

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1976, Section 156A.03, is amended by adding a subdivision to read:

Subd. 3. WATER WELL CONTRACTORS; PROFESSIONAL ENGINEERS. A professional engineer registered pursuant to the provisions of sections 326.02 to 326.15 shall not be required to be licensed as a water well contractor under the provisions of this section to drill test borings or to install piezometer wells for engineering purposes. Test holes and piezometer wells installed for engineering purposes shall be constructed, maintained and abandoned in accordance with chapter 156A and the rules promulgated thereunder.

Approved May 20, 1977.

 CHAPTER 214—H.F.No.33

[Coded in Part]

An act relating to motor vehicles; defining motorized bicycles; providing for the registration of motorized bicycles and the licensing of their operators; providing operating rules; amending Minnesota Statutes 1976, Chapter 169, by adding a section; and Sections 168.011, Subdivision 26, and by adding a subdivision; 168.013, by adding a subdivision; 168.27, Subdivision 20; 168A.01, Subdivision 24; 169.01, Subdivision 4, and by adding a subdivision; 169.305, Subdivision 1; 171.01, Subdivision 17, and by adding a subdivision; and 171.02, by adding a subdivision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1976, Section 168.011, Subdivision 26, is amended to read:

Subd. 26. MOTOR VEHICLES; MOTORIZED BICYCLES; REGULATION. "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including motor scooters and bicycles with motor attached, other than those vehicles defined as motorized bicycles in section 2, but excluding a tractor and those motorized bicycles with less than a one horsepower engine which are propelled with the assistance of human power.

Sec. 2. Minnesota Statutes 1976, Section 168.011, is amended by adding a subdivision to read:

Subd. 27. MOTORIZED BICYCLE. "Motorized bicycle" means a bicycle with fully operable pedals which may be propelled by human power or a motor, or by both, with a motor of a capacity of less than 50 cubic centimeters piston displacement, and a maximum of two brake horsepower, which is capable of a maximum speed of not more

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than 30 miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged.

Sec. 3. Minnesota Statutes 1976, Section 168.013, is amended by adding a subdivision to read:

Subd. 1h. **MOTORIZED BICYCLES.** On motorized bicycles the tax is \$3, which includes the surtax provided for in subdivision 14.

Sec. 4. Minnesota Statutes 1976, Section 168.27, Subdivision 20, is amended to read:

Subd. 20. **APPLICATION.** This section shall not apply to any person, copartnership, or corporation engaged in the business of selling vehicles designed to operate exclusively over snow, motorized bicycles, motor scooters, motorized wheel chairs, utility trailers, farm wagons, farm trailers, farm tractors or other farm implements whether self-propelled or not, even though such wagons, trailers, tractors or implements may be equipped with a trailer hitch, or to any person licensed as a real estate broker or salesman pursuant to chapter 82, who engages in the business of selling, or who offers to sell, solicits or advertises the sale of mobile homes affixed to land, unless such person, copartnership or corporation shall also be engaged in the business of selling other motor vehicles or mobile homes within the provisions of this section. As used in this subdivision the terms "motorized bicycle" and "utility trailer" shall have the following meaning:

"Motorized bicycle" means a motor powered vehicle consisting of an arrangement or combination of two wheels, one following the other, supported by a frame designed to be propelled by the feet acting upon pedals shall have the meaning given it in section 168.011, subdivision 27.

"Utility trailer" means a motorless vehicle, other than a boat trailer or snowmobile trailer, equipped with one or two wheels and having a carrying capacity of 2000 pounds or less and used for carrying property on its own structure while being drawn by a motor vehicle.

Sec. 5. Minnesota Statutes 1976, Section 168A.01, Subdivision 24, is amended to read:

Subd. 24. "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks, but including motorized bicycles as defined in section 168.011, subdivision 27.

Sec. 6. Minnesota Statutes 1976, Section 169.01, Subdivision 4, is amended to read:

Subd. 4. **MOTORCYCLE.** "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including motor scooters and bicycles with motor attached, other than those vehicles defined as motorized bicycles in section 7, but excluding a tractor.

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Sec. 7. Minnesota Statutes 1976, Section 169.01, is amended by adding a subdivision to read:

Subd. 4a. **MOTORIZED BICYCLE.** "Motorized bicycle" means a bicycle with fully operatable pedals which may be propelled by human power or a motor, or by both, with a motor of a capacity of less than 50 cubic centimeters piston displacement, and a maximum of two brake horsepower, which is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged.

Sec. 8. Minnesota Statutes 1976, Chapter 169, is amended by adding a section to read:

[169.223] **MOTORIZED BICYCLES.** Subdivision 1. Except as provided in this section the provisions of section 169.221 relating to the operation of bicycles on roadways are applicable to the operation of motorized bicycles.

Subd. 2. Motorized bicycles shall not be operated on any bicycle way or bicycle lane, as those terms are defined in section 160.263.

Subd. 3. No person shall operate a motorized bicycle upon a sidewalk at any time, except when such operation is necessary for the most direct access to a roadway from a driveway, alley or building.

Subd. 4. Every motorized bicycle shall be subject to the same requirements as to lighting and brake equipment as apply to motorcycles, except that the provisions of section 169.974, subdivision 5, clause (i), shall not apply to motorized bicycles.

Sec. 9. Minnesota Statutes 1976, Section 169.305, Subdivision 1, is amended to read:

169.305 CONTROLLED ACCESS REGULATIONS AND PENALTIES. Subdivision 1. (a) No person shall drive a vehicle onto or from any controlled access highway except at such entrances and exits as are established by public authority.

(b) When special crossovers between the main roadways of a controlled access highway are provided for emergency vehicles or maintenance equipment and such crossovers are signed to prohibit "U" turns, it shall be unlawful for any vehicle, except an emergency vehicle or maintenance equipment, to use such crossover.

(c) The commissioner of transportation may by order, and any public authority may by ordinance, with respect to any controlled access highway under their jurisdictions prohibit or regulate the use of any such highway by pedestrians, bicycles, or other nonmotorized traffic, or by motorized bicycles, or by any class or kind of traffic which is found to be incompatible with the normal and safe flow of traffic.

(d) The commissioner of transportation or the public authority adopting any such prohibitory regulations shall erect and maintain official signs on the controlled access

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highway on which such regulations are applicable and when so erected no person shall disobey the restrictions stated on such signs.

Sec. 10. Minnesota Statutes 1976, Section 171.01, Subdivision 17, is amended to read:

Subd. 17. "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including motor scooters and bicycles with motor attached, but excluding a ~~tractor~~ tractors and motorized bicycles.

Sec. 11. Minnesota Statutes 1976, Section 171.01, is amended by adding a subdivision to read:

Subd. 20. "Motorized bicycle" means a bicycle with fully operatable pedals which may be propelled by human power or a motor, or by both, with a motor of a capacity of less than 50 cubic centimeters piston displacement, and a maximum of two brake horsepower, which is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged.

Sec. 12. Minnesota Statutes 1976, Section 171.02, is amended by adding a subdivision to read:

Subd. 3. MOTORIZED BICYCLES. No motorized bicycle shall be operated on any public roadway by any person who does not possess a valid drivers license, unless such person has obtained a motorized bicycle operator's permit from the commissioner of public safety. Such permit may be issued to any person who has attained the age of 15 years and who has passed the examination prescribed by the commissioner. The commissioner may promulgate rules and regulations prescribing the content of such examination and the information to be contained on the permit.

Sec. 13. **EFFECTIVE DATE.** Sections 1, 2 and 3 are effective November 15, 1977, for the vehicle registration year 1978 and subsequent years. The remaining sections of this act are effective August 1, 1977.

Approved May 20, 1977.

CHAPTER 215—H.F.No.40

[Coded in Part]

An act relating to real estate brokers and salespersons; establishing a precense educational requirement and a continuing educational requirement; restricting certain activities of council members; authorizing the commissioner to increase license terms; amending Minnesota Statutes 1976, Sections 82.20, by adding a subdivision; 82.22, Subdivision 6, and by adding a subdivision; 82.30, Subdivision 1; and 82.34, by adding a

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