



OFF-HIGHWAY VEHICLE MANAGEMENT PROGRAM

Minnesota Department of Natural Resources

Chronology 1984 – 2017

<u>DATE</u>	<u>EVENT</u>
Late 1970's	> Advent of the three-wheel All-Terrain Vehicle (ATV).
1984	> Legislature requires both agricultural and recreational ATV registration [MS 84.927], and establishes dedicated ATV funding account.
1985	> ATV Grants-in-Aid Program begun [MS 84.930 + 84.927]. First ATV trails designated on State Lands.
1993 - 95	> Legislature requires OHM (MS 84.794) & ORV [MS 84.803] registration. Dedicated accts created. > Legislature restricts development of 'Motorsports Areas' [MS 84.915] and requests that DNR undertake an 'OHV Management Study'. > Completed Study calls for an OHV Coordinator position, Regional OHV System Plans, forest (vehicular use) classification and State Forest Rule revisions. OHV Management Program was subsequently created and the OHV Coordinator position filled as per study recommendations.
1996	> Interdisciplinary OHV Coordinating Committee established with USFS participation. > State Forest Rule revisions begun [MR Chapt. 6100]. > Legislature authorizes Iron Range OHV Recreation Area at Gilbert. [ML 1996, Ch. 407].
1997 - 98	> OHV System Planning begun and regional public workshops held. > OHV registration, safety and general operating rules adopted by DNR. > Admin. hearings held on proposed State Forest Rules, which include a ban on all off-trail OHV travel on state forest lands, except for big-game retrieval. > DNR adopts interim State Forest classifications and solicits added public comment. > OHM & ORV Trails Assistance (or GIA) Program begun. [MS 84.797 + 84.803] > DNR adopts ATV / grouse 20-yard hunting rule by Commissioner's Order.
1999	> Legislature authorizes 3,500 acre Virginia addition to Iron Range OHV Recreation Area @ Gilbert [ML 1999, Ch. 231, Sect. 99]. > Legislature amends State Forest Rules (revision still in-process) to permit off-trail ATV travel. > OHVPC convened to provide oversight and OHV policy guidance
2000	> Final State Forest classifications adopted 01/01/00. Forest Rule revisions adopted 08/28/00.

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2000 (cont.)	<ul style="list-style-type: none"> > Legislature reinstates off-trail OHV travel ban in ‘managed’ and ‘limited’ forests, subject to seasonal hunting/trapping exceptions, and a new prohibition on the construction of unauthorized permanent trails on state forest lands [MR 6100.1950, Subp. 7(d)]. > EAW petitions and lawsuits filed calling for environmental review of Brainerd Region OHV (draft) System Plans and all identified projects therein.
2001	<ul style="list-style-type: none"> > Southwestern MN OHV System Plan approved and implemented 12/11/01. > T&W assumes admin responsibility for 2,000+ miles of multi-use State Forest Unit Trails. > EAW petitions and lawsuits filed requesting EAWs on all (draft) OHV System Plans and identified projects in DNR’s NW & NE Regions.
2002	<ul style="list-style-type: none"> > Southeastern MN OHV System Plan approved and implemented 03/27/02. > Off-trail ATV travel ban extended to ‘managed’ forests, with hunting exception [MS 84.926]. > Suit filed requesting EIS on proposed Moosewalk/Mooserun ATV Trail. Suit dismissed early 2003. > Appeals Court calls for EAWs on eight projects identified in the Brainerd Region OHV system plans. > Legislature establishes Motorized Trails Task Force, calls for 90 miles of ATV trails on DNR-administered Consolidated-Conservation (Con-Con) Area Lands [ML 2002, Ch. 353], and requests legislative audit of motorized Trails Assistance (or grant-in-aid) Programs. > Iron Range OHVRA @ Gilbert opens Oct. 2002. Planning for adjacent Virginia Site begun.
2003	<ul style="list-style-type: none"> > Southern portion of the Foothills State Forest (including Spider Lake Area OHV Trails System) reclassified to ‘limited’ effective 05/05/03. > Legislative Audit Report recommends added OHV trail maintenance and enforcement, EAWs on all motorized trail projects, re-evaluation of the unrefunded gas tax formulae for motorized trail programs, and improved oversight of snowmobile and OHV grant-in-aid programs. > Legislature creates OHV Damage Account [84.780]; provides OHV enforcement grants to LUGs [84.803(2) & 84.927(2)]; restricts OHV operation in Type 3,4,5 & 8 wetlands and unfrozen public waters [84.773]; provides enforcement officers with civil citation authority [84.775]; directs development of a 70-mile ATV/OHM trail [84.773]; authorizes special access permits [84.926]; eliminates the ‘managed’ forest classification [84.773], and orders a road / trail inventory and forest-by-forest review of State Forest Classifications, including provision for temporary suspension of environmental review [MS 84.777 + ML 2003, Ch. 128, Art. 1]. > Local road authorities are authorized to restrict OHV use in public road ROW and ditches [84.928(1)]. DNR is directed to prepare an OHV Trails Study [ML 2003, Ch. 128, Art. 1, Sect. 168], and the Environmental Quality Board is directed to promulgate Environmental Review rules [under MR Ch. 4410] for recreational trails. [Sect. 167 (3)].
2004	<ul style="list-style-type: none"> > Wetland riding restrictions modified pursuant to Wetland Area Conservation Act [MS 84.773]. > Trail designation legislatively exempted from MR Ch. 14 rulemaking requirements [MS 89.19]

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2004 (cont.)	<ul style="list-style-type: none"> > State Forest road and trail access inventory completed 11/01/04. > Phase I Con Con ATV trails (48 mi) designated effective 11/01/04, per MS 97A.133, subd 3.
2005	<ul style="list-style-type: none"> > OHV Trails Study presented to 2005 State Legislature. > Responsible Rider OHV Media Campaign begun May 1, 2005. > Environmental Review rules finalized and adopted (by EQB) for recreational trail development. > Improved 7-step DNR grant-in-aid project review & approval process adopted. > First eight State Forests reclassified, motor routes formally (un)designated. > Phase II Con Con ATV Trails designated; Phase I + Phase II = 90 miles (total). > Legislature modifies MR 6100.1950 (hunting exceptions), codifies them as MS 84.926, and authorizes the DNR Commissioner to eliminate these exceptions in designated areas. > 'Managed' forest classification restored north of U.S. Hwy 2 and Commissioner authorized to permit ATV use of forest roads in 'closed' forests, and to classify portions of otherwise 'managed' or 'limited' forests, north of Hwy 2, as 'closed'. [MS 84.777], > Legislature creates ORV Safety Training Program [MS 84.8015]; OHM noise emissions limit reduced [MS 84.787]; state forest trail designation rulemaking exemption [MS Ch. 89.19]; ATV training requirement applied to all persons born after 1987 [MS 84.925(5)] and to convicted violators [MS 84.791, 84.8015, 84.925]. The OHV Damage Account [MS 84.780] was extended thru mid-2008, and the legislature established restitution requirements and set operator penalties for OHV wetland violations [MS 84.775].
2006	<ul style="list-style-type: none"> > ATV Gas Tax Study & North Shore Trail ATV Feasibility Study presented to State Legislature. > Two-class ATV registration enacted [MS 84.92 (8)]. > ATV use on private lands during firearms deer season authorized [MR 6232.0300].
2007	<ul style="list-style-type: none"> > Trail Planning, Design & Development Guidelines published March 2007. > Legislature directs DNR Commissioner to prescribe OHV trail-use seasons (for state lands). > ATV registration fee increased to \$45 for 3 years. New dollars directed to OHV enforcement, Envir Review, GIA trails, Trail Safety & Enforcement (or 'Trail Ambassador') Program. > MS Chap. 84.777 modified to permit nested forest classifications south of Hwy 2; and mapped trails only riding requirement, except in managed forests north of U.S. Hwy 2. > Class 1 / Class 2 ATV provisions cleaned-up; new safety requirements for Class 2 ATVs. > ORV-only trails prohibited on state lands in Cass, Crow Wing & Hubbard Counties. > 70-Mile ATV/OHM Trail deadline extended to 2009. OHV Damage Account authorization extended until current appropriations are expended.
2008	<ul style="list-style-type: none"> > ATV gas tax formula increased from .015 to .027, and statewide gas tax increase enacted. > 20-Yard grouse hunting rule repealed by legislature. > Trail Safety & Enforcement ('Ambassador') Program begun w/19 clubs & 69 certified volunteers. > Commissioner establishes OHV Riding Season; closing OHV Trails during firearms deer hunt.

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2008 (cont.)	<ul style="list-style-type: none"> > DNR Trails & Waterways and Park & Recreation Division merger is announced. > All 58 State Forests reclassified and route designation plans completed by 12/31/08.
2009	<ul style="list-style-type: none"> > Criminal penalties for wetland violations increased, plus vehicle seizure for repeat violators authorized (MS 84.774). > ATV definition modified to include engine displacement of up to 960 cc's (MS 84.92). This includes both Class 1&2 ATVs. [increased to 1000 cc in 2011]. > Recreational OHV Trails closed to OHV during firearms deer hunt, Nov. 7-22, 2009. [see amendments in 2010 and 2011] > Non-resident ATV pass required (ML 2009 c37 art1 s18; creating new law MS 84.9275).
2010	<ul style="list-style-type: none"> >Firearms deer season restrictions amended and clarified: OHV use prohibited on state forest lands, except designated state forest roads, during firearms deer hunting season where rifles are allowed [further clarified in 2011]. (ML 2010, C 361, A4 S7 modifying MS 84.777 subd. 2a.) >ATV weight increase: MS 84.92 amended to increase weight from 900 lbs to <1000 lbs for class 1 (subd. 9); 1,000 to 1,800 lbs for class 2 (subd. 10). (ML 2010, C361 A4 S15 & S16). >Collector registration for ATVs older than 25 years; valid from issue until ownership is transferred. \$6.00 one-time for current owner. (ML 2010, C361 A4 S18 & S19, modifying MS 84.922) >GIA trails in ROW not subject to various operational restrictions including agricultural zone restrictions. (Laws 2010, C361, A4, S23, amending MS 84.928, subd. 1) >Assorted youth operating provisions (ML 2010, C361, A4, S21 modifying MS 84.9256, subd. 1, and S24, amending MS 84.928 subd. 5.) >Clarification that nonresident ATV pass is not required to operate an ATV registered in accordance with MS 84.922 (ML 2010 c361 art4 s22, modifying MS 84.9275, subd. 1.) >Iron Range OHVRA Master Plan Amendment and EAW completed for 2704-acre expansion.
2011	<ul style="list-style-type: none"> >Commissioner no longer required to prescribe seasons for OHV use on state forest lands. Clarification that OHVs on state forest lands are restricted to designated forest roads during the firearms deer season in rifle hunting areas; exception for OHV users with a valid deer hunting license: OHVs may be used off-road during non-shooting hours and from 11:00 am to 2:00 pm. (SF1115, ML 2011, C107 S6, modifying MS 84.777, subd. 2, effective 08/01/2011). >Change to allow OHM dual registration under MS 84.788 and Ch 168 for use on public roads and highways, if equipped with mirrors and a headlight, taillight, and horn, and meet state & federal safety standards. (SF1115, ML 2011, C107 S7, modifying MS 84.788, effective 01/01/2012). >Non-residents must have a non resident ORV state trail pass to operate ORV on a state or GIA ORV trail. Fee is \$20/year or \$30/ 3 years; passes shall be available through ELS. Pass not required for non-resident to ride a Minnesota-registered ORV (SF1115, ML 2011, C107, S8, effective 08/01/2011).

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2011 (cont.)	<ul style="list-style-type: none"> >Maximum ATV engine displacement increased from 960 cc to 1,000 cc in definition of ATV (SF1115, ML 2011, C107 S9, modifying MS 84.92, subd. 8, effective date 08/01/2011). >Changes to ATV training fees and procedures (SF1115, ML 2011, C107, S10, modifying MS 84.925, subd. 1, effective date 08/01/2011). >Class 1 ATV operators age 12 to 17 years old may carry one passenger, who must be the parent or legal guardian of the operator (SF1115, ML 2011, C107, S11, modifying MS 84.9257, effective date 08/01/2011). >Clarified ambiguous language that motorized vehicles other than OHVs are not permitted on designated OHV trails at any time of year unless specifically authorized by permit, lease, or easement. (SF1115, ML 2011, C107, S36, modifying MS 85.018, subd. 5, effective date 08/01/2011). >ATV definition in MS 169.045 modified to defer to ATV definition in MS 84.92. (SF1115, ML 2011, C107 S89, modifying MS 169.045, subd. 1, effective date 08/01/2011). >DNR initiates process to revisit trails in State Forests (beginning in Pine County), implementing options not available during classification and designation process; identify needed connections; establish areas with limitations, designate new trails, undesigned unsustainable trails.
2012	<ul style="list-style-type: none"> >New riders may participate in up to two DNR-Sponsored snowmobiling, ATV or OHM "I can Ride" events without the required safety certificate (HF2164, ML2012, C272, S4, modifying MS 84.76). >Local government GIA sponsors may now dual designate a trail for both motorized and nonmotorized use during the same season (HF2164, ML2012, C287, Art. 4, S1, modifying MS 85.018, subd. 2). >State and municipal liability lowered from \$1.5 million to \$1 million for non-profits operating under a DNR permit (SF1138, ML 2012, C131, S1, modifying MS 3.736, subd. 4).
2013	<ul style="list-style-type: none"> >No Registration Weekend introduced. Commissioner may now designate one weekend per year when ATVs do not need to be registered to operate on state or grant-in-aid ATV trails. (SF796, ML 2013, C121, S5, modifying MS 84.922, effective date 1/1/2014) >Age requiring an ATV safety certificate increased to 18 from 16 (SF796, ML 2013, C121, S6, Paragraph (d), Modifying MS 84.9256, subd. 1, Paragraph (d), effective 1/1/2014) >Youth ages 12-16 may now operate an ATV on the bank, slope or ditch of public road right-of-way as long as they possess a valid ATV safety certificate and are accompanied by a parent or legal guardian on a separate ATV (SF796, ML 2013, C121, S6, Paragraph (j), Modifying MS 84.9256, subd. 1, effective 1/1/2014). >Class 2 ATVs may operate on the bank, slope or ditch of a public road right-of-way only to access businesses or make trail connections, unless otherwise prohibited (SF796, ML 2013, C121, S8, modifying MS 84.928, subd. 1, paragraph (c), effective 1/1/2014).

DATE**EVENT****2014**

- >ATV definition changed to include non-pneumatic tires, Class 1 ATV definition changed to include ATVs with a dry weight less than 1,200 pounds, Class 2 ATV definition changed to include ATVs with a dry weight between 1,200 to 1,800 pounds (HF2733, ML 2014, C289, S9-11, modifying MS 84.92, subd. 8-10)
- >ATV RiderCourse offered by the All-Terrain Vehicle Safety Institute recognized to meet ATV safety certificates and Motorcycle Safety Foundation Dirtbike School recognized to meet OHM safety certificate (HF2733, ML 2014, C289, S7, modifying MS 84.791, subd. 4 & HF 2733, ML 2014, C289, S12, modifying MS 84.925, subd. 3).
- >Age for required ATV safety training changed from 12-18 years old to 12-16 years old. (HF2733, ML 2014, C289, S 13, modifying MS 84.9256, subd. 1, paragraph (d)).
- >Establishment of nonresident OHM trail pass. Pass costs \$20 and is valid from January 1 through December 31 (HF3172, ML 2014, C312, Art. 13, S13).
- >OHMs used exclusively in organized track racing events, on state or grant-in-aid trails by a nonresident possessing a nonresident trail pass or by a person participating in an event for which the commissioner has issued a special use permit do not need to be registered (HF3172, ML 2014, C312, Art. 13, S12, modifying MS 84.788, Subd. 2).
- >The hunter-trapper exemption is expanded to allow ATVs on ORV trails during the times set forth in the hunter exemption (HF2733, ML 2014, C289, S14, modifying MS 84.926, subd. 4)

2015

- > Local governments may pass ordinances to allow ATVs to use public roads under their jurisdiction. Class 1 ATVs with a steering wheel and equipped with operator and passenger seat belts and a roll over protection structure may operate under the same road way laws as a Class 2 ATV (SF5, ML 2015, 1st Special Session, C4, Art. 4, S18, modifying MS 84.928, subd. 1).
- >Proof of completion for ATV safety classes clarified to include ATV safety certificate issued by the commissioner or an ATV indicator on driver's license or identification card (SF5, ML 2015, 1st Special Session, C4, Art. 4, S16, modifying MS 84.925, subd. 5, paragraph (e)).
- >The definition of an all-terrain vehicle is changed to include all vehicles with three to six low pressure or nonpneumatic tires with an outside tire rim width of 65 inches or less and a total dry weight of 2,000 pounds or less (SF5, ML 2015, 1st Special Session, C4, Art. 4, S12, modifying MS 84.92, subd. 8).
- >Class 1 ATVs are redefined as an ATV with a width between outside tire rims 50 inches or less and Class 2 ATVs are redefined as an ATV with a width between outside tire rims 65 inches or less (SF5, ML 2015, 1st Special Session, C4, Art. 4, S13 & 14, modifying MS 84.92, subd. 9 & 10).
- >Commissioner required to review off-road vehicle grant-in-aid applications within 60 days of submittal. If the commissioner fails to approve or deny an application within 60 days, the application is deemed approved. The commissioner must provide a 30-day public review period following approval of an ORV grant-in-aid application (SF5, ML 2015, 1st Special Session, C4, Art. 4, S8).

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2016	<ul style="list-style-type: none"> >A 30-day resident off-road vehicle state trail pass is introduced. The cost is \$20 and the pass is valid for 30 days starting the day it is purchased (HF2749, ML 2016, C189, Art. 3, S12, modifying MS 84.8035, subd. 1, effective 1/1/2017).
2017	<ul style="list-style-type: none"> >Letter sent to OHV dealers registered with DNR clarifying new ATV/ORV definitions >OHM are permitted to operate on boundary trails if registered in another state on country providing equal reciprocal registration or licensing exceptions for registrants of Minnesota (SF 844, ML 2017, C93, Art. 2, S12, modifying MS 84.788, subd. 2). >Age range for youth operating an OHM that must possess a valid OHM safety certificate change from under 16 to six to 16 (SF 844, ML 2017, C93, Art. 2, S5, modifying 84.793, subd. 1). >ORV applications that are denied will now be provided with a written explanation for the denial (SF 844, ML 2017, C93, Art. 2, S6, modifying 84.8031). >The ATV registration fee increased from \$45/three years to \$60/three years (SF 844, ML 2017, C93, Art. 2, S10, modifying 84.922, subd. 5). >Nonresident ATV trail pass increased from \$20/year to \$30/year (SF 844, ML 2017, C 93, Art. 2, S14, modifying MS 84.9275, subd. 1) >Parents must now be present at the hands-on training portion for youth aged six through ten (SF 844, C 93, Art. 2, S11, modifying 84.925, subd. 1). >Youth under age 12 minimum ATV size increased from 90cc to 110cc for a straddle-seat-style class 1 ATV and up to 170cc for a side-by-side-style class 1 ATV (SF 844, C93, Art. 2, S12, modifying MS 84.9256, subd. 1). >All passengers on under the age of 18 must wear helmets on ATVs (SF 844, C93, Art. 2, S13, modifying MS 84.9256, subd. 2).