



S A I N T
LOUIS ♦
COUNTY
M I N N E S O T A



St. Louis County ATV Policy/Ordinance

We want to hear from you...

St. Louis County Public Works Department
January 27, 2016
St. Louis County Township Association
Cotton Township Hall



ST. LOUIS COUNTY ♦
Public Health and Human Services

Agenda

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2. Applicable State Statutes
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 - c) Lake County
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Why now?

A policy or ordinance is needed for the following reasons:

- St. Louis County has received a number of recent requests to operate ATVs on county roads from Embarrass, Crane Lake, Camp 5, Portage and Leiding Townships.
- A significant driver in these requests is trail connectivity
 - ATV trails are more difficult and expensive to construct
 - Riders don't want to trailer between trails and roads open to ATV use
 - Maps and signing in the field are incomplete and confusing...people want to ride legally
 - Most county roads do not have a "rideable" ditch bottom or backslope
- Robust trail networks that are easy to navigate and provide a full weekend of riding are attractive to ATV tourists and hunters
- There are now more ATVs registered in MN than snowmobiles...ATV's could become a larger economic driver in our St. Louis County economy if more riding opportunities become available
- Should improve compliance with the law and possibly aid in law enforcement
- Some would say this is overdue in St. Louis County
- St. Louis County Board passed a resolution on September 22, 2015 directing Administration and Public Works Department to develop a comprehensive ATV Policy or Ordinance that may permit ATV use in the county road right-of-way



Applicable State Statutes – M.S. 84.92

What is an ATV?

- "All-terrain vehicle" or "vehicle" means 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
 - 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.
- "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

Class 1



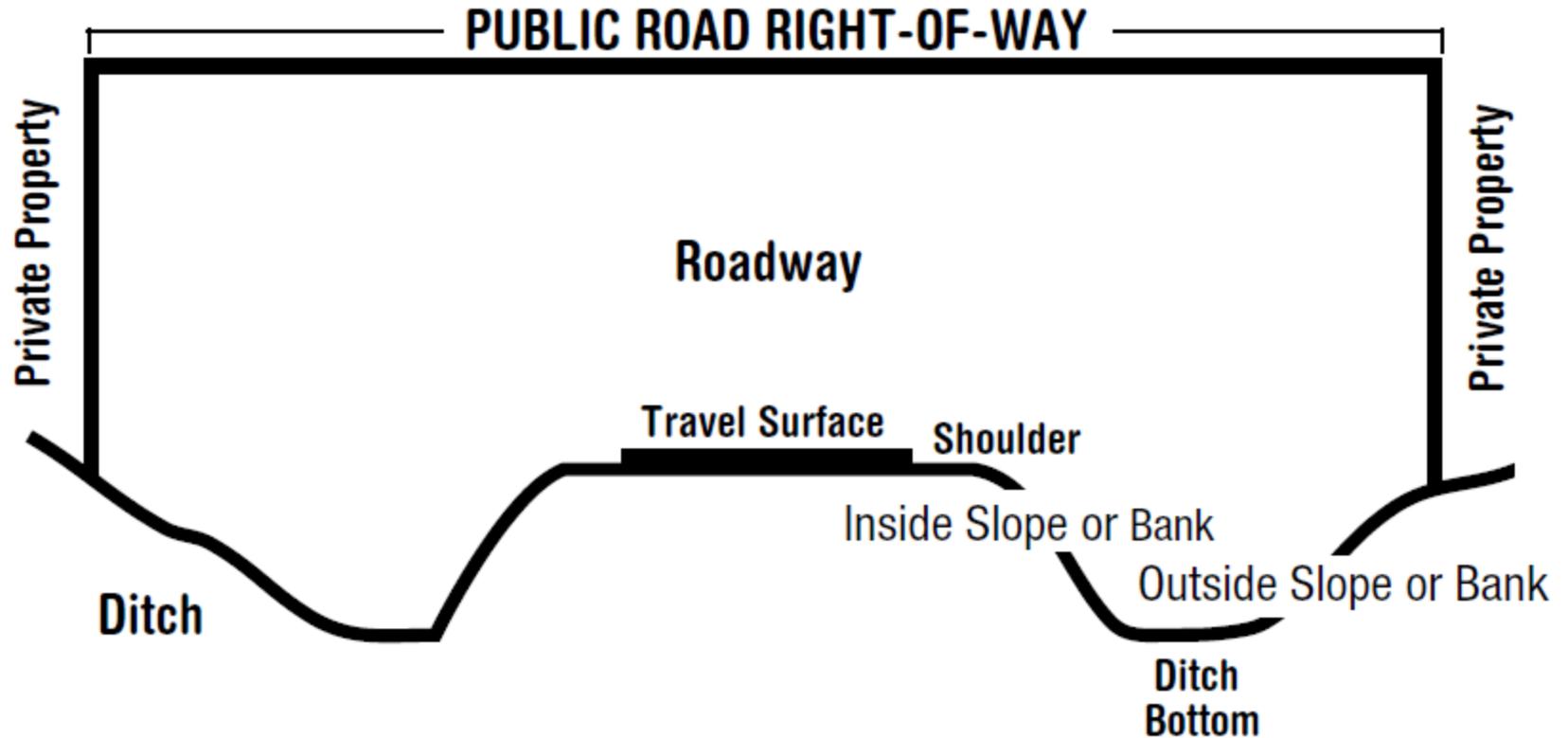
Class 2

 HondaProKevin
HondaProKevin.com



Applicable State Statutes – M.S. 84.92

Terms:



Applicable State Statutes – M.S. 84.928

General Operation in the County Road Right-of-Way

- ATVs can legally ride in the county road right-of-way today
- Unless otherwise allowed by statute or local ordinance, a class 1 all-terrain vehicle **shall not** operate along or on the roadway, shoulder, or inside bank or slope of a public road right-of-way of a trunk, county state-aid or county highway
- A person **may** operate a class 1 all-terrain vehicle in the ditch or the outside bank or slope of a trunk, county state-aid, or county highway
- A person **may** operate a class 1 all-terrain vehicle designed by the manufacturer for off-road use to be driven by a steering wheel and equipped with operator and passenger seat belts and a roll-over protective structure or a class 2 all-terrain vehicle...
 - Within the public road right-of-way of a county state-aid or county highway on the right shoulder or the extreme right-hand side of the road and left turns may be made from any part of the road if it is safe to do so under the prevailing conditions
 - On the bank, slope, or ditch of a public road right-of-way of a trunk, county state-aid, or county highway but only to access businesses or make trail connections, and left turns may be made from any part of the road if it is safe to do so under the prevailing conditions; and
 - On the bank or ditch of a public road right-of-way on a **designated class 2 all-terrain vehicle trail**



Applicable State Laws – M.S. 84.928

General Operation in the County Road Right-of-Way

Crossing a public road right-of-way.

- An all-terrain vehicle **may** make a direct crossing of a public road right-of-way
- An all-terrain vehicle **may** be operated upon a bridge, other than a bridge that is part of the main-traveled lanes of an interstate highway, or roadway shoulder or inside bank of a public road right-of-way when required for the purpose of avoiding obstructions to travel or environmentally sensitive areas when no other method of avoidance is possible; provided the all-terrain vehicle is operated in the extreme right-hand lane, the entrance to the roadway is made within 100 feet of the bridge, obstacle, or sensitive area, and the crossing is made without undue delay



Applicable State Statutes – M.S. 84.928

County & Road Authority Powers

- A road authority may after a public hearing restrict the use of all-terrain vehicles in the public road right-of-way under its jurisdiction
- A county, city or town, acting through its governing body, may by ordinance allow a person to operate an all-terrain vehicle on a public road or street under its jurisdiction to access businesses and residences and to make trail connections
- A road authority may by permit designate corridor access trails on public road rights-of-way (this includes road shoulders) for purposes of accessing established all-terrain vehicle trails. A driver's license is not required to operate an all-terrain vehicle on a designated corridor access trail.
- Notwithstanding any law to the contrary, a county board by ordinance may allow the operation of all-terrain vehicles on the road right-of-way shoulder, or inside bank or slope of a county highway or county state-aid highway, if safe operation in the ditch or outside slope is impossible, and the county posts the appropriate notice



What are others doing?

Review of Other County and City Action

a) Koochiching County

- Ordinance
- Blanket policy – ATVs allowed on all roads
- Must operate on extreme right hand side of road
- No operation in inslope, ditch or backslope
- 20 mph speed limit

b) Lake County

- Ordinance
- Blanket policy – ATVs allowed on all roads except two
- Must operate on extreme right hand side of road
- No operation in inslope, ditch or backslope
- 40 mph speed limit, unless posted road speed limit is lower, 10 mph within 100' of slower moving road users

c) Cook County

- Ordinance
- Blanket policy – ATVs allowed on all roads except portions of Gunflint Trail
- Must operate on extreme right hand side of road
- No operation in inslope, ditch or backslope
- Safe and reasonable speed for the conditions, 10 mph within 100' of slower moving road users
- Must purchase a sticker from the County for the ATV



What are others doing?

Review of Other County and City Action

d) Pine County

- Policy
- Permit process – ATVs allowed only on permitted roads
- Can operate anywhere in the R/W depending on permit stipulations
- Permittee must be recognized, legal ATV club
- Permitter is the County Board
- Permit may be suspended or modified due to damage or public safety issues
- Appeals process in place
- Speed limit is safe and reasonable speed for the conditions and applicable state statutes
- Necessary signs are placed by the county and paid for by the ATV club

e) Itasca County

- Policy
- Permit process – ATVs allowed only on permitted roads
- Can operate anywhere in the R/W depending on permit stipulations
- Permittee must be recognized, legal ATV club
- Permitter is the County Board
- Permit may be suspended or modified due to damage or public safety issues
- Appeals process in place
- Speed limit is safe and reasonable speed for the conditions, 10 mph within 100' of slower moving road users and a maximum of 30 mph. County is considering going to 25 mph.
- Necessary signs are placed by the county
- Gravel roads preferred over paved roads
- ATVs are restricted from March 15 to May 1 (spring road restrictions) to reduce damage.
- Permits expire after 5 years



What are others doing?

Review of Other County and City Action

f) City of Hermantown

- Ordinance
- City permit required with fee
- Blanket policy – ATV's allowed on most city streets. A map is used to designate which roads allow ATV's. Most of the area between Stebner Road and Haines Rd. is off limits to ATV's.
- Must operate on extreme right hand side of road, shoulder or inside bank or slope of roadway. No operation in ditch, sidewalks, boulevards, parks, playgrounds, school grounds, etc.
- Safe and reasonable speed for the conditions, 30 mph maximum.



Options

What should St. Louis County do?

- Do nothing; current law provides ATV operators opportunities to ride within the county road right-of-way
- Implement a policy:
 - Does not fully provide legal options that are available under an ordinance
 - Option to ride on the county road shoulder would be available but limited
- Implement an ordinance:
 - Provides the full legal options
 - Could include a permit process
 - Could provide the blanket ability to ride on the county road shoulder
- ***Any action would only apply to the county roads (state roads, city streets or township roads would not be covered by this policy or ordinance)***



Options

What should St. Louis County do?

- Possibilities under a county ordinance:
 - Blanket order to allow ATVs to operate (no permit required) on
 - All of the county road system
 - Just on gravel roads
 - Just on gravel roads under a certain traffic volume
 - Allow by permit only for trail connections; the permit would have to be applied for by an official ATV club
 - Section the county into different zones; blanket order in some zones and permit only in other zones
 - ATV clubs would be responsible for installing traffic signs
 - Townships and cities would have to pass a resolution that approves the ordinance to be implemented in their township or city



Options

Implementation Timeline

- January 2016 – Meet with the St. Louis County Township Association
- February 2016 – Hold three public input meetings (Duluth, Virginia and Ely)
 - Thursday, February 11 at 6:00 pm at Midway Township Hall
 - Monday, February 22 at 6:00 pm at Vermilion Community College
 - Thursday, February 25 at 6:00 pm at St. Louis County Virginia Public Works Facility
- February 2016 – Meet with law enforcement agencies, ATV clubs and tourism reps
- March 2016 – Draft the ordinance based upon input received
- March 2016 – Present draft ordinance County Board for approval and release
- March 2016 – Present draft ordinance to the St. Louis County Planning Commission
- March 2016 – 45 day public comment period on released draft ordinance (will directly be sent to townships, cities and other interested parties)
- April 2016 – County Board will hold public hearing on draft ordinance for consideration and approval
- May 2016 – Ordinance implementation



Options

How to contact St. Louis County

- Comments about the ATV ordinance can be submitted to St. Louis County in the following ways...
 - By email – atv@stlouiscountymn.gov
 - By mail – ATV Ordinance, 4787 Midway Road, Duluth, MN 55811
- You can follow the process and subscribe to updates on the ATV ordinance on a special webpage...
 - www.stlouiscountymn.gov/atv



Discussion & Questions



Thank You

