

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 2955

(SENATE AUTHORS: DRAHEIM)

DATE
03/16/2023

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Introduction and first reading
Referred to Environment, Climate, and Legacy

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to natural resources; allowing 15-year-olds with instruction permits to
1.3 operate certain all-terrain vehicles; authorizing all-terrain safety certificate
1.4 endorsements on instruction permits; amending Minnesota Statutes 2022, sections
1.5 84.925, subdivision 5; 84.9256, subdivisions 1, 2a, 4; 84.928, subdivisions 1a, 6;
1.6 171.07, subdivision 18.

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

1.8 Section 1. Minnesota Statutes 2022, section 84.925, subdivision 5, is amended to read:

1.9 Subd. 5. **Training requirements.** (a) An individual who was born after July 1, 1987,
1.10 and who is ~~16~~ 15 years of age or older, must successfully complete the independent study
1.11 course component of all-terrain vehicle safety training before operating an all-terrain vehicle
1.12 on public lands or waters, public road rights-of-way, or state or grant-in-aid trails.

1.13 (b) An individual who is convicted of violating a law related to the operation of an
1.14 all-terrain vehicle must successfully complete the independent study course component of
1.15 all-terrain vehicle safety training before continuing operation of an all-terrain vehicle.

1.16 (c) An individual who is convicted for a second or subsequent excess speed, trespass,
1.17 or wetland violation in an all-terrain vehicle season, or any conviction for careless or reckless
1.18 operation of an all-terrain vehicle, must successfully complete the independent study and
1.19 the testing and operating course components of all-terrain vehicle safety training before
1.20 continuing operation of an all-terrain vehicle.

1.21 (d) An individual who receives three or more citations and convictions for violating a
1.22 law related to the operation of an all-terrain vehicle in a two-year period must successfully

2.1 complete the independent study and the testing and operating course components of all-terrain
2.2 vehicle safety training before continuing operation of an all-terrain vehicle.

2.3 (e) An individual must present evidence of compliance with this subdivision before an
2.4 all-terrain vehicle registration is issued or renewed. A person may use the following as
2.5 evidence of meeting all-terrain vehicle safety certificate requirements:

2.6 (1) a valid all-terrain vehicle safety certificate issued by the commissioner;

2.7 (2) a driver's license that has a valid all-terrain vehicle safety certificate indicator issued
2.8 under section 171.07, subdivision 18; ~~or~~

2.9 (3) an identification card that has a valid all-terrain vehicle safety certificate indicator
2.10 issued under section 171.07, subdivision 18; or

2.11 (4) an instruction permit that has a valid all-terrain vehicle safety certificate indicator
2.12 issued under section 171.07, subdivision 18.

2.13 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.14 Sec. 2. Minnesota Statutes 2022, section 84.9256, subdivision 1, is amended to read:

2.15 Subdivision 1. **Prohibitions on youthful operators.** (a) Except for operation on public
2.16 road rights-of-way that is permitted under section 84.928 and as provided under paragraph
2.17 (j), a driver's license or instruction permit issued by the state or another state is required to
2.18 operate an all-terrain vehicle along or on a public road right-of-way.

2.19 (b) A person under 12 years of age shall not:

2.20 (1) make a direct crossing of a public road right-of-way;

2.21 (2) operate an all-terrain vehicle on a public road right-of-way in the state; or

2.22 (3) operate an all-terrain vehicle on public lands or waters, except as provided in
2.23 paragraph (f).

2.24 (c) Except for public road rights-of-way of interstate highways, a person 12 years of age
2.25 but less than ~~16~~ 15 years may make a direct crossing of a public road right-of-way of a
2.26 trunk, county state-aid, or county highway or operate on public lands and waters or state or
2.27 grant-in-aid trails, only if that person possesses a valid all-terrain vehicle safety certificate
2.28 issued by the commissioner and is accompanied by a person 18 years of age or older who
2.29 holds a valid driver's license.

2.30 (d) To be issued an all-terrain vehicle safety certificate, a person at least 12 years old,
2.31 but less than ~~16~~ 15 years old, must:

3.1 (1) successfully complete the safety education and training program under section 84.925,
3.2 subdivision 1, including a riding component; and

3.3 (2) be able to properly reach and control the handle bars and reach the foot pegs while
3.4 sitting upright on the seat of the all-terrain vehicle.

3.5 (e) A person at least ten years of age may take the safety education and training program
3.6 and may receive an all-terrain vehicle safety certificate under paragraph (d), but the certificate
3.7 is not valid until the person reaches age 12.

3.8 (f) A person at least ten years of age but under 12 years of age may operate an all-terrain
3.9 vehicle with an engine capacity up to 110cc if the vehicle is a class 1 all-terrain vehicle with
3.10 straddle-style seating or up to 170cc if the vehicle is a class 1 all-terrain vehicle with
3.11 side-by-side-style seating on public lands or waters if accompanied by a parent or legal
3.12 guardian.

3.13 (g) A person under 15 years of age shall not operate a class 2 all-terrain vehicle.

3.14 (h) A person under the age of ~~16~~ 15 may not operate an all-terrain vehicle on public
3.15 lands or waters or on state or grant-in-aid trails if the person cannot properly reach and
3.16 control:

3.17 (1) the handle bars and reach the foot pegs while sitting upright on the seat of the
3.18 all-terrain vehicle with straddle-style seating; or

3.19 (2) the steering wheel and foot controls of a class 1 all-terrain vehicle with
3.20 side-by-side-style seating while sitting upright in the seat with the seat belt fully engaged.

3.21 (i) Notwithstanding paragraph (c), a nonresident at least 12 years old, but less than ~~16~~
3.22 15 years old, may make a direct crossing of a public road right-of-way of a trunk, county
3.23 state-aid, or county highway or operate an all-terrain vehicle on public lands and waters or
3.24 state or grant-in-aid trails if:

3.25 (1) the nonresident youth has in possession evidence of completing an all-terrain safety
3.26 course offered by the ATV Safety Institute or another state as provided in section 84.925,
3.27 subdivision 3; and

3.28 (2) the nonresident youth is accompanied by a person 18 years of age or older who holds
3.29 a valid driver's license.

3.30 (j) A person 12 years of age but less than ~~16~~ 15 years of age may operate an all-terrain
3.31 vehicle on the roadway, bank, slope, or ditch of a public road right-of-way as permitted
3.32 under section 84.928 if the person:

4.1 (1) possesses a valid all-terrain vehicle safety certificate issued by the commissioner;
4.2 and

4.3 (2) is accompanied by a parent or legal guardian on a separate all-terrain vehicle.

4.4 **EFFECTIVE DATE.** This section is effective the day following final enactment.

4.5 Sec. 3. Minnesota Statutes 2022, section 84.9256, subdivision 2a, is amended to read:

4.6 Subd. 2a. **Parent or guardian authorization.** A person under age ~~16~~15 shall not operate
4.7 and a person shall not allow a person under age ~~16~~15 to operate an all-terrain vehicle, unless
4.8 the parent or guardian of the person under age ~~16~~15 authorizes the operation. For purposes
4.9 of this subdivision, "guardian" means the legal guardian of the person under age ~~16~~15 or
4.10 a person age 18 or older who has been authorized by the parent or legal guardian to supervise
4.11 the person under age ~~16~~15.

4.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.

4.13 Sec. 4. Minnesota Statutes 2022, section 84.9256, subdivision 4, is amended to read:

4.14 Subd. 4. **Suspension.** When the judge of a juvenile court, or its duly authorized agent,
4.15 determines that a person, while less than 18 years of age, has violated sections 84.92 to
4.16 84.928, or other state or local law or ordinance regulating the operation of an all-terrain
4.17 vehicle, the judge or duly authorized agent shall immediately report the determination to
4.18 the commissioner and (1) may recommend the suspension of the person's all-terrain vehicle
4.19 safety certificate, or (2) may recommend to the commissioner of public safety, the suspension
4.20 of the person's driver's license or instruction permit. The commissioner may suspend the
4.21 certificate without a hearing.

4.22 **EFFECTIVE DATE.** This section is effective the day following final enactment.

4.23 Sec. 5. Minnesota Statutes 2022, section 84.928, subdivision 1a, is amended to read:

4.24 Subd. 1a. **Crossing public road right-of-way.** (a) An all-terrain vehicle may make a
4.25 direct crossing of a public road right-of-way provided:

4.26 (1) the crossing is made at an angle of approximately 90 degrees to the direction of the
4.27 road and at a place where no obstruction prevents a quick and safe crossing;

4.28 (2) the vehicle is brought to a complete stop before crossing the shoulder or main-traveled
4.29 way of the road;

5.1 (3) the driver yields the right-of-way to all oncoming traffic that constitutes an immediate
5.2 hazard;

5.3 (4) in crossing a divided road, the crossing is made only at an intersection of the road
5.4 with another public road; and

5.5 (5) if the crossing is made between the hours of one-half hour after sunset to one-half
5.6 hour before sunrise or in conditions of reduced visibility, only if both front and rear lights
5.7 are on.

5.8 (b) An all-terrain vehicle may be operated upon a bridge, other than a bridge that is part
5.9 of the main-traveled lanes of an interstate highway, or roadway shoulder or inside bank of
5.10 a public road right-of-way when required for the purpose of avoiding obstructions to travel
5.11 or environmentally sensitive areas when no other method of avoidance is possible; provided
5.12 the all-terrain vehicle is operated in the extreme right-hand lane, the entrance to the roadway
5.13 is made within 100 feet of the bridge, obstacle, or sensitive area, and the crossing is made
5.14 without undue delay.

5.15 (c) A person shall not operate an all-terrain vehicle upon a public street or highway
5.16 unless the vehicle is equipped with at least one headlight and one taillight, each of minimum
5.17 candlepower as prescribed by rules of the commissioner, and with brakes conforming to
5.18 standards prescribed by rule of the commissioner, and all of which are subject to the approval
5.19 of the commissioner of public safety.

5.20 (d) An all-terrain vehicle may be operated upon a public road right-of-way other than
5.21 as provided by paragraph (b) in an emergency during the period of time when and at locations
5.22 where the condition of the roadway renders travel by automobile impractical.

5.23 (e) Chapters 169 and 169A apply to the operation of all-terrain vehicles upon streets
5.24 and highways, except for those provisions relating to required equipment and except those
5.25 provisions which by their nature have no application.

5.26 (f) A sled, trailer, or other device being towed by an all-terrain vehicle must be equipped
5.27 with reflective materials as required by rule of the commissioner.

5.28 (g) A driver's license or instruction permit is not required to operate an all-terrain vehicle
5.29 along or on a public road right-of-way if the right-of-way encompasses a trail administered
5.30 by the commissioner and designated for all-terrain vehicle use or multiple use.

5.31 (h) A road authority as defined in section 160.02, subdivision 25, may by permit designate
5.32 corridor access trails on public road rights-of-way for purposes of accessing established

6.1 all-terrain vehicle trails. A driver's license or instruction permit is not required to operate
6.2 an all-terrain vehicle on a designated corridor access trail.

6.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.

6.4 Sec. 6. Minnesota Statutes 2022, section 84.928, subdivision 6, is amended to read:

6.5 Subd. 6. **Regulation by political subdivisions.** (a) Notwithstanding any law to the
6.6 contrary, a city or town, acting through its governing body, may by resolution or ordinance
6.7 prohibit the operation of all-terrain vehicles on city streets or town roads in its jurisdiction
6.8 provided the regulations are otherwise consistent with sections 84.92 to 84.928.

6.9 (b) A county or city, or a town acting by its town board, may regulate the operation of
6.10 all-terrain vehicles on public lands, waters, and property under its jurisdiction other than
6.11 public road rights-of-way within its boundaries, by resolution or ordinance of the governing
6.12 body and by giving appropriate notice, provided:

6.13 (1) the regulations must be consistent with sections 84.92 to 84.928 and rules adopted
6.14 under section 84.924;

6.15 (2) an ordinance may not impose a fee for the use of public land or water under the
6.16 jurisdiction of either the Department of Natural Resources or other agency of the state, or
6.17 for the use of an access to it owned by the state or a county or a city; and

6.18 (3) an ordinance may not require an all-terrain vehicle operator to possess a motor vehicle
6.19 driver's license or instruction permit while operating an all-terrain vehicle.

6.20 (c) Notwithstanding any law to the contrary, a county board by ordinance may allow
6.21 the operation of all-terrain vehicles on the road right-of-way shoulder, or inside bank or
6.22 slope of a county highway or county state-aid highway, if:

6.23 (1) the highway is in the agricultural zone; or

6.24 (2) safe operation in the ditch or outside slope is impossible, and the county posts the
6.25 appropriate notice.

6.26 **EFFECTIVE DATE.** This section is effective the day following final enactment.

6.27 Sec. 7. Minnesota Statutes 2022, section 171.07, subdivision 18, is amended to read:

6.28 Subd. 18. **All-terrain vehicle safety certificate.** (a) The department shall maintain in
6.29 its records information transmitted electronically from the commissioner of natural resources
6.30 identifying each person to whom the commissioner has issued an all-terrain vehicle safety
6.31 certificate. The records transmitted from the Department of Natural Resources must contain

7.1 the full name and date of birth as required for the driver's license or identification card.

7.2 Records that are not matched to a driver's license ~~or~~, identification card, or instruction permit
7.3 record may be deleted after seven years.

7.4 (b) After receiving information under paragraph (a) that a person has received an
7.5 all-terrain vehicle safety certificate, the department shall include, on all drivers' licenses;
7.6 instruction permits issued under section 171.05, subdivision 2; or Minnesota identification
7.7 cards subsequently issued to the person, a graphic or written indication that the person has
7.8 received the certificate.

7.9 (c) If a person who has received an all-terrain vehicle safety certificate applies for a
7.10 driver's license; instruction permit issued under section 171.05, subdivision 2; or Minnesota
7.11 identification card before that information has been transmitted to the department, the
7.12 department may accept a copy of the certificate as proof of its issuance and shall then follow
7.13 the procedures in paragraph (b).

7.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.