

## **SPECIAL VEHICLES**

### **§ 71.10 MOTORIZED GOLF CARTS; UTILITY TASK VEHICLES; CLASS 1 ALL-TERRAIN VEHICLES AND MINI-TRUCKS.**

(A) (1) No person shall operate a motorized golf cart, utility task vehicle, all-terrain vehicle, or mini-truck on streets, alleys, sidewalks or other public property without obtaining a permit as provided herein.

(2) Every application for a permit shall be made on a form supplied by the city and shall contain all of the following information:

- (a) The name and address of the applicant.
- (b) The nature of the applicant's physical handicap, if any.
- (c) Model name, make, and year and number of the motorized golf cart, all-terrain vehicle, or mini-truck.
- (d) Current driver's license or reason for not having a current license.
- (e) Other information as the city may require.

(3) The permit fee shall be as set forth in the Fee Schedule, as may be amended from time to time.

(4) Permits shall be granted for a period of 36 months and may be renewed.

(5) No permit shall be granted or renewed unless the following conditions are met:

(a) The applicant must demonstrate that he or she currently holds or has held a valid Minnesota driver's license to operate a mini-truck.

(b) The applicant may be required to submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart, utility task vehicle or all-terrain vehicle on the roadways designated.

(c) The applicant must provide evidence of insurance in compliance with the provisions of Minnesota Statutes concerning insurance coverage for the golf cart, utility task vehicle, all-terrain vehicle, or mini-truck.

(d) The applicant has not had his or her driver's license revoked as the result of criminal proceedings.

(6) Motorized golf carts, utility task vehicles, all-terrain vehicles, and mini-trucks are permitted to operate only on city streets, not state or federal highways, except to cross at designated intersections.

(7) Motorized golf carts, utility task vehicles and all-terrain vehicles not equipped with headlights and tail lights may only be operated on designated roadways from sunrise to sunset. Motorized golf carts with operational, manufacturer installed or commercially available retrofitted headlights and tail lights shall be permitted to operate on city streets. They shall not be operated in inclement weather conditions or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.

(8) Motorized golf carts shall display the slow-moving vehicle emblem provided for in M.S. §169.045, as it may be amended from time to time, when operated on designated roadways.

(9) Motorized golf carts, utility task vehicles, all-terrain vehicles, and mini-trucks shall be equipped with a rear-view mirror to provide the driver with adequate vision from behind as required by M.S. § 169.70.

(10) The operator of a motorized golf cart, utility task vehicle, all-terrain vehicle, or mini-truck may cross any street or highway intersecting a designated roadway.

(11) Every person operating a motorized golf cart, a utility task vehicle, an all-terrain vehicle, or a mini-truck under permit on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of M.S. Ch. 169, as it may be amended from time to time, except when these provisions cannot reasonably be applied to motorized golf carts or mini-trucks and except as otherwise specifically provided in M.S. § 169.045, Subd.7, as it may be amended from time to time.

(12) The City Council may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any of the provisions of this section or M.S. Ch. 169, as it may be amended from time to time, or if there is evidence that the permit holder cannot safely operate the motorized golf cart, utility task vehicle, all-terrain vehicle, or mini-truck on the designated roadways.

(13) The number of occupants on the golf cart, utility task vehicle, all-terrain vehicle, or mini-truck may not exceed the design occupant load.

(B) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**DRIVER.** The person driving and having physical control over the motorized golf cart, utility task vehicle, all-terrain vehicle, or mini-truck and being the licensee.

**MINI-TRUCK.** As defined in M.S. § 169.011, Subd. 40(a), a motor vehicle that has four wheels; is propelled by an electric motor with a rated power of 7,500 watts or less or an internal combustion engine with a piston displacement capacity of 660 cubic centimeters or less; has a total dry weight of 900 to 2,200 pounds; contains an enclosed cabin and a seat for the vehicle operator; commonly resembles a pickup truck or van, including a cargo area or bed located at the rear of the vehicle; and was not originally manufactured to meet federal motor vehicle safety standards required of motor vehicles in the Code of Federal Regulations, Title 49, §§ 571.101 to 571.404, and successor requirements. A **MINI-TRUCK** does not include: a neighborhood electric vehicle or a medium-speed electric vehicle as defined by § 73.13; or a motor vehicle that meets or exceeds the regulations in the Code of Federal Regulations, Title 49, § 571.500, as it may be amended from time to time.

**MOTORIZED GOLF CART.** Any passenger conveyance being driven with four wheels with four low-pressure tires that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 800 pounds.

**UTILITY TASK VEHICLE.** As defined by M.S. § 169.045, Subd. 1(3), a side-by-side, four-wheel drive, off-road vehicle that has four wheels, is propelled by an internal combustion engine with a piston displacement capacity of 1,200 cubic centimeters or less, and has a total dry weight of 1,800 but less than 2,600 pounds.

(C) Authorized city staff may operate city owned motorized golf carts and mini-trucks without obtaining a permit within the city on city streets, sidewalks, trails, rights-of-way, and public property when conducting city business.

(D) Mini-truck equipment requirements:

(1) A mini-truck may be operated under permit on designated roadways if it is equipped with all of the following:

(a) At least two headlamps.

(b) At least two tail lamps.

(c) Front and rear turn-signal lamps.

(d) An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror.

(e) A windshield.

(f) A seat belt for the driver and front passenger.

(g) A parking brake.

(Ord. 872, passed 6-13-2018)

## § 71.11 ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE; OPERATION OF.

(A) *Definition.* For purposes of this section the following definition shall apply unless the context clearly indicates or requires a different meaning.

***ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE.*** A self-balancing device with two non-tandem wheels, designed to transport not more than one person, and operated by an electric propulsion system that limits the maximum speed of the device to 15 miles per hour.

(B) Except as otherwise provided by law, a person operating an electric personal assistive mobility device has the rights and responsibilities of a pedestrian.

(C) *Operation.*

(1) An electric personal assistive mobility device may be operated on a bicycle path.

(2) No person may operate an electric personal assistive mobility device on a roadway, sidewalk, or bicycle path at a rate of speed that is not reasonable and prudent under the conditions. Every person operating an electric personal assistive mobility device on a roadway, sidewalk, or bicycle path is responsible for becoming and remaining aware of the actual and potential hazards then existing on the roadway or sidewalk and must use due care in operating the device.

(3) An electric personal assistive mobility device may be operated on a roadway only under the following circumstances:

(a) While making a direct crossing of a roadway in a marked or unmarked crosswalk.

(b) Where no sidewalk is available.

(c) Where a sidewalk is so obstructed as to prevent safe use.

(d) When so directed by a traffic control device or by a peace officer.

(e) Temporarily in order to gain access to a motor vehicle.

(f) As provided in division (7) below by Council resolution.

(4) An electric personal assistive mobility device may not be operated at any time on a roadway with a speed limit of more than 35 miles per hour except to make a direct crossing of the roadway in a marked crosswalk.

(5) An electric personal assistive mobility device may not be operated at any time while carrying more than one person.

(6) Designated exclusive city streets. The City Council may, by resolution, designate exclusive city streets within its jurisdiction where the operation of electric personal assistive mobility devices is not permitted, provided that any street so designated has a speed limit of more than 35 miles per hour.

(7) A person operating an electric personal assistive mobility device on a sidewalk must yield the right-of-way to pedestrians at all times. A person operating an electric personal assistive mobility device on a bicycle path must yield the right-of-way to bicycles at all times.

(8) An electric personal assistive mobility device may not be operated unless the device bears reflectorized material on the front, back, and wheels, visible at night from 600 feet when illuminated by the lower beams of headlamps of a motor vehicle.

(Ord. 872, passed 6-13-2018)

## § 71.12 MOTORIZED FOOT SCOOTERS.

(A) *Definition.* As used in this section the following definition shall apply unless the context clearly indicates or requires a different meaning.

**MOTORIZED FOOT SCOOTER.** A device with handlebars designed to be stood or sat upon by the operator, and powered by an internal combustion engine or electric motor that is capable of propelling the device with or without human propulsion, and that has no more than two 12-inch or smaller diameter wheels and has an engine or motor that is capable of a maximum speed of 15 miles per hour on a flat surface with not more than 1% grade in any direction when the motor is engaged. An electric personal assistive mobility device, a motorized bicycle, an electric-assisted bicycle, or a motorcycle is not a **MOTORIZED FOOT SCOOTER**.

(B) Operation of a motorized foot scooter on city bicycle paths, bicycle lanes, bicycle trails, or bikeways is prohibited except as provided in division (C) below.

(C) The City Council may, by resolution, designate specific bicycle paths, bicycle lanes, bicycle trails, or bikeways as available for use by motorized foot scooters.

(D) Every person operating a motorized foot scooter shall have all rights and duties applicable to the operator of a bicycle, except in respect to those provisions relating expressly to motorized foot scooters and in respect to those provisions of law that by their nature cannot reasonably be applied to motorized foot scooters.

(E) No person may operate a motorized foot scooter upon a sidewalk, except when necessary to enter or leave adjacent property. No person may operate a motorized foot scooter that is carrying any person other than the operator.

(F) No person under the age of 12 years may operate a motorized foot scooter.

(G) No person under the age of 18 years may operate a motorized foot scooter without wearing properly fitted and fastened protective headgear that complies with standards established by the commissioner of Public Safety.

(H) A motorized foot scooter must be equipped with a headlight and a taillight that comply with standards established by the Commissioner of Public Safety if the vehicle is operated under conditions when vehicle lights are required by law.

(I) A person operating a motorized foot scooter on a roadway shall ride as close as practicable to the right-hand curb or edge of the roadway, except in the following situations:

(1) When overtaking and passing another vehicle proceeding in the same direction.

(2) When preparing for a left turn, in which case the operator shall stop and dismount at the right-hand curb or right edge of the roadway, and shall complete the turn by crossing the roadway on foot, subject to restrictions placed by law on pedestrians.

(3) When reasonably necessary to avoid impediments or conditions that make it unsafe to continue along the right-hand curb or edge, including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or narrow lanes.

(Ord. 872, passed 6-13-2018)

## § 71.13 MEDIUM-SPEED ELECTRIC VEHICLES AND NEIGHBORHOOD ELECTRIC VEHICLES.

(A) *Definitions.* As used in this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**MEDIUM SPEED ELECTRIC VEHICLE.** An electrically powered four-wheeled motor vehicle, equipped with a roll cage or crushproof body design, that can attain a maximum speed of 35 miles per hour on a paved level surface, is fully enclosed and has at least one door for entry, has a wheelbase of 40 inches or greater and a wheel diameter of ten

inches or greater, and except with respect to maximum speed, otherwise meets or exceeds regulations in the Code of Federal Regulations, Title 49, § 571.500, and successor requirements.

**NEIGHBORHOOD ELECTRIC VEHICLE.** An electrically powered motor vehicle that has three or four wheels, and has a speed attainable in one mile of at least 20 miles per hour, but not more than 25 miles per hour on a paved level surface.

(B) Operation of neighborhood electric vehicles on city streets is prohibited except as provided in division (C) below.

(C) *Use on designated exclusive city streets.* The City Council may, by resolution, designate exclusive city streets within its jurisdiction where the operation of neighborhood electric vehicles or medium-speed electric vehicles is permissible, provided that no street so designated has a speed limit of more than 35 miles per hour.

(D) A neighborhood electric vehicle or a medium-speed electric vehicle may be operated on public streets and highways only if it meets all equipment and vehicle safety requirements in Code of Federal Regulations, Title 49, § 571.500, as it may be amended from time to time.

(E) Authorized city staff may operate city owned neighborhood electric vehicles and medium-speed electric vehicles within the city on city streets, sidewalks, trails, rights-of-way, and public property when conducting city business.

(Ord. 872, passed 6-13-2018)

#### **§ 71.14 OPERATION REGULATIONS.**

(A) *When prohibited.* No person shall operate an all-terrain vehicle within the city limits upon public property or upon private property after the hours of 10:00 p.m. or before 7:00 a.m., Sunday through Thursday, and after the hours of midnight or before 7:00 a.m. on Friday and Saturday.

(Prior Code, § 19.1-2)

(B) *Where permitted; limitations.*

(1) During the hours enumerated in the preceding section, the operation of all-terrain vehicles will be limited to the following streets:

- (a) Second Avenue Southwest from CSAH 34 southerly to Fifth Street southwest;
- (b) CSAH 34 from Third Avenue southwest to Eighth Avenue southwest;
- (c) Eighth Avenue southwest and northwest;
- (d) Fifth Street northwest from Fourth Avenue northwest to the corporate city limits;
- (e) Fourth Avenue northwest from Fifth Street northwest to Seventh Street;
- (f) Seventh Street northwest and northeast;
- (g) First Avenue northeast from Main Street to Seventh Street northeast;
- (h) Fifth Street from Second Avenue southwest to Second Avenue southeast;
- (i) Commerce Drive southeast;
- (j) Third Street southeast;
- (k) Eighth Avenue southeast from CSAH 34 to Third Street southeast;
- (l) Fifth Avenue northeast from Seventh Street northeast to Sixteenth Street northeast;

(m) Sixteenth Street northeast from Fifth Avenue northeast to the corporate city limits;

(n) Mantorville Avenue south from Fifth Street to the corporate city limits;

(o) Eighth Street southwest; and

(p) West Main Street from Eighth Avenue northwest to the corporate city limits.

(2) No all-terrain vehicle shall cross Main Street between Eighth Avenue northwest and First Avenue northeast.

(3) It is unlawful to operate an all-terrain vehicle upon private property without written permission of the owner or person entitled to possession and use of the property, and upon any school grounds, park property, playgrounds or recreation area or any other public property.

(4) All all-terrain vehicles operated on the above-described streets shall only use that portion of the roadway ordinarily used for vehicular traffic.

(Prior Code, §19.1-3)

(C) *Right-of-way; obedience to state law.*

(1) All-terrain vehicles shall, at all times, yield the right-of-way at every intersection and shall be operated in accordance with the state traffic laws and the provisions of this code and other ordinances of the city.

(2) Anyone operating an all-terrain vehicle in the city must have a valid driver's license and insurance.

(Prior Code, §19.1-4)

(D) *Speed limits.* It is unlawful to operate an all-terrain vehicle within the corporate city limits of the city at a rate of speed greater than 25 mph.

(Prior Code, §19.1-5)

(Ord. 804, passed --; Ord. 827, passed 6-11-2008; Ord. 872, passed 6-13-2018) Penalty, see § [71.99](#)