

Topics of Interest:

Different Types of OHVs

Where Can I Ride?

Registration Requirements

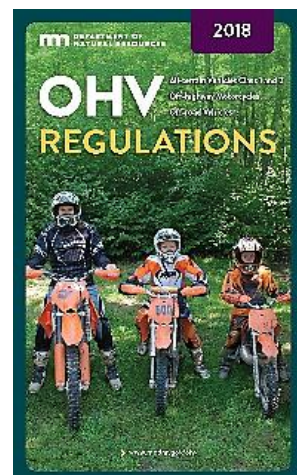
Who Can Ride?

OHV Regulations Booklet

Typically Printed every August

Published for Citizens & Users
for OHV laws and regulations

Information held as applicable
in court of law



Types of OHVs

Off Highway Vehicles (OHVs)



Class 1 ATV

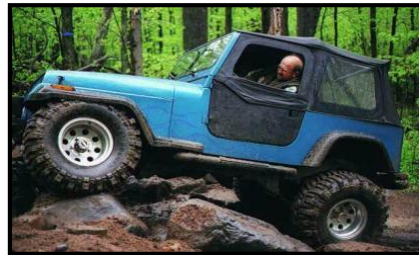


Class 2 ATV

Off Highway Motorcycle-OHM



Off Road Vehicle-ORV



Definitions

"All-terrain vehicle" or "vehicle" means:

A motorized vehicle with:

- (1) Not less than three, but not more than six low pressure or non-pneumatic tires
- (2) A total dry weight of 2,000 pounds or less
- (3) A total width from outside of tire rim to outside of tire rim that is 65 inches or less

(includes both Class 1 and Class 2 ATV's)

Class 1 ATV *Effective 7-1-2015*

An all-terrain vehicle that has a width from outside of tire rim to outside of tire rim is 50 inches or less

Class 2 ATV *Effective 7-1-2015*

An all-terrain vehicle that has a width from outside of tire rim to outside of tire rim is greater than 50 inches but not more than 65 inches

Class 1 ATV



Class 2 ATV

*Examples of Class 2 ATVs you may see on shoulder of road, street, etc.
Width is over 50" but less than 65".



Class 1 includes these few:

These have Width of 50" or less



2015 Pioneer 500

- 475cc liquid cooled single cylinder four-stroke
- Red, Olive, Yellow and Honda Phantom Camo®

MASSIMO MOTOR

PRODUCTS MEDIAS OWNERS DEALERS CONTACT

New

UTV

2015 GUNNER 250S (Now Available)

MSRP \$

4599.00

★★★★☆ REVIEWS

Two Can AM® MAVERICK models

On **the left** - Under 65 inches (Class 2 ATV)

On **the Right** - Over 65 inches (ORV)



64"



72"

The Maverick X3 XRS, on the right, has a massive 72" track along with larger 29" tires, that make it a purpose-built scorcher for dunes or desert.

All-terrain vehicle **does NOT** include:

- golf cart
- mini-truck
- dune buggy
- go-cart

or a vehicle designed and used specifically from lawn maintenance, agriculture, logging or mining purposes.

Off Highway Motorcycle



OHM: Off-Highway Motorcycle

(MS 84.787, subd 7)

- Motorized off-highway vehicles traveling on 2 wheels
- Seat or saddle designed to be straddled by the operator
- Handle bars for steering control
- May be legal for highway use also (Dual Sport)

OHM Types for Road & Trail use

Examples of Dual purpose OHMs

Street legal and legal for trail use with proper DNR OHM registration



Off Road Vehicle



Definition

Off-Road Vehicles (*MS 84.797, subd7*)

Motorized recreation vehicles capable of cross-country travel on natural terrain

Such as 4-wheel drive vehicles – Jeeps

Vehicles **NOT** considered ORVs when used for their intended purpose include: snowmobiles, ATVs, OHMs, watercraft, or aircraft farm, logging, military, emergency, law enforcement, utility, construction vehicles.

Where Can I Ride?

Class 1 ATV Operation-Road Right-of-way

MSA 84.928

- A person shall not operate a Class 1 ATV
 - along or on the roadway
 - shoulder
 - inside bank or slope of the road of a trunk, county state-aid, or county highway



***Unless permitted by county ordinance**

CLASS 2 ATV

Operation of Class 2 ATVs is limited to:

- State Forest & Minimum Maintenance Roads
- under **84.928 (1)(c)** – on the Shoulder or extreme right side of county roads and on the right side of township roads and city streets, IF not prohibited by the road authority or other local laws, and with a valid driver's license.
- Designated Class 2 trails

Class 2 ATVs may **NOT be operated on the shoulder of a state highway*

Example of Class 2 ATV operation on County Road



ATV - Lights

MSA 84.928

A person may not drive or operate an ATV:

- Without headlight and taillight lighted at all times *IF* the vehicle is equipped
- Without a functioning stoplight (brake light)

MSA 84.928

An ATV operated in the road right of way, between the hours of ½ hour after sunset to ½ hour before sunrise must operate in the same direction as highway traffic on the nearest adjacent lane

ATV Operation on Freeway/Interstate HWY

MSA 84.928

May not operate an ATV at any time within the right-of-way of an interstate highway or freeway within this state



Road Crossing

MSA 84.928

An ATV may make a direct crossing of a road provided:

- Crossing is made at 90 degree angle
- Vehicle is brought to a complete stop before crossing
- Yield to oncoming traffic
- Crossing at intersection only on divided highways

MS 84.928

ATV is allowed to operate on roadway,

- To avoid obstructions to travel * or environmentally sensitive areas when no other avoidance is possible
- Cross a bridge
- Must make entrance/exit to the road within 100 feet of bridge/obstacle * or sensitive area
- Extreme right lane

***Officer Discretion**

ATV - Speed

84.928

A person may not drive or operate an ATV:

- At a rate of speed greater than reasonable or proper under the surrounding circumstances
- In a careless, reckless or negligent manner so as to...Endanger or to cause injury to the person or property of another

Ag Exemption

MSA 84.928

A person may operate an ATV registered for ***private use and used for agricultural purposes*** on a public roadway if:

- The ATV is operated on the extreme right-hand side of the road and....
- Left turns may be made from any part of the road if it is safe to do so under the prevailing conditions.

Agricultural Zone Restriction

Illegal to drive an ATV within the right-of-way (ditch) of a state or county road from **April 1 to August 1** in the agricultural zone.

This does not apply to Grant-In-Aid Trails* or Class 1 ATVs registered and used exclusively for agricultural purposes

Class 2 ATVs cannot be operated in ditches

*Remember ATV Grant-In-Aid trails can be established within ROW's in Ag Zone

Agricultural use

Used in agricultural related activities or harvesting of wood for commercial or firewood purposes

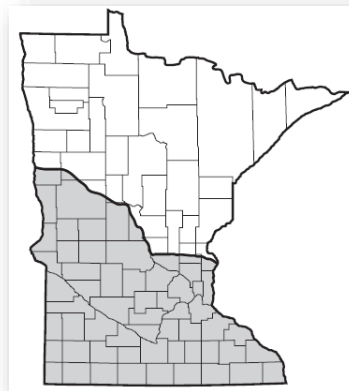


Agricultural zone: The area lying south and west of a line formed by the following highway rights-of-way:

From North Dakota border, the line goes east along State Hwy 10 to State Hwy 23,

Follows Hwy 23 east to State Hwy 95 to Wisconsin border.

Agricultural Zone does not include the rights-of-way of these boundary highways, and applies only to Class 1 ATV use.



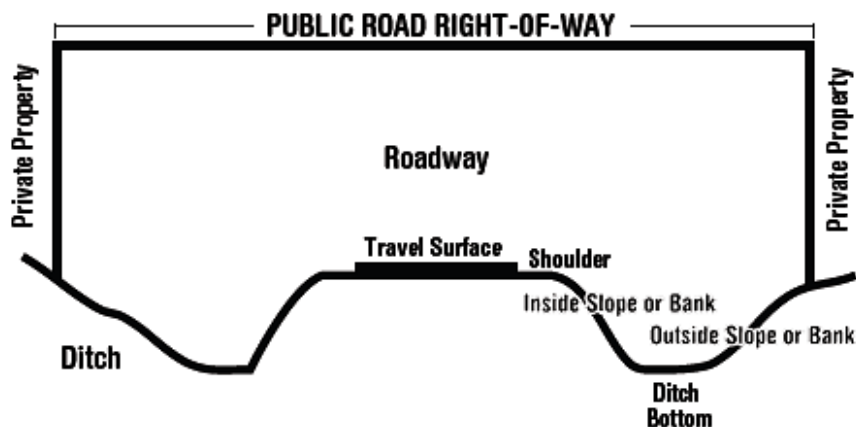
Public road right-of-way

Means the entire right-of-way of a public road, including the **traveled portions, Banks, Ditches, Shoulders,**

And medians of a roadway, that is not privately owned



Exception: Counties may allow ATV use on Roadways –
Done via County Ordinance and by permit process MN 169.045



Class 2 ATVs may be operated on the shoulder or extreme right side of county or township roads and city streets if not prohibited by the road authority or other local laws.

County ATV Ordinance

Some counties in Minnesota have passed an ordinance that allows operation of Class 1 ATVs on county roads with a permit. Check with your local counties to see if they have such an ordinance.

- As of [7-1-15] [84.928.1\(k\)](#)

(k) A county, city, or town, acting through its governing body, may by ordinance allow a person to operate an all-terrain vehicle on a public road or street under its jurisdiction to access businesses and residences and to make trail connections.

OHV Forfeiture

84.7741 OFF-HIGHWAY VEHICLE FORFEITURE

OHV subject to forfeiture for:

a second gross misdemeanor violation under section 84.774, paragraph (b).

84.774 OFF-HIGHWAY VEHICLE CRIMINAL PENALTIES

(b) A person is guilty of a gross misdemeanor if the person violates section 84.773, subdivision 2, clause (2), **and the person recklessly upsets the natural and ecological balance of a wetland or public waters wetland.**

Registration Requirements

ATV Registration Statistics

- Today we have approx. 300,400 ATV's registered in our state (Public & Private)
- There are now more ATVs registered in our state than snowmobiles (180,000+)

Three types of Registration

For Class 1 and Class 2 ATVs

- 1) **Public Use**
- 2) **Private Agricultural Use**
- 3) **Collector – Optional**

MSA 84.922 Subd 2b

ATV Registration Display All ATVs

- Plate at least **4 inches high** and **7½ inches long**.
- The plate must be clearly visible on the back of the vehicle and at least **12 inches** from the ground.
- The plate and decal must be maintained in a clear and legible condition.

Registration Letters and Numbers must be:

- **At least 1½ inches high with a 3/16-inch stroke**
- **In English and placed from left to right**
- **In a color that **contrasts** with the background of the plate.**

Collector ATV Registration

Collector – Optional

ATVs 25 years and older are exempt from registration if they were originally produced as a separate, identifiable make by a manufacturer.

- ATVs 25 years and older MAY be issued an exempt registration *if requested*.
- Valid from date of issue until ownership of ATV transferred
- This registration is non-transferable.

ATV Ownership

[MSA 84.922 Subd. 4 & 10](#)

Transfer of Ownership

- Report sale or transfer of ownership within **15 days**
 - Use a bill of sale, but it must include the ATV serial number
- No person **under the age of 18** may register an ATV

Vehicle Identification Number

Rule 6102.0040

- All ATVs manufactured after January 1, 1985, and sold in the state, must have the VIN number stamped in letters and numbers on the vehicle
- Most VIN numbers are located on the frame
(Other locations also)

ATV Safety Training required for

Individuals born **after July 1, 1987** and who are **16 years of age** or older must:

Complete one of the **Minnesota ATV Online Courses** before operating an ATV on public lands, waters, public road right-of-way, or state or grant-in-aid trails.

(**Adults: No ATV class or riding component required**)

ATV youth operations

MSA 84.9256

- Passengers and Operators under the age of 18 MUST wear an approved helmet
- Under 18 may carry one passenger on a Class 1 ATV only if it is their parent or legal guardian
- It is unlawful for any person who is in lawful control of an ATV to permit it to be operated contrary to this section
- **Allowing illegal juvenile operation** - Law allows officers to cite the adult



Off Road Vehicles (ORV)



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DWI

84.91

A person who operates or is in physical control of a Snowmobile or ATV is subject to sections 169A

A person who refuses to comply with tests shall be prohibited from operating an ATV for a period of one year

DWI - 169A.20

Operation while intoxicated prohibition for OHV's and motorboats:

Regular highway motor vehicle DWI prohibition is still in 169A.20 subd 1.

- Subd 1a is specific to motorboats,
- Subd 1b for snowmobiles and ATV's
- Subd 1c for OHM's and ORV's

NEW *Effective August 1, 2018

If you are convicted or refuse chemical testing... regardless of what vehicle type you are driving

Your **driver's license is revoked**, and your ATV, snowmobile, motorboat **privileges are all suspended for a year**

mn DEPARTMENT OF
NATURAL RESOURCES



For Law Enforcement Only

OFF-HIGHWAY VEHICLE (OHV)

LAWS & REGULATIONS



Revised Sept 2018

POST Board Approved

◎ **3 hours of POST credit**

◎ **Training Record Certificate:**

For officer own personal records

◎ **POST Affidavit of Attendance Form:**

Physical signature required

DNR provides copy to POST Board

ATV Instructors Wanted

If you or other agency personnel are interested in becoming DNR Certified ATV Safety Training Instructors.

Contact your area DNR Regional Training Officer.

POST credit for becoming an Instructor!