

CHAPTER 6102
DEPARTMENT OF NATURAL RESOURCES
RECREATIONAL VEHICLES

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6102.0001 SCOPE AND PURPOSE.

The scope and purpose of this chapter is to provide regulation of off-highway motorcycles, off-road vehicles, and all-terrain vehicles pursuant to Minnesota Statutes, sections 84.787 to 84.796, 84.797 to 84.805, and 84.92 to 84.929.

Statutory Authority: *MS s 84.787 to 84.805; 84.92 to 84.929*

History: 22 SR 1026

6102.0002 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of parts 6102.0002 to 6102.0080, the terms defined in this part have the meanings given them.

Subp. 2. **ATV.** "ATV" means an all-terrain vehicle.

Subp. 3. **Commissioner.** "Commissioner" means the commissioner of natural resources.

Subp. 4. **Department.** "Department" means the Department of Natural Resources.

Subp. 5. **OHM.** "OHM" means an off-highway motorcycle.

Subp. 6. **ORV.** "ORV" means an off-road vehicle.

Subp. 7. **Vehicle.** "Vehicle" means an OHM, ORV, or ATV.

Statutory Authority: *MS s 84.787 to 84.805; 84.92 to 84.929*

History: 22 SR 1026

6102.0010 VEHICLE REGISTRATION AND DISPLAY OF NUMBERS.

Subpart 1. **Application.** Application for vehicle registration shall be made to the commissioner or authorized agent providing information relevant to registration in the format prescribed by the commissioner. Applicants must be 18 years of age or older before applying for registration. Upon presentation of a bill of sale and payment of the fee as required by Minnesota Statutes, sections 84.788, 84.798, and 84.922, a registration certificate shall be issued. Registration is valid for up to three years beginning January 1 of the year in which the vehicle is registered. Private use ATV registration certificates and decals are valid until ownership is transferred as prescribed by Minnesota Statutes, section 84.922, subdivision 2a.

Subp. 2. **Required information.** The applicant shall furnish all the information completely and accurately as required by the application for registration.

Subp. 3. **Display of number and decals.** The current ATV and OHM registration numbers and decal must be displayed on a plate not less than four inches high and 7-1/2 inches wide, which is clearly visible on the back of the vehicle, at least 12 inches from the ground. The decal must be displayed in the upper-left section of the plate. The plate, registration numbers, and registration decal must be maintained in a clear and legible condition.

ATVs registered for private use as prescribed by Minnesota Statutes, section 84.922, subdivision 2a, must display the private use decal in the upper-right section of the plate. If registered only for private use, no numbers need be displayed.

OHMs licensed under Minnesota Statutes, chapter 168, for highway use must display the OHM decal in the upper-left section of the license plate issued by the Department of Public Safety, Division of Motor Vehicles.

Subp. 4. **Description of decal and number.** Letters and numbers shall be:

- A. at least 1-1/2 inches high and 3/16 inch stroke;
- B. in English language characters placed to read from left to right; and
- C. in a color that contrasts with the background to which they are applied.

Subp. 5. **Replacement card, numbers, decals.** A replacement registration card shall be issued upon application by the owner to the commissioner providing information relevant to registration in the format provided and upon payment of the fee as required by Minnesota Statutes, sections 84.788, subdivision 4; 84.798, subdivision 5; and 84.922, subdivision 3. A replacement registration decal may be obtained from the department's License Bureau, or any conservation officer. When any previously affixed registration number or decal is lost or destroyed, a replacement shall be affixed in the same manner as the original.

Subp. 6. [Repealed, 22 SR 1026]

Subp. 7. **Reporting of abandoned, stolen, or destroyed vehicles.** A vehicle registered under this part that is abandoned, stolen, or destroyed must be reported to the commissioner within 15 days by completing the reverse side of the registration certificate completely and accurately. A fee is not charged for the reporting.

Statutory Authority: *MS s 84.787 to 84.805; 84.92 to 84.929*

History: *18 SR 1145; 22 SR 1026*

6102.0020 DEALER'S AND MANUFACTURER'S REGISTRATION.

Subpart 1. **Demonstration or testing purposes.** Application for registration of all vehicles owned by a dealer and operated for demonstration or testing purposes within this state shall be made to the commissioner providing information relevant to registration in the format prescribed by the commissioner. Upon payment of the fee as required by Minnesota Statutes, sections 84.788, subdivision 6; 84.798, subdivision 6; and 84.922, subdivision 5, a registration certificate and one registration plate shall be issued. The registration certificate 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 vehicles owned by a manufacturer and operated for research, testing, experimentation, or demonstration purposes shall be made to the commissioner providing information relevant to registration in the format prescribed by the commissioner. Upon payment of the fee as required by Minnesota Statutes, sections 84.788, subdivision 6; 84.798, subdivision 6; and 84.922, subdivision 5, a registration certificate and one registration plate shall be issued. The registration certificate shall be conspicuously displayed by the manufacturer in the manufacturer's place of business.

Subp. 2a. **Duplicate registration plates.** A duplicate registration plate may be purchased by a registered dealer or registered manufacturer upon payment of the fee as required by Minnesota Statutes, sections 84.788, subdivision 6; 84.798, subdivision 6; and 84.922, subdivision 5.

Subp. 3. **Display required.** A dealer or manufacturer may not operate or permit to be operated within this state any vehicle owned by or under the control of a dealer or manufacturer unless a valid registration plate is clearly displayed on the vehicle in the manner prescribed by part 6102.0010, subpart 3.

Statutory Authority: *MS s 84.787 to 84.805; 84.92 to 84.929*

History: *18 SR 1145; 22 SR 1026*

6102.0030 SPECIAL OPERATING PERMITS.

Subpart 1. **Issuance.** 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 vehicles from states that do not require registration when the special operating permits are to be used in connection with an organized group outing, trail ride, race, rally, or other promotional event. The permit shall be in the format prescribed by the commissioner and is valid only under the terms and conditions specified by the permit for the event. The permit must be carried by the vehicle operator.

Subp. 2. **Commissioner's review.** If a special operating permit is granted with conditions or is denied, the applicant may file with the commissioner a written request for review. The commissioner shall review the permit application and render a decision within 15 days of the request for review.

Subp. 3. **Contested case hearing.** If the applicant wishes to appeal the decision of the commissioner after review under subpart 2, the applicant may file with the commissioner a written request for a contested case hearing under Minnesota Statutes, chapter 14.

Statutory Authority: *MS s 84.787 to 84.805; 84.92 to 84.929*

History: *18 SR 1145; 22 SR 1026*

6102.0040 REQUIRED EQUIPMENT.

Subpart 1. **Vehicle.** A vehicle shall not be operated on public lands, waters, and trails or on public streets and highways which are open to vehicle use unless equipped according to items A to E.

A. When operating during hours of darkness or reduced visibility, a vehicle must have at least one headlamp in operation, having a minimum candlepower 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 operating during hours of darkness or reduced visibility, a vehicle must have at least one red tail lamp in operation, 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. A vehicle must have brakes adequate to control the movement of, to stop, and to hold the vehicle under normal operating conditions.

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

E. An ORV must have a seat belt for each human occupant. All human occupants must wear seat belts when the vehicle is in operation.

Subp. 2. **Sled, trailer, or device towed by a vehicle.** A sled, trailer, or other device being towed by a vehicle must be equipped with a straight arm bar if the sled, trailer, or other device being towed by a vehicle contains one or more human passengers, except that a disabled vehicle being towed by any means may contain one human passenger if necessary to steer the vehicle. During the hours of darkness under normal atmospheric conditions the device being towed must also be equipped according to items A and B.

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

B. The reflection material required must have at least the minimum intensity values prescribed in Table II of the Federal Specifications L-S-300C, dated March 29, 1977, Code of Federal Regulations, title 49, chapter V, section 571.108, S5.7.2, or be in accordance with Reflex Reflectors, Society of Automotive Engineers, SAE J594F, which are incorporated by reference, are not subject to frequent change, and are available through the Minitex interlibrary loan system. 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.

Subp. 3. **Maker's permanent identification number.** All ATVs made after January 1, 1995, and OHMs made after January 1, 1994, that are sold in this state must bear the maker's permanent identification number. All ATVs and OHMs so manufactured shall bear an individual number that is not duplicated by that maker at any time within the succeeding ten years. The maker's permanent identification number must:

A. be permanently stamped into the steering head or on a frame member on the forward half of the vehicle;

B. have numerals and letters of not less than four millimeters in height, and in English language characters placed to read from left to right; and

C. be readable without removing any part of the vehicle.

Subp. 4. Mufflers.

A. No person shall operate a vehicle unless it is equipped with a muffler having a spark arrester approved by the United States Forest Service as described by Code of Federal Regulations, title 36, chapter II, section 261.52, paragraph (j).

B. Vehicles shall not be sold, offered for sale, or operated in this state unless equipped so 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 J1287, June 1988, or, if different procedures or instrumentation are used, a noise level equivalent to that level.

C. No noise suppressing system or muffler shall be equipped with a cutout, bypass, or similar device and no person shall modify or alter that system or its operation in any manner which will amplify or increase the noise emitted by the vehicle's motor to exceed the noise limits established in this subpart, except for organized events as authorized by Minnesota Statutes, sections 84.795, subdivision 7; 84.804, subdivision 5; and 84.928, subdivision 5.

Statutory Authority: *MS s 84.787 to 84.805; 84.92 to 84.929*

History: *18 SR 1145; 22 SR 1026*

6102.0050 OPERATIONAL RESTRICTIONS.

Subpart 1. Traffic control. To control traffic on public lands, waters, and trails, all vehicle operators must comply with items A to G.

A. Signs posted by the department must be obeyed. Signs shall be posted when necessary and desirable to control, direct, or regulate the operation and use of a vehicle, or to protect natural resources or public safety. Signs may also be posted restricting access to certain areas.

B. One-way trails must be traveled in the direction indicated.

C. When on a trail treadway, an operator must stay on the right half of the treadway when meeting or being passed by another trail user.

D. When passing another trail user traveling in the same direction, an operator must pass on the left half of the treadway and may pass only 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 user.

E. 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.

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

G. Trail users shall yield to nonmotorized trail users and shall shut off their vehicles when meeting a horse until the horse has passed or until waved on by the rider or driver of the horse.

Subp. 2. Operation of vehicles. It is unlawful on any public lands, waters, trails, or public road rights-of-way open for vehicle use for any person to drive or operate a 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. When necessary, the commissioner may establish and post at reasonable intervals a reasonable and safe maximum speed limit for the operation of a vehicle along a specific portion of the trail or in areas under the commissioner's jurisdiction. The speed limit is effective when signs are erected and any operation of a vehicle within the posted portion of the trail or area in excess of the posted speed limit is unlawful.

The speed limit may be waived in writing by the commissioner for an organized race or similar competitive event held upon lands, waters, or trails under the jurisdiction of the commissioner.

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

Subp. 3. **Regulations by governmental subdivisions.** Governmental subdivisions may, by ordinance, regulate the operation of a vehicle on public waters within their boundaries, provided the ordinance is approved by the commissioner and is not inconsistent with law or rule. An ordinance affecting vehicle use on public waters is not valid with respect to such action unless first submitted to the commissioner and approved in writing.

Subp. 4. [Repealed, 22 SR 1026]

Statutory Authority: *MS s 84.787 to 84.805; 84.92 to 84.929*

History: *18 SR 1145; 22 SR 1026*

6102.0060 UNIFORM SIGNS.

Subpart 1. **In general.** The department shall post signs when necessary and desirable to control, direct, or regulate the operation and use of vehicles, or to protect natural resources or public safety. The department may post signs restricting access to certain areas. Specifications for signs used by the state or any of its subdivisions shall be pursuant to the department sign manual. Detailed plans and specifications for signs are available upon request to the commissioner.

Subp. 2. [Repealed, 22 SR 1026]

Subp. 3. [Repealed, 22 SR 1026]

Subp. 4. [Repealed, 22 SR 1026]

Subp. 5. [Repealed, 22 SR 1026]

Subp. 6. [Repealed, 22 SR 1026]

Subp. 7. [Repealed, 22 SR 1026]

Subp. 8. [Repealed, 22 SR 1026]

Subp. 9. [Repealed, 22 SR 1026]

Statutory Authority: *MS s 84.787 to 84.805; 84.92 to 84.929*

History: *18 SR 1145; 22 SR 1026*

6102.0070 EDUCATION AND TRAINING PROGRAMS FOR ATV AND OHM.

Subpart 1. **Administration.** The education and training program shall be administered by the safety coordinator, Enforcement Division, Department of Natural Resources.

Subp. 2. **Course content.** The course content shall include the following:

- A. machine nomenclature;
- B. control familiarization;
- C. machine safety features;
- D. operating procedures;
- E. OHM and ATV laws and rules;
- F. loading and towing procedures;
- G. OHM and ATV code of ethics;
- H. safety hazards of operation including possible hearing damage;
- I. environmental consequences of OHM and ATV use; and
- J. written tests.

Subp. 3. **Safety certificate.** Upon successful completion of the training program, a student may submit the student's name, address, and date of birth to the safety coordinator who shall issue to the student, on behalf of the commissioner, a safety certificate. A duplicate certificate shall be issued if the original is lost or destroyed, upon application and payment of the current issuance fee. Each safety certificate issued shall show on its face the name and birth date of the person to whom it was issued.

Statutory Authority: *MS s 84.787 to 84.805; 84.92 to 84.929*

History: *22 SR 1026*

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6102.0080 OFFICIAL USE AND VARIANCE.

The requirements of parts 6102.0010 to 6102.0050 do not apply to a licensed peace officer or an employee or agent of the department while engaged in the performance of official duties. In addition, the commissioner may grant a variance from the requirements of parts 6102.0010 to 6102.0050 when the commissioner considers it necessary for maintenance, conservation, or public safety purposes.

Statutory Authority: *MS s 84.787 to 84.805; 84.92 to 84.929*

History: 22 SR 1026