

**Le Sueur County DRAFT Ordinance
Use of All Terrain Vehicles on County Roads**

I. PURPOSE AND INTENT

Minnesota Statutes §§ 169.045 and 84.92-84.928 generally regulate the use of motorized golf carts, all-terrain vehicles, utility task vehicles, and/or mini trucks within the right-of-way for county state aid highways, and county roads. Consistent with these statutes and to provide for the health, safety, and welfare of its citizens, as well as to ensure the integrity of roads under the jurisdiction of Le Sueur County, the county board of commissioners hereby ordains the following provisions to allow the use of certain all-terrain and utility task vehicles on county state aid highways and county roads within Le Sueur County, with certain restrictions.

II. DEFINITIONS

The following definitions apply to this article:

All-terrain vehicle (ATV) has the meaning given in Minn. Stats. § 84.92, as amended.

"All-terrain 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; 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.

All-terrain vehicle does not include an electric-assisted bicycle as defined in section [169.011, subdivision 27](#), golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed and used specifically for lawn maintenance, agriculture, logging, or mining purposes.

"Class 1 all-terrain vehicle" means an all-terrain vehicle that has a total width from outside of tire rim to outside of tire rim that is 50 inches or less.

"Class 2 all-terrain vehicle" means an all-terrain vehicle that has a total width from outside of tire rim to outside of tire rim that is greater than 50 inches but not more than 65 inches.

Utility task vehicle (UTV) has the meaning given in Minn. Stats. § 169.045, subdivision 1(3), as amended.

A utility task vehicle means 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.

County means the County of Le Sueur, Minnesota.

Board means the Le Sueur County Board of Commissioners.

County road means all roads designated in Le Sueur County as County roads.

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 the roadway, which is not privately owned, as defined by Minnesota Statute Section 84.92, Subd. 6a, and Minnesota Statute Section 160.02, Subd. 26 as amended.

County state aid highway means all roads designated in Le Sueur County as county state aid highways. This does not include federal or state highways, township roads or city streets.

Shoulder means that part of the highway which is contiguous to the regularly traveled portion of the highway and is on the same level as the highway. The shoulder may be pavement, gravel or earth. On county roads where the shoulder is not readily identifiable, the shoulder shall be the extreme right hand side of the road.

III. RECITALS

1. Minnesota Statute 84.92 to 84.928 regulates ATV/UTV use in the right-of-way to County Roads.
2. The County is in the portion of the State which is designated as the “agricultural zone” and therefore, use of ATV/UTVs in ditches and outside slopes of County Roads is not allowed during much of the year.
3. Allowing ATV/UTV use on County Roads will remove their use from the ditches and outside slopes.
4. Most County roads are appropriate for the safe operation of ATV/UTVs on the shoulder, with proper safety restrictions.
5. If any municipality or township within Le Sueur County approves an ordinance, this ordinance will not be deemed to supersede the provisions of that municipal or township ordinance. Any municipal or township ordinance shall govern use of roads within the municipality’s or township’s jurisdiction.

IV. AUTHORIZATION

Permitted operation on county roads.

In accordance with this article and Minn. Stats. § 169.045 and 84.92—84.928, it shall be permissible to operate all-terrain vehicles or utility task vehicles **on the shoulder** of all county roadways in Le Sueur County.

Persons operating all-terrain vehicles or utility task vehicles on county roads must:

- a. Be at least 16 years of age and have a valid driver's license and carry liability insurance.
- b. Operate the vehicle on the shoulder or the extreme right-hand side of the road and make left turns across the road only if it is safe to do so under prevailing conditions.
- c. Avoid riding on pavement wherever and whenever possible.
- d. Have functioning headlights and tail lights, and they are lighted at ALL times while operating on the road.
- e. Not operate in inclement weather, or at any time when there is insufficient visibility to clearly see persons and vehicles on the roadway at a distance of 500 feet.
- f. Comply with all laws and regulations controlling the use of public roads by motorized vehicles.
- g. There is only one person on an ATV, except as allowed by Minnesota Statute 84.9257.
- h. Any driver or passenger under the age of 18 must wear a helmet.

V. PROHIBITIONS

1. It is NOT permissible to operate all-terrain or utility task vehicles on the inside slope, ditch bottom, or outside of the slope of the county right of way or trespass onto private property.
2. It is NOT permissible to operate golf carts or mini trucks on county roads, unless authorized by a municipality.
3. The County reserves the right to close or restrict certain road segments from use by all terrain or utility vehicles.
4. Shall not operate vehicle in excess of 40 miles per hour or at a speed greater than is reasonable and prudent under the conditions.

VI. VIOLATIONS AND PENALTY

1. A person who violates any provision of this ordinance is guilty of a misdemeanor.
2. The primary responsibility for enforcement of this article shall rest with the Sheriff's Office.

VII. EFFECTIVE DATE