

SECTION 904  
MOTORIZED GOLF CARTS, UTVs and ATVs

SUBSECTION:

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**904.100**      **PURPOSE:** Pursuant to its authority under Minnesota Statutes, Section 169.045, the City authorizes the operation of motorized golf carts, all-terrain vehicles, utility task vehicles and mini trucks on designated roadways as permitted under this Section.

**904.200:**      **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 Vehicles:** 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 a golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed and used specifically for lawn maintenance, agriculture, logging, or mining purposes.

**Designated Roadways:** The roadways on which the off-road vehicle may operate. Designated roadways are all public streets under City jurisdiction with speed limits of 35 miles per hour or less.

**Mini Truck:** 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: (1) a neighborhood electric vehicle or a medium-speed electric vehicle; or (2) a motor vehicle that meets or exceeds the regulations in the Code of Federal Regulations, title 49, section 571.500, and successor requirements.

**Motorized Golf Cart:** A self-propelled vehicle of the type and style designated for and commonly used by patrons of golf courses, including three or four

wheeled vehicles specifically designed for handicap mobility equipped with the proper slow moving vehicle signage and rearview mirrors. This definition specifically excludes vehicles commonly known as all terrain vehicles or ATV's.

**Off-Road Vehicle:** Motorized golf carts, all-terrain vehicles, utility task vehicles and mini trucks.

**Utility Task Vehicle:** 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.

**904.300: PERMIT REQUIRED:** No off-road vehicle may be operated on designated roadways, or any public right-of-way or public property without first obtaining a permit from the City.

904.301: Permit Application: Every application for an off-road vehicle permit must be made on a form supplied by the City and must contain the following information:

- Date;
- The name, address and phone number of the applicant;
- A copy of the applicant's driver's license;
- Make, model and serial number of the vehicle;
- Proof of insurance, including the company name, policy number, effective dates, and coverage;
- Such other information as the City may require.

904.302: Fees: The City Council may establish a fee for a permit and set such fee forth in the City Fee Schedule.

904.303: Term of Permit. Permits are effective for three (3) calendar years beginning January 1<sup>st</sup> and ending December 31<sup>st</sup>, and may be renewed.

904.304: The applicant must provide evidence of insurance complying with the provisions of Minnesota Statutes, Section 65B.48, with the permit application.

**904.400: OPERATING CONDITIONS:**

904.401: Designated Roadways: Off-road vehicles may only be operated on Designated Roadways.

904.402: Prohibited Operation: The operation of off-road vehicles is expressly prohibited on all public bike trails, walking trails and sidewalks except in the case of the signed ADA access from Kop Parkway to Watzl's Beach.

904.403: Times of Operation: Off-road vehicles may only be operated on the designated roadways from sunrise to sunset. They shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog or other conditions, or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.

- 904.404: Slow-Moving Emblem and Rear-View Mirrors:
- Off-road vehicles must display the slow-moving emblem as described in Minnesota Statutes, Section 169.522 when operated on designated roadways.
  - Off-road vehicles must be equipped with a rear-view mirror.
- 904.405: Crossing Intersecting Highways: Off-road vehicles may cross any street or highway at signalized intersections.
- 904.406: Application of Traffic Laws: Every person operating an off-road vehicle on designated roadways has all the rights and duties applicable to the driver of any other vehicle under Minnesota Statutes, Chapter 169, except when those provisions cannot reasonably be applied to motorized golf carts and except as otherwise specifically provided in Minnesota Statutes, Section 169.045, Subdivision 7.
- 904.407: Every off-road vehicle operator shall have proof of insurance in possession while operating the off-road vehicle on designated streets and shall produce such proof of insurance on demand of a police officer as specified in Minnesota Statutes 169.791.
- 904.500: SUSPENSION OR REVOCATION OF PERMIT:** A permit may be suspended or revoked at any time by the City Manager or designee if the permittee has violated any of the provisions of this Section or of Minnesota Statutes, Chapter 169, or if there is evidence the permittee cannot safely operate the off-road vehicle on the designated roadways. The City Manager or designee will determine if the permit should be suspended or revoked after providing the permittee with five (5) days written notice and considering any information provided by the permittee. Any Police Officer may temporarily suspend a permit prior to the hearing if, in the Police Officer's professional judgment, public safety would otherwise be endangered.
- 904.501: Appeal of Permit Revocation: A permittee may appeal the decision of the City Manager or designee to revoke or suspend a permit to the City Council. Such an appeal must be filed in writing within five (5) business days of the City Manager's decision. The City Council will conduct an appeal hearing to determine if the revocation or suspension should be sustained.
- 904.600: EXEMPTION:** The City Manager or designee may waive the requirements of this Section for the operation of off-road vehicles as part of a Community Event, as defined in City Code Section 316.
- 904.700: VIOLATION; PENALTY:** Any person violating the terms of this Section may have his/her permit to operate an off-road vehicle in the City of Prior Lake suspended or revoked as set forth above. In addition, any person violating the terms of this Section shall, upon conviction of any such violation, be found guilty of a misdemeanor and shall be punished in accordance with the penalties established by Minnesota Statutes.

Section 2. City Code Section 104 entitled “General Penalty” is adopted in its entirety by reference as though repeated verbatim herein.

Section 3. This ordinance shall become effective upon its passage and publication.

(Ord. Amd. 121-04, publ. 05/01/2021)

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For Future Amendments)**