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Title: Amending Chapter 154, Traffic Code - Snowmobiles, of the Saint Paul Legislative Code, to comply with state law changes and to update or eliminate outdated language.

Sponsors: Kathy Lantry

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Attachments:

Date	Ver.	Action By	Action	Result
9/28/2011	1	Mayor's Office	Signed	
9/28/2011	1	City Council	Adopted	Pass
9/21/2011	1	City Council	Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption	Pass
9/7/2011	1	City Council	Laid Over to Third Reading/Public Hearing	
8/24/2011	1	City Council	Laid Over to Second Reading	

Amending Chapter 154, Traffic Code - Snowmobiles, of the Saint Paul Legislative Code, to comply with state law changes and to update or eliminate outdated language.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

Section 1

Chapter 154 of the Saint Paul Legislative Code is hereby amended to read as follows:

Sec. 154.01. Definitions.

(a) *General terms.* Terms used in this chapter, unless expressly defined, shall have the meanings prescribed by the statutes of the State of Minnesota for the same terms.

(b) *Specific terms.* The following terms shall have the following meanings:

- (1) *Person* means an individual, partnership, corporation, the state and its agencies and subdivisions, and any body or persons whether incorporated or not.
- (2) *Snowmobile* means a self-propelled vehicle designed for travel on snow or ice steered by skis or runners.
- (3) *Owner* means a person other than a lien holder having the property or title to a snowmobile entitled to use or possession thereof.
- (4) *Operate* means to ride in or on and control the operation of a snowmobile.
- (5) *Operator* means every person who operates or is in actual physical control of a snowmobile.
- (6) *Roadway* means that portion of a highway or street which is improved, designed or ordinarily used for vehicular travel.
- (7) *Street* or highway means the entire width between boundary lines of any way or place when any part

thereof is open to the use of the public as a matter of right for the purposes of vehicular traffic.

(8) *Sidewalk* means that portion of a street between the curblines, or the lateral lines of a roadway, and the adjacent property lines intended for use of pedestrians.

(Code 1956, § 446.01)

Sec. 154.02. Snowmobiles; where operated.

It is unlawful for any person to operate a snowmobile or for an owner to permit his snowmobile to be operated in the city City of Saint Paul, except as follows:

(1) On public streets in an emergency during the periods of time when and at locations where snow upon the roadway renders travel by automobile impossible. Such emergency is to be declared by resolution of the city council or by the chief of police acting as their agent. Any such operation may only be on the right-hand side of such street or highway and in the same direction as the highway traffic.

(2) On public streets when operated in a parade or other civic function authorized by the city council or chief of police.

(3) On a public street or highway which has been closed by lawful order to vehicular traffic for the purpose of snowmobile operation.

(4) On private property with the written consent of the owner. Unless the consenting owner of the private property is present when a snowmobile is being operated upon his property, a snowmobile operator must have in his possession the written consent of the owner and such written consent must be exhibited upon request of a police officer.

(5) On property under the jurisdiction of the department of parks and recreation of the city City of Saint Paul in accordance with the regulations of such department.

(Code 1956, § 446.02; C.F. No. 09-81, § 5, 2-11-09)

Sec. 154.03. Operation.

The following provisions are applicable to the operation of snowmobiles in the city:

(1) No person under fourteen (14) years of age shall operate a snowmobile on the streets or roadway surface of highways or make a direct crossing of a trunk, county state aid, county highway or city street as an operator of a snowmobile. A person fourteen (14) years of age or older, but less than eighteen (18) years of age, may operate a snowmobile when permitted under this chapter and make a direct crossing of such streets and highways only if he or she has in his or her immediate possession a valid snowmobile safety certificate issued by the commissioner of conservation, as provided by Minnesota Statutes, Section 84.872.

(2) No snowmobile shall be operated on a public sidewalk except that a crossing may be made at approximately ninety (90) degrees to the direction of the sidewalk. The snowmobile must be brought to a complete stop before crossing, and the driver must yield right-of-way to all pedestrians. At no time shall any pedestrian be interfered with nor shall the operator fail to yield the right-of-way to such pedestrian.

(3) No snowmobile shall be operated in a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto.

(4) No snowmobile shall be operated 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.

(5) No snowmobile shall be operated during the hours from 11:00 p.m. to 7:00 a.m. of the next day.

(6) It is unlawful for the owner of a snowmobile to permit the snowmobile to be operated contrary to the provisions of this chapter.

(7) No person shall operate a snowmobile while under the influence of intoxicating liquor or narcotics or habit-forming drugs.
(Code 1956, § 446.03)

Sec. 154.04. Equipment.

It is unlawful for any person to operate a snowmobile as permitted by this chapter unless it is equipped with the following:

(1) Standard mufflers which are properly attached and which 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 snowmobile motor. Mufflers shall comply with Minn. R. 6100.5700, Subpt. 5 ~~regulation No. 55 of the Commissioner of Conservation, which is hereby adopted by reference as it existed on September 1, 1970, a copy of which is on file with the Saint Paul city clerk's office.~~

(2) Brakes adequate to control the movement of and to stop and hold the snowmobile under any condition of operation.

(3) A safety or so-called "deadman" throttle in operating condition. A safety or so-called "deadman" throttle is defined as a device which, when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving tract.

(4) When operating between the hours of one-half hour after sunset to one-half hour before sunrise or at time of reduced visibility at least one clear lamp, attached to the front, with sufficient intensity to reveal persons and vehicles at a distance of at least one hundred (100) feet ahead during the hours of darkness under normal atmospheric conditions. Such headlamps shall be so aimed that glaring rays are not projected into the eyes of an oncoming snowmobile operator. It shall also be equipped with at least one red tail lamp having a minimum candle power of sufficient intensity to exhibit a red light plainly visible from a distance of five hundred (500) feet to the rear during hours of darkness under normal atmospheric conditions.

(5) Reflective material at least sixteen (16) square inches on each side forward of the handlebars so as to reflect light at a ninety-degree angle.
(Code 1956, § 446.04)

Sec. 154.05. Application of other laws.

All provisions of Minnesota Statutes, Chapter 169, shall apply to the operation of snowmobiles upon roadways and streets or highways, except for those relating to required equipment, and except those which by their nature have no application.
(Code 1956, § 446.05)

Sec. 154.06. Leaving snowmobiles unattended.

Every person leaving a snowmobile in a public place shall lock the ignition, remove the key and take the same with him or her.
(Code 1956, § 446.06)

Sec. 154.07. Violation; penalty.

Every person convicted of a violation of any of the provisions of this chapter shall be punished in accordance with the provisions of Saint Paul Legislative Code, Section ~~4.05~~ 151.03.
(Code 1956, § 446.07)

Section 2

This Ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication.