

1 Department of Natural Resources

2

3 Adopted Permanent Rules Relating to Operation of Recreational

4 Motor Vehicles on State Forest Lands

5

6 Rules as Adopted

7 6100.0100 STATUTORY AUTHORITY.

8 Parts 6100.0100 to 6100.2400 are authorized by Minnesota

9 Statutes, sections 84.03, 85.052, 89.031, 89.19, and 89.21.

10 6100.0300 SCOPE.

11 Parts 6100.0100 to 6100.2400 apply to state parks,

12 recreational areas, historic sites, waysides, forest

13 campgrounds, and forest day use areas under the control of or

14 operated by the commissioner of natural resources.

15 Parts 6100.1910, 6100.1920, and 6100.2000 also apply to

16 state forest lands in the Richard J. Dorer Memorial Hardwood

17 State Forest which are under the control of, or operated by, the

18 commissioner of natural resources.

19 Parts 6100.1905, 6100.1930, and 6100.2400 apply to all

20 forest lands under the authority of the commissioner of natural

21 resources as defined in Minnesota Statutes, section 89.001,

22 subdivision 13.

23 Parts 6100.0100 to 6100.2400 shall not apply to a person

24 lawfully engaged in the performance of the person's duties in

25 the management and administration of these areas including, but

26 not limited to, the commissioner of natural resources, the

27 commissioner's agents, employees, those persons operating under

28 contract with the Department of Natural Resources, and law

29 enforcement officers.

30 6100.0400 PENALTY.

31 A person who violates any of parts 6100.0100 to 6100.2400

32 is guilty of a misdemeanor and subject to immediate removal from

33 the park, forest campground, forest day use area, the Richard J.

34 Dorer Memorial Hardwood State Forest, or other forest lands

1 under the authority of the commissioner of natural resources and
2 to appropriate legal action.

3 6100.0500 DEFINITIONS.

4 [For text of subps 1 and 2, see M.R.]

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

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

11 [For text of subps 4 and 5, see M.R.]

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

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

22 Subp. 5c. **Richard J. Dorer Memorial Hardwood State**
23 **Forest.** "Richard J. Dorer Memorial Hardwood State Forest" means
24 all posted state forest lands over which the commissioner of
25 natural resources has regulatory authority within the boundaries
26 of the state forest as defined in Minnesota Statutes, section
27 89.021, subdivision 33.

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

30 [For text of subps 6 to 7a, see M.R.]

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

1 officers.

2 [For text of subps 7c to 10, see M.R.]

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

12 [For text of subps 11 and 12, see M.R.]

13 6100.1905 RECREATIONAL MOTOR VEHICLES; FOREST LANDS UNDER
14 AUTHORITY OF COMMISSIONER.

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

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

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

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

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

35 Subp. 2. **Sled, trailer, or device towed by recreational**

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

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

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

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

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

29 6100.1930 USE OF FOREST LANDS UNDER AUTHORITY OF COMMISSIONER.

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

34 A. trail and road signs must be obeyed;

35 B. one-way trails or roads must be traveled in the

1 direction indicated;

2 C. when on a trail treadway or road, all trail or
3 road users must stay on the right half of the treadway or road
4 when meeting or being passed by another user;

5 D. when passing another trail or road user traveling
6 in the same direction, all users must pass on the left half of
7 the trail treadway or road and may only pass when the left half
8 is clearly visible and is free of oncoming traffic for a
9 sufficient distance ahead to permit overtaking and passing to be
10 completely made without interfering with the safety of any trail
11 or road user;

12 E. a trail or road user about to enter onto or cross
13 a trail treadway or road shall yield the right-of-way to any
14 users already on the treadway or road to be entered or crossed;

15 F. when two trail or road users are about to enter an
16 otherwise unmarked intersection from different treadways at
17 approximately the same time, or are approaching an otherwise
18 unmarked merger of two treadways or roads from any two
19 directions at approximately the same time, the user on the right
20 shall have the right-of-way; and

21 G. recreational motor vehicles must yield to
22 nonmotorized trail users on a trail treadway and shall shut off
23 their machines when meeting a horse, until the horse has passed
24 or they have been waved on by the rider or driver of the horse.

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

30 A. At a speed greater than is reasonable or proper
31 under all of the surrounding circumstances or greater than the
32 posted speed limit. Where necessary, the commissioner of
33 natural resources may establish and post at reasonable
34 intervals, a reasonable and safe maximum speed limit for the
35 operation of recreational motor vehicles along a specific road
36 or trail or on other forest lands under the authority of the

1 commissioner. The speed limit will be effective when signs are
2 erected and any operation of a recreational motor vehicle within
3 the posted portion of road, trail, or land in excess of the
4 posted speed limit is unlawful.

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

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

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

12 D. In a manner that destroys state property.

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

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

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

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

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

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

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

33 The commissioner may charge the sponsor or permittee of a
34 special event a fee for use of the land, and may require
35 security such as a bond or cashier's check to ensure that
36 appropriate cleanup measures, the removal of signs, repair of

1 damage, and other actions are completed.

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

9 6100.2400 SUSPENSION OF RULES.

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