

PINE COUNTY ORDINANCE #2017-04

**PINE COUNTY ORDINANCE
FOR THE MANAGEMENT OF MINI TRUCKS
ON DESIGNATED ROADWAYS
WITHIN THE COUNTY'S JURISDICTION**

ARTICLE 1. PURPOSE

The purpose of this Ordinance is to establish standards for the use of mini trucks within Pine County.

ARTICLE 2. SCOPE

This Ordinance shall provide for the authorization of the operation of mini trucks on designated roadways within Pine County.

ARTICLE 3. AUTHORITY

This Ordinance is enacted pursuant to Minnesota Statutes section 169.045 which establishes the authority for Pine County to authorize by ordinance the operation of mini trucks on designated roadways within the county.

ARTICLE 4. DEFINITIONS

For the purposes of this Ordinance, the following definitions apply:

- A. **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:
 - a. A neighborhood electric vehicle or a medium-speed electric vehicle; or
 - b. A motor vehicle that meets or exceeds the regulations in the Code of Federal Regulations, title 49, section 571.500, and successor requirements.
- B. **Designated Roadway:** All county roads and county state-aid highways within Pine County.

ARTICLE 5. PERMIT NEEDED

It shall be unlawful for any person to operate a mini truck on roadways within Pine County, except on designated roadways and in compliance with the permit requirements of this Ordinance.

ARTICLE 6. APPLICATION FOR A PERMIT

- A. Any person desiring to operate a mini truck on designated roadways within Pine County shall make written application for a permit on forms supplied by the Pine County Sheriff's Office. Such application shall include the full name and address of the applicant; date of application; proof of insurance in compliance with Minnesota Statutes section 65B.48; evidence of a valid driver's license; make, model and serial number of the vehicle; and such other conditions as deemed appropriate by the Pine County Sheriff's Office.
- B. An applicant shall submit a permit fee with the application to the Pine County Sheriff's Office. The initial permit fee shall be \$50.00. The Pine County Board of Commissioners may change the fee amount via resolution.
- C. Permits may be granted for a duration of three years and may be renewed every three years. Vehicle owners are responsible for obtaining renewal of the permits.
- D. An applicant may be required to submit a certificate signed by a physician that the applicant can safely operate a mini truck on designated roadways.
- E. If persons operating a mini truck cannot obtain liability insurance in the private market, that person may purchase automobile insurance including no-fault coverage, from the Minnesota Automobile Insurance Plan under Minnesota Statutes section 65B.01 to 65.12 at a rate to be determined by the commissioner of commerce.
- F. Upon approval of an application based upon the requirements of this Ordinance, the Pine County Sheriff's Office shall issue a written permit and permit number. The applicant is responsible for obtaining self-adhesive numbers at least three inches tall and applying them to both the front and rear of the permitted mini truck. The numbers must be easily readable, visible and unobstructed. The applicant shall also keep a copy of the written permit in the mini truck during operation.

ARTICLE 7. PERMIT CONDITIONS

- A. The operator, under a permit, of a mini truck may cross any street or highway intersecting a designated roadway.
- B. Every person operating a mini truck under permit on designated roadways has all the rights and duties applicable to the driver of any other motor vehicle under the provisions of Minnesota Statutes Chapter 169, except when those provisions cannot be reasonably applied to mini trucks and except otherwise provided within Article 7.C. below.
- C. The provisions of Minnesota Statutes Chapter 171 are applicable to persons operating mini trucks under permit on designated roadways.
- D. Notwithstanding any other law, a mini truck may be operated on designated roadways under permit only if it is equipped with:
 - a. At least two headlamps;

- b. At least two taillamps;
- c. Front and rear turn-signal lamps;
- d. An exterior mirror mounted on the driver's side of the vehicle and either:
 - i. An exterior mirror mounted on the passenger's side of the vehicle or
 - ii. An interior mirror;
- e. A windshield;
- f. A seat belt for the driver and front passenger; and
- g. A parking brake.

ARTICLE 8. REVOCATION

- A. The Pine County Sheriff's Office may revoke a permit at any time if there is evidence that the permittee cannot safely operate the mini truck on designated roadways or the permittee is convicted of violating a provision of this Ordinance.
- B. A revocation shall be effective three days after the date of mailing, via certified mail, the Notice of Revocation of the permit to the permittee at the address listed on the permittee's application.
- C. Permittee may challenge the revocation of the permit by submitting a Notice of Appeal in writing to the Pine County Administrator at Pine County Courthouse, 635 Northridge Dr. NW, Pine City, MN 55063, within 14 days of the date of the Notice of Revocation. The Notice of Appeal shall specify the basis of the appeal.
- D. Upon receipt of a Notice of Appeal of a permit revocation, the Pine County Administrator shall set the appeal on for a hearing before the Pine County Board of Commissioners within 30 days.
- E. At the hearing before the Pine County Board of Commissioners, the permittee shall be given an opportunity to be heard and to show cause why the Notice of Revocation should be modified, withdrawn, or rescinded.
- F. The Pine County Board of Commissioners shall issue detailed, written findings following the hearing of the appeal.
- G. Any Notice of Revocation served pursuant to the provisions of this Ordinance shall automatically become final if written Notice of Appeal is not filed with the Pine County Administrator within 14 days after the Notice of Revocation is served.

ARTICLE 9. SEVERABILITY

The provisions of this Ordinance shall be severable. Should any section, paragraph, sentence, clause, phrase or portion of this Ordinance be declared invalid for any reason, the remainder of this Ordinance shall not be affected and the remainder of the provisions shall remain in full force and effect.

ARTICLE 10. EXEMPTIONS

The provisions of this Ordinance shall not apply to the use of mini trucks used by governmental agencies in the pursuit of their duties.

ARTICLE 11. PENALTIES

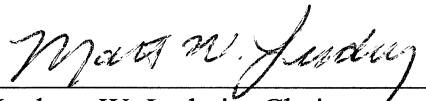
- A. Any person, firm or corporation who violates any of the provisions of this Ordinance, fails to comply with any of the provisions of this Ordinance, or makes any false statement in any document required to be submitted under this Ordinance, shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not to exceed \$1,000 and/or imprisonment not to exceed 90 days. Each day that a violation continues shall constitute a separate offense. Such persons may be enjoined from continuing such violations.

- B. In the event of a violation, or a threat of a violation, of this Ordinance, the Pine County Attorney may take appropriate action to enforce this Ordinance, including application for injunctive relief, action to compel performance, or other appropriate action in Court, if necessary, to prevent, restrain, correct or abate such violations or threatened violations.

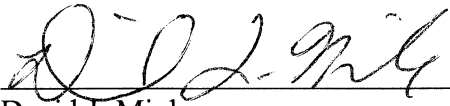
ARTICLE 12. EFFECTIVE DATE

This Ordinance shall be and is hereby declared to be in full force upon passage, and to be published according to law.

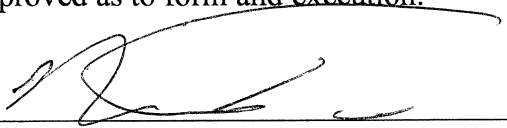
Passed by the Board of Commissioners of Pine County, Minnesota, this 19th day of December, 2017.



 Matthew W. Ludwig, Chair
 Pine County Board of Commissioners



 David J. Minke
 Pine County Administrator

Approved as to form and execution:


 Reese Frederickson
 Pine County Attorney