

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 2678

**DATE:** April 12, 2004

**Version:** Third engrossment

**Authors:** Hackbarth and Ozment

**Subject:** Changes in off-highway vehicle laws

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### Overview

This bill amends various statutes enacted recently and authorizes a new grant program.

#### Section

- 1**      **Restrictions on operation.** Clarifies that off-highway vehicles may not be operated on "unfrozen" wetland types 3, 4, and 5, and all calcareous fens; and removes type 8 and private land from this restriction. Removes from this restriction off-highway vehicles being used for certain work-related activities.
- 2**      **Off-highway vehicle use of state lands restricted.** Clarifies that the restriction for off-highway vehicle use on state lands does not apply to forest land classified as managed.
- 3**      **Off-highway vehicle safety and conservation grant program.** Authorizes an off-highway vehicle safety and conservation grant program for statewide off-highway organizations that have been in existence for at least five years and who promote safe and legal operation. Stipulates the use and purpose of the grants to be awarded.
- 4**      **Application; issuance; reports.** Depicts how an off-highway motorcycle registration decal must be affixed. Clarifies that a decal is not required if operating the vehicle on private land, or while competing in a competition event.
- 5**      **Operation requirements.** Lists areas where registered off-road vehicles may be operated.
- 6**      **All-terrain vehicles.** Allows the engine displacement of an ATV to be up to 900 (currently 800) cubic centimeters.
- 7**      **Program established.** Allows all-terrain vehicle safety and training instructors to charge an additional \$5 per person for class materials.

**Section**

- 8 Technical.**
- 9 Passengers.** Allows an all-terrain vehicle driver over 18 to carry one over-18 passenger.
- 10 State forest lands.** Clarifies on state forest lands, except in the Dorer Memorial Hardwood Forest, when and where all-terrain vehicles may be used for hunting.
- 11 Operation generally.** Clarifies a statute because of authorization in section 9.
- 12 Regulations by political subdivisions.** Adds a minimum-maintenance road under highway statutes, Minnesota Statutes, section 160.095, for shoulder or inside bank operation by all-terrain vehicles if approved by county ordinance.
- 13 Rulemaking exemption.** Allows forest trails to be exempt from rulemaking, but requires local public meetings.
- 14 County land.** Mandates that no DNR gate may block access to a state forest road depending on certain uses.
- 15 Forest classification status review.** Allows certain state forests to contain all three types of motorized trail use. allows off-road vehicle trails to provide different levels of difficulty.
- 16 Determination of tax allocation; report to legislature.** Requires a joint agency determination of the unrefunded gas tax used by all-terrain vehicles and a report to the legislature on the amount by March 1, 2005.
- 17-18 Appropriation.** Appropriates:
- \$100,000 for the off-highway vehicle safety grant program;
  - \$50,000 for the unrefunded gas tax study;
  - \$400,000 for off-highway trail inventory designation and development; and
  - \$575,000 to be added to 2003 appropriation for additional grants-in-aid
- 19 Repealer.** Repeals section 84.901, pertaining to the existing off-highway vehicle safety and conservation program that is being replaced by section 4 of this bill.