

CHAPTER 74: SNOWMOBILE; ALL-TERRAIN VEHICLES

Section

- 74.01 Definitions
- 74.02 Scope of application
- 74.03 Operation
- 74.04 Special orders
- 74.05 Direct crossings
- 74.06 Yielding the right-of-way
- 74.07 Unlawful act
- 74.08 Equipment
- 74.09 Emergencies
- 74.10 Animals
- 74.11 Signal from officer to stop
- 74.12 Certain statutes adopted
- 74.13 Permits

§ 74.01 DEFINITIONS.

For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

(A) ***ALL-TERRAIN VEHICLE***. A motorized floatation tired vehicle as defined by Minnesota Statutes §84.92.

(B) ***BUSINESS DISTRICT***. That part of the City bounded on the north by the south curblineline of Fourth Street, on the south by the north line of the north sidewalk of First Street, on the west by the west curblineline of Knight Avenue, and the east by the west curblineline of Atlantic Avenue from Fourth Street to Second Street and by the north curblineline of Second Street from Atlantic Avenue to Horace Avenue and by the west curblineline of Horace Avenue from Second Street to First Street.

(C) ***DEADMAN THROTTLE*** or ***SAFETY THROTTLE***. A device which when pressure is removed from the engine accelerator or throttle causes the motor to be disengaged from the driving mechanism.

(D) ***NATURAL TERRAIN***. Areas other than streets or driveways (private or public), parking lots and other areas the surface of which has been intentionally modified for motor vehicle operation thereon.

(E) ***OPERATE***. To ride in or on and control the operation of a snowmobile or all-terrain vehicle.

(F) ***OPERATOR***. Every person who operates or is in actual physical control of a snowmobile or all-terrain vehicle.

(G) **OWNER.** A person, other than a lien holder, having the property in or title to a snowmobile or all-terrain vehicle or entitled to the use or possession thereof.

(H) **SNOWMOBILE.** A self-propelled vehicle designed for travel on snow or ice steered by skis or runners.

§ 74.02 SCOPE OF APPLICATION.

Notwithstanding provisions of this Chapter to the contrary, this Section shall apply to control of traffic and regulation of those certain classes of vehicles falling within the definition of snowmobiles and all-terrain vehicles as to matters set forth herein.

§ 74.03 OPERATION.

Except as otherwise herein permitted, it is unlawful for any person to operate a snowmobile or all-terrain vehicle not licensed as a motor vehicle as follows:

(A) Except for all-terrain vehicles, on any street within the business district except during an emergency as herein otherwise provided;

(B) On the portion of any right-of-way of any street used for motor vehicle travel, except that a snowmobile or all-terrain vehicle may operate upon the most right hand lane of a street and may in passing or making a left hand turn operate on other lanes which are used for vehicle traffic in the same direction;

(C) On a public sidewalk provided for pedestrian travel, except to cross the same at a 90 degree angle or where signs are erected pursuant to resolution of the Council permitting such travel;

(D) On boulevards within any public right-of-way, except where sign-posted and designated pursuant to resolution of the Council;

(E) On the private property of another without specific permission of the owner or person in control of the property;

(F) At a rate of speed greater than the posted speed limit or speed limit set by City Ordinance or Minnesota Statutes, and in no event greater than reasonable or proper under all surrounding circumstances;

(G) At any place in a careless, reckless, or negligent manner or heedlessly in disregard of the rights or safety of others or in a manner so as to endanger or be likely to endanger or cause injury or damage to any person or property;

(H) So as to tow any person or thing except through use of a rigid towbar attached to the rear of the snowmobile or all-terrain vehicle;

(I) At any place while under the influence of alcohol or drugs as defined in M.S. § 169A.20, M.S. § 84.87, M.S. § 84.928 and M.S. § 84.91 which are incorporated herein by reference;

(J) Within 100 feet of any pedestrian, fisherman, skating rink or sliding area where the operation would conflict with the use or endanger other persons or property;

(K) Except while traveling in a direct route to a public or private area where operation is unrestricted except as to requirements of Minnesota Statutes. This limitation shall not be construed to prevent the use of snowmobiles or all-terrain vehicles to travel to and from the driver's place of employment, or for all-terrain vehicles, as alternative transportation; and

(L) Without front and rear lights being lit at all times while on public streets.

(M) For all-terrain vehicles, after sunset and before sunrise or in inclement weather 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 a roadway at a distance of 500 feet; unless equipped with original equipment headlights, taillights, and rear facing brake lights; and,

(N) For all-terrain vehicles, on Highway 32 and Highway 59 within the City.

§ 74.04 SPECIAL ORDERS.

In addition to the regulations herein provided for, it is unlawful to operate a snowmobile or all-terrain vehicle on any public place where prohibited by order of the Council.

§ 74.05 DIRECT CROSSINGS.

A snowmobile or all-terrain vehicle may make a direct crossing of a street or highway, provided:

(A) The crossing is made at an angle of approximately 90 degrees to the direction of the street or highway and at a place where no obstruction prevents a quick and safe crossing;

(B) The snowmobile or all-terrain vehicle is brought to a complete stop before crossing the shoulder or main traveled way;

(C) The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard; and,

(D) In crossing a divided street or highway, the crossing is made only at an intersection of the street or highway with another public street or highway.

§ 74.06 YIELDING THE RIGHT-OF-WAY.

It is unlawful for any person operating a snowmobile or all-terrain vehicle to enter any intersection without yielding the right-of-way to any vehicles or pedestrians at the intersection or so close to the intersection as to constitute an immediate hazard.

§ 74.06

Thief River Falls - Traffic Code

22

§ 74.07 UNLAWFUL ACT.

It is unlawful for the owner of a snowmobile or all-terrain vehicle to permit the snowmobile or all-terrain vehicle to be operated contrary to the provisions of this Chapter.

§ 74.08 EQUIPMENT.

It is unlawful for any person to operate a snowmobile or all-terrain vehicle any place within the City unless it is equipped with the following:

(A) Standard mufflers which are properly attached and which reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cut-out, by-pass, straight pipe, or similar device on a snowmobile or all-terrain vehicle motor;

(B) Braking system equipped with a rear facing brake light and adequate to control the movement of and to stop and hold the snowmobile or all-terrain vehicle under any condition of operation; and,

(C) A safety or so-called "deadman" throttle in operating condition.

§ 74.09 EMERGENCIES.

Notwithstanding the prohibition of operating a snowmobile or all-terrain vehicle upon a street to the contrary, a snowmobile or all-terrain vehicle may be operated on a public thoroughfare in an emergency during the period of time when and at locations where snow upon the street renders travel by automobile impractical.

§ 74.10 ANIMALS.

It is unlawful to intentionally drive, chase, run over, or kill any animal with a snowmobile or all-terrain vehicle.

§ 74.11 SIGNAL FROM OFFICER TO STOP.

It is unlawful for a snowmobile or all-terrain vehicle operator, after having received a visible or audible signal from any peace officer, to come to a stop or to:

(A) Operate a snowmobile or all-terrain vehicle in willful or wanton disregard of the signal;

(B) Interfere with or endanger the peace officer or any other person or vehicle; or

(C) Increase operator's speed or attempt to flee or elude the officer.

23

Snowmobile; All-Terrain Vehicles

§ 74.11

§ 74.12 CERTAIN STATUTES ADOPTED.

M.S. §§ 84.81 through 84.929, inclusive, as amended, together with rules and regulations promulgated thereunder, are adopted by reference, incorporated herein and made a part hereof, except as otherwise provided herein.

§ 74.13 PERMITS.

(A) An individual must have a permit from the City for the operation of an all-terrain vehicle pursuant to this Chapter.

(B) The application for the permit shall be available from the City Police Department, shall be completed, and shall be submitted to the City Police Department, along with an application fee, which fee is to be established by the Council by resolution from time to time;

(C) The application shall be reviewed by the City Police Chief and a permit shall be issued by the City Police Chief should the application qualify;

(D) The applicant must demonstrate evidence of insurance complying with the provisions of Minnesota Statutes §65B.48, Subd. 5;

(E) The permit may be granted for a period of not to exceed three years and may be renewed;

(F) All permits shall be effective from January 1st through December 31st of the third year;

(G) Applicants must be age 16 or greater holding a valid driver's license recognized by the State of Minnesota, and where necessary, a Department of Natural Resource's Certification permitting operation of all-terrain vehicles; the permit to be issued under this section shall only be valid during the time and under the circumstances that the applicant's driver's license would allow operation of a motor vehicle in the State of Minnesota; and,

(H) The permit may be revoked at any time if there is evidence that the permit holder cannot safely or legally operate, or has not safely or legally operated, the all-terrain vehicle within the City or if the applicant's driver's license is no longer recognized as valid in the State of Minnesota. An applicant may appeal any such revocation or denial to the City Council by filing notice of appeal at the City Administrator's Office not later than 14 days after the date of notice of the action to be appealed from.

Amended by Ordinance No. 41, 3rd Series 04/07/09

Amended by Ordinance No. 42, 3rd Series 04/21/09

Amended by Ordinance No. 45, 3rd Series 04/06/10
Amended by Ordinance No. 53, 3rd Series 07/05/11