

1 **Department of Natural Resources**

2 **Adopted Permanent Rules Relating to Off-Highway Motorcycles, Off-Road Vehicles,**
3 **and All-Terrain Vehicles**

4 **6102.0001 SCOPE AND PURPOSE.**

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

8 **6102.0002 DEFINITIONS.**

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

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

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

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

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

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

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

18 **6102.0010 VEHICLE REGISTRATION AND DISPLAY OF NUMBERS.**

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

1 and decals are valid until ownership is transferred as prescribed by Minnesota Statutes,
2 section 84.922, subdivision 2a.

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

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

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

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

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

18 A. at least 1-1/2 inches high and 3/16 inch stroke;

19 B. in English language characters placed to read from left to right; and

20 C. in a color that contrasts with the background to which they are applied.

21 Subp. 5. **Replacement card, numbers, decals.** A replacement registration card shall
22 be issued upon application by the owner to the commissioner providing information
23 relevant to registration in the format provided and upon payment of the fee as required
24 by Minnesota Statutes, sections 84.788, subdivision 4; 84.798, subdivision 5; and 84.922,
25 subdivision 3. A replacement registration decal may be obtained from the department's
26 license bureau, or any conservation officer. When any previously affixed registration

1 number or decal is lost or destroyed, a replacement shall be affixed in the same manner
2 as the original.

3 Subp. 6. [See repealer.]

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

8 **6102.0020 DEALER'S AND MANUFACTURER'S REGISTRATION.**

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

17 Subp. 2. **Research, experimentation, or demonstration purposes.** Application for
18 registration of all vehicles owned by a manufacturer and operated for research, testing,
19 experimentation, or demonstration purposes shall be made to the commissioner
20 providing information relevant to registration in the format prescribed by the
21 commissioner. Upon payment of the fee as required by Minnesota Statutes, sections
22 84.788, subdivision 6; 84.798, subdivision 6; and 84.922, subdivision 5, a registration
23 certificate and one registration plate shall be issued. The registration certificate shall be
24 conspicuously displayed by the manufacturer in the manufacturer's place of business.

25 Subp. 2a. **Duplicate registration plates.** A duplicate registration plate may be
26 purchased by a registered dealer or registered manufacturer upon payment of the fee as

1 required by Minnesota Statutes, sections 84.788, subdivision 6; 84.798, subdivision 6;
2 and 84.922, subdivision 5.

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

7 **6102.0030 SPECIAL OPERATING PERMITS.**

8 Subpart 1. **Issuance.** Upon written application by the responsible event sponsor to the
9 commissioner, special operating permits for limited periods of time not to exceed 30
10 days may be issued to operators of vehicles from states that do not require registration
11 when the special operating permits are to be used in connection with ~~a responsibly~~ an
12 organized group outing, trail ride, race, rally, or other promotional event. The permit
13 shall be in the format prescribed by the commissioner and is valid only under the terms
14 and conditions specified by the permit for the event. The permit must be carried by the
15 vehicle operator.

16 Subp. 2. **Commissioner's review.** If a special operating permit is granted with
17 conditions or is denied, the applicant may file with the commissioner, ~~within 30 days of~~
18 ~~the date of permit issuance or denial,~~ a written request for review. The commissioner
19 shall review the permit application and render a decision within 15 days of the request
20 for review. ~~If written request for review is not submitted within 30 days, the permit~~
21 ~~decision becomes final.~~

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

26 **6102.0040 REQUIRED EQUIPMENT.**

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

4 A. When operating during hours of darkness or reduced visibility, a vehicle must
5 have at least one headlamp in operation, having a minimum candlepower of sufficient
6 intensity to reveal persons and vehicles at a distance of at least 100 feet ahead under
7 normal atmospheric conditions. The headlamp must be so aimed that glaring rays are
8 not projected into the eyes of oncoming vehicle operators.

9 B. When operating during hours of darkness or reduced visibility, a vehicle must
10 have at least one red tail lamp in operation, having a minimum candlepower of
11 sufficient intensity to exhibit a red light, plainly visible from a distance of 500 feet to the
12 rear under normal atmospheric conditions.

13 C. A vehicle must have brakes adequate to control the movement of, to stop, and
14 to hold the vehicle under normal operating conditions.

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

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

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

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

1 B. The reflection material required must have at least the minimum intensity
2 values prescribed in Table II of the Federal Specifications L-S-300C, dated March 29,
3 1977, Code of Federal Regulations, title 49, chapter V, section 571.108, S5.7.2, or be in
4 accordance with Reflex Reflectors, Society of Automotive Engineers, SAE J594F, which
5 are incorporated by reference, are not subject to frequent change, and are available
6 through the Minitex interlibrary loan system. The manufacturer's trade name, or other
7 decorative material, if meeting minimum reflectorization standards, may be included in
8 computing the required 16 square inch area.

9 Subp. 3. **Maker's permanent identification number.** All ATVs made after January 1,
10 1995, and OHMs made after January 1, 1994, that are sold in this state must bear the
11 maker's permanent identification number. All ATVs and OHMs so manufactured shall
12 bear an individual number that is not duplicated by that maker at any time within the
13 succeeding ten years. The maker's permanent identification number must:

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

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

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

19 Subp. 4. **Mufflers.**

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

23 B. Vehicles shall not be sold, offered for sale, or operated in this state unless
24 equipped so that overall noise emission does not exceed a sound level limitation of not
25 more than 99 decibels on the A scale from a distance of 20 inches using test procedures
26 and instrumentation as set forth in the Society of Automotive Engineers' Standard, SAE

1 J1287, June 1988, or ~~equivalent noise at other distances~~, if different procedures or
2 instrumentation are used, a noise level equivalent to that level.

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

9 **6102.0050 PUBLIC LANDS, WATERS, TRAILS, AND ROADWAYS.**

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

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

16 [For text of items B to F, see M.R.]

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

20 Subp. 2. **Operation of vehicles.** It is unlawful on any public lands, waters, trails, or
21 public road rights-of-way open for vehicle use for any person to drive or operate a
22 vehicle in any of the following ways:

23 A. At a speed greater than is reasonable or proper under all of the surrounding
24 circumstances or greater than the posted speed limit. When necessary, the commissioner
25 may establish and post at reasonable intervals a reasonable and safe maximum speed
26 limit for the operation of a vehicle along a specific portion of the trail or in areas under

1 the commissioner's jurisdiction. The speed limit is effective when signs are erected and
2 any operation of a vehicle within the posted portion of the trail or area in excess of the
3 posted speed limit is unlawful.

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

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

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

15 Subp. 4. [See repealer.]

16 **6102.0060 UNIFORM SIGNS.**

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

23 Subp. 2. [See repealer.]

24 Subp. 3. [See repealer.]

25 Subp. 4. [See repealer.]

1 Subp. 5. [See repealer.]

2 Subp. 6. [See repealer.]

3 Subp. 7. [See repealer.]

4 Subp. 8. [See repealer.]

5 Subp. 9. [See repealer.]

6 **6102.0070 EDUCATION AND TRAINING PROGRAMS FOR ATV AND OHM.**

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

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

11 A. machine nomenclature;

12 B. control familiarization;

13 C. machine safety features;

14 D. operating procedures;

15 E. OHM and ATV laws and rules;

16 F. loading and towing procedures;

17 G. OHM and ATV code of ethics;

18 H. safety hazards of operation including possible hearing damage;

19 I. environmental consequences of OHM and ATV use; and

20 J. written tests.

21 Subp. 3. **Safety certificate.** Upon successful completion of the training program, a
22 student may submit the student's name, address, and date of birth to the safety
23 coordinator who shall issue to the student, on behalf of the commissioner, a safety
24 certificate. A duplicate certificate shall be issued if the original is lost or destroyed, upon

1 application and payment of the current issuance fee. Each safety certificate issued shall
2 show on its face the name and birth date of the person to whom it was issued.

3 **6102.0080 OFFICIAL USE AND VARIANCE.**

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

9 **REPEALER.** Minnesota Rules, parts 6102.0010, subpart 6; 6102.0050, subpart 4; and
10 6102.0060, subparts 2, 3, 4, 5, 6, 7, 8, and 9, are repealed.