

**ORDINANCE 300  
CITY OF PRESTON MINNESOTA**

**AN ORDINANCE REGULATING THE USE OF ALL-TERRAIN VEHICLES,  
MOTORIZED GOLF CARTS, UTILITY TASK VEHICLES AND MINI-TRUCKS.**

**1. SPECIAL VEHICLES OPERATING ON CITY STREETS.**

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

***ALL-TERRAIN VEHICLE or ATV.*** As defined by Minn. Stat. § 84.92, Subd. 8, means a motorized vehicle with (1) not less than three, but not more than six low pressure or nonpneumatic tires; (2) a total dry weight of 2,000 pounds or less; and (3) a total width from outside of tire rim to outside of tire rim that is 65 inches or less. All-terrain vehicle includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle. It does not include an electric-assisted bicycle, golf car, mini-truck, dune buggy, or go-cart or a vehicle designed and used specifically for lawn maintenance, snow removal, agriculture, logging, or mining purposes.

***CLASS 1 ALL-TERRAIN VEHICLE.*** As defined by Minn. Stat. § 84.92, Subd. 9, means an all-terrain vehicle that has a total width from outside of tire rim to outside of tire trim that is 50 inches or less.

***CLASS 2 ALL-TERRAIN VEHICLE.*** As defined by Minn. Stat. § 84.92, Subd. 10, means an all-terrain vehicle that has a total width from outside of tire rim to outside of tire trim that is greater than 50 inches but not more than 65 inches.

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

***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 or UTV.*** As defined by Minn. Stat. § 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.

***MINI-TRUCK.*** As defined in Minn. Stat. § 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, sections 571.101 to 571.404, and successor requirements. A

mini-truck does not include: a neighborhood electric vehicle or a medium-speed electric vehicle; or a motor vehicle that meets or exceeds the regulations in the Code of Federal Regulations, title 49, section 571.500, as it may be amended from time to time.

(B) **Permit Required.** 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 that has not been issued a permit from the City as provided herein.

(C) **Exception to Permit Requirement.** Authorized City staff and volunteers 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) **Application.** Every application for a permit shall be made on a form supplied by the City and shall contain the following information:

- 1) Application date.
- 2) Applicant's name, date of birth, and address.
- 3) Type of special vehicle to be permitted.
- 4) Model name, make, and year and number of the motorized golf cart, utility task vehicle, all-terrain vehicle, or mini-truck to be permitted.
- 5) Copy of applicant's current driver's license or reason for not having a current license.
- 6) Proof of insurance in compliance with the provisions of Minn. Stat. § 65B.48 Subd. 5.
- 7) Proof that ATVs and UTVs are registered with the Minnesota Department of Natural Resources.
- 8) If applicant is applying for a permit for an ATV and is born after July 1, 1987, proof that applicant has received a safety certificate from the State of Minnesota.
- 9) Confirmation of equipment required as set forth in (J) below.
- 10) Other information as the City may require.

(E) **Permit Fee.** The permit fee shall be as set forth in the Ordinance Establishing Fees and Charges adopted pursuant to § 30.10 of this code, as that ordinance may be amended from time to time.

(F) **Term of Permit.** Permits shall be granted for a period of three calendar years including the calendar year in which the permit is issued, except that applicants may renew a permit prior to December 31<sup>st</sup> in the year a permit is expiring for the next three calendar years.

(G) **Conditions for Granting Permit.** No permit shall be granted or renewed unless the following conditions are met:

- 1) The applicant submits a completed application and complies with all requirements of this section.

- 2) The applicant who is applying for a permit for an ATV and who was born after July 1, 1987, presents a safety certificate issued by the State of Minnesota.
- 3) The applicant who is obtaining a permit for a mini-truck demonstrates that they currently hold a valid Minnesota driver's license.
- 4) 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 designated roadways.

**(H) Rules of Operation.**

- 1) **Use Only on City Streets.** Motorized golf carts, utility task vehicles, all-terrain vehicles, and mini-trucks are permitted to operate on City streets only, not state or federal highways, except to cross at designated intersections.
- 2) **Time of Operation.** Motorized golf carts, utility task vehicles and all-terrain vehicles may only be operated from sunrise to sunset, unless equipped with original equipment headlights, taillights, and rear-facing brake lights.
- 3) **Conditions Prohibiting Operation.** Motorized golf carts, utility task vehicles and all-terrain vehicles shall not be operated in inclement weather conditions, except during emergency conditions, or when visibility is impaired by weather, smoke, fog, or other conditions, or at any time when there is insufficient visibility to clearly see persons and vehicles on the roadway at a distance of 500 feet.
- 4) **Operation on Recreational Trails.** Operation of Motorized golf carts, utility task vehicles and all-terrain vehicles on City Recreational Trails, bicycle paths, bicycle lanes, bicycle trails, or bikeways is prohibited unless the City Council, by resolution, designates specific bicycle paths, bicycle lanes, bicycle trails, or bikeways as available for use by such vehicles. The City Council, by resolution, may set additional conditions on the use of any designated trails.
- 5) **Location of Permit.** The permit shall be affixed to the uppermost portion on the rear of the driver's side of the vehicle.
- 6) **Number of Occupants.** The number of occupants on the golf cart, utility task vehicle, all-terrain vehicle, or mini-truck may not exceed the design occupant load.
- 7) **Applicability of Minnesota Statutes Chapter 169.** 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 Minn. Stat. chapter 169, as amended, except

when those provisions cannot reasonably be applied and except as otherwise specifically provided in Minn. Stat. § 169.045, Subd.7, as amended.

- 8) **Driver's License Required.** Every person operating a permitted mini-truck on designated roadways shall have a valid driver's license and is subject to the provisions of Minn. Stat. chapter 171, as amended.
- 9) **Safety Certificate Required.** Any person operating a permitted ATV on designated roadways who was born after July 1, 1987, shall be in possession of a safety certificate from the State of Minnesota and shall present their safety certificate to law enforcement upon request.

(I) **Suspension or Revocation of Permit.** The Chief of Police 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 Minn. Stat. chapter 169, as amended, 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. The Chief of Police shall mail written notice to the address on the application or any updated address provided to the City. Within 30 days of the date of the written notice to suspend or revoke, a person whose permit is suspended or revoked may appeal the decision to the City Council for review.

(J) **Required Equipment.**

- 1) Motorized golf carts may be operated under permit on designated roadways if it is equipped with all of the following:
  - a) A slow-moving vehicle emblem as set forth in Minn. Stat. § 169.045 and § 169.522, as amended.
  - b) A rear-view mirror to provide the driver with adequate vision from behind as required by Minn. Stat. § 169.70.
  - c) A parking brake.
- 2) All-terrain vehicles may be operated under permit on designated roadways if it is equipped with all of the following:
  - a) A rear-view mirror to provide the driver with adequate vision from behind as required by Minn. Stat. § 169.70.
  - b) At least one headlamp.
  - c) At least one tail lamp.
- 3) Utility task vehicles and mini-trucks 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 (1) an exterior mirror mounted on the passenger's side of the vehicle or (2) a rear-view mirror to provide the driver with adequate vision from behind as required by Minn. Stat. § 169.70.
- e) A windshield.
- f) A seat belt for the driver and front passenger.
- g) A parking brake.

(K) **Penalty.** A violation of the provisions of this section shall be a petty misdemeanor and shall be punished according to the terms of §10.99(b).