

RECREATION, LIBRARIES AND AUTHORITIES COMMITTEE

10-055-0

ORDINANCE NO. _____

AN ORDINANCE ADDING A NEW ARTICLE III, CHAPTER 33. OF THE DULUTH CITY CODE, 1959, AS AMENDED. REGARDING MINI-TRUCK REGULATIONS.

BY COUNCILOR GARDNER:

The city of Duluth does ordain:

Section 1. That Chapter 33 of the Duluth City Code, 1959, as amended, is hereby amended by adding a Article III as follows:

Article III. Mini-trucks.

Sec. 33-55. Definitions.

For purposes of this Article III the following words and phrases shall have the meanings respectively ascribed to them by this Section:

Mini-truck. As defined in Minn. Stat. §169.011, subd. 40(a), 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 neighborhood electric vehicle or a medium-speed electric vehicle as defined by §73.11; or a motor vehicle that meets or exceeds the regulations in the Code of Federal Regulations, Title 49, Section 571.500, as it may be amended from time to time;

Driver. The person driving and having physical control over the mini-truck and being the licensee.

Sec. 33-56. Mini-truck requirements and regulations.

(a) No person shall operate a motorized mini-truck on streets, alleys or sidewalks or other public property without obtaining a permit as provided herein;

(b) 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 and address of the applicant;
- (2) The nature of the applicant's physical handicap, if any;
- (3) Model name, make and year and number of the mini-truck;
- (4) Current driver's license;
- (5) Other information as the city may require;

(c) Permits shall be granted for a period of one year and may be renewed annually January 1 to December 31;

(d) The annual fees for each permit shall be set in accordance with Section 31-6(a) of this Code. Permits may be issued for a period of not less than three months on a pro-rata basis;

(e) No permits shall be granted or renewed unless the following conditions are met:

- (1) The applicant must demonstrate that he or she currently holds or has held a valid Minnesota driver's license to operate a mini-truck;
- (2) The applicant must provide evidence of insurance in compliance with the provisions of Minnesota Statutes concerning insurance coverage for the mini-truck;
- (3) The applicant has not had his or her driver's license revoked as the result of criminal proceedings.

(f) Mini-trucks are permitted to operate only on city streets, not state or federal highways, except to cross at designated intersections;

(g) Mini-trucks shall be equipped with a rear-view mirror to provide the driver with adequate vision from behind as required by Minn. Stat. §169.70;

(h) The operator of a mini-truck may cross any street or highway intersecting a designated roadway;

(i) Every person operating a mini-truck under permit on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of Minn. Stat., Chap. 169, as it may be amended from time to time, except when these provisions cannot reasonable be applied to mini-trucks and except as otherwise specifically provided in Minn. Stat. §169.045(7), as it may be amended from time to time.

(j) The city council may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any of the provisions of this Section or Minn. Stat., Chap. 169, as it may be amended from time to time, or if there is evidence that the permit holder cannot safely operate the mini-truck on the designated roadways;

(k) The number of occupants on the mini-truck may not exceed the design occupant load;

(l) Authorized city staff may operate city owned mini-trucks without obtaining a permit within the city on city streets, sidewalks, trails, rights-of-way and public property when conducting city business;

(m) 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;
- (7) A parking brake;
- (8) Minnesota department of transportation certified street tires.

Section 2. That this ordinance shall take effect 30 days after its passage and publication.

Approved as to form:

Attorney

CCREQ/ATTY 9/14/2010 SG/GBJ:cjk

STATEMENT OF PURPOSE: This ordinance adds a new Article III, Chapter 33, of the Duluth City Code, 1959, as amended, regarding the regulation and permitting of mini-trucks within the city.