

**TITLE VII: TRAFFIC CODE**

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**CHAPTER 73: RECREATIONAL AND OTHER VEHICLES**

**§ 73.01 PURPOSE AND INTENT.**

(A) (1) The purpose of this chapter is to provide reasonable regulations for the use of recreational motor vehicles on public and private property in the city.

(2) This chapter is not intended to allow what the Minnesota Statutes prohibit, nor to prohibit what the Minnesota Statutes expressly allow.

(B) It is intended to ensure the public safety and prevent a public nuisance.

**§ 73.02 DEFINITIONS.**

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

***ALL-TERRAIN VEHICLE.*** Any all-terrain vehicle as defined by M.S. § 84.92, as it may be amended from time to time.

***MOTOR VEHICLE OR OTHER MOTORIZED EQUIPMENT.*** A self-propelled wheeled or tracked vehicle or other conveyance including but not limited to, cars, trucks, golf carts, recreational vehicles, all-terrain vehicles, snowmobiles, tractors, pay loaders, skid loaders, dozers and all other equipment powered by a motor or engine of any type, except wheelchairs and scooters when permitted by and used in accordance with the Americans with Disabilities Act.

***RECREATIONAL MOTOR VEHICLE.*** Any self-propelled vehicle and any vehicle propelled or drawn by a self-propelled vehicle used for recreational purposes including, but not limited to, trail bike, off-highway motorcycle, as defined by M.S. § 84.787, Subd. 7, as it may be amended from time to time, or other all-terrain vehicle as defined by M.S. § 84.92, Subd. 8, as it may be amended from time to time, motorized go-carts, hovercraft or motor vehicle licensed for highway operation which is being used for off-road recreational purposes, but not including golf carts defined by § 73.08, personal electric mobility devices defined by § 73.09, motorized foot scooters defined by § 73.10 and neighborhood electric vehicles or medium speed electric vehicle as defined by § 73.11. (Am. Ord. 2013-02, passed 2-21-2013)

### **§ 73.03 OPERATION REQUIREMENTS.**

(A) *General.* It is unlawful for any person to operate a recreational motor vehicle:

- (1) On private property of another without specific written permission of the owner of the property. (Written permission may be given by a posted notice of any kind or description, so long as it specifies the kind of vehicles allowed, that the owner, occupant or lessee prefers, such as by saying "Recreational Vehicles Allowed", "Trail Bikes Allowed", "All-Terrain Vehicles Allowed" or words substantially similar.)
- (2) On publicly owned land, including school, exclusive city streets, park property, playgrounds, recreation areas and golf courses, except where permitted by this chapter;
- (3) In a manner so as to create a loud, unnecessary or unusual noise which disturbs, annoys or interferes with the peace and quiet of other persons;
- (4) On a public sidewalk or walkway provided or used for pedestrian travel, multi-use trails intended for non-motorized vehicles;
- (5) At a place while under the influence of intoxicating liquor or narcotics or habit-forming drugs;
- (6) At a rate of speed greater than reasonable or proper under all the surrounding circumstances;

(7) At any place in a careless, reckless or negligent manner so as to endanger or be likely to endanger any person or property or to cause injury or damage thereto;

(8) On any public street, highway or right-of-way unless licensed and registered pursuant to state law;

(9) To intentionally drive, chase, run over or kill any animal, wild or domestic;

(10) By halting any recreational motor vehicle carelessly or heedlessly in disregard of the rights or the safety of others or in a manner so as to endanger or be likely to endanger any person or property or in excess of 25 mph on publicly owned lands;

(11) Within 150 yards of any public recreational area or gathering of people. This provision does not apply to the occasional use of recreational motor vehicles on private property for the purpose of loading or unloading it from a trailer or for mechanically checking it;

(12) Without headlight and taillight lighted at all times if the vehicle is equipped with headlight and taillight;

(13) Without a functioning stoplight if so equipped;

(14) Without a brake operational by either hand or foot; and/or

(15) At a speed exceeding ten mph on the frozen surface of public waters within 100 feet of a person not on an all-terrain vehicle or within 100 feet of a fishing shelter.

(B) *Helmet and seat belts required.*

(1) A person less than 18 years of age shall not ride as a passenger or as an operator of a vehicle regulated herein on public land, public waters or on a public road right-of-way unless wearing a safety helmet approved by the Commissioner of Public Safety.

(2) A person less than 18 years of age shall not ride as a passenger or as an operator of a vehicle regulated herein without wearing a seat belt when the seat belt has been provided by the manufacturer.

(C) *All-terrain vehicles and passengers.*

(1) No person under 18 years of age shall operate a class 1 all-terrain vehicle while carrying a passenger. A person 18 years of age or older may operate a class 1 all-terrain vehicle carrying one passenger. For the purposes of this division (C)(1), a **CLASS 1 ALL-TERRAIN VEHICLE** means an all-terrain vehicle that has a total dry weight of less than 900 pounds.

(2) No person under 18 years of age shall operate a class 2 all-terrain vehicle while carrying a passenger. A person 18 years of age or older may operate a class 2 all-terrain vehicle while carrying a passenger, or up to the number of passengers for which the vehicle was designed, whichever is greater. For the purposes of this division (C)(2), a **CLASS 2 ALL-TERRAIN VEHICLE** means an all-terrain vehicle that has a total dry weight of 900 to 1,500 pounds.

(D) *Motor vehicle or other motorized equipment.* It shall be unlawful for any person to operate a motor vehicle or other motorized equipment, except maintenance equipment authorized by the city, on any public trail or path designated for non-motorized vehicles, unless authorized by resolution of the City Council.

(Am. Ord. 2013-02, passed 2-21-2013) Penalty, see § 73.99

### § 73.04 STREET CROSSINGS.

(A) *Restrictions.* No person under 12 years of age operating the vehicles regulated herein shall make a direct crossing of any street, highway or public right-of-way or operate a vehicle regulated herein on a public street, highway or road right-of-way or operate a vehicle regulated herein on public lands or waters, except that a person at least ten years of age, but under 12 years of age, may operate an all-terrain vehicle with an engine capacity up to 90cc on public lands or waters if accompanied by a parent or legal guardian.

(B) *Additional restrictions for all-terrain vehicles.* An all-terrain vehicle may make a direct crossing of a public road right-of-way; provided:

(1) The crossing is made at an angle of approximately 90 degrees to the direction of the road and at a place where no obstruction prevents a quick and safe crossing;

(2) The vehicle is brought to a complete stop before crossing the shoulder of the main-traveled way of the road;

(3) The driver yields the right-of-way to all oncoming traffic that constitutes an immediate hazard;

(4) In crossing a divided road, the crossing is made only at an intersection of the road with another public road; and

(5) If the crossing is made between the hours of one-half hour after sunset to one-half hour before sunrise or, in conditions of reduced visibility, only if both front and rear lights are on.  
Penalty, see § 73.99

**§ 73.05 HOURS OF OPERATION.**

Hours for use are sunrise to sunset.

Penalty, see § 73.99

**§ 73.06 MINIMUM EQUIPMENT REQUIREMENTS.**

(A) Standard mufflers shall be properly attached and in constant operation to reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cutout, bypass, straight pipe or similar device on a recreational motor vehicle motor. The exhaust system shall not emit or produce a sharp popping or crackling sound.

(B) Brakes shall be adequate to control the movement of and to stop and hold under any conditions of operation.

(C) At least one clear lamp shall be attached to the front with sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during the hours of darkness under normal atmospheric conditions. The head lamp shall be so that glaring rays are not projected into the eyes of an oncoming vehicle operator. It shall also be equipped with at least one red tail lamp having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during the hours of darkness under normal atmospheric conditions. This equipment shall be required and shall be in operating condition when the vehicle is operated between the hours of one-half hour after sunset and one-half hour before sunrise, or at times of reduced visibility.

Penalty, see § 73.99

**§ 73.07 DESIGNATION OF PUBLIC AREAS FOR USE.**

(A) (1) The Council may designate areas and exclusive city streets for use of recreational motor vehicles by approval of a resolution by a majority of the members of the City Council.

(2) The areas designated may be changed from time to time by the City Council. Any area designated shall be published in the official newspaper of the city in a conspicuous place after the approval. If an area is changed, the change shall be published in like manner in the official newspaper of the city.

(3) An up-to-date map of any designated park areas open for recreational motor vehicle use shall be kept on file in the office of the City Clerk-Treasurer, who shall provide on request a copy of the map together with the applicable rules, regulations and this chapter to each person requesting the information from the city.

(B) Unless designated by the City Council as an area for recreational motor vehicles, the use on city park property and city streets shall be unlawful. Further, the use of city parks designated by the City Council shall be in accordance with all of the applicable provisions of this chapter. Penalty, see § 73.99

### § 73.08 MOTORIZED GOLF CARTS.

(A) *Provisions of state law adopted.* The provisions of M.S. § 169.045, as it may be amended from time to time, are hereby incorporated into and made a part of this section by reference.

(B) *Motorized golf cart license.* A licensed driver may apply to the city for a permit to operate a motorized golf cart on designated roadways in accordance with this section and M.S. § 169.045, as it may be amended from time to time. Motorized golf carts operated on designated roadways must display a slow-moving vehicle emblem as provided for by M.S. § 169.522, as it may be amended from time to time, when operated on designated roadways. This section does not permit the use of three-wheel or four-wheel all-terrain vehicles, as defined by state law on city streets or designated roadways.

(C) *Designated roadways.* Motorized golf carts, in compliance with the provisions of this section, which are operated by a licensed driver holding a permit from the city, may be operated on all city streets, except Otter Tail County Highway I and Otter Tail County Highway 55 and except State Highway 78 and State Highway 108 and except Buchanan Road, and may cross the excepted highways and roads at designated intersections when traveling on a designated roadway. Motorized golf carts are not allowed on multi-use trails intended for non-motorized vehicles and pedestrian travel.

(D) *Application for permit.*

(1) Applications for permits shall be verified and filed with the City Clerk-Treasurer and shall be in the form designated by the city including name, address, age, telephone number and shall be accompanied by proof of the applicant's current driver's license.

(2) All applicants shall submit with the application, proof of insurance complying with the provisions of M.S. § 65B.48, Subd. 5, as it may be amended from time to time.

(3) Permits shall be granted for a term of one year and can be renewed by the city if another application is submitted as required by this section.

(4) The fee as established in § 11.01 Fee Schedule shall be submitted with each application.

(E) *Hours of operation.* Motorized golf carts on designated roadways by a licensed driver with a permit from the city and displaying a slow-moving vehicle emblem may be operated on designated roadways between the hours of sunrise and sunset.

(F) *Traffic laws.* Operation of motorized golf carts on designated roadways shall be in accordance with all traffic laws of the state, except for those provisions which cannot reasonably be applied to motorized golf carts in accordance with M.S. § 169.045, Subd. 6 and Subd. 7, as they may be amended from time to time.

(G) *Revocation.* The city reserves the right to revoke the permit granted by this section at any time if there is evidence that the permittee cannot safely operate the motorized golf cart on the designated roadways.

(H) *Effective date.* This section shall be in full force and effect from and after its passage and publication as required by law.

(Ord. 2002-05, passed 4-18-2002) Penalty, see § 73.99

### § 73.09 OPERATION OF ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES.

(A) ***ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE*** means a self-balancing device with two non-tandem wheels, designed to transport not more than one person, and operated by an electric propulsion system that limits the maximum speed of the device to 15 mph.

(B) Except as otherwise provided by law, a person operating an electric personal assistive mobility device has the rights and responsibilities of a pedestrian.

(C) (1) An electric personal assistive mobility device may be operated on a bicycle path.

(2) No person may operate an electric personal assistive mobility device on a roadway, sidewalk or bicycle path at a rate of speed that is not reasonable and prudent under the conditions. Every person operating an electric personal assistive mobility device on a roadway, sidewalk or bicycle path is responsible for becoming and remaining aware of the actual and potential hazards then existing on the roadway or sidewalk and must use due care in operating the device.

(3) An electric personal assistive mobility device may be operated on a roadway only:

- (a) While making a direct crossing of a roadway in a marked or unmarked crosswalk;
- (b) Where no sidewalk is available;
- (c) Where a sidewalk is so obstructed as to prevent safe use;
- (d) When so directed by a traffic control device or by a peace officer;

(e) Temporarily in order to gain access to a motor vehicle;

(f) An electric personal assistive mobility device may not be operated at any time on a roadway with a speed limit of more than 35 mph, except to make a direct crossing of the roadway in a marked crosswalk; or

(g) As provided in division (C)(7) below by Council resolution.

(4) An electric personal assistive mobility device may not be operated at any time while carrying more than one person.

(5) A person operating an electric personal assistive mobility device on a sidewalk must yield the right-of-way to pedestrians at all times. A person operating an electric personal assistive mobility device on a bicycle path must yield the right-of-way to bicycles at all times.

(6) An electric personal assistive mobility device may not be operated unless the device bears reflectorized material on the front, back and wheels, and is visible at night from 600 feet when illuminated by the lower beams of headlamps of a motor vehicle.

(7) The City Council may, by resolution, designate exclusive city streets within its jurisdiction where the operation of electric personal assistive mobility devices is permissible; provided that, no street so designated has a speed limit of more than 35 mph.

#### § 73.10 MOTORIZED FOOT SCOOTERS.

(A) **MOTORIZED FOOT SCOOTER** means a device with handlebars designed to be stood or sat upon by the operator, and powered by an internal combustion engine or electric motor that is capable of propelling the device with or without human propulsion, and that has no more than two 12-inch or smaller diameter wheels and has an engine or motor that is capable of a maximum speed of 15 mph on a flat surface with not more than 1% grade in any direction when the motor is engaged. An electric personal assistive mobility device, a motorized bicycle, an electric-assisted bicycle or a motorcycle is not a **MOTORIZED FOOT SCOOTER**.

(B) Operation of a motorized foot scooter on city bicycle paths, bicycle lanes, bicycle trails or bikeways is prohibited, except as provided in division (C) below.

(C) The City Council may by resolution designate specific bicycle paths, bicycle lanes, bicycle trails or bikeways as available for use by motorized foot scooters.

(D) Every person operating a motorized foot scooter shall have all rights and duties applicable to the operator of a bicycle, except in respect to those provisions relating expressly to motorized foot



scooters and in respect to those provisions of law that by their nature cannot reasonably be applied to motorized foot scooters.

(E) No person may operate a motorized foot scooter upon a sidewalk, except when necessary to enter or leave adjacent property. No person may operate a motorized foot scooter that is carrying any person other than the operator.

(F) No person under the age of 12 years may operate a motorized foot scooter.

(G) No person under the age of 18 years may operate a motorized foot scooter without wearing properly fitted and fastened protective headgear that complies with standards established by the Commissioner of Public Safety.

(H) A motorized foot scooter must be equipped with a headlight and a taillight that comply with standards established by the Commissioner of Public Safety if the vehicle is operated under conditions when vehicle lights are required by law.

(I) A person operating a motorized foot scooter on a roadway shall ride as close as practicable to the right-hand curb or edge of the roadway, except in the following situations:

(1) When overtaking and passing another vehicle proceeding in the same direction;

(2) When preparing for a left turn, in which case the operator shall stop and dismount at the right-hand curb or right edge of the roadway and shall complete the turn by crossing the roadway on foot, subject to restrictions placed by law on pedestrians; or

(3) When reasonably necessary to avoid impediments or conditions that make it unsafe to continue along the right-hand curb or edge, including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards or narrow lanes.

### § 73.11 NEIGHBORHOOD ELECTRIC VEHICLES.

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***MEDIUM SPEED ELECTRIC VEHICLE.*** An electrically powered four-wheeled motor vehicle, equipped with a roll cage or crushproof body design, that can attain a maximum speed of 35 mph on a paved level surface, is fully enclosed and has at least one door for entry, has a wheelbase of 40 inches or greater and a wheel diameter of ten inches or greater, and except with respect to maximum speed, otherwise meets or exceeds regulations in the 49 C.F.R. § 571.500, and successor requirements.

***NEIGHBORHOOD ELECTRIC VEHICLE.*** An electrically powered motor vehicle that has four wheels, and has a speed attainable in one mile of at least 20 mph, but not more than 25 mph on a paved level surface.

(B) *Electric vehicle operation.* Operation of neighborhood electric vehicles on city streets is prohibited except as provided in division (C) below.

(C) *Use on designated exclusive city streets.* The City Council may, by resolution, designate exclusive city streets within its jurisdiction where the operation of neighborhood electric vehicles or medium speed electric vehicles is permissible; provided that, no street so designated has a speed limit of more than 35 mph.

(D) *Equipment and safety.* A neighborhood electric vehicle or a medium-speed electric vehicle may be operated on public streets and highways only if it meets all equipment and vehicle safety requirements in 49 C.F.R. § 571.500, as it may be amended from time to time.

(E) *Minimum speed.* Authorized city staff may operate city owned neighborhood electric vehicles and medium speed electric vehicles within the city on city streets, sidewalks, trails, rights-of-way and public property when conducting city business.

#### **§ 73.99 PENALTY.**

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.98.

(B) A violation of any provision of § 73.08 shall be a misdemeanor offense for each violation including penalties and/or incarceration up to the limits allowable by state statute together with payment of all costs of prosecution payable to the City Clerk-Treasurer for deposit into the city's general fund.

(Ord. 2001-01, passed 7-19-2001; Ord. 2002-05, passed 4-18-2002; Am. Ord. 2019-05, passed 7-18-2019)

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## AND SKATEBOARDS

Section

### CHAPTER 74: BICYCLES, ROLLER ~~BLADES~~, ROLLER SKATES, ROLLER SKIS

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## ***BICYCLES***

### **§ 74.01 DEFINITION.**

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

***BICYCLE.*** Every device propelled solely by human power upon which any person may ride, having two tandem wheels, except scooters and similar devices, and including any device generally recognized as a ***BICYCLE*** though equipped with two front or rear wheels.

**§ 74.02 TRAFFIC LAWS APPLY.**

Every person riding a bicycle on a street or upon any path set aside for the exclusive use of bicycles shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this title, except as to special regulations in this chapter and except as to those provisions of this chapter which, by their nature, can have no application.

**§ 74.03 MANNER AND NUMBER RIDING.**

(A) It is unlawful for any person propelling a bicycle to ride other than upon or astride a permanent and regular seat attached thereto.

(B) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped, except on a baby seat attached to the bicycle; provided that, the seat is equipped with a harness to hold the child securely in the seat and that protection is provided against the child's feet hitting the spokes of the wheel, or in a seat attached to the bicycle operator.  
Penalty, see § 74.99

**§ 74.04 HITCHING RIDES.**

It is unlawful for any person riding upon any bicycle, coaster, roller skates, roller blades, skateboard, sled or toy vehicle to attach the same or themselves to any vehicle upon a street.  
Penalty, see § 74.99

**§ 74.05 WHERE TO RIDE.**

(A) Every person operating a bicycle upon a street shall ride as near to the right side of the street as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(B) Persons riding bicycles upon a street shall not ride more than two abreast, except on paths or parts of streets set aside for the exclusive use of bicycles.  
Penalty, see § 74.99

**§ 74.06 RIGHT-OF-WAY; SIDEWALKS.**

Whenever a person is riding a bicycle upon a sidewalk, the person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing the pedestrian.  
Penalty, see § 74.99

**§ 74.07 CARRYING ARTICLES.**

It is unlawful for any person operating a bicycle to carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handlebars.

Penalty, see § 74.99

**§ 74.08 LIGHTING AND BRAKE EQUIPMENT.**

(A) Every bicycle, when in use at night time, shall be equipped with, or its operator shall carry a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front, and with a red reflector on the rear of a type approved by the Department of Public Safety which is visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector. No person may, at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead, operate a bicycle unless the bicycle or its operator is equipped with reflective surfaces that shall be visible during the hours of darkness from 600 feet when viewed in front of lawful lower beams of headlamps on a motor vehicle. The reflective surfaces shall include reflective materials on each side of each pedal to indicate their presence from the front or the rear and with a minimum of 20 square inches on each side of the bicycle or its operator of white reflective material. All reflective materials used in compliance with this section shall meet the requirements as prescribed by the Commissioner of Public Safety.

(B) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

Penalty, see § 74.99

**§ 74.09 SALE WITH REFLECTORS.**

It is unlawful for any person to sell or offer for sale any new bicycle unless it is equipped with reflectors as are prescribed in § 74.08.

Penalty, see § 74.99

***ROLLER BLADES, ROLLER SKATES, ROLLER SKIS AND SKATEBOARDS***

**§ 74.20 DEFINITIONS.**

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

**BUSINESS DISTRICT.** The part of the city so designated by Council resolution.

**OPERATE.** To ride on or upon or control the operation of roller blades, roller skates or a skateboard.

**OPERATOR.** Every person who operates or is in actual physical control of roller blades, roller skates or a skateboard.

**ROLLER BLADES/ROLLER SKATES.** A shoe with wheels attached or a device with wheels which is designed to be attached to a shoe.

**ROLLER SKIS.** A pair of skis platformed with wheels attached which is intended to simulate skiing.

**SKATEBOARD.** A device for riding upon, usually while standing, consisting of an oblong piece of wood or of other composition, mounted on skate wheels.

#### § 74.21 UNLAWFUL ACTS.

(A) It is unlawful for any person to operate roller blades, roller skates, roller skis or a skateboard under the circumstances set forth hereafter:

(1) On any public sidewalk, street or public parking lot within the business district;

(2) On private property of another without the express permission to do so by the owner or occupant of the property; or

(3) In any careless, reckless or negligent manner so as to endanger or be likely to endanger the safety of any person or property of any other person.

(B) It is unlawful for any person operating roller blades, roller skates, roller skis or a skateboard to attach the same, or the person of the operator, to any vehicle upon a street.

(C) Every person operating roller blades, roller skates, roller skis or a skateboard upon a street shall ride as close as possible to the right-hand curb or edge of the street.

(D) Every person operating roller blades, roller skates, roller skis or a skateboard upon a street shall observe the same rules of the road as required of bicycles, pursuant to M.S. § 169.222, as it may be amended from time to time.

Penalty, see § 74.99

**§ 74.22 RIGHT-OF-WAY.**

The operator of roller blades, roller skates, roller skis or a skateboard emerging from any alley, driveway or building, upon approaching a sidewalk or the sidewalk area extending across any alleyway, shall yield the right-of-way to all pedestrians approaching on the sidewalk or sidewalk area and upon entering the street shall yield the right-of-way to all vehicles approaching on the street. Penalty, see § 74.99

**§ 74.23 HOURS OF USE.**

It is unlawful for any person to use roller blades, roller skates, roller skis or a skateboard upon a public street, sidewalk or other roadway from 10:00 p.m. to 6:00 a.m., except on private property with express permission of owner, and except if the roller blades, roller skates, roller skis, skateboard or operator are equipped with reflective surfaces that shall be visible during the hours of darkness from 600 feet when viewed in front of lawful lower beams of head lamps on a motor vehicle. The reflective material shall be a minimum of 40 square inches. All reflective materials used in compliance with this section shall meet the requirements as prescribed by the Commissioner of Public Safety. Penalty, see § 74.99

**§ 74.99 PENALTY.**

A person apprehended by a peace officer in violation of the provisions of this chapter does, by his or her use of the public sidewalks, streets and public parking lots, consent to the impoundment by a police officer of the roller blades, roller skates, roller skis or skateboard for a period of three days upon a first offense, a week upon the second offense and 30 days upon a third or additional offense. Any operator aggrieved by the impoundment of his or her roller blades, roller skates, roller skis or skateboard may petition the Council for a hearing thereon at the next regular Council meeting following the impoundment. This provision is in addition to the provisions for fines and penalties as set forth in § 10.98.

