

The Minnesota Legislature Gives Deference to Local Governments Regarding the Use of Mini Trucks

By Eric S. Oelrich

In the most recent legislative session, the Minnesota Legislature revised Chapter 169 of the Minnesota Statutes to include discussion regarding the use of “mini trucks” on Minnesota roads. The need to address the issue of mini trucks came about in recent years due to the increased use of mini trucks on Minnesota roads. The increased use of mini trucks was in spite of the fact that it was unclear whether mini trucks were even allowable on Minnesota roads.

Rather than control the issue of mini trucks on an aggregate state-wide level, the Minnesota Legislature decided to defer to local governments as to whether each local government wants to allow the use of mini trucks on “roadways or portions thereof” under their jurisdiction. The Minnesota Legislature accomplished its deference to local governments by amending Chapter 169 of the Minnesota Statutes. The Minnesota Legislature defined “mini truck” as follows:

Subd. 40a. Mini truck. (a) “Mini truck” means 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.

(b) A mini truck does not include:

- (1) a neighborhood electric vehicle or a medium-speed electric vehicle; or
- (2) a motor vehicle that meets or exceeds the regulations in the Code of Federal Regulations, title 49, section 571.500, and successor requirements.

Minn. Stat. § 169.011, subd. 40a.

The operative statute regarding mini truck use is Minn. Stat. § 169.045. Minn. Stat. § 169.045, entitled “Special vehicle use on roadway[,]” deals specifically with vehicles that a local government may allow operation of on its roadways. The statute had previously only covered motorized golf carts and four-wheel all-terrain vehicles, but was amended to include mini trucks. If a local government wants to allow the operation of mini trucks on its roads, it will first have to enact an ordinance. The ordinance must include a provision stating that operation of a mini truck is “by permit only”. In other words, all persons intending to use a mini truck must have a permit that specifically sets forth that the mini truck in question has been registered to operate within the jurisdiction.

Minn. Stat. § 169.045 explicitly states what a mini truck ordinance must include. First, the ordinance must designate the roadways on which mini truck use is permitted. Second, the ordinance must describe the manner in which an individual can apply for a mini truck use permit. Permits cannot be granted for a period in excess of one year and are to be renewed annually.

Third, the ordinance must require evidence of insurance on the mini truck to be used on designated roadways. The Minnesota Legislature also set forth mandatory equipment that a mini truck must have to operate on roadways. If a mini truck is going to be operated on Minnesota roads, the mini truck must include: (1) at least two headlamps (2) at least two taillamps (3) front and rear turn-signal lamps (4) an exterior mirror mounted on the driver's side of the vehicle and either (i) an exterior mirror mounted on the passenger's side of the vehicle or (ii) an interior mirror (5) a windshield (6) a seat belt for the driver and front passenger; and (7) a parking brake. Minn. Stat. § 169.045, subd. 7a.

Local governments will need to weigh the advantages and disadvantages of mini truck use on their roadways. One of the benefits of mini trucks often cited by supporters is that mini trucks can be used for hauling materials like a regular truck, but get much better gas mileage due to their smaller engine size and lower gross weight. Detractors of mini truck use on roadways oppose their use as they often do not meet federal motor vehicle safety standards. Each local government will need to determine if it wants to allow the use of mini trucks. However, each local government should be sure to follow the explicit statutory requirements set out by the Minnesota Legislature.

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