

Off-Highway Vehicles Regulations 2005-06

Minnesota Department of Natural Resources



Includes regulations for
All-Terrain Vehicles
Off-Highway Motorcycles
Off-Road Vehicles



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WELCOME

People enjoy using off-highway vehicles for trail-riding, off-road transportation, competition and other activities. Your attitude toward your surroundings and your behavior as a rider affect the attitudes of other outdoor users, landowners and lawmakers. Ride responsibly!

If you tread lightly on the environment, are courteous to others, respect private property and obey the law, you are contributing to the positive image of off-highway vehicle activities. Responsible riders are also safe riders. Be sure to wear appropriate protective gear and maintain your machine. Don't take chances that endanger yourself or others.

A Message From Your DNR Conservation Officers

Accident data tells us we need to keep our teenagers on ATVs, without driver's licenses, out of the road right-of-way.

Teenagers, 10 through 19 years of age are involved in 42% of all ATV accidents and 40% of those accidents involve youth 13 through 15 years of age.

Help protect your teenagers. Be sure to take the DNR ATV Safety Training Course. Know where your teenagers are riding.



What's New

-  The use of off-highway vehicles (OHV) has been banned in certain types of wetlands. The new law does not differentiate between public and private wetlands in restricting OHV operation, and attempts to rely less on a recreational rider's knowledge of various wetland types and to make the rider generally more cautious of traveling on any wetland that is not part of an approved trail system. See page 18 for additional information.
-  Use of ATV and other off-road vehicles by licensed deer hunters, without firearms, is allowed on their own property for occupational purposes. This use also applies to employees and family members who have a valid deer license. See page 27.
-  ATVs with add-on snorkel devices are not allowed except at Gilbert OHV State Recreation Area. See page 32.
-  Off-highway motorcycles (OHM) operated on private land or used in organized track racing events must be registered with DNR, but are not required to display the registration. See page 14.
-  OHMs not licensed as motor vehicles need to display the registration decal on the side of the motorcycle, and it must be visible while the rider is on the motorcycle. It can be attached to the fork tube. See page 13.
-  OHM sound decibel emissions for many cycles have been changed from 99 to 96 decibels beginning July 1, 2006. See page 16.
-  The Legislature directed the Commissioner of Natural Resources to review the classification of state forests and determined the status of existing roads and trails by December 31, 2008. For those state forest lands south of U.S. Hwy. 2, the Commissioner must classify the lands as either "limited" or "closed." The state forest lands north of U.S. Hwy. 2 are classified as "managed" unless the Commissioner reclassifies them as "limited" or "closed" under DNR rules. See page 22.
-  Hunting and trapping exceptions for ATV and ORV use in state forests have been clarified. See page 21.

-  Adult ATV operators may now lawfully carry one passenger, with certain restrictions. See page 29 for more details.
-  ATV safety training is required for ATV operators born after July 1, 1987 AND who are 16 years of age or older, effective January 1, 2006. See pages 30-31.
-  Ten and 11 year olds may operate an ATV up to 90cc on public lands or frozen waters when accompanied by a parent or guardian. See page 31.
-  A new off-road vehicle (ORV) safety training program is being developed for ORV/4x4 operators. This new CD ROM training program should be available beginning the summer of 2006.
-  ORV registration is required on state or grant-in-aid ORV trail areas. See page 9.
-  ORV registration will be waived at the Iron Range Off-Highway Vehicle Recreation Area near Gilbert, Minnesota the 3rd Saturday of May, beginning in 2006.
-  Motorized foot scooters/skateboards (MFS) are not OHVs and are not allowed on designated OHV trails or on DNR administered state bike trails (examples include Willard Munger and Gateway Trails). DNR administered non-motorized trails are posted closed to motorized traffic including MFSs.

Penalties

-  OHV Penalties: Civil citation penalties can include restitution. Fines for second or subsequent violations in wetlands (including snorkel devices), or for careless/reckless operation, can be more than doubled. See page 24.
-  OHM, ATV, and ORV operators who receive a ticket and are convicted of violating **any** law related to OHV operation will be required to complete the DNR independent study format safety training program before continuing to operate the vehicle. See page 24 for effective dates and more information.



DEFINITIONS

The term off-highway vehicle (OHV) is used to describe all-terrain vehicles, off-highway motorcycles and off-road vehicles.

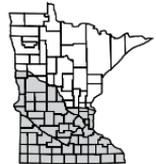
All-terrain vehicles (ATVs) are motorized, flotation-tired vehicles with at least three, but no more than six low pressure tires, with an engine displacement of less than 800 cubic centimeters and total dry weight of less than 900 pounds. ATVs with a total dry weight of 900 or more pounds are classified as ORVs.

Off-highway motorcycles (OHMs) are motorized, off-highway vehicles traveling on two wheels. OHMs have a seat or saddle designed to be straddled by the operator and have handlebars for steering control. Motorcycles may be legal for highway use and still considered to be OHMs if used for off-highway operation on trails or natural terrain.

Off-road vehicles (ORVs) are motorized, recreational vehicles capable of cross-country travel on natural terrain, such as four-wheel-drive trucks and ATVs that have an engine displacement of 800 or more cubic centimeters or total dry weight of 900 pounds or more. Vehicles NOT considered ORVs include snowmobiles, all-terrain vehicles, motorcycles, watercraft or aircraft. Farm, logging, military, emergency, law enforcement, utility, trail-grooming and construction vehicles are not considered to be ORVs when used for their intended purpose.

Grant-in-aid trails and areas include trails and areas that receive grants through the DNR administered grant-in-aid program.

Agricultural zone means the areas in Minnesota lying south and west of a line along the following highway rights-of-way: starting at the North Dakota border, the line goes east along State Highway 10 to State Highway 23, then follows Highway 23 east to State Highway 95, which it follows to the Wisconsin border.

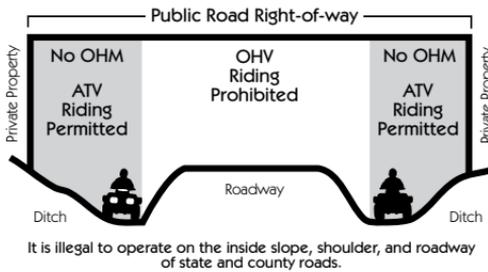


The agricultural zone referred to in this guide applies only to ATV use.

Agricultural zone restriction: You may not 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 ATVs licensed and used for agricultural purposes.

Public waters where OHVs may not ride include unfrozen lakes, rivers and streams. The inventory of public waters can be viewed on DNR's web site and at county auditors, soil and water district, watershed district, zoning and engineering and DNR Waters and Fisheries offices.

Public road right-of-way means the entire right-of-way of a roadway that is not privately owned, including the traveled portions, banks, ditches, shoulders and medians.



Off-highway vehicle use areas are areas posted or designated for off-highway vehicle use.

Watch for these signs:



ATV Trail Indicator



OHM Trail Indicator

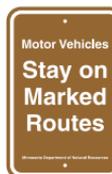


ORV Trail Indicator

Look for these seasonal or temporary signs in state forests:



Before operating an OHV in a state forest, look for these signs and see pages 21-23 for additional information on state forest use:





OFF-HIGHWAY VEHICLES

REGISTRATION

An individual must be at least 18 years old to register an off-highway vehicle.

ATVs

All ATVs operated in Minnesota must be registered with the DNR, even if used exclusively on private property.

Recreational Use Registration

Public use registration allows for the operation of ATVs on the outer slope of roadside ditches along state and county roads and on the right side of township roads and city streets, if not prohibited by the road authority or other local laws.

Private Use Registration

ATVs may be registered for private use when used exclusively for agricultural activities, harvesting wood or on private property. A private use registration is valid until the ownership of the ATV is transferred.

Recreational and Private Use Registration

Some circumstances require ATVs to be registered for both public and private use. If an ATV is used for agricultural purposes that require operation on the road surface, a private use registration is required. If the same ATV is also used on public land or water, both public and private use registrations are needed.

OHMs

All OHMs operated in Minnesota must be registered with DNR, even if used exclusively on private property or in track racing events.

Recreational and Highway Use Registration

Some OHMs are equipped so that they may be legally licensed for highway use. An OHM licensed for highway use, which is also used off-road must have both the regular motorcycle license and the DNR OHM registration.

ORVs



All ORVs operated on grant-in-aid ORV trails or areas, or on designated ORV trails or areas that are on DNR administered land, must be registered with DNR.

Recreational and Highway Use Registration

Most ORVs are licensed for highway use. An ORV licensed for highway use, which is also operated in designated public ORV use areas or trails, must have both the regular vehicle license and DNR ORV registration.

Registration Fees

ATV Registration Fees	Fee	Issuance Fees	Total Fees	Duration
New Public Use	30.00	8.50	38.50	3 Years
Renewal Public Use	30.00	6.00	36.00	3 Years
Transfer	4.00	8.50	12.50	As long as machine is held by same party
Private/Agricultural	6.00	8.50	14.50	
Duplicate	4.00	6.00	10.00	
Dealer–New	50.00	8.50	58.50	1 Year
Dealer–Renewal	50.00	6.00	56.00	1 Year
Manufacturer–New	150.00	8.50	158.50	1 Year
Manufacturer–Renewal	150.00	6.00	156.00	1 Year
Duplicate Decal		6.00	6.00	

OHM Registration Fees	Fee	Issuance Fees	Total Fees	Duration
New	30.00	8.50	38.50	3 Years
Renewal	30.00	6.00	36.00	3 Years
Transfer	4.00	8.50	12.50	
Duplicate	4.00	6.00	10.00	
Dealer–New	50.00	8.50	58.50	
Dealer–Renewal	50.00	6.00	56.00	1 Year
Manufacturer–New	150.00	8.50	158.50	1 Year
Manufacturer–Renewal	150.00	6.00	156.00	1 Year
Duplicate Decal		6.00	6.00	

ORV Registration Fees	Fee	Issuance Fees	Total Fees	Duration
New	30.00	8.50	38.50	3 Years
Renewal	30.00	6.00	36.00	3 Years
Transfer	4.00	8.50	12.50	
Duplicate	4.00	6.00	10.00	
Dealer–New	50.00	8.50	58.50	
Manufacturer–New	150.00	8.50	158.50	1 Year
Manufacturer–Renewal	150.00	6.00	156.00	1 Year
Duplicate Decal		6.00	6.00	



Minnesota OHV registration is NOT required for:

- OHVs registered in another state or country and not in Minnesota for more than 30 days.
- ATVs that are used exclusively in organized track racing events.
- OHMs registered for highway use when operated on forest roads.

How To Register An Off-highway Vehicle

Off-highway vehicles can be registered at a deputy registrar of motor vehicles office (where automobile licenses are handled) or at the DNR License Bureau in St. Paul. You may also renew your OHV license on-line at www.dnr.state.mn.us. No additional fee will be charged for your on-line purchase.

The information required for registration of an off-highway vehicle includes the make, model, year, serial number, and sales receipt. For ATV and OHM registration the engine size is required. For ATV registration the weight is also required.

- ATVs and OHMs purchased from a retail dealer must be registered by the dealer. Transfers and registration renewals are the responsibility of the owner.
- A registration number and a decal are issued when an ATV or OHM is registered.
- For ORVs licensed for roadway use, owners must register their own ORVs with the DNR for use on designated trails and areas. The owner is given a registration card and decal at the time of registration.

Individuals are not required to carry the registration card, but it must be provided within a reasonable time period when an enforcement officer requests to see it.

Dealer and Manufacturer Registration

OHV dealers and manufacturers must register with the DNR to operate machines for testing or demonstration purposes. A registration certificate and a registration plate will be issued. The registration certificate must be prominently displayed in the place of business.

The registration plate must be displayed on the vehicle before dealers or manufacturers may operate or permit operation of any off-highway vehicle they own or control.

Dealer and manufacturer license applications and plates may be purchased at your local deputy registrar and at the DNR License Bureau, 500 Lafayette Road, St. Paul, MN 55155-4026, 1-800-285-2000 or 651-296-2316. Plates will be issued from the DNR.



Display of Numbers and Decals

ATV

ATVs registered for public use or with a dual registration must display current public use registration number and decal(s) on a 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. For a public use registration, the decal must be displayed in the upper left section of the plate. For a dual registration, the private use decal must also be displayed on the plate, in the upper right corner. 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.

ATVs registered for private use only must display the private use decal in the upper right section of the plate. No numbers are needed for this type of registration.



ATV Public Use



ATV Dual Registration



ATV Private Use

OHM

 OHMs registered only for off-road use must display the current registration decal on the side of the OHM in a manner so it is visible while the rider is on the OHM. It may be attached to the fork tube. This change was effective July 1, 2005. If you received your registration materials prior to July 1, 2005 and have them displayed on a plate on the rear of your OHM, that location is acceptable until you renew your registration. The next time you renew your registration

or obtain a duplicate registration decal, you will need to place the registration decal in the new location and no registration numbers will be required to be displayed.

 When an OHM is operated on private property or in a closed-course competition event registration is required, but the registration decal does not have to be displayed.

OHMs licensed in Minnesota for roadway use **and** off-road use must display the OHM decal in the upper left corner of the rear regular motorcycle license plate. The DNR registration number should **not** be displayed.



OHM Roadway and
Off-Road Use

ORV

ORVs registered only for designated trail or area use must display the current decal on a plate at least 4 inches high and 7½ inches long. No registration number should be displayed. The plate must be clearly visible on the back of the vehicle and at least 12 inches from the ground. The decal must be displayed in the upper left corner of the plate. The plate and decal must be maintained in a clear and legible condition.

ORVs licensed in Minnesota for roadway use and also used off-road in designated public ORV trails and use areas must display the ORV decal in the upper left corner of the regular rear motor vehicle license plate. The DNR registration number should **not** be displayed.



ORV
Off-Road Use Only



ORV Roadway and
Off-Road Use



Expiration and Renewal

The expiration date appears on both the registration card and the decal. All public use ATV and all OHM and ORV renewals expire on December 31st of the last year the registration is valid.

Individuals who notify the DNR of mailing address changes should receive a notice by mail to renew their registration. Whether notified or not, owners are responsible for renewing their public use ATV, OHM and ORV registrations.

Private use ATV registration does not expire. It is valid until the ownership is transferred.

Replacement Registration Cards and Decals

Off-highway vehicle owners may obtain a replacement registration card for \$10.00 from a deputy registrar or the DNR License Center. Replacement decals are available from the DNR License Center or the Deputy Registrar of Motor Vehicles at a charge of \$6.00. Replacement decals and numbers must be affixed in the same manner as the original.

GENERAL OPERATIONS

The following regulations apply to all off-highway vehicles: all-terrain vehicles, off-highway motorcycles and off-road vehicles. Information and regulations specific to each of these vehicle types can be found in the All-Terrain Vehicle, Off-Highway Motorcycle and Off-Road Vehicle sections of this booklet.

Required Equipment

Off-highway vehicles operated on public lands, waters, trails, public streets and roads open to vehicle use must be equipped as follows:

Helmet

- Any person under the age of 18 must wear a helmet when operating an ATV or OHM.

Lights

- Headlight and taillight requirements can be found for ATVs on page 32; OHMs on page 34; and ORVs on page 35.

Brakes

- Brakes must control movement and stop and hold the vehicle.

Throttle

- The throttle must return the engine to idle when pressure to advance the throttle is removed.

Mufflers

- Mufflers must have a federally approved spark arrestor.
-  Overall noise emission may not exceed 99 decibels at a distance of 20 inches. NOTE: Beginning July 1, 2006 sound levels will be changed from 99 to 96 decibels for OHMs that are not competition cycles and were manufactured in or after 1986.
- Mufflers may not be altered to increase motor noise, or have a cutout, bypass, or similar device except for organized events.

Towing

- A straight arm bar must be used to tow a sled or trailer containing passengers.
- A disabled vehicle towed by any means may contain a person to steer.
- At least 16 square inches of reflective material that is unobstructed and visible must be mounted on each side and at the rear of a sled or trailer.

Where You May Ride

You may operate an off-highway vehicle:

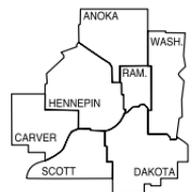
- on private land with the landowner's permission
- on frozen public waters where you have legal access (if not restricted by law or local ordinances)
- on public lands that are open to OHVs. Land uses may vary; be sure to check federal, state, and local regulations for details.

Also see page 9.

Also see hunting and trapping exceptions on managed or limited state forest lands on page 21.

In the seven-county metro area, you may ride:

- on your own land
- on land other than your own, with written or verbal permission of the landowner, occupant or lessee
- on land posted with signs specifically permitting the use of off-highway vehicles.





Where You May NOT Ride

Also see specific sections for additional restrictions.

You may not operate an off-highway vehicle:

- on the median of a four-lane highway
- within the right-of-way of any interstate highway
- on the right-of-way between opposing lanes of traffic
- at airports
- on unfrozen public waters that are lakes, streams and rivers
- on any frozen public waters where you don't have legal access or where it's prohibited
- in most state parks, state recreation areas, state historic sites, wildlife management areas, or state scientific and natural areas with the exception of posted trails and areas
- in any areas, including streets, restricted by local ordinances or municipalities
- in a tree nursery or planting area
- on state forest lands that are posted or designated closed to motorized uses (see pages 20–23)
- on agricultural land without permission (see page 26)
- **OHMs and ORVs cannot be operated in ditches unless on a designated trail.** See diagram on page 8.

Inside the seven-county metro area, you may not ride on land you do not own, unless given written or verbal permission to ride on that land by the owner, occupant or lessee.

Outside the seven-county metro area, you may not ride on land that you have been told verbally, in writing, or by posted signs, not to ride.

Other Prohibitions

You may not:

- operate an off-highway vehicle in a careless, reckless or negligent manner that endangers another person or their property
- litter
- enter or leave lands by cutting wire or tearing down a fence
- mutilate, destroy, damage or remove any property within a trail or on state land
- post, damage or remove any signs on any lands or waters unless you are the landowner, occupant or lessee of the property.

 **Wetlands**
All OHVs are banned in unfrozen public waters

OHVs may not be operated below the ordinary high-water level in unfrozen lakes, rivers, and streams (see DNR's web site for public waters inventory and locations of maps on a county by county basis).

All OHVs are banned in calcareous fens

OHV operation is prohibited in calcareous fens. Calcareous fens are a rare type of wetland in Minnesota; they are fed by groundwater, highly alkaline, and have low dissolved oxygen. The state has approximately 137 calcareous fens located on private and public property.

Operation of OHVs on land

A person driving an OHV must not operate the vehicle in a way that willfully, wantonly, or recklessly disregards the safety of people or property. OHVs may not be operated in state parks, scientific and natural areas, or wildlife management areas unless specifically authorized by law.

OHV operation in wetlands for recreational purposes

A person driving an OHV in a wetland must not operate the vehicle in a way that:

- Willfully, wantonly, or recklessly disregards the safety of people or property;
- Carelessly upsets the natural and ecological balance of a wetland; or
- Impacts more than the minimum amount of wetlands as allowed by law, which is approximately 400 square feet of a wetland (more or less, but varies by location and size of the wetland).

OHV operation in wetlands for non-recreational purposes

Limited operation of OHVs in wetlands is allowed for non-recreational purposes that include activities such as agriculture, utilities, public works, pipelines, and silviculture, as long as the operation complies with OHV operation in wetlands for recreational purposes (see above), the Wetlands Conservation Act, and public water laws.



Private owners may access their land A permit may be issued to private landowners or leaseholders allowing them to access their land with an OHV when they must cross DNR administered land. Contact your local DNR Regional Office to inquire about obtaining this permit.

OHV trail development and usage Trail systems involving wetlands need to comply with public waters laws and the Wetlands Conservation Act. Contact your local DNR Trails and Waterways Office and the Division of Waters for assistance.

Check For Other Government Regulations or Ordinances

Cities, towns, and counties may further regulate the operation of off-highway vehicles under their jurisdiction. Check with the appropriate unit of government for additional regulations.

The U.S. Forest Service, the National Park Service, and the U.S. Fish and Wildlife Service regulate motor vehicle use on federal lands. Check with the managing agency before riding on these lands.

Speed

You may not operate an off-highway vehicle at a speed greater than is reasonable under all of the surrounding circumstances or greater than the posted speed limit on any public lands, waters, trails or public road rights-of-way. Speed limit signs may be erected along specific portions of trails.

The speed limit may be waived in writing by the DNR for an organized race or similar competitive event. Contact the DNR at 1-888-MINNDNR (646-6367).

Trail Riding

- All trail signs must be obeyed.
- One-way trails must be traveled in the direction indicated.
- When meeting or being passed by another trail user, you must stay to the right half of the treadway.
- When passing another trail user, you must pass on the left half of the treadway and only when the trail is free from oncoming traffic for a sufficient distance to safely pass the other trail user.

- When entering or crossing a trail treadway you must yield to trail traffic.
- When two trail users are about to enter an unmarked treadway intersection from different directions, the trail user to the right has the right-of-way.
- Motorized trail users must yield the right-of-way to non-motorized trail users and shut off their machines when meeting a horse until the horse has passed or until waved on.

Crossing Public Roads

A valid driver’s license is required to operate anywhere it is legal on road rights-of-way including ditches, inside and outside slopes, and crossing roads. The only exception would be on portions of a designated trail that specifically include a road right-of-way.

When making a direct crossing of a street or road:

- come to a complete stop and look both ways
- yield to all traffic
- cross the road at a 90 degree angle
- cross a divided road only at an intersection.

To report a violation contact your local police department, sheriff’s office, the state patrol, or a DNR conservation officer. Conservation officers are dispatched through the state patrol. To reach a conservation officer, call your nearest state patrol headquarters.

STATE FOREST LANDS Regulations Relating to Off-Highway Vehicle Operation on State Forest Lands

State forest lands are classified by the Commissioner for purposes of motor vehicle use. “Motor vehicle” means any self-propelled vehicle including, but not limited to, automobiles, trucks, dune buggies, minibikes, motorcycles, trail bikes, and ATVs. It does not include snowmobiles. Motor vehicle use is regulated on state forest lands as follows:

State Forest Lands Classified as **Managed**:

- Motor vehicles may operate **only** on forest *roads* and forest *trails* **unless** they are posted and designated **closed**.

State Forest Lands Classified as **Limited**:

- OHV use is prohibited on state land and on county-administered



land within the boundaries of a state forest, except on designated OHV roads and trails.

- Counties may adopt a resolution to modify the above restrictions on county-administered forest land within state forest boundaries.
- Motor vehicles may operate **only** on forest *trails or other areas* that are posted and designated **open**.

State Forest Lands: **Managed or Limited**

Hunting and Trapping Exceptions for:

- ATVs operated off trails, or on trails that that are not specifically designated for other uses; and
- ORVs and vehicles licensed for street or highway operation operated on trails that are not specifically designated for other uses.

ATVs and ORVs under the above conditions, may be used:

- October through December when hunting big game, transporting or installing hunting stands (must have a valid big game license in possession)
- September when retrieving big game (must have a valid big game license in possession)
- When tending traps during open trapping season for protected furbearers (must have a valid trapping license in possession)
- When commercially trapping minnows (must have a valid minnow dealer, private fish hatchery or aquatic farm license in possession).
- Designated for other uses means trails that allow biking, horse-back riding, etc.
- These exceptions do not apply to the Richard J. Dorer Forest.
- Some areas may be closed and not open for these activities. Look for a notice of intent to close a designated area.

State Forest Lands Classified as **Closed:**

- Motor vehicles are **not allowed** except:
 - › Vehicles licensed for highway use may use forest *roads* that are not posted or gated closed.
 - › Vehicles may operate on frozen *public waters* where it is not otherwise prohibited.
- Counties may adopt a resolution to modify the above restrictions on county-administered forest land within state forest boundaries.

State Forests Classified as *Closed*

- Birch Lakes State Forest
- Burntside State Forest*
- Insula Lake State Forest
- Lake Isabella State Forest
- Lake Jeanette State Forest*
- Pillsbury State Forest**
- Sand Dunes State Forest

* Portions within the BWCAW classified as closed.

** Effective July 1, 2005.

State Forests Classified as *Limited*

- Chengwatana State Forest
- D.A.R. State Forest
- General C.C. Andrews State Forest
- R.J. Dorer Memorial Hardwood State Forest
- Rum River State Forest
- St. Croix State Forest
- Snake River State Forest
- Nemadji State Forest
- Some areas of Foothills* and Finland State Forests

* All of Foothill will be classified as *Limited* on January 1, 2006

State Forests Classified as *Managed*



The other state forests not listed as closed or limited are classified as *managed*. The Legislature directed the Commissioner of Natural Resources to review the classification of state forests and determined the status of existing roads and trails by December 31, 2008. For those state forest lands south of U.S. Hwy. 2, the Commissioner must classify the lands as either "limited" or "closed." The state forest lands north of U.S. Hwy. 2 are classified as "managed" unless the commissioner reclassifies them as "limited" or "closed" under DNR rules.

General Operating Restrictions—anywhere on state forest lands that motor vehicles are allowed.

- No motor vehicle operation is allowed on designated non-motorized trails unless also posted open for a motorized use.
- No motor vehicle operation is allowed on or over lakes, rivers or streams except:
 - › when the water body is ice covered
 - › on a bridge, culvert or designated low water crossing.
- Motor vehicles may not operate on forest lands in a manner that causes erosion or rutting, damages, or destroys trees or growing



crops. The rutting provision does not apply on designated motorized trails.

- Motor vehicles may not operate within the boundaries of an area that is posted and designated as closed to such use.
- Highway licensed vehicles, ATVs, OHMs, or ORVs may operate on a State Forest Road or a Minimum Maintenance State Forest Road, unless specifically prohibited by signs. See road signs on page 8.
- Motor vehicles on state forest roads must travel at a reasonable and prudent speed; obey posted speed limits, parking and traffic regulation signs; observe road closures; and may not operate in a manner that causes damage to the road, land or other natural resources.
- No person shall construct an unauthorized permanent trail on forest lands.
- Special provision for Richard J. Dorer Memorial Hardwood Forest: Motor vehicles and snowmobiles may operate on forest roads that are not posted closed and ONLY on forest trails that are designated for motorized use. No motorized travel is allowed off of designated trails under any circumstances. Motorized trails are open for ATV and OHM use from May 1 to November 1.

Events On State Forest Lands

A permit is required from a DNR area forester to hold an event on state forest lands. The DNR may charge a fee for the use of the land. Security such as a bond or cashier's check may be required to ensure that cleanup, sign removal, damage, repairs and other actions are completed.

Consent is required of the official or board having jurisdiction over the public lands or road rights-of-way to hold an event within those areas and may require a permit for the contest or event including restrictions and conditions.

For emergencies or authorized special events, the DNR may provide temporary exceptions to the general rules for a specific state park, forest campground, forest day use area or state forest lands. Notice of the exception will be posted at the site.

ENFORCEMENT

Conservation officers, deputy sheriffs, police and peace officers, and natural resource officers enforce off-highway vehicle rules. You must stop when signaled by a law enforcement officer.

Penalties

- Fleeing an enforcement officer is a felony. In addition, the OHV used may be forfeited.
- A violation of ATV or ORV laws is a misdemeanor.
- A violation of OHM laws is a petty misdemeanor or a misdemeanor.
-  • Many operation, registration and trespass violations can also be enforced by issuing a civil citation. Penalties can include restitution. Fines for second or subsequent violations in wetlands (including snorkel devices) or for careless/reckless operation, can be more than double.

Violator Training Requirements

ATV, OHM, AND ORV operators who receive a ticket and are convicted of violating **any** law related to OHV operation are required to complete the DNR independent study format safety training program for that vehicle type before continuing to operate the vehicle. Each vehicle type has a unique effective date as listed below.

- **OHMs:** Beginning July 1, 2005
- **ATVs:** Beginning January 1, 2006
In addition to the independent study course component, an operator who is convicted of a careless/reckless or for a second or subsequent offense must complete a testing and operating component before continuing to operate ATVs.
- **ORVs:** Beginning July 1, 2006

See page 35 for information on contacts for the DNR safety training program materials and class information.

Reporting Stolen, Abandoned or Destroyed Vehicles

A registered off-highway vehicle that is abandoned, stolen or destroyed must be reported to the DNR License Center within 15 days. No fee is charged for reporting the vehicle.

Accident Reports

The operator and an officer investigating an off-highway vehicle



accident must file a written report of the accident to the DNR within 10 days if:

- the accident resulted in a human injury requiring medical attention or hospitalization, or death; or
- the total damage was \$300 or more for ORVs, or \$500 or more for ATVs or OHMs.

OPERATING WHILE INTOXICATED

Operating an off-highway vehicle while under the influence of alcohol, a controlled substance or other hazardous substance is unlawful. Operators who are impaired may be required to submit to tests by an enforcement officer to determine the presence of these substances. There is a separate, additional criminal penalty for refusal to submit to the test requests, and the person's operating privileges for the vehicle type will be suspended for one year upon refusal. OHV DWI convictions and refusals are recorded on the violator's driver's license record and may affect their driver's license privileges.

An operator who is found to be impaired can be charged with a misdemeanor, gross misdemeanor or felony level DWI. Persons convicted of a misdemeanor will be subject to: up to \$1,000 fine (plus surcharges); possible jail sentence; and loss of OHV operating privileges for one year.

In addition to the above misdemeanor penalties, the following gross misdemeanor penalty provisions may apply if the person has any prior DWI violations, has an alcohol concentration of .20 or more, or has a child under age 16 with them on the OHV:

- up to \$3,000 fine
- longer, mandatory jail time
- chemical use assessment and long-term monitoring programs
- loss of motor vehicle driver's license privileges
- motor vehicle plate impoundment of all motor vehicles owned or leased individually or jointly by the person
- forfeiture of the OHV
- substantially higher fines.

Felony level penalties include all of the above provisions, substantially higher fines (up to \$14,000), longer revocations and longer mandatory jail time.

TRESPASS

Ask First! The trespass law applies to all outdoor recreation including operation of your off-highway vehicle. Landowners, lessees or land managers need only post their land once a year. The signs must be at



intervals of 1,000 ft (500 ft in wooded areas) or signs may be placed at primary corners and at access points to the property. Signs must state “No Trespassing” or similar words in 2 inch letters and the signature or name and telephone number of the landowner, lessee or manager.

Just because property isn’t posted, that doesn’t mean you have the right to enter someone else’s private property. The posted signs indicated the landowner’s intention to prevent unauthorized entry. There can be civil and criminal penalties for violation of the trespass laws. Civil penalties start at \$50 for first offense, and range up to \$500 and loss of license or registration for a third offense within three years.

All conservation and peace officers enforce trespass laws.

You must have permission to:

- enter legally posted land
- enter agricultural land. “Agricultural land” is land that is plowed or tilled; has standing crops or crop residue; is within a maintained fence for enclosing domestic livestock; is planted native or introduced hay land or grassland; or is planted to short rotation woody crops (hybrid poplar and other woody plants that are harvested for their fiber within 15 years of planting).

Please Note: All planted grassland, hay land, and short-rotation woody crop land meet the definition of agricultural land, including grasslands enrolled in the federal Conservation Reserve Program (CRP), Conservation Reserve Enhancement Program (CREP), or the state RIM Reserve program. These lands do not need to be posted to prevent unauthorized trespass.

You may not:

- wound or kill another person’s domestic animal or destroy private property
- pass through a closed gate without returning it to the original position
- stray off marked trails.

RELATED GAME LAWS

A person may not discharge a firearm or bow and arrow at a grouse, or a decoy of a grouse placed by an enforcement officer, unless the person is at least 20 yards away from a motor vehicle and the motor is turned off. Exceptions will be made only for hunters with disabilities who are in possession of a valid permit allowing them to shoot from a stationary motor vehicle.



General Restrictions

It is unlawful to:

- transport a firearm on any off-highway vehicle unless it is unloaded and completely enclosed in a case or is a handgun carried under a valid permit to carry
- transport an archery bow on any off-highway vehicle unless it is unstrung or enclosed in a case
- use any off-highway vehicle to chase, run over or kill a wild animal
- shoot or attempt to shoot an animal from any off-highway vehicle without a special disability permit to do so.

Firearms deer hunting

To reduce disturbance during prime hunting hours, a person possessing a valid deer license may operate an off-highway vehicle during the firearms deer season only:

- before legal shooting hours (one-half hour before sunrise)
- from 11 a.m. until 2 p.m.
- after legal shooting hours (one-half hour after sunset).

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Use of ATV and other off-road vehicles by licensed deer hunters, without firearms, is allowed on their own property for occupational purposes. This use also applies to employees and family members who have a valid deer license.

A permit to operate an off-highway vehicle during the legal shooting hours for deer may be issued by a conservation officer in the event of an emergency or another unusual condition.

The above firearms deer provisions do not apply to vehicles licensed for roadway use.

Special Permits for Disabled Hunters

A permit may be issued to shoot from a standing OHV to a licensed hunter who has a permanent physical disability and is unable to step from a vehicle without the aid of a wheelchair, crutches, braces, or other mechanical support or prosthetic device; or is required to use supplemental oxygen to assist breathing because they are unable to walk any distance because of a permanent lung, heart, or other internal disease. For more details contact the Department of Natural Resources Information Center toll free 1-888-MINNDNR (646-6367).

ALL-TERRAIN VEHICLE SAFETY SECTION



ATV owners are cautioned that any inexperienced rider in the first month of operating an ATV has 13 times the average risk of injury.

Never permit the inexperienced to operate an ATV until they have read the owner's manual and all warning labels, and have completed a certified training course.

Know the uniqueness of ATV design and the potential risk of accidents and injury.

ATV Design

High ground clearance and short, narrow wheel base

Seating straddles the top of the machine

Wide, low pressured, knobby tires

Powerful drive train with high and low gear ratios

Fixed rear axle for traction

Potential Risk

Operator must have sufficient size and weight to properly balance the vehicle. ATV may roll or flip with shift of body weight. ATV is more likely to roll than skid in turns and on hillsides.

Requires operator to maintain balance on the machine. Operator can fall or be thrown. No protection for the operator in a collision or roll over.

Wobble or bounce may cause loss of control. Vehicle is more likely to roll than skid in turns and on hillsides.

Has power to climb or accelerate until it flips over backwards. Capable of speed too fast for conditions and or skill of the operator.

Prevents the inner wheel from rotating freely when attempting turns on pavement. Loss of control occurs when torque to the inner wheel releases in the sudden lurch forward.

Passenger Restrictions

An ATV operator needs the entire seat area to maintain stability and control. The additional weight and positioning by passengers greatly restricts the operator's ability to maintain safe control which can lead to rollovers and flipping over. Because most ATVs do not provide foot rests or handgrips for a passenger, the passenger has a high risk of falling or being thrown from the machine. Any time there is loss of control, both the operator and the passenger are at high risk of injury or death.



Most ATVs are not made or designed to carry passengers. The multi-person vehicles typically have a longer wheelbase and other features for better stability while carrying more than one person. Please follow the manufacturer's recommendations and safety warnings.

Passenger regulations with ADULT operators

 Beginning July 1, 2005 it is lawful for adults to carry one passenger on an ATV.

- Passengers under 18 years of age must wear a helmet, on both public and private lands.
- If the passenger is under 16 years of age, the operator must be the parent or legal guardian, or other person authorized by the parent or legal guardian.

It is unlawful for a person under 18 to operate an ATV with a passenger, whether on public or private lands.

Warning: Approximately 40 percent of ATV related deaths and injuries are to youth under age 16. The U.S. Consumer Product Safety Commission warns that youth under the age of 16 should never operate an adult sized ATV (over 90cc engine size). Please follow the manufacturer's recommendations and safety warnings.



ATV FIT REQUIREMENTS

Leg Length

A minimum of 3 inches of clearance between the seat and the top inseam of the pants when standing on the foot rests is required to enable the operator to maintain balance on the foot rests when turning and riding over hills and rough terrain.

Arm Length

While seated on the machine and gripping the handle bars there should be a distinct bend in the arm at the elbow. Without a bend, there will not be sufficient reach to properly grip the handle bars when turning.

Hand Size

While gripping the handle bar with fingers extended to the brake lever, the first joint of the index finger should extend beyond the brake lever. If it doesn't, the hand is too small to safely operate the brake.

Why Children Are At Risk Operating ATVs

The U.S. Consumer Product Safety Commission (USCPC) states that a variety of factors converge to place children at risk as operators of ATVs including:

- Children believe products purchased by their parents are safe.
- Danger and risk are underestimated because of the child's own lack of experience with accidents.
- Children between the ages of 12 and 15 often overestimate their skills, particularly with increased experience.

ATV EDUCATION AND SAFETY TRAINING

 Effective January 1, 2006 anyone born after July 1, 1987 AND who is 16 years or older must successfully complete the ATV safety training independent study course before operating an ATV on public lands.

Persons under 16 years of age must successfully complete the ATV safety training independent study course and the riding component before operating an ATV on public lands.

 Exception: Persons age 10 or 11 may operate an ATV up to 90cc on public lands or frozen waters if accompanied by parent or legal guardian.

ATV safety training is recommended for anyone who operates an ATV. The Enforcement Division has an ATV safety training course for anyone 12 or older. The course includes ATV familiarization, operating procedures, safety concerns, rules and regulations, ethics, and environmental concerns.

The ATV Safety Training Course consists of two parts: first is the independent study CD, which must be completed prior to the student taking the second part. The second part is a classroom review /exam and riding component. The Independent Study CD is available free of charge by calling the DNR Information Center at 651-296-6157, toll free 1-888-646-6367 or DNR Safety Training Program Office at 1-800-366-8917. The cost of the course is \$15.00, which is collected during the classroom review/exam and riding session.

ATV YOUTHFUL OPERATORS

It is unlawful for anyone in control of an ATV to permit it to be operated contrary to the following requirements:

Age	Requirement
Under 10	<ul style="list-style-type: none"> • May operate only on private property with permission of the owner.
10 and 11	<ul style="list-style-type: none"> • May operate only on private property with permission of the owner. • May operate ATV up to 90cc on public lands and frozen waters if accompanied by parent or legal guardian. • Must wear an approved helmet while operating on public lands and frozen public waters.
12 through 15	<ul style="list-style-type: none"> • ATV safety certificate valid only after successfully completing BOTH the independent study and riding safety training components, and must be able to properly reach and control the handle bars and foot pegs while sitting upright on the seat (see fit requirements). • May operate an ATV on public lands and frozen waters and make direct crossing of roadways with a valid safety certificate ONLY when accompanied on another ATV by a person 18 or over who has a valid driver's license. • Must wear approved helmet while operating on public lands and frozen waters, and when crossing road rights-of-way.
16 and 17	<ul style="list-style-type: none"> • Starting January 1, 2006 must successfully complete the ATV independent study course component before operating on public lands. • Before January 1, 2006 may operate an ATV on public lands and frozen public waters without a safety certificate. • Must have a valid driver's license to make a direct crossing of a roadway or operate on road rights-of-way. • Must wear approved helmet while operating on public lands, frozen public waters and on road rights-of-way.

ATV GENERAL OPERATIONS

- A valid driver's license is required to operate in a road right-of-way. A driver's license is not required on a designated trail that includes a road right-of-way.

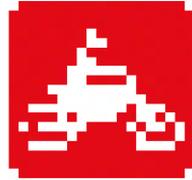
 Starting January 1, 2006 anyone born after July 1, 1987 AND who is 16 years of age or older, must successfully complete the ATV independent study course component before operating an ATV on public lands.

 ATVs may not be operated with a snorkel device that has a raised air intake six inches or more above the manufacturer's original air intake. Exception: ATVs with snorkel devices may be operated within the Iron Range OHV State Recreation Area and other designated public OHV recreation areas.

- Agricultural zone restriction: You may not drive an ATV within the right-of-way, including the ditch, of a state or county road from April 1 to August 1 in the agricultural zone (see definition on page 7). This does not apply to ATVs licensed and used for agricultural use.
- The headlight and taillight must be on at all times if your ATV is equipped with them.
- You may not exceed 10 mph on the frozen surface of public waters within 100 feet of another person that is not on an ATV (including people that are fishing) or within 100 feet of a fish shelter.
- Grant-in-aid snowmobile and ski trails are closed to ATVs unless specifically allowed.
- Road authorities now have the ability to restrict ATV operation in ditches. A public hearing must be held and these restrictions would not apply to agricultural use.
- You may operate an off-highway vehicle on a bridge, a roadway shoulder or the inside bank of a public road right-of-way if necessary to avoid obstructions to travel. You must remain on the farthest right-hand lane, enter the roadway within 100 feet of the bridge or obstacle and make the crossing without delay. You may not cross a bridge that is part of the traveled lanes of an interstate highway.
- A person with a valid driver's license may operate an ATV registered for private use and being used for agricultural purposes on a public right-of-way of a trunk, county, state aid, or county highway, if the ATV is on the extreme right side of the road. A left turn may be made if it is safe to do so.

- Operation on a township road: A person with a valid driver's license may operate an ATV on the right half of a township road, unless prohibited by local regulations. If traveling at a slower speed than other traffic on the township road, the ATV should be driven as close as practical to the right hand edge of the road.

OFF-HIGHWAY MOTORCYCLE SAFETY SECTION



OHM YOUTHFUL OPERATORS

It is unlawful for anyone in control of an OHM to allow it to be operated contrary to the following requirements.

Age	Requirement
Under 12	<ul style="list-style-type: none"> • May not make a direct crossing of a public road right-of-way. • May not operate OHM on a public road or public road right-of-way. • May not operate OHM on public lands or frozen public waters unless accompanied on another OHM by a person 18 years of age or older. • Must possess a valid OHM safety certificate to operate on public lands or frozen public waters. • Must wear an approved helmet when operating on public lands and frozen waters.
Under 16	<ul style="list-style-type: none"> • Must possess a valid OHM safety certificate to operate on public lands or frozen public waters. • May make a direct crossing of a public road (except an interstate highway) if accompanied on another OHM by a person 18 years of age or older who has a valid driver's license. • May operate within a road right-of-way that is part of a designated trail when accompanied by a person 18 years of age or older who has a valid driver's license. • Must wear an approved helmet when operating on public lands and frozen waters.
16 and 17	<ul style="list-style-type: none"> • Must have a driver's license to operate an OHM on a public roadway, and the motorcycle must be licensed for highway use. • A driver's license is not required on designated trails when the trail specifically includes the road right-of-way. • Must wear an approved helmet when operating on public lands and frozen waters.

Safety Tips:

- Any person who operates an OHM must wear eye protection.
- Always wear a helmet and protective clothing.
- Never carry a passenger on vehicles intended for one-person use.

OHM EDUCATION AND SAFETY TRAINING

The DNR Division of Enforcement administers an OHM safety training program. The course includes OHM familiarization, operating procedures, OHM laws, loading and towing procedures, ethics, safety hazards and environmental consequences.

For a \$5 fee, students who successfully complete the training packet and written test are issued a safety certificate. Duplicate certificates are available from the DNR if the original is lost or destroyed.

A duplicate OHM Safety Certificate can be obtained at any Electronic Licensing System (ELS) hunting and fishing agent for \$3.50 and at the DNR Information Center and DNR Safety Training Program Headquarters for \$5.00

For more information call the DNR Information Center, Twin Cities 651-296-6157, Toll free 1-888-646-6367 or DNR Safety Training Program Headquarters, 1-800-366-8917.

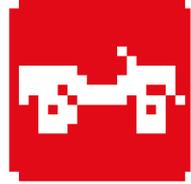
OHM GENERAL OPERATIONS

- You may not operate an OHM in ditches, unless it is a trail designated for OHM use. OHMs registered for highway use may operate on road ways. (See diagram on page 8.)
- A valid driver's license with a motorcycle endorsement is required to operate anywhere on road rights-of-way including crossing roads. The only exception would be on portions of a designated trail that specifically include a road right-of-way.
- Your OHM must have a headlight, a taillight and brakes to be operated on a public road. The lights must be on while operation on a trunk, county, state aid, or county highway or when crossing a public road right-of-way, one-half hour after sunset to one-half hour before sunrise or in conditions of reduced visibility.
- You must wear eye protection when operating an OHM.
- You may not exceed 10 mph on the frozen surface of public waters within 100 feet of a person fishing or a fishing shelter.

OFF-ROAD VEHICLE SAFETY SECTION

ORV YOUTHFUL OPERATORS

A person under 16 years of age may not operate an ORV. The owner of an ORV may not knowingly allow it to be operated by a person under 16 years of age.



ORV GENERAL OPERATIONS

ORV Education and Safety Training

-  **Beginning July 1, 2006 an ORV environmental and safety training course will be available for persons 16 or older. The new course will cover ORV familiarization, operation procedures, laws, towing procedures, ethics, safety hazards and environmental considerations. For more information in 2006, call the DNR Information Center, Twin Cities 651-296-6157, Toll free 1-888-646-6367 or DNR Safety Training Program Headquarters at 1-800-366-8917.**
- All ORV passengers and operators must wear seat belts.
- A valid driver's license is required to cross roads. **THE ONLY EXCEPTION** would be for those portions of a designated trail that specifically include a road right-of-way.
- ORVs are required to have lights on while crossing public roads one-half hour after sunset to one-half hour before sunrise and during periods of reduced visibility.

You may:

- operate on state forest roads, trails and lands as described on pages 20 - 23.

You may not:

- operate an ORV within the right-of-way of an interstate highway
- operate an ORV within a public road right-of-way except on a designated trail.

FOR MORE INFORMATION

DNR Web Site: www.dnr.state.mn.us

Safety training contact: DNR Information Center, 651-296-6157, Toll free 1-888-646-6367 or DNR Safety Training Program Headquarters, Camp Ripley, Little Falls, MN, 1-800-366-8917.

Trails contact: DNR Information Center, 500 Lafayette Rd., St. Paul, MN 55155-4040, 651-296-6157, Toll free 1-888-646-6367.

Registration contact: DNR License Center, 500 Lafayette Rd., St. Paul, MN 55155-4026, 651-296-2316 Toll free 1-800-285-2000.

Hearing impaired: 651-296-5484, Toll free 1-800-657-3929.