected as long as the facility is being maintained.

After 10:00 p.m. and until 8:00 a.m. the next day, no person shall enter or remain in a state forest campground unless as a member of a registered camping party.

Forest day use areas will be open from 6:00 a.m. to 10:00 p.m.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497*

6100.0700 PERSONAL CONDUCT AND PROHIBITIONS.

A person's conduct shall be as prescribed in Minnesota Statutes, section 609.72.

Without prior permission from the park manager or forest officer, no person shall make noise tending reasonably to arouse alarm or resentment of others by means of a public address system, radio, stereo, amplifier, or power equipment, or by any other means.

It is unlawful for any person in a state park, state forest campground, or state forest day use area to consume intoxicating liquors, or to display in public intoxicating liquor containers. Possession of 3.2 beer in a keg is unlawful without written permission of the park manager or forest officer.

No person shall engage in brawling or fighting, or use offensive, obscene, or abusive language, or engage in boisterous and noisy conduct tending reasonably to arouse alarm, anger, or resentment in others.

A person's possession and use of drugs shall be in accordance with state laws.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497; 16 SR 197*

6100.0800 PUBLIC SAFETY; HUNTING; FIREARMS; WEAPONS.

Subpart 1. **Restrictions.** While in a state park, or while within 200 feet of a shelter or motor vehicle in a forest campground, or forest day use area except as provided in subpart 3 or by special permit from the commissioner, it is unlawful for any person to:

- A. possess explosives of any kind;
- B. possess a firearm, including an air gun, unless the firearm is unloaded both in barrel and magazine and completely contained in a gun case expressly made for that purpose, which is fully enclosed by being zipped, snapped, buckled, tied, or otherwise fastened, or unless unloaded and contained in the trunk of a car with the trunk door closed;
- C. possess a bow and arrows, unless either unstrung or completely contained in a case or contained in the trunk of a car with the trunk door closed;
- D. use or display any other type of weapon including but not limited to slingshots, switchblade knives, traps, and spears; and
- E. hunt, trap, or in any manner take wild animals except as authorized by the commissioner.

Subp. 2. **Waiver of restrictions.** When hunting, trapping, or taking wild animals is authorized in a state park, the restrictions in subpart 1 on firearms, bows and arrows, and traps are waived to the extent necessary to allow the authorized activity. However, it is unlawful at any time to construct, occupy, or use any elevated scaffold or other elevated device for the purpose of hunting, watching for, or killing big game, except that portable tree stands may be used for this purpose provided they are removed each day at the close of hunting hours and do no permanent damage to trees in which they are placed.

Subp. 3. **Exception.** During the official open seasons for hunting, a person may carry an unloaded, uncased firearm or bow and arrows from a forest campground or day use area to engage in hunting outside of the state forest campground or forest day use area.

Subp. 4. **Restriction on pursuit of wildlife.** It is unlawful while hunting to pursue wildlife into a state park or to chase wildlife out of a state park without permission of a park officer.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497*

6100.0900 ENVIRONMENTAL PROTECTION.

Subpart 1. **Generally.** The environment is for the enjoyment of all. No person shall disturb, destroy, injure, damage, deface, molest, or remove any state property, including, but not limited to, wildflowers or vegetation of any kind dead or alive, ruins, wild animals; geological formations, historical or archaeological artifacts or sites; historic structures; signs, or facilities, except edible fruit, mushrooms, and wild animals legally taken, and vegetation unavoidably damaged or destroyed by the ordinary uses of these areas as specifically permitted by parts 6100.0100 to 6100.2400. Collections for scientific and educational purposes may be made only with the written permission of the commissioner. It is unlawful to damage vegetation or damage and deface rock formations with rock-climbing equipment.

Subp. 2. **State parks.** Within a state park, any collecting, harvesting, or taking of any tangible object for resale or commercial use is prohibited, except by written permission of the commissioner.

Collection of firewood in state parks, except where expressly permitted, is prohibited.

Within posted restrictions, rock specimens and fossils may be collected at Hill Annex Mine State Park for noncommercial use.

Harvesting wild rice on bodies of water totally enclosed within a state park boundary is prohibited except by written permission of the commissioner.

Collecting watercress and ginseng or possessing such plants in a fresh state in state parks is prohibited.

Except for scientific research conducted under special permit from the commissioner and with a state archaeological license, the use of metal detectors in state parks is permitted only for locating specifically identified items of lost personal property. Metal detectors may not be used in any instances without prior written permission from the park manager and under the supervision of the park manager.

Subp. 3. **State forest campgrounds and forest day use areas.** Within state forest campgrounds and forest day use areas, wood that is dead and lying on the ground may be used to build fires, as long as it is used within the area and not removed.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497*

6100.1000 FIRES AND REFUSE.

Subpart 1. **Prohibition and permitted uses.** It is unlawful to build or maintain a fire except in a fireplace or a fire ring provided for that purpose. However, portable gas- or liquid-fueled camp stoves or charcoal burners may be used within a camping or day use area if such use does not create a hazard or danger to the area or to others. It is unlawful to disobey a park officer or forest officer when ordered to extinguish a fire in any location at any time.

Subp. 2. **Fire bans.** The commissioner may limit or ban fires by declaring that a forest fire emergency exists. The declaration will be posted conspicuously at the entrance of the area affected.

Subp. 3. **Firewood.** If firewood is provided at no charge, the removal of the firewood from the state park, state forest campground, or forest day use area is prohibited.

Subp. 4. **Refuse.** It is unlawful to place refuse anywhere except in receptacles provided. If no receptacle is available, the refuse shall be removed from the state park, forest campground, or forest day use area. It is unlawful to place refuse generated outside the state park, forest campground, or forest day use area into the receptacles.

Subp. 5. **Littering.** Minnesota Statutes, sections 85.20, subdivision 6, and 609.68, forbidding littering, are incorporated in this part by reference.

Subp. 6. **Hot coal disposal.** The disposal of hot coals or ashes anywhere within state parks, except in special containers for that purpose or other sites approved by the park manager, is prohibited.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497*

6100.1100 PETS.

Although pets are permitted, no person shall allow any dog, cat, or other pet animal except hearing or seeing eye dogs, to enter any building or beach; or permit any dog, cat, or other pet animal to be unrestrained. Pet animals shall be personally attended at all times and shall be effectively restrained by a portable enclosure or by a leash not exceeding six feet in length, and the animals shall not disrupt other persons or deprive them from using any area.

Pet waste deposited in mowed or maintained areas must be immediately cleaned up by the pet owner or caretaker and deposited in an appropriate waste container. Horse waste must be removed, by the owner or custodian, from all areas except designated horse trails.

Pets and horses are prohibited on ski trails during the winter skiing season.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497*

6100.1200 PARKS, TRAILS, AND SNOWMOBILES

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6100.1200 PICNICKING.

Picnicking is permitted only in areas designated for picnicking. No person or group of persons shall unreasonably exclude others from a picnic area or shelter, except when the shelter has been reserved with consent of the park manager or forest officer.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497*

6100.1300 CAMPING AREAS.

Subpart 1. **State parks.** The following camping restrictions apply in state parks:

A. A campsite's occupancy is limited to:

- (1) one camping group of six people or less using;
- (2) one camping shelter;
- (3) one vehicle; and
- (4) additional shelters, persons, or vehicles only with prior approval of the

park manager.

B. Camping is permitted only at assigned sites in designated camping areas or in watercraft within the restrictions described in item A.

C. A person, other than a campground host, may not camp in the same state park for more than 14 days in succession, provided, however, that the park manager may allow camping for additional days when use conditions warrant.

D. Each camping party must register. Registration must be in person and is as follows:

(1) A responsible person of a camping party shall register for the group, giving the number in the group. Names of all persons in the party are required when requested by the park manager.

(2) The rental period must begin with the day of registration, and all fees must be paid in full at the time of registration. The registration may be canceled if the site is not personally occupied the first night. The park manager may, upon order, remove or have removed any camping equipment placed on a campsite by an unregistered party, or any equipment on a site which has been forfeited by failure to occupy the site on the first night of registration.

(3) Camping permits shall expire at 4:00 p.m. On departure, the campsite shall be left in a neat and clean condition.

(4) Campers occupying a campsite must reregister by 11:00 a.m. to hold the campsite for that night.

E. Power units including those used to generate electricity for camping units, shall not be operated between the hours of 10:00 p.m. and 8:00 a.m., nor at other hours of the day if such operation causes a disturbance for other visitors.

Subp. 2. **Forest campgrounds and forest day use areas.**

A. A camping fee per campsite per night shall be collected in certain forest campgrounds. The determination of camping fees shall be based upon the nature and cost of facilities provided. Campers must pay the camping fee immediately upon occupying a campsite.

B. Camping outside of designated campsites is prohibited.

C. Each camping party must register in fee camping areas. A responsible person of a camping party shall register for the group giving the number in the party.

D. Camping shall be limited to a total period of 14 days in any one forest campground during the period from the first Saturday in May through the second Sunday in September, provided, however, that camping for longer periods may be allowed at the discretion of the forest officer of any forest campground when conditions or nonuse so warrant.

E. At all fee camping areas the campsite must be occupied by a member of the party on the first night of the permit.

F. Camping permits in fee campgrounds shall expire at 4:00 p.m.

G. Setting up camp between the hours of 10:00 p.m. and 8:00 a.m. is prohibited.

H. Any group desiring to occupy more than six campsites must obtain prior approval from the forest officer.

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I. Only one individual or group shall occupy a single campsite. A group cannot exceed eight people unless camping at a posted designated group camping site. Additional fees will be charged for the use of these sites.

J. A maximum of two motor vehicles per campsite is permitted except that no more than one motor vehicle may be a motorized camper.

K. The maximum number of camping shelters permitted per campsite is two, however, no more than one of the camping shelters may be a camping trailer or motorized camper. More than two shelters are permitted at posted designated group sites.

L. Disposal of liquid waste from a camping trailer or motorized camper must be in accordance with chapter 4630.

M. Moving or removing picnic tables, fire-rings, or other facilities from a campsite, day use area, or the campground is prohibited.

Subp. 3. **Other prohibitions.** It is unlawful for a person to install or affix in a permanent manner any camping facility, equipment, or structure.

The placement of tent stakes or anchors in the ground for the erection of tents is permitted. Digging or excavating is prohibited.

A watercraft used for shelter or sleeping which is tied on water frontage of a state park, state forest campground, or forest day use area, or is anchored in waters which are completely within the boundary of a state park, constitutes camping and is subject to parts 6100.0100 to 6100.2400.

In camping areas, the hours between 10:00 p.m. and 8:00 a.m. are designated quiet hours and it is unlawful to make noise at a level above that of a quiet conversation.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497*

6100.1400 BOATING.

Boating conforming to Minnesota laws and rules is permitted on waters within or adjacent to state parks, forest campgrounds, and forest day use areas except that:

A. no one shall operate a boat, watercraft, or motor on any body of water or portion of any body of water specifically posted prohibiting that use;

B. no one shall moor a boat on any beach or area specifically posted prohibiting that use; and

C. on any lake entirely within a state park, no person shall water-ski or operate a motorized watercraft in excess of ten miles per hour, unless the lake is otherwise designated and posted.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497*

6100.1500 FISHING.

Fishing for fish only, is permitted when conforming to Minnesota laws and rules in the waters within and adjacent to state parks, forest campgrounds, and forest day use areas. When spear fishing or bow and arrow fishing is permitted, the restriction on spears or bows and arrows is waived to the extent necessary to allow the activity.

If a fish-cleaning facility is provided, no person shall clean fish and dispose of the remains except at that facility. In state parks, where a fish cleaning facility is not provided, fish cleaning shall take place only in areas or sites approved by the park manager.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497*

6100.1600 SWIMMING IN STATE PARKS.

Activities in and upon the beaches and swimming areas shall be under the direction of the lifeguard, if one is present.

It is unlawful to swim in or enter any body of water or area where prohibited.

It is unlawful in any area where swimming is not prohibited, including designated beaches, to:

- A. allow any dog or other pet to enter the water with swimmers;
- B. while in the water, use air mattresses, inner tubes, and other flotation devices not approved by the Coast Guard, except when an area is specifically designated for that use;
- C. enter the water before sunrise or after sunset;
- D. engage in any activity which is hazardous and could cause injury to others; or
- E. use any soap, detergent, or shampoo.

In addition to items A to E, it is unlawful on designated beaches to possess glass containers; enter with any boat, canoe, or raft; fish; or change clothes except in a facility designated for that use, where a facility is provided.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497*

6100.1610 SWIMMING AT STATE FOREST CAMPGROUNDS OR STATE FOREST DAY USE AREAS.

It is unlawful to swim in or enter any area where posted to prohibit entry. It is unlawful in any area where swimming is permitted, including designated beaches, to:

- A. allow any dog or other pet to enter the water with swimmers;
- B. enter the water before sunrise or after sunset;
- C. engage in any activity which is hazardous and could cause injury to others; or
- D. use any soap, detergent, or shampoo.

In addition to items A to D, it is unlawful to possess glass containers; to enter with any boat, canoe, or raft; fish; or change clothes except in a facility designated for that use, where a facility is provided.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *16 SR 197*

6100.1700 STATE PARK MOTOR VEHICLE PERMITS.

Vehicles entering state parks shall be in accordance with motor vehicle permit requirements as stated in Minnesota Statutes, section 85.053, subdivision 2.

The permit shall be completely affixed by its own adhesive to the lower right-hand corner of the windshield, and may not be transferred to another vehicle.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497*

6100.1710 GROUP DAILY VEHICLE PERMITS.

State park managers have authority to issue special group daily vehicle permits to groups consisting of ten vehicles or more at a rate of \$1.50 per vehicle. The permit will be issued by the park manager for one day of use between 8:00 a.m. and 10:00 p.m. The group daily vehicle permit will only be sold for days when the park manager determines that use in the particular park is normally minimal, such as weekdays, weekends in some parks, or off-season weekends.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497*

6100.1800 MOTOR VEHICLE USE; STORAGE, AND ABANDONMENT OF BOATS, TRAILERS, FISH HOUSES, AND OTHER EQUIPMENT.

Subpart 1. Licensed vehicles. Only motor vehicles which are licensed and which may be driven on Minnesota highways may be operated within state parks, forest campgrounds, and forest day use areas. The operator must have a valid driver's license.

Subp. 2. Designated roads. The motor vehicle may be operated only on designated roads and parking areas, and shall be properly parked in designated parking areas or parking spurs only. It may not be driven on roads which are posted, chained, or gated prohibiting motor vehicles. Parking in any area not designated as a parking area is prohibited and subjects the vehicle to being towed at the owner's expense.

Subp. 3. Speed limit; recklessness. The motor vehicle shall not be operated in excess of posted speeds or in a reckless, careless, or exhibitiv manner. No person shall operate any vehicle in such a manner as to create unnecessary engine noise, tire squeals, skidding, or sliding.

Minnesota Statutes, chapter 169, governing motor vehicle use on public roads is incorporated by reference to apply to all roads within state parks.

Subp. 4. Storage and abandonment.

A. No person shall leave standing, whether attended or unattended, a motor vehicle, trailer, boat, fish house, or any other equipment or material in any manner so as to block, obstruct, or limit the use of any road, trail, waterway, water access, parking area, or winter sport facility.

B. No vehicle, trailer, boat, fish house, or any other equipment or material may be stored, abandoned, or parked overnight. This does not apply, however, to overnight parking for the appropriate use of campsites or to fish houses on lakes where overnight use is permitted, or to the temporary storage of such items by a person who remains in the immediate vicinity during normal operating hours. In state parks, for certain approved activities, overnight parking or storage of equipment by persons not remaining in the immediate vicinity may be allowed with prior approval of the park manager. In state forest campgrounds and forest day use areas, overnight parking is permitted in designated parking lots.

C. Any vehicle, trailer, boat, or any other equipment or material except fish houses located on the ice surface of a body of water, left for a period longer than 30 days shall be deemed abandoned and shall be transferred to the custody of the commissioner of administration for disposal pursuant to Minnesota Statutes, section 16B.25.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497*

6100.1900 SNOWMOBILES IN STATE PARKS.

No person shall operate a snowmobile in a state park unless on trails and areas posted and designated for such use, under conditions of snow cover considered adequate for protection of the park by the park manager.

Within state parks no snowmobile shall be operated before 8:00 a.m. or after 10:00 p.m., except as otherwise posted.

Statutory Authority: *MS s 84.03; 89.031; 89.21*

6100.1905 RECREATIONAL MOTOR VEHICLES; FOREST LANDS UNDER AUTHORITY OF COMMISSIONER.

Subpart 1. Required equipment. A recreational motor vehicle may not be driven on forest lands, roads, or trails under the authority of the commissioner which are open to recreational motor vehicle use, unless equipped with:

A. When operating during the hours of darkness, at least one headlamp having a minimum candle power of sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead under normal atmospheric conditions. The headlamp must be so aimed that glaring rays are not projected into the eyes of oncoming vehicle operators.

B. When operated during the hours of darkness, at least one red tail lamp having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear under normal atmospheric conditions.

C. Brakes adequate to control the movement of, and to stop, and to hold the vehicle under normal operating conditions.

D. A throttle so designed that when pressure used to advance the throttle is removed, the engine will immediately and automatically return to idle.

Subp. 2. Sled, trailer, or device towed by recreational motor vehicle. A sled, trailer, or other device being towed by a recreational motor vehicle during the hours of darkness under normal atmospheric conditions must be equipped as follows:

A. Unobstructed and visible reflector material of at least 16 square inches must be mounted on each side and at the rear of the sled, trailer, or other device.

B. The reflector material required must have at least the minimum intensity values prescribed in Table II of Federal Specifications, L-S-300C, dated March 29, 1979, or must be in accordance with Reflex Reflectors, Society of Automotive Engineers, SAE J 594E, which are incorporated by reference, are not subject to frequent change, and are universally available. The manufacturer's trade name, or other decorative material, if meeting minimum reflective standards, may be included in computing the required 16 square inch area.

Subp. 3. **Mufflers.** A person may not operate a recreational motor vehicle on forest lands under the authority of the commissioner unless it is equipped with a functioning spark arrester type muffler as required by Minnesota Statutes, section 88.21, subdivision 4, or equipped with a United States Forest Service approved spark arrester or combination thereof.

A person shall not operate a recreational motor vehicle on forest lands under the authority of the commissioner unless it is so equipped that overall noise emission does not exceed a sound level limitation of not more than 99 decibels on the A scale from a distance of 20 inches using test procedures and instrumentation as set forth in the Society of Automotive Engineers' Standard, SAE J 1287, June, 1988.

Statutory Authority: *MS s 84.03; 85.052; 89.031; 89.19; 89.21*

History: *18 SR 1145*

6100.1910 SNOWMOBILES AND RECREATIONAL MOTOR VEHICLES IN STATE FOREST CAMPGROUNDS AND FOREST DAY USE AREAS.

No person shall operate a snowmobile or recreational motor vehicle in any state forest campground or forest day use area unless on a trail or road posted and designated for that use.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497*

6100.1920 SNOWMOBILES AND RECREATIONAL MOTOR VEHICLES; RICHARD J. DORER MEMORIAL HARDWOOD STATE FOREST.

No person shall operate a snowmobile or recreational motor vehicle on state forest lands within the Richard J. Dorer Memorial Hardwood State Forest unless on trails, roads, and areas posted and designated for such use.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497*

6100.1930 USE OF FOREST LANDS UNDER AUTHORITY OF COMMISSIONER.

Subpart 1. **Traffic control.** In order to control traffic on forest lands under the authority of the commissioner, recreational motor vehicle operators must comply with the following:

- A. trail and road signs must be obeyed;
- B. one-way trails or roads must be traveled in the direction indicated;
- C. when on a trail treadway or road, all trail or road users must stay on the right half of the treadway or road when meeting or being passed by another user;
- D. when passing another trail or road user traveling in the same direction, all users must pass on the left half of the trail treadway or road and may only pass when the left half is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit overtaking and passing to be completely made without interfering with the safety of any trail or road user;
- E. a trail or road user about to enter onto or cross a trail treadway or road shall yield the right-of-way to any users already on the treadway or road to be entered or crossed;
- F. when two trail or road users are about to enter an otherwise unmarked intersection from different treadways at approximately the same time, or are approaching an otherwise unmarked merger of two treadways or roads from any two directions at approximately the same time, the user on the right shall have the right-of-way; and
- G. recreational motor vehicles must yield to nonmotorized trail users on a trail treadway and shall shut off their machines when meeting a horse, until the horse has passed or they have been waved on by the rider or driver of the horse.

Subp. 2. **Operation of recreational motor vehicles.** It is unlawful on forest lands under the authority of the commissioner, trails or roads which are open for use, for any person to drive or operate a recreational motor vehicle in any of the following ways:

A. At a speed greater than is reasonable or proper under all of the surrounding circumstances or greater than the posted speed limit. Where necessary, the commissioner of natural resources may establish and post at reasonable intervals, a reasonable and safe maximum speed limit for the operation of recreational motor vehicles along a specific road or trail or on other forest lands under the authority of the commissioner. The speed limit will be effective when signs are erected and any operation of a recreational motor vehicle within the posted portion of road, trail, or land in excess of the posted speed limit is unlawful.

This speed limit may be waived in writing by the commissioner of natural resources for special events held on forest lands under the authority of the commissioner.

B. Without a lighted headlamp and tail lamp when operated at night or during reduced visibility.

C. In a manner that destroys, kills, or harasses wildlife.

D. In a manner that destroys state property.

E. Persons under 18 years of age shall not ride or operate an ATV or off-road motorcycle on forest lands under the authority of the commissioner unless wearing a safety helmet approved by the commissioner of public safety.

F. For a recreational motor vehicle operator after having received a visual or audible signal from a peace officer or law enforcement officer to come to a stop, to:

(1) operate a recreational motor vehicle in willful or wanton disregard to the signal to stop;

(2) interfere with or endanger the law enforcement officer or any other person or vehicle; or

(3) increase speed or attempt to flee or elude the officer.

G. In a tree nursery or area regenerating to trees, whether planted or natural, in a manner that damages or destroys the trees.

Subp. 3. **Special events.** A special event may not be held on forest lands under the authority of the commissioner except with a written permit from the commissioner obtained prior to the event.

The commissioner may charge the sponsor or permittee of a special event a fee for use of the land, and may require security such as a bond or cashier's check to ensure that appropriate cleanup measures, the removal of signs, repair of damage, and other actions are completed.

Subp. 4. **Operating under the influence of alcohol or a controlled or hazardous substance.** A person may not operate or be in control of a recreational motor vehicle on forest lands under the authority of the commissioner while under the influence of alcohol or a controlled or hazardous substance. Arrest and testing procedures will be as defined in Minnesota Statutes, sections 84.91 to 84.911.

Statutory Authority: *MS s 84.03; 85.052; 89.031; 89.19; 89.21*

History: *18 SR 1145*

6100.2000 NONMOTORIZED USE.

Subpart 1. **On foot, ski, or snowshoe.** People on foot, ski, or snowshoe may go anywhere that is not posted otherwise, or is not further limited by stipulations in subparts 2 to 6.

Subp. 2. **Horses.** No person shall ride, lead, or have a horse except upon trails and areas designated for use by horses. Horses are prohibited from using state forest campgrounds unless the area has been specifically designated for use by horses or a special use permit from a forest officer has been obtained.

Subp. 3. **Bicycles.** People riding bicycles may travel only on designated bike trails, or where motor vehicles are allowed except in areas posted to prohibit such use.

Subp. 4. **Restricted sensitive areas.** Hikers, skiers, and snowshoers shall not knowingly enter deer yards or other sensitive restricted areas.

Subp. 5. **Ski trails.** On groomed and tracked ski trails, activities which tend to damage the track or interfere with and disrupt use by skiers are prohibited.

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Subp. 6. **Dogsledding.** Dogsledding is permitted in state parks only on trails designated for such use; or as approved by the park manager. Any other dogsledding use is prohibited.

No person in a state park, forest campground, or forest day use area, shall bicycle, ski, or ride a horse in a reckless or careless manner, at an unreasonable or out of control speed, or in any way that unnecessarily endangers oneself or other users.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497*

6100.2100 RESTRICTED AREAS.

It is unlawful to enter by any means a restricted area which has been posted to prohibit entrance.

It is unlawful for any person to use a state park facility that requires a special use permit or a fee, without first obtaining a permit or paying the fee.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497*

6100.2200 AIRCRAFT.

It is unlawful for any person to land any aircraft on lands or waters totally within the boundaries of any state park except by permit, or on a designated airport, or landing strip, or in making an emergency landing, conducting rescue operations, or in conducting or assisting in official business of the United States of America, the state of Minnesota, or the county in which the park is located.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497*

6100.2300 PROTECTION FROM PEDDLING AND SOLICITING.

It is unlawful for any person to engage in or solicit business of any nature whatsoever from visitors, or to post signs, handbills, or advertisements, except for authorized concessions, without the prior written consent of the park manager or forest officer.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497*

6100.2400 SUSPENSION OF RULES.

In situations of emergency or in the case of authorized special events, the commissioner may provide temporary exceptions to the general rules for a specific state park, forest campground, forest day use area, or on forest lands under the authority of the commissioner by posting notice of the exception at the unit, trail, road, or land.

Statutory Authority: *MS s 84.03; 85.052; 85.20; 89.031; 89.19; 89.21*

History: *14 SR 2497; 18 SR 1145*

STATE RECREATIONAL TRAILS

6100.3000 PURPOSE.

It is the purpose of these statewide rules to provide for public use of designated state recreational trails while protecting the quality of the trail environment to promote long-term trail use and enjoyment.

Statutory Authority: *MS s 84.03; 84.86*

6100.3100 STATUTORY AUTHORITY AND SCOPE.

These parts are adopted under the authority of Minnesota Statutes, sections 84.03 and 84.86, and apply to authorized state trail units as described in the Outdoor Recreation Act of 1975, Minnesota Statutes, chapter 86A, when designated by the commissioner of natural resources by order filed with the secretary of state.

These parts shall not apply to any person lawfully engaged in the performance of duties in the development, maintenance, and operation of such trails, including but not limited to

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the commissioner of natural resources, the commissioner's agents, employees, those persons operating under contract with the Department of Natural Resources, and law enforcement officers.

Statutory Authority: *MS s 84.03; 84.86*

History: *9 SR 694; 17 SR 1279*

6100.3200 SEVERABILITY.

The provisions of these parts shall be severable, and the invalidity of any paragraph, subparagraph, or subdivision thereof shall not make void any other paragraph, subparagraph, subdivision, or any other part.

Statutory Authority: *MS s 84.03; 84.86*

6100.3300 DEFINITIONS.

Subpart 1. **Scope.** For the purpose of these parts, the terms defined in this part have the meanings given them.

Subp. 2. **Bicycle.** "Bicycle" means any land based vehicle powered by human muscle.

Subp. 3. **Commissioner.** "Commissioner" means the commissioner of natural resources, state of Minnesota, acting directly or through an authorized agent.

Subp. 4. **Drug.** "Drug" means any drug, controlled substance, or immediate precursor found in schedules I through V of Minnesota Statutes, section 152.02, and marijuana, as defined in Minnesota Statutes, section 152.01, subdivision 9.

Subp. 5. **Horseback riding.** "Horseback riding" includes all modes of human travel produced at least in part by nonhuman muscle.

Subp. 6. **Intoxicating liquor.** "Intoxicating liquor" for the purposes of these rules means liquors which are intoxicating pursuant to Minnesota Statutes, section 340A.101, subdivision 14, and malt liquor containing not less than one-half of one percent alcohol by volume nor more than 3.2 percent alcohol by weight.

Subp. 7. **Motor vehicle.** "Motor vehicle" means any self-propelled vehicle and any vehicle propelled or drawn by a self-propelled vehicle including, but not limited to, automobiles, trucks, dune buggies, minibikes, motorcycles, trail bikes, and all terrain vehicles (ATV's).

Subp. 8. **Person.** "Person" means any individual, partnership, corporation, or association.

Subp. 9. **Snowmobile.** "Snowmobile" means any self-propelled vehicle designed for travel on snow or ice and steered by skis or runners.

Subp. 10. **Special event.** "Special event" means an organized rally, race, exhibit, demonstration, or other similar activity of limited duration which is conducted according to a prearranged schedule and in which general public interest is manifested.

Subp. 11. **Trail.** "Trail" means all of that land contained within the area designated as a state recreational trail by the commissioner.

Subp. 12. **Treadway.** "Treadway" means that part of the trail constructed for travel.

Statutory Authority: *MS s 84.03; 84.86*

History: *L 1985 c 305 art 3 s 1; 17 SR 1279*

6100.3400 TRAIL USES.

Subpart 1. **In general.** Subject to the limitations imposed by these parts and other duly enacted statutes, rules, and ordinances, or unless specifically prohibited by the commissioner, trails may be used for snowmobiling and all nonmotorized forms of recreation, including but not limited to hiking, bicycling, horseback riding, snowshoeing, cross-country skiing, camping, and picnicking.

Subp. 2. **Motor vehicles.** No motor vehicle, other than a snowmobile, shall be operated within a trail, except upon a legal road or highway as those terms are defined in Minnesota Statutes, section 160.02, subdivision 7, and except as authorized by the commissioner.

Subp. 3. **Snowmobiles.** No snowmobile shall be operated within a trail except upon treadways designated for such use and under conditions considered adequate for the protection of the trail by the commissioner.

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Subp. 4. **Horses.** No one shall ride, lead, or drive a horse or other beast of burden upon a trail except upon treadways designated for such use.

Subp. 5. **Trail hours.** Any specific use of a trail may be limited to hours designated by the commissioner and any use in violation of such limitation is unlawful.

Subp. 6. **Traffic control.** Traffic control:

A. Trail signs shall be obeyed.

B. When on a trail treadway, all trail users must stay on the right half of the treadway when meeting or being passed by another trail user.

C. When passing another trail user traveling in the same direction, a trail user must pass on the left half of the treadway and may pass only when such left half is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safety of any trail user approaching from the opposite direction or any trail user overtaken.

D. Any trail user who is about to enter onto or cross a trail treadway, shall yield the right of way to any trail user already on the treadway to be entered or crossed.

E. When at approximately the same time, two trail users are about to enter an otherwise unmarked treadway intersection from different treadways or are approaching an otherwise unmarked merger of two treadways from any two directions, the trail user on the left shall yield the right-of-way to the trail user on the right.

Subp. 7. **Special events.** No special events shall be held within a trail except with a written permit of the commissioner previously obtained. Such permit may exempt the holder and other participants from the operation of any of the rules contained herein, and may be revoked or suspended by the commissioner at any time.

Statutory Authority: *MS s 84.03; 84.86*

6100.3500 USE OF CAMPING AND REST AREAS.

Subpart 1. **Camping.** Camping:

A. Overnight camping is restricted to designated camping areas.

B. The duration of the stay of any person at said areas shall be no more than two consecutive nights except where otherwise posted.

C. A fee may be prescribed by order of the commissioner for use of the camping areas and facilities, and if such a fee is prescribed, it shall be paid before the area or facility is used.

D. There shall be no digging or trenching within the camping or rest areas.

E. No persons or group of persons shall unreasonably exclude others from campgrounds or rest areas.

Subp. 2. **Fires.** It is unlawful to build a fire within a trail except in a fireplace or a fire ring provided for that purpose. However, portable gas or liquid fueled camp stoves may be used within a camping or rest area if such use does not create a hazard or danger to the trail or to others.

Statutory Authority: *MS s 84.03; 84.86*

6100.3600 HUNTING.

No firearm or bow and arrow shall be discharged within the trail at any time, except for the purpose of lawful hunting during the period from September 15 to March 30 only. No rifle, shotgun with slug, or bow and arrow shall be discharged upon, over, or across the trail treadway at any time.

Statutory Authority: *MS s 84.03; 84.86*

6100.3700 TRAPPING.

The commissioner may forbid the placement of any manner of animal trap in any area of a trail by order.

Statutory Authority: *MS s 84.03; 84.86*

6100.3800 PROTECTION OF TRAILS.

Subpart 1. **Environment.** No person shall disturb, destroy, injure, damage, or remove any property within trails including but not limited to vegetation, ruins, wildlife, geological

formations, signs, or facilities except edible fruit and wild animals legally taken under the provisions of parts 6100.3600 and 6100.3700 and vegetation unavoidably damaged or destroyed by the ordinary uses of the trail as specifically permitted by these parts. Collections for scientific and educational purposes may be made with the written consent of the commissioner previously obtained.

Subp. 2. **Bill posting.** No persons shall post, paste, fasten, paint, or affix any placard, bill, notice, or sign upon any structure, tree, stone, fence, or enclosure in a trail.

Subp. 3. **Obstructions.** No person shall place or cause to remain within any trail, any snowmobile, trailer, horse, bicycle, or other object so as to obstruct the free use and enjoyment of said trail. Any such obstruction shall be removed at the owner's expense. If not claimed and payment of expenses offered within a reasonable time, which in no case shall be more than 30 days, it shall be disposed of according to the provisions of Minnesota Statutes, section 16B.25 concerning the disposal of lost or abandoned property.

Subp. 4. **Refuse.** No person shall burn or dispose of garbage, refuse, litter, or trash within a trail except in receptacles provided for that purpose.

Statutory Authority: *MS s 84.03; 84.86*

6100.3900 PROTECTION OF OTHER USERS.

Subpart 1. **Personal conduct.** Within a trail, no person, knowing or having reasonable grounds to know that it will, or will tend to, alarm, anger, or disturb others, or provoke an assault, shall breach the peace by engaging in the following conduct:

A. brawling, fighting, or other violent conduct directed toward another; or

B. offensive, obscene, or abusive language, or boisterous and noisy conduct which might be reasonably expected to arouse alarm, anger, or resentment in others.

Subp. 2. **Intoxication.** No person while within a trail shall be in a state of intoxication brought about by the consumption of intoxicating liquor.

Subp. 3. **Drugs.** No person shall use, be in the possession of, or be under the influence of drugs within a trail unless such use, possession, or influence is pursuant to and in compliance with a prescription from a licensed physician.

Subp. 4. **Pets.** No persons shall allow any pet animal to be unrestrained or unattended except dogs used for hunting during legal hunting seasons in accordance with part 6100.3600. Such pets shall be restrained by a leash not exceeding six feet.

Subp. 5. **Peddling or soliciting.** No person shall peddle or solicit business of any nature, within a trail, or use any of the lands or structures as a base for commercial operations.

Subp. 6. **Safety.** While being ridden or operated within a trail, horses, bicycles, and snowmobiles must be under the control of the operator at all times.

Statutory Authority: *MS s 84.03; 84.86*

6100.4000 ADJACENT LAND.

Subpart 1. **Access.** A trail shall not be used as an access to private lands without the consent of the landowner, lessee, occupant, or agent.

Subp. 2. **Posting.** Failure to post private lands does not imply such consent for trail users.

Statutory Authority: *MS s 84.03; 84.86*

History: *17 SR 1279*

6100.4100 OTHER LAWS.

All uses of trails will be subject to commissioner's orders, snowmobile rules and safety laws, and bicycle rules and state laws.

Each component of the designated state recreational trail system shall be subject to the provisions of these parts, provided that in the event of conflict with some other law or rule of this state, the more restrictive provision will apply.

No regulation or ordinance adopted by a local unit of government may be inconsistent with these rules, except that local regulations or ordinances concerning the use of firearms, bows and arrows, and traps may be more restrictive than these rules.

Statutory Authority: *MS s 84.03; 84.86*

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6100.4200 SUSPENSION OF RULES.

The commissioner may provide exceptions to the general rules for a specific trail by order filed with the secretary of state, if such exceptions authorize activities which are not inconsistent with the purposes for which the trail is established or better serve the public interest.

Statutory Authority: *MS s 84.03; 84.86*

6100.4300 PENALTY.

Any person who shall violate any rules promulgated herein shall be guilty of a misdemeanor and subject to arrest.

Statutory Authority: *MS s 84.03; 84.86*

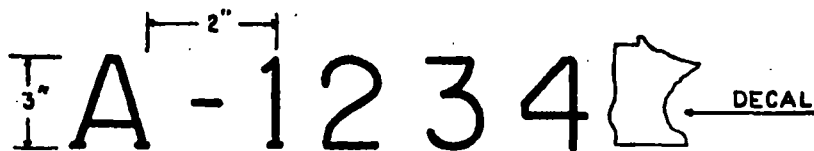
SNOWMOBILES

6100.5000 SNOWMOBILE REGISTRATION AND DISPLAY OF NUMBERS.

Subpart 1. Application. Application for snowmobile registration shall be made to the commissioner of natural resources or authorized agent on the form prescribed. (See part 6100.6000, subpart 1, Form A.) Registrants must be 18 years of age or older prior to applying for registration of a snowmobile. Upon presentation of a bill of sale in the form prescribed by the commissioner, part 6100.6000 subpart 2, Form B, and payment of the fee required, a snowmobile registration certificate will be issued to the applicant. Registration certificates are valid for a period of three years. A decal showing the expiration date shall be affixed to the machine as illustrated below.

Subp. 2. Required information. The applicant shall furnish all the information required by the application for snowmobile registration. (Part 6100.6000, subpart 1, Form A.)

Subp. 3. Affixation of number. The registration number of the snowmobile, shown on the registration certificate, shall be affixed to the snowmobile and maintained in a clear, legible manner. On all machines made after June 30, 1972, and sold in Minnesota, such registration number shall be affixed in the space provided therefor in accordance with part 6100.5700, subpart 4. On all other machines it shall be affixed on each side of the cowl on the upper half of the machine, as follows.



Subp. 4. Description of decal or number; lost or destroyed number or decal. All letters and numbers shall be of a color which will contrast with the surface to which applied, and shall be at least three inches high and three-eighths inch stroke. When any previously affixed registration number or decal is destroyed or lost, a duplicate shall be affixed in the manner shown above. The registration number shall remain the same if renewed by July 1 following the expiration date.

Subp. 5. General prohibition. No person shall operate or transport, and no person shall permit the operation of, a snowmobile within this state which does not have its registration number and unexpired decal affixed in the form and manner required by this part, unless the owner is exempted from the registration requirements of this state by Minnesota Statutes, section 84.82.

Subp. 6. Duplicate certificate. A duplicate registration certificate will be issued upon application by the owner to the commissioner on the form prescribed and upon payment of the fee required by law. Replacement registration decals may be obtained from the Department of Natural Resources license center or any conservation officer.

Subp. 7. Transfer of ownership. Application for transfer of ownership shall be made to the commissioner within 15 days of the date of transfer. An "Application for Transfer" form

(part 6100.6000, subpart 3, Form C) is to be executed by the registered owner and the purchaser and submitted together with the fee required by law, the owner's registration certificate and a bill of sale in the form prescribed by the commissioner (part 6100.6000, subpart 2, Form B).

Subp. 8. Reporting of abandoned, stolen, or destroyed snowmobiles. Abandoned, stolen, or destroyed snowmobiles shall be reported to the commissioner within 15 days by completing the reverse side of the registration certificate. No fee is charged for the reporting.

Statutory Authority: *MS s 84.86*

History: 17 SR 1279

6100.5001 DEALER'S AND MANUFACTURER'S REGISTRATION.

Subpart 1. Demonstration or testing purposes. Application for registration of all snowmobiles owned by a dealer and operated for demonstration or testing purposes shall be made to the commissioner on form D as prescribed in part 6100.6000, subpart 4. Upon payment of the fee required by law, three registration plates will be issued, together with a registration certificate which shall be conspicuously displayed by the dealer in the dealer's place of business.

Subp. 2. Research, experimentation, or demonstration purposes. Application for registration of all snowmobiles owned by a manufacturer and operated for research testing, experimentation, or demonstration purposes shall be made to the commissioner on form D as prescribed in part 6100.6000, subpart 4. Upon payment of the fee required by law, 12 registration plates will be issued, together with a registration certificate which shall be conspicuously displayed by the manufacturer in the place of manufacture.

Subp. 3. Duplicate plates. Additional duplicate registration plates may be purchased by a dealer or manufacturer upon payment of a fee of \$3 per plate.

Subp. 4. Display required. No dealer or manufacturer shall operate, or permit to be operated, within this state, any snowmobile owned by or under the control of such dealer or manufacturer unless a valid registration plate is clearly displayed on such snowmobile.

Subp. 5. Nontransferability. Dealer and manufacturer registrations are not transferable.

Statutory Authority: *MS s 84.86*

History: 17 SR 1279

6100.5002 SPECIAL PERMITS.

Upon written application by the responsible event sponsor to the commissioner, special operating permits for limited periods of time not to exceed 30 days may be issued to operators of snowmobiles from states which do not require registration when such snowmobiles are to be used in connection with a responsibly organized group outing, trailride, race, rally, or other promotional events. Such permit shall be conspicuously displayed on the snowmobile and is valid only when the snowmobile is used in connection with the event for which the permit was issued and for the period of time shown on the permit.

Statutory Authority: *MS s 84.86*

6100.5100 USE OF SNOWMOBILES DURING HUNTING SEASON.

No person shall operate a snowmobile between the hours of 7:00 a.m. and 3:00 p.m. in any area open for the taking of deer by firearms, except for law enforcement purposes or by commissioner's order; provided, however, that conservation officers may issue written permits authorizing operation of snowmobiles during such hours in case of emergency or other unusual conditions.

Deer being dragged by a snowmobile must have the prescribed deer tag properly placed and locked at the time the operator arrives at an improved roadway or designated trail. The tag must be properly placed and locked at the time the deer is brought into any hunting camp, dwelling, farmyard, or other place of abode of any kind occupied overnight, or before being placed wholly or partially on a snowmobile, or upon a conveyance towed by a snowmobile.

Statutory Authority: *MS s 84.86*

6100.5200 USE OF SNOWMOBILES ON PUBLIC LANDS AND WATERS.

Subpart 1. **Permitted uses and exceptions.** Snowmobiles may be operated on public lands or waters under the jurisdiction of the commissioner of natural resources except that no persons shall operate a snowmobile in any of the following, except for law enforcement purposes:

A. in any state park, state recreation area, state historic site, or state scientific and natural area with the exception of posted snowmobile trails or areas;

B. in any state wildlife management area without the written permission of the agent in charge thereof in that part of the state lying south and west of a line described as follows: U.S. Highway No. 2 from East Grand Forks easterly to Bemidji; thence southerly along U.S. Highway No. 71 to Wadena; thence easterly along U.S. Highway No. 10 to Staples and U.S. Highway No. 210 to Carlton; thence east in a straight line to the easterly boundary of the state; and

C. in any area in which such operation is or may hereafter be prohibited by law, regulations, order, or directive.

Subp. 2. **Regulation by government subdivisions of state.** Governmental subdivisions of the state may by resolution or ordinance regulate the operation of snowmobiles on public waters within their boundaries, provided such resolution or ordinance is not inconsistent with law or these parts. No resolution or ordinance restricting the period of time within which snowmobiles may be operated on public waters shall be valid with respect to such restriction unless first submitted to the commissioner of natural resources and approved by the commissioner in writing.

Subp. 3. **No dumping.** No person shall deposit any garbage, rubbish, offal, the body of any dead animal, or other litter upon public lands or waters or the ice thereon, other than in containers, provided thereof, or, without the consent of the owner, on private lands or water or ice thereon.

Subp. 4. **Speed limits.** Speed limits:

A. It shall be unlawful for any person to drive or operate any snowmobile at a rate of speed greater than is reasonable or proper under all of the surrounding circumstances or at a rate that is greater than that set by the commissioner of natural resources pursuant to item B, on public lands or waters of this state under the jurisdiction of the commissioner of natural resources, provided that the operation of any snowmobile at a rate of speed in excess of 50 miles per hour on such lands or waters shall be unreasonable and unlawful unless operated pursuant to and in accordance with the provisions of item C.

B. Where necessary, the commissioner of natural resources may establish and post at reasonable intervals, a reasonable and safe maximum speed limit for the operation of snowmobiles along a specific portion of public trail or in a specific area of public land or water that is under the commissioner's jurisdiction. Such speed limit shall be effective when signs are erected and any operation of a snowmobile within such posted portion of trail or area in excess of the posted speed limit is unlawful.

C. The speed limits established by item A and by the commissioner of natural resources under the authority of item B may be waived in writing by the commissioner during the pendency of an organized race or similar competitive event held upon such lands or waters.

Statutory Authority: *MS s 84.86*

History: *17 SR 1279*

6100.5300 UNIFORM SIGNS.

Subpart 1. **In general.** The signs in subparts 2 to 10 are designated as necessary and desirable to control, direct, or regulate the operation and use of snowmobiles for the purposes indicated.

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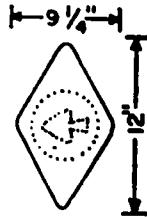
19

PARKS, TRAILS, AND SNOWMOBILES 6100.5300

Subp. 2. **Informational blazer.** Informational blazer to be used in indicating intersections or major changes in trail direction through use of the 7-1/2 inch decals shown below, or comparable screened insignia.



Subp. 3. **Directional blazer.** Directional blazer to be used in indicating minor changes in trail direction through use of the 5-1/4 inch arrow decal shown below or comparable screened insignia.



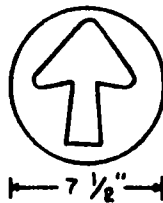
Subp. 4. **Reassuring blazer.** Reassuring blazer placed along trail often enough to reassure that the user is on trail.



Subp. 5. **Color of blazers.** The blazers in subparts 2 to 4 are to be orange Scotchlite #3274 or its equivalent.

Subp. 6. **Directional decals.** The following directional decals are to be used:

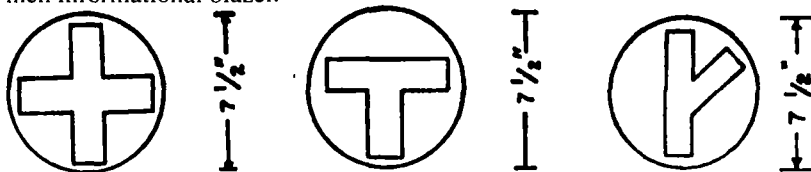
A. Directional decal to be used on the 14 inch by 18-1/4 inch informational blazer.



B. Directional decal to be used on the 9-1/4 inch by 12 inch directional blazer.



Subp. 7. **Intersectional decals.** Intersectional decals to be used on the 14 inch by 18-1/4 inch informational blazer.



Subp. 8. **Intersectional decals.** Decals in subparts 6 and 7 to have background or orange Scotchlite #3274 or equivalent with insignia screened black.

Subp. 9. **Stop sign.** Stop sign to be used along trail prior to road or highway crossing. Placement to be approximately 25 feet from such crossing point. Colors and reflectorization to conform to highway standards.



Subp. 10. **No snowmobiling sign.** No snowmobiling to be used to indicate trails and areas where snowmobile use is prohibited. Background color is to be orange Scotchlite #3274 or equivalent; snowmobile symbol to be 60 percent black, prohibiting slash and letters solid black.



From and after October 1, 1970, no sign intended for any of the purposes indicated in the preceding paragraph shall be erected by the state or its governmental subdivisions unless such sign is substantially in the form, shape, dimensions, and colors shown in the preceding paragraph.

Detailed plans and specifications of such signs will be available upon written request to the commissioner.

Statutory Authority: *MS s 84.86*

History: *17 SR 1279*

6100.5400 SNOWMOBILE ACCIDENT REPORTS.

Subpart 1. **Definitions.** For the purposes of this part, certain terms or words used herein shall be interpreted as follows:

A. "Injury requiring medical attention" means an injury of such a degree that its proper treatment requires consultation with or a visit to a doctor or hospital emergency room.

B. "Involved in an accident" means every snowmobile which either strikes or is struck by another person, snowmobile, motor vehicle, or other animate or inanimate object.

C. "Operator" means every person who operates or is in actual physical control of a snowmobile.

D. "Promptly" means that such written report shall be forwarded as soon as possible after an accident but not more than 48 hours after such accident.

E. "Total damage" means total apparent property damage resulting to each snowmobile and its related equipment or to any other property which is involved in the accident.

Subp. 2. **General requirement.** 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 \$100 or more, shall promptly forward a written report of the accident on the form prescribed. (Part 6100.6000, subpart 5, Form E.)

Statutory Authority: *MS s 84.86*

6100.5500 SNOWMOBILE EDUCATION AND TRAINING PROGRAMS.

Subpart 1. **Administration.** Snowmobile education and training programs will be administered by the snowmobile safety coordinator, Department of Natural Resources.

Subp. 2. **Purpose.** Training programs will be conducted in each county for the purpose of qualifying persons 12 years of age or older, but less than 18, for a snowmobile safety certificate.

Subp. 3. **Course content.** The course content will include the following: machine nomenclature, control familiarization, machine safety features, operating procedures, snowmobile and highway laws and regulations, loading and towing procedures, snowmobile code of ethics, safety hazards of operation, including possible hearing damage, environmental consequences of snowmobile use, and performance and written tests.

Subp. 4. **Fee.** The fee for enrollment in a training program class is \$2, payable in advance. A student who fails to pass may take the class over when available, without additional fee. Persons age 18 or over, or age 11 may be admitted to a class to the extent facilities permit upon payment of the \$2 fee.

Subp. 5. **Safety certificate.** Upon successful completion of the training program by a student, the instructor will submit the name, address, and date of birth of the student to the snowmobile safety coordinator who will issue to the student, on behalf of the commissioner, a snowmobile safety certificate. A duplicate certificate will be issued if the original is lost or destroyed, upon application and payment of \$2. No snowmobile safety certificate shall be issued to any person less than 12 years of age except to the parents or guardian of that person, to be held by such parent or guardian until the person's 12th birthday.

Subp. 6. **Age limitations.** Each snowmobile safety certificate issued shall show on its face the birthdate of the person to whom it was issued. No person less than 14 years of age or any other person 14 years of age but less than 18 years of age who does not possess a snowmobile safety certificate may make a direct crossing of a street or highway at any time.

Statutory Authority: *MS s 84.86*

History: *17 SR 1279*

6100.5600 REVOCATION OF SNOWMOBILE SAFETY CERTIFICATES.

Subpart 1. **Form.** When the judge of a juvenile court or any of its duly authorized agents shall determine that any person, while less than 18 years of age, has violated the provisions of Minnesota Statutes, sections 84.81 to 84.88 or any other state or local law or ordinance regulating the operation of snowmobiles, the judge or duly authorized agent shall immediately report such a determination to the commissioner on the form prescribed. (Part 6100.6000, subpart 6, Form F.) The judge, or duly authorized agent, may indicate upon the form prescribed a recommendation as to whether or not the person's snowmobile safety certificate should be suspended and the length of such suspension, if any.

Subp. 2. **Suspension of certificate; surrender.** A person under 18 years of age shall surrender the person's snowmobile safety certificate to the judge, or duly authorized agent, in all cases when such judge, or agent, recommends the suspension of such certificate. The snowmobile safety certificate shall be transmitted to the commissioner in all cases where suspension thereof is recommended and where such recommended period of suspension exceeds 15 days.

Subp. 3. **Retention of certificates.** The commissioner shall retain possession of suspended snowmobile safety certificates during the period of the suspension, all other certificates shall be returned immediately upon a determination that they will not be suspended.

Statutory Authority: *MS s 84.86*

History: *17 SR 1279*

6100.5700 REQUIRED EQUIPMENT.

Subpart 1. **Snowmobiles.** No snowmobile shall be operated upon public lands, waters, streets, or highways unless it is equipped as follows:

A. At least one head lamp having a minimum candlepower of sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during hours of darkness under normal atmospheric conditions. Such head lamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming snowmobile operator.

B. At least one red tail lamp, having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during hours of darkness, under normal atmospheric conditions.

C. Reflector material of a minimum area of 16 square inches mounted on each side forward of the handle bars. Reflector material shall have at least the minimum intensity values as prescribed in Table II of federal specifications L-S-300A, dated January 1, 1970. Registration numbers, the manufacturer's trade name, or other decorative material, if meeting minimum reflectorization standards, may be included in computing the required 16-square-inch area.

D. Brakes adequate to control the movement of, and to stop and to hold the snowmobile track under normal conditions of operation.

E. "Street or highway" means the entire width between boundary lines or any way or place when any part thereof is open to the use of the public, as a matter of right, for the purpose of vehicular traffic.

Subp. 2. **Sled, trailer, or device towed by snowmobile.** Any sled, trailer, or other device being towed by a snowmobile during the hours of darkness under normal atmospheric conditions shall be equipped as follows:

A. Unobstructed and visible reflector material shall be mounted on each side and at the rear of the sled, trailer, or vehicle.

B. The reflector material required herein shall have at least the minimum intensity values set forth in subpart 1, item C or it shall be in accordance with Reflex Reflectors, SAE J594E.

Subp. 3. **Maker's permanent identification number.** All snowmobiles made after June 30, 1972, and sold in Minnesota shall bear the maker's permanent identification number so placed and of such size as follows:

A. be stamped into the right outside vertical surface of the track tunnel in an area within 12 inches of the rearmost edge of the track tunnel, or other approved location;

B. have a height of numerals and letters of not less than one-fourth inch;

C. have a depth of embossing of not less than 0.010 inch; and

D. be readable without moving any part of the vehicle.

Each snowmobile so manufactured shall bear an individual number which is not duplicated by that maker at any time within the succeeding ten years.

Subp. 4. **Snowmobile registration number affixation.** All snowmobiles made after June 30, 1972, and sold in Minnesota, shall be designed and made to provide an area on which to affix the snowmobile registration number at the following location and of the following dimensions:

A. A clear area shall be provided on each side of the cowl or pan with the minimum size of 3-1/2 inches vertical by 11 inches horizontal.

B. It shall be a minimum of 12 inches from the ground when the machine is resting on a hard surface.

Subp. 5. **Mufflers.** Mufflers:

A. No person shall operate a snowmobile unless it is equipped with a muffler as required by law and these rules, except that snowmobiles may be operated in organized events as authorized by Minnesota Statutes, section 84.871, without such a muffler.

B. No snowmobile manufactured on or after June 30, 1970, and before February 1, 1972, for sale in Minnesota, except snowmobiles designed for competition purposes only, shall be sold, or offered for sale, unless it is equipped with a muffler that limits engine noise to not more than 86 decibels on the A scale at 50 feet.

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Subp. 2. Form B.

MINNESOTA DEPARTMENT OF NATURAL RESOURCES

BILL OF SALE

Know all men by these presents, that _____
Name of Seller

_____ in consideration of \$ _____
Address of Seller

dollars, to _____ paid by _____
him her it Name of Buyer

_____ the receipt whereof is hereby
Address of Buyer

acknowledged to sell and deliver to said _____
Name of Buyer

the following described snowmobile:

Manufacturer's Name	Model	Serial Number of Body
_____	_____	_____
Serial Number of Engine	H.P.	_____
_____	_____	_____
Date of Sale	Signature of Seller	

Subp. 3. Form C.

A-217 MINNESOTA DEPARTMENT OF NATURAL RESOURCES
ST PAUL, MINNESOTA 55101

SNOWMOBILE REGISTRATION APPLICATION FOR TRANSFER OR DUPLICATE

DO NOT SCALE, FOLD OR MUTILATE

REGISTRATION NO. _____
STATUS & OWNER _____
DATE _____
DATE EXPIRES (SEE INSTRUCTIONS) _____

REGISTRATION FEE: \$2.00

MAIL TO:
MINNESOTA DEPARTMENT OF NATURAL RESOURCES
LICENSE CENTER
625 SO. ROBERT ST.
ST. PAUL, MINNESOTA 55101

APPLICANT MUST BE 18 YEARS OF AGE OR OLDER

DATE _____
NEW OWNER'S SIGNATURE _____

MAKE CHECK OR MONEY ORDER PAYABLE TO:
MINNESOTA STATE TREASURER
DO NOT SEND CASH

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PARKS, TRAILS, AND SNOWMOBILES 6100.6000

Subp. 4. Form D.

A-135
7/69

STATE OF MINNESOTA DEPARTMENT OF NATURAL RESOURCES

Reg. No. _____
Checked _____
Reg. Typed _____
(Do Not Write in This Space)

APPLICATION FOR:

☐ SNOWMOBILE MANUFACTURER OR DEALER CERTIFICATE OF REGISTRATION

I HEREBY REQUEST A:

DATE _____ 19____

☐ MANUFACTURER REGISTRATION - \$150.00 PER YEAR

MAKE CHECK OR MONEY ORDER PAYABLE TO:
MINNESOTA STATE TREASURER

☐ DEALER REGISTRATION - \$37.50 PER YEAR

ISSUE REGISTRATION TO:

DO NOT SEND CASH

PLEASE TYPE OR PRINT

BUSINESS OR OWNERS NAME		STREET OR RFD NUMBER	
CITY OR TOWN	STATE	ZIP CODE	COUNTY

PLEASE SEND _____ ADDITIONAL REGISTRATION PLATES @ \$3.00 EACH \$ _____

MAIL TO:

MINNESOTA DEPARTMENT OF NATURAL RESOURCES
LICENSE CENTER
625 NO. ROBERT STREET
ST. PAUL, MINNESOTA 55101

AUTHORIZED SIGNATURE

DETACH BEFORE MAILING

DETACH BEFORE MAILING

IMPORTANT

Effective July 1, 1971, under authority of Laws 1971, Chapter 577, Sec. 3, Subd. 3, the registration fees for manufacturers and dealers are:

MANUFACTURERS:

The total registration fee for all snowmobiles owned by a manufacturer and operated for research, testing, experimentation or demonstration purposes shall be \$150.00 per year.

DEALERS:

The registration fee for all snowmobiles owned by a dealer and operated for demonstration or testing purposes shall be \$37.50 per year.

HOW DO YOU APPLY FOR REGISTRATION?

By completing the above application as prescribed by the Commissioner of Natural Resources and mailing it together with your remittance to the address as shown on the application.

WHAT WILL YOU RECEIVE FOR YOUR FEE?

Registration plates will be furnished dealers and manufacturers by the Commissioner, and such plate shall be clearly displayed when the snowmobile is being operated. Manufacturers will be furnished twelve (12) registration plates, and dealers three (3) registration plates; in addition each such registrant will be furnished a non-transferable registration to be displayed in his place of business. Additional registration plates may be ordered by completing that section of the application at an additional cost of \$3.00 each. When sending your remittance, be sure to include the price of the extra registration plates requested in addition to the \$150.00 or \$37.50 basic fee.

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6100.6000 PARKS, TRAILS, AND SNOWMOBILES

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Subp. 5. Form E.

A 156

STATE OF MINNESOTA

Print or Type

OFFICIAL SNOWMOBILE ACCIDENT REPORT

<p>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 \$100 or more, shall promptly forward a written report of the accident on the form prescribed. This report shall be mailed no later than 48 hours after the accident to the Department of Natural Resources, Bureau of I & E, 350 Centennial Building, 658 Cedar St., St. Paul 55155.</p>										
Time	Date of Accident	Month	Day	Year	Day of Week	Hour	A.M.	<input type="checkbox"/>	P.M.	<input type="checkbox"/>
My Snowmobile Number 1	Owner's Full Name (print)		Address		City	State	Zip Code	Age		
	Operator's Full Name (unless same as owner)		Address		City	State	Zip Code			
	Date of Birth				Have you successfully completed the Minnesota Snowmobile Safety Training Program?				Yes <input type="checkbox"/> No <input type="checkbox"/>	
	Snowmobile License Number		Year	State	Part of Machine Damaged		Estimated Repair Cost			
	Model	Year	Make	Do you have insurance covering accident?				Yes <input type="checkbox"/> No <input type="checkbox"/>		
Snowmobile or Other Vehicle Number 2	Other Owner's Full Name		Address		City	State	Zip Code	Age		
	Other Operator's Full Name (unless same as owner)		Address		City	State	Zip Code			
	Date of Birth				Have you successfully completed the Minnesota Snowmobile Safety Training Program?				Yes <input type="checkbox"/> No <input type="checkbox"/>	
	Snowmobile or other Vehicle's License Number		Year	State	Part of Vehicle Damaged		Estimated Repair Cost			
	Model	Year	Make	Do you have insurance covering accident?				Yes <input type="checkbox"/> No <input type="checkbox"/>		
IF MORE THAN TWO MACHINES OR PASSENGERS USE ADDITIONAL FORMS										
Location	County		Township, City or Village				Section Number			
	Type of Terrain	Road Right-of-Way <input type="checkbox"/> Privately Marked Trail <input type="checkbox"/> Private Unmarked Property <input type="checkbox"/> Railroad Right-of-Way <input type="checkbox"/> Outside City or Village Limits <input type="checkbox"/>				Governmental Marked Trail <input type="checkbox"/> Governmental Unmarked Property <input type="checkbox"/> Lake or Stream <input type="checkbox"/> Within City or Village Limits <input type="checkbox"/> Other (Describe on Back) <input type="checkbox"/>				
Injured	LIST PERSONS INJURED OR KILLED									
	Name	Injured	Killed	Age _____ Male <input type="checkbox"/> Female <input type="checkbox"/>	Operator <input type="checkbox"/> Passenger <input type="checkbox"/> Pedestrian <input type="checkbox"/> Other <input type="checkbox"/>			Machine Number		
	Name	Injured	Killed	Age _____ Male <input type="checkbox"/> Female <input type="checkbox"/>	Operator <input type="checkbox"/> Passenger <input type="checkbox"/> Pedestrian <input type="checkbox"/> Other <input type="checkbox"/>			Machine Number		

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Other	Other Property Damaged (Not Snowmobiles) Describe:	Approx. Cost to Repair Object
	Owner of Property Name Address	


ANSWER ALL QUESTIONS AND CHECK ALL APPLICABLE ITEMS

Weather: ☐ Clear ☐ Cloudy ☐ Rain or Sleet
☐ Fog ☐ Light Snow ☐ Heavy Snow ☐ Blowing Snow
☐ Other (Specify) _____

Light Conditions: ☐ Dawn ☐ Daylight ☐ Dusk ☐ Dark

Type of Accident: ☐ Snowmobile-Car Collision ☐ Fixed Object ☐ Snowmobile-Snowmobile Collision ☐ Barbed Wire
☐ Snowmobile Rollover ☐ Operator Thrown From Snowmobile ☐ Passenger Thrown From Snowmobile
☐ Passenger Thrown From Object Being Towed by Snowmobile ☐ Snowmobiler Injured in Mechanism
of Machine ☐ Struck Guy Wire or Cable ☐ Broke Through Ice ☐ Equipment Malfunction ☐ Collision
With Train ☐ Clothing Caught in Machine ☐ Other (Describe) _____

Describe Accident in Sufficient Detail to Disclose Cause.
Person Completing This Report Is Vehicle Number 1.

Indicate On This Form What Happened. Indicate North by Arrow. 

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Subp. 6. Form F.

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES
REPORT PURSUANT TO MINN. STAT. § 84.872

I, _____, do hereby report that
(Juvenile Judge or authorized agent)

on the _____ day of _____, 197____, _____
(Name of Juvenile)
was found to have violated a state or local law relating to the operation of snowmobiles,

to wit: _____

It is my recommendation that said juvenile's snowmobile safety certificate _____
(be or not be)
suspended. It is further my recommendation that such suspension, if any, be for a period
of _____ days.

Dated this ____ day of _____, 197____.

(Juvenile Judge or authorized agent)

(Notice: Transmit the Juvenile's snowmobile safety certificate along with this Form if the
suspension exceeds 15 days.)
Send to:

Commissioner
Department of Natural Resources
Centennial Building
St. Paul, Minnesota 55155
Attn.: Snowmobile Safety Coordinator

Statutory Authority: *MS s 84.86*

OUTDOOR RECREATIONAL PROJECTS

6100.7000 DEFINITIONS.

Subpart 1. **Allocations.** "Allocations" means the amount of land and water conservation fund moneys assigned annually to the state of Minnesota.

Subp. 2. **Bureau.** "Bureau" means the Bureau of Outdoor Recreation.

Subp. 3. **Fund.** "Fund" means the land and water conservation fund.

Subp. 4. **LAWCON.** "LAWCON" means the land and water conservation fund administered by the Bureau of Outdoor Recreation.

Subp. 5. **Local projects.** "Local projects" means projects sponsored by local governmental units below state level.

Subp. 6. **Metropolitan area.** "Metropolitan area" means Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington counties.

Subp. 7. **Open space.** "Open space" means the urban acquisition grant program administered by the Department of Housing and Urban Development.

Subp. 8. **Public Law Number 566.** "Public Law Number 566" means the small watershed protection and flood control program administered by the Department of Agriculture.

Subp. 9. **Project proposal.** "Project proposal" means a proposal for acquisition of land and/or water or development of facilities contributing to outdoor recreation.

Subp. 10. **State agency.** "State agency" means the Minnesota Department of Natural Resources.

Statutory Authority: *MS s 86.71*

6100.7100 CRITERIA FOR PROPOSED RECREATIONAL PROJECTS.

Subpart 1. **Purpose.** The following criteria will be used in evaluating outdoor recreation project proposals to establish priorities which have otherwise been determined eligible for financial assistance from the land and water conservation fund.

Subp. 2. **Three-step evaluation.** Evaluation of project proposals by the state agency will be made in three steps: classification of the general project, application of state criteria, and assignment of priorities.

Subp. 3. **State criteria.** The following acquisition and development projects shall receive priority over other projects which otherwise possess the same characteristics:

A. projects identified in a county or municipal plan which has been approved by a county or an established regional authority as required by part 6100.7400, subpart 4, items A and B and incorporated in an action program of the county or regional authority which approved the project application;

B. those types of outdoor recreation facilities and functions for which the applying agency is normally responsible to supply; see part 6100.7200;

C. proposed projects which cannot be funded from other grants-in-aid programs (i.e., open space, Public Law Number 566, etc.);

D. projects having regional or statewide significance when applicants adequately demonstrate their inability in finance the project without federal LAWCON assistance;

E. projects promoting an environment of natural beauty as compared to those having unsightly conditions (environmental intrusions) or reservations in the title which may create such intrusions; and

F. local projects having regional significance, and state projects having statewide significance.

Statutory Authority: *MS s 86.71*

6100.7200 GOVERNMENTAL RESPONSIBILITIES IN OUTDOOR RECREATION.

Subpart 1. **In general.** Although there is not clear-cut separation between the responsibility of the private and public segments, the public endeavor may enter into competition

with the private entrepreneur. If any separation in responsibility does exist, it follows that where facilities or services can be supplied by the private entrepreneur for profit, the public will not enter into competition. An example of this may be deluxe type of camping area. On the other hand a primitive type of camping area will remain a public responsibility. To identify responsibility by governmental levels the following are examples of areas and facilities which will ordinarily be considered to be of a public nature for outdoor recreation purposes. This does not include those areas of concern for the cultural or aesthetic amenities such as roadside beautification, air and water quality, preservation of historic sites, etc.

Subp. 2. Type of areas and facilities in public responsibility. Pursuant to Laws of Minnesota 1965, chapter 810, section 21 (codified as Minnesota Statutes, section 86.71), the governor, or such state agency or agencies as the governor may designate, is designated as the state agency to apply for, accept, receive, and disburse federal funds and private funds which are granted to the state of Minnesota from the Federal Land and Water Fund Act. The governor on June 24, 1965, designated the Department of Conservation as the state agency to act for the governor in applying for, receiving, accepting, and disbursing such funds.

A. Municipal area of responsibility.

(1) Occupancy use sites and facilities:

- (a) picnicking, urban;
- (b) playgrounds;
- (c) playfields, excluding semipro and professional;
- (d) golf links, without membership;
- (e) swimming, natural beaches;
- (f) swimming pools;
- (g) ski areas, amateur;
- (h) boat and canoe access;
- (i) skating rinks, amateur;
- (j) hockey rinks, amateur; and
- (k) archery ranges.

(2) Dispersed use sites and facilities:

- (a) natural areas;
- (b) arboretums;
- (c) scenic areas;
- (d) parkways;
- (e) hiking trails;
- (f) horse trails; and
- (g) bicycle trails.

B. County area of responsibility.

(1) Picnicking, rural:

- (a) picnicking, wayside;
- (b) playing fields, rural excluding semipro and professional;
- (c) playgrounds, rural;
- (d) golf links without membership;
- (e) swimming, natural;
- (f) ski areas, amateur;
- (g) boat and canoe landing;
- (h) camping, group tent;
- (i) camping, wayside;
- (j) camping, primitive;
- (k) trap shooting; and
- (l) rifle ranges.

(2) Dispersed use sites and facilities:

- (a) natural areas;
- (b) park areas;
- (c) scenic areas;
- (d) parkways;
- (e) waterfront zones;
- (f) roadside zones;
- (g) hiking trails;
- (h) horse trails;
- (i) snowmobile trails;
- (j) historic sites, multiuse; and
- (k) hunting and fishing areas.

C. State area of responsibility.

(1) Occupancy sites and facilities:

- (a) picnicking, rural;
- (b) picnicking, wayside;
- (c) boat and canoe landing, state owned land only;
- (d) camping primitive, without road access;
- (e) camping primitive, with road access;
- (f) camping, group tent; and
- (g) camping, wayside.

(2) Dispersed use site and facilities:

- (a) natural history areas;
- (b) geological history areas;
- (c) human history areas;
- (d) parks, multiuse;
- (e) forests, multiuse;
- (f) water areas;
- (g) scenic areas;
- (h) parkways and scenic waysides;
- (i) waterfront zones;
- (j) roadside zones;
- (k) wilderness trails; and
- (l) wildlife areas.

Statutory Authority: *MS s 86.71*

History: *17 SR 1279*

6100.7300 APPLICATION OF STATE CRITERIA TO PROJECTS OF THE SAME CLASSIFICATION; PRIORITIES.

Subpart 1. **Acquisition projects classification.** Acquisition projects will be classified as follows:

A. areas which will provide multipurpose sites for needed mass use type of recreational activity to meet the needs of urban and local populations;

B. areas having a combination of significantly outstanding natural, scientific, cultural, historic, educational, and recreational values, particularly those providing habitat for rare and endangered species of plants and animals, and those preserving scarce ecological associations, historic and cultural features, or unique geologic formations, which will, when acquired and developed, be open to public recreation use;

C. areas which will provide sites for only a single purpose or tenancy type of recreational use;

D. areas which will provide for dispersed recreation uses, including but not limited to: public access, scenic areas, fish and wildlife habitat areas, and roadside, trail side, and waterfront zones.

Subp. 2. **General acquisition project priorities.** The priority of specific acquisition projects within any one classification will be determined by the state criteria in part 6100.7100, subpart 3 provided each project complies with Minnesota Statutes 1967, section 86.71, subdivision 4. "Compatibility" as used therein shall mean in agreement with the currently accepted state outdoor recreation plan promulgated in accordance with Minnesota Statutes 1967, section 86.71, subdivision 3.

Projects having the highest priority will be programmed as defined in part 6100.7400, within the limits of allocations available to the state and in conformity with the distribution of the funds provided in Minnesota Statutes.

Projects having a low priority will not be programmed for funding when funds are limited.

Subp. 3. **Development projects classification.** For purposes of priority evaluation, outdoor recreation development projects will be classified as follows:

A. Projects which are essential to the protection and perpetuation of the site and its environment providing the site is of unique character and of public interest.

B. Projects which are essential for protecting the health and safety of the user.

C. Projects essential to provide access to dispersed use areas including, but not limited to: water access sites, hiking, horseback, snowmobile, and other trails.

D. Projects which are essential to meet the need for facilities within an area to provide multipurpose recreational opportunities to the general public, rather than a segment of the public, and which provide for mass use needs and have combinations of facilities including, but not limited to: picnic grounds, playgrounds, launching ramps, swimming beaches, ski areas, playing fields. Consideration should be given to the needs of handicapped, aged, and underprivileged groups.

E. Projects which are essential in providing tenancy for outdoor recreation users such as campgrounds, where such facilities are not of sufficient capacity to meet the present needs.

F. Single-purpose projects which are essential in providing for mass use including, but not limited to: picnic areas, playgrounds, playing fields, swimming pools and beaches, ski areas, or ball fields.

Subp. 4. **General development project priorities.** The priority of specific development projects within any one classification will first be judged for the quality of the site itself and its suitability for the planned purposes as defined in the acquisition development priority schedule of the currently approved state outdoor recreation plan.

Secondly, the priority of said projects will be determined in accordance with the state criteria in part 6100.7100, subpart 3 provided each project complies with Minnesota Statutes 1967, section 86.71, subdivision 4. "Compatibility" as used therein shall mean in agreement with the currently accepted state outdoor recreation plan promulgated in accordance with Minnesota Statutes 1967, section 86.71, subdivision 3.

Projects having sufficient priority will be programmed as defined in part 6100.7400 within the limits of the allocation available to the state and in conformity with the distribution of the fund as provided in Minnesota Statutes 1967, section 86.71, or any amendment or superseding statute thereto.

Projects having a low priority rating will not be programmed for funding when funds are limited.

Statutory Authority: *MS s 86.71*

6100.7400 PROJECT PROGRAMMING OR SCHEDULING PROCEDURE.

Subpart 1. **State allocation.** Preliminary allocations to the states are usually released approximately 30 days following the beginning of a fiscal year. The final amount available for state use is amended in the last quarter of the fiscal year. However, later adjustments in the state allocation may subsequently be made by the bureau to reflect the actual receipts in the fund.

Subp. 2. **Distribution of state allocation.** Minnesota Statutes 1967, section 86.71, subdivision 4, provides that 50 percent of the state allocation be distributed for projects to be acquired, developed, and maintained by local units of government. The remaining 50 percent

will be made available to state agencies. This law further provides that "any guidelines established by the state for distribution of moneys made available to the state under subdivision 1 shall, after July 1, 1967, be distributed on a statewide and regional priorities basis other than a formula based on population and land areas."

Subp. 3. Submission of project proposals. Submission of project proposals:

A. The programming or scheduling of projects for funding from the local government share of the state allocation for each fiscal year following July 1, 1967, will be accomplished by the review and evaluation of all project proposals in the hands of the state agency on or before November 15 and May 15, or the nearest workday should these dates fall on Saturday or Sunday. Project proposals from state agencies will likewise be reviewed and evaluated if in hand on or before September 15 and March 15 or on the nearest workday.

B. Each applying agency will certify by accompanying letter or statement that they have the financial authority and capability to support 100 percent of an acquisition or 75 percent of a development project until reimbursement is received.

C. Projects programmed by the state agency and recommended to the bureau normally require about four months after date submitted for bureau action.

D. Any state agency, county, municipality, or other local public entity in Minnesota may submit project proposals to acquire land for outdoor recreational purposes, or for the development of such acquired area, or on areas now held under an acceptable title in fee or an acceptable leasehold.

Local units of government will submit the project proposals, on forms as prescribed by the state agency for acquisition projects or for development projects, with the required attachments.

State agencies will submit their project proposals using forms as presented by the federal Bureau of Outdoor Recreation for acquisition projects and for development projects, along with the required attachments.

The required attachments for all project proposals shall consist of the following: a preliminary site plan, drawn to scale and showing the area boundary, and any development, both existing or planned by appropriate symbol, must accompany a proposal. Acquisition proposals will list each individual ownership as a parcel. These parcels should be indicated on the site map. The size of the map should not be larger than necessary to show the required detail. Proposals covering programmed projects will be prepared and submitted to the bureau by the state agency.

Subp. 4. Local plan. Local plan:

A. Projects proposed by local units of government or state agencies are subject to review and coordination by the state agency (Minnesota Statutes 1967, section 86.71, subdivision 3.) Local projects must be a part of a comprehensive outdoor recreation plan (preferably part of a coordinated land use plan) for the county or an established regional authority, and must be a part of the five-year action program of such a plan after January 1, 1969. (Minnesota Statutes 1967, section 86.71, subdivision 4.) Counties or an established regional authority not having a comprehensive plan in which outdoor recreation is a planning element, may prepare an interim outdoor recreation plan for the review by the State Planning Agency and the state agency. Such a plan must contain a five-year action program for acquisition and development which covers the entire county area and all jurisdictions therein, and which is approved by the county board.

B. Projects will be rated by the county or regional authority as to priority in the county or regional action program. Only local projects having top priority will be considered by the state agency for funding.

C. On a statewide or regional basis, the state agency will program for funding those projects included in the highest priority groups of the state plan first.

Subp. 5. Local review of project proposals. Local review:

A. Any project proposal to be submitted to the legislative advisory committee for state natural resource assistance subsequent to bureau approval must be reviewed by the county board and the county planning committee of the regional planning committee if such a committee has been established. (Minnesota Statutes 1967, section 86.75.) Local review of all project proposals, and not just those enumerated, is desirable and in the best interest of

good planning and programming. Such local review will provide adequate intracounty coordination, and where regional planning authority exists, adequate intercounty coordination. The review comments may be presented to the state agency by letter or copy of a resolution signed by the board or committee chair.

B. Laws of Minnesota 1967, chapter 896, provides for a review of land and water conservation fund applications by the metropolitan council, when such a review is required by federal law or by the federal agency. Pursuant to president's executive order 11237 and Public Law Number 89.754 (80 Statutes at Large 1263) the federal government requires such a review when the application concerns acquisition of land in metropolitan areas such as the seven county metropolitan area. The council's review will be such as is required by law with respect to planning and programming. The council's recommendations will accompany the preliminary proposal when filed with the state agency for program review.

Subp. 6. **State agency evaluation.** All of the preliminary proposals received 30 days prior to a semiannual programming date will be evaluated by that date. Applications will either be submitted to the bureau for approval, held for future action, or disqualified if the project does not meet the standards herein established. The applicant will be duly notified by letter of the state agency's action. The standards against which a proposed project will be weighed are as follows:

A. The project must meet the qualifications for an outdoor recreation project established by the Land and Water Conservation Fund Act and the regulations of the Bureau of Outdoor Recreation.

B. The project must be consistent with the currently accepted state comprehensive outdoor recreation plan.

C. Total cost for each proposed project will be in excess of \$5,000. Administration cost at a local, state, and federal level for a smaller project would be excessive.

D. The project proposal must receive a high priority as judged using state criteria in parts 6100.7000 to 6100.7300.

E. All applicants will certify that if the grant is approved they will have the capability of financing 100 percent of an acquisition project and at least 75 percent of a development project until reimbursement from the fund is received. Applicants will also certify as to their financial and organizational ability to maintain and administer the project if a grant were provided.

Statutory Authority: *MS s 86.71*

History: *17 SR 1279*