

## CHAPTER 72: SPECIAL VEHICLES

### Section

- 72.01 Definitions
- 72.02 Operation and regulation of motorized vehicle
- 72.03 Permit application
- 72.04 Permit length
- 72.05 Traffic laws
- 72.06 Revocation and penalty
- 72.07 Signs, signals, and other equipment

### § 72.01 DEFINITIONS.

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

**ALL-TERRAIN VEHICLES (ATVs).** A motorized vehicle with: not less than three, but not more than six low pressure or non-pneumatic tires; a total dry weight of 2,000 pounds or less; and 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.

(1) **ALL-TERRAIN VEHICLE, CLASS 1.** 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.

(2) **ALL-TERRAIN VEHICLE, CLASS 2.** 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.

**DRIVER.** The person driving and having physical control over the off-highway vehicle, motorized golf cart, utility task vehicle, all-terrain vehicle, special vehicle, or mini-truck and being the licensee.

**OFF-HIGHWAY VEHICLES (OHVS).** An off-highway motorcycle, an off-road vehicle, or an all-terrain vehicle, may operate only in certain public areas and on designated OHV trails.

**MINI-TRUCK.** As defined in M.S. § 169.011, subd. 40(a), as it may be amended from time to time, 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, §§ 571.101 to 571.404, and successor requirements. A mini-truck does not include: a neighborhood electric vehicle that meets or exceeds the regulations in the Code of Federal Regulations, Title 49, §§ 571.500, as it may be amended from time to time.

**MOTORIZED GOLF CART.** A motorized vehicle with four low-pressure tires that is customarily used to transport golfers and their equipment on a golf course.

**SPECIAL VEHICLE.** Any motorized vehicle that needs permit approval to be used within city limits such as an all-terrain vehicle, a motorized golf cart, or a utility task vehicle.

**UTILITY TASK VEHICLE.** As defined by M.S. § 169.045, subd. 1(3), as it may be amended from time to time, 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.

(Ord. 2021-09, passed 5-11-2021)

### § 72.02 OPERATION AND REGULATION OF MOTORIZED VEHICLE.

No person shall operate a special vehicle on highways, nor to cross any highway, or in areas with a speed limit of more than 30 miles per hour. A written permit from the city is required for regulated use of a special vehicle. Special vehicles may not be used in city parks, Elm Creek Park Reserve, or private property without the consent of the owner of said property. Special vehicles may only be operated from 9:00 a.m. till sunset on weekdays, and 10:00 a.m. till sunset on weekends. Special vehicles may not be used when there is low visibility weather. The permit does not authorize the applicant to operate such special vehicles on county, state, or federal highways, except as provided for herein. Special vehicle use is not authorized, except pursuant to a permit as provided for herein, or as otherwise authorized by all provisions of this city code or state statute.

(Ord. 2021-09, passed 5-11-2021)

### § 72.03 PERMIT APPLICATION.

(A) An application form for a permit for a special vehicle is required and must be returned completed to the Dayton Police Department. Once completed and approved, special vehicle permits can be purchased at the Dayton Police Department with a fee that will be updated in the fee schedule. The fee shall be amended from time to time. The permit must be displayed in a visible manner on the special vehicle at all times. Every application for a permit shall be made on a form supplied by the city and shall contain all of the following information:

- (1) The name, address, and date of birth of the applicant;
- (2) Model name, make, and year and number of the special vehicle;
- (3) Current driver's license;
- (4) The type of special use vehicle to be operated, including make, model, year of manufacturer and VIN or serial number;
- (5) Evidence of insurance complying with the provisions of M.S. § 65B.48, as it may be amended from time to time; and
- (6) Other information as the city may require.

(B) Authorized city staff may operate city owned special vehicles without obtaining a permit within the city on city streets, sidewalks, trails, right-of-way, and public property when conducting city business.

(Ord. 2021-09, passed 5-11-2021)

#### **§ 72.04 PERMIT LENGTH.**

Permits are required to use a special vehicle in the city. Each permit issued will last for three full calendar years starting on January 1 and ending on December 31. Permits must be renewed every three years. At the time of permit purchase, applicants must also provide proof of insurance for liability coverage. No permit shall be granted or renewed unless the following conditions are met:

- (A) The applicant must demonstrate that he or she currently holds a valid Minnesota driver's license;
- (B) The applicant must provide evidence of insurance in compliance with the provisions of Minnesota Statutes concerning insurance coverage for the special vehicle; and
- (C) The applicant must be at least 16 years old.

(Ord. 2021-09, passed 5-11-2021)

#### **§ 72.05 TRAFFIC LAWS.**

Every person operating a special vehicle under permit on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of M.S. Ch. 169, as it may be amended from time to time, except when those provisions cannot reasonably be applied to motorized golf carts or ATVs and except as otherwise specifically provided in M.S. § 169.045, Subd. 7, as it may be amended from time to time. The number of occupants on the special vehicle may not exceed the design occupant load. The maximum speed at which a special vehicle may be operated is 25 mph.

(Ord. 2021-09, passed 5-11-2021)

#### **§ 72.06 REVOCATION AND PENALTY.**

A permit may be revoked if any of the operations and regulations of this chapter for special vehicles in the city are not being adhered to such as using special vehicles in an unsafe, illegal, or inappropriate manner. Any person who is in violation of this chapter shall be guilty of a petty misdemeanor. The city may suspend or revoke a permit granted hereunder upon a finding that the holder thereof:

- (A) Has violated any of the provisions of this section or M.S. Ch. 169, as it may be amended from time to time;
- (B) If there is evidence that the permit holder cannot safely operate the special vehicle on the designated roadways; or
- (C) Has failed to maintain a valid Minnesota driver's license.

(Ord. 2021-09, passed 5-11-2021)

#### **§ 72.07 SIGNS, SIGNALS, AND OTHER EQUIPMENT.**

(A) Motorized golf carts shall display the slow-moving vehicle emblem provided for in M.S. § 169.045, as it may be amended from time to time, when operated on designated roadways. Persons under 18 years old who are operating or riding in a motorized golf cart on a city street or alley must wear a DOT approved helmet at all times. Special vehicles shall be equipped with a rear-view mirror to provide the driver with adequate vision from behind as required by M.S. § 169.70, as it may be amended from time to time.

(B) *Mini-truck equipment requirements.* A mini-truck may be operated under permit on designated roadways if it is equipped with all of the following:

- (1) At least two headlamps;

- (2) At least two tail lamps;
- (3) Front and rear turn-signal lamps;
- (4) An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror;
- (5) A windshield;
- (6) A seat belt for the driver and front passenger; and
- (7) A parking brake.

(Ord. 2021-09, passed 5-11-2021)