

**TITLE VII: TRAFFIC CODE**

Chapter

**70. TRAFFIC REGULATIONS**

**71. PARKING REGULATIONS**

## CHAPTER 70: TRAFFIC REGULATIONS

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### **§ 70.01 CROSSING OF DOUBLE YELLOW LINES.**

It shall be unlawful for any person operating a motor vehicle to cross a double yellow line for the purpose of parking on the opposite side of the street. (Prior Code, § 7.03) Penalty, see § 10.99

### **§ 70.02 OPERATION OF MOTORIZED GOLF CARTS, FOUR WHEEL SIDE-BY-SIDE ALL-TERRAIN VEHICLES AND UTILITY TASK VEHICLES ON CITY STREETS.**

(A) *Purpose.* The purpose of this section is to authorize the operation of motorized golf carts, four wheel side-by-side all-terrain vehicles or utility task vehicles by disabled individuals on designated city streets in the City of Hastings pursuant to the authority given to the city by M.S. § 169.045, as it may be amended from time to time, now in effect.

(B) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***DISABLED INDIVIDUAL or DISABLED PERSON.*** A person who:

- (a) Because of disability cannot walk without significant risk of falling;
- (b) Because of disability cannot walk 200 feet without stopping to rest;
- (c) Because of disability cannot walk without the aid of another person, a walker, a cane, crutches, braces, a prosthetic device, or a wheelchair;

(d) Is restricted by a respiratory disease to such an extent that the person's forced (respiratory) expiratory volume for 1 second, when measured by spirometry, is less than 1 meter;

(e) Has an arterial oxygen tension (PAO<sub>2</sub>) of less than 60 mm/hg on room air at rest;

(f) Uses portable oxygen; or

(g) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to the standards set by the American Heart Association.

**FOUR WHEEL SIDE-BY-SIDE ALL-TERRAIN VEHICLE.** A side-by-side all-terrain vehicle as defined in M.S. § 84.92, as it may be amended from time to time, that has four wheels, and is carrying only the operator of the vehicle and otherwise meets the requirements of this section.

**MOTORIZED GOLF CART.** A 3- or 4-wheeled, self-propelled vehicle that is carrying only the operator of the vehicle and otherwise meets the requirements of this section.

**UTILITY TASK VEHICLE.** A side-by-side, off-road vehicle that has four wheels, is propelled by an internal combustion engine with a piston displacement capacity of 1,200 cubic centimeters or less, and has a total dry weight of 1,800 but less than 2,600 pounds, that is carrying only the operator of the vehicle and otherwise meets the requirements of this section.

(C) *Required permit.* All disabled persons who desire to operate a motorized golf cart, four wheel side-by-side all-terrain vehicle or utility task n vehicle pursuant to this section must first obtain a permit from the city.

(1) Permit applications shall be available at the City Clerk's office and shall be in a form approved by resolution of the City Council.

(2) At the time of application, the applicant shall:

(a) Provide proof of insurance complying with the requirements of M.S. § 65B.48, Subdivision 5, now in effect and as it may be amended from time to time;

(b) Submit a certificate signed by a physician stating that the applicant is able to safely operate a motorized golf cart, four wheel side-by-side all-terrain vehicle or utility task vehicle on the city streets; and

(c) All other information as may be required by the city.

(3) All permits granted pursuant to this section shall be issued for a period not to exceed 1 year and may be renewed annually by complying with the requirements of this section.

(D) *Revocation.* Any permit issued pursuant to this section may be revoked by the City Council, at any time, if evidence is presented to the City Council that the permittee cannot safely operate the motorized golf cart, four wheel side-by-side all-terrain vehicle or utility task vehicle on the designated streets. Before any permit can be revoked by the City Council, the permittee shall be given notice of the Council Meeting where the permit will be discussed. At that Council Meeting, the permittee will be given an opportunity to address the Council.

(E) *Designated streets.* A permittee shall be allowed to operate a motorized golf cart, four wheel side-by-side all-terrain vehicle or utility task vehicle on all city streets in the City of Hastings. A permittee may not operate a motorized golf cart, four wheel side-by-side all-terrain vehicle or utility task vehicle on any county road or state highways in the City of Hastings. This does not prohibit a permittee from crossing a county road or state highway while traveling on a city street.

(F) *Times of operation.* Motorized golf carts, four wheel side-by-side all-terrain vehicles and utility task vehicles may only be operated on streets designated in division (E) above from sunrise to sunset. Motorized golf carts, four wheel side-by-side all-terrain vehicles and utility task vehicles shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions or at any time when there is insufficient light to see persons and vehicles on the roadway at a distance of 500 feet.

(G) *Slow-moving vehicle emblem.* Motorized golf carts, four wheel side-by-side all-terrain vehicles and utility task vehicles shall display the slow-moving vehicle emblem as provided for in M.S. § 169.522, as it may be amended from time to time, whenever they are operated on designated streets.

(H) *Application of traffic laws.* Every person operating a motorized golf cart, four wheel side-by-side all-terrain vehicles or utility task vehicle shall have all of the rights and duties applicable to the driver of any other vehicle under the provisions of M.S. Chapter 169, as it may be amended from time to time, except when those provisions cannot reasonably be applied to motorized golf carts or utility task vehicles.

(I) *Required equipment.* All motorized golf carts, four wheel side-by-side, all-terrain vehicles or utility task vehicles operating on designated streets pursuant to this section shall be equipped with a mirror that is located so as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of the vehicle.

(J) *Violations.* Any person who violates any provision of this section shall be guilty of a misdemeanor. (Prior Code, § 7.04) Penalty, see § 10.99 (Ord. 2014-18, 3<sup>rd</sup> Series Adopted 11-03-14) (Ord. 2015-08, 3<sup>rd</sup> Series, Adopted 6-15-15)

### **§ 70.03 BICYCLES.**

(A) *Traffic laws apply.* Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this chapter, except as to special regulations in this chapter and except as to those provisions of this chapter which by their nature can have no application.

(B) *Manner and number riding.*

(1) It is unlawful for any person propelling a bicycle to ride other than upon or astride a permanent and regular seat attached thereto.

(2) No bicycle shall be used to carry more persons at 1 time than the number for which it is designated or equipped.

(C) *Hitching rides.* It is unlawful for any person riding upon any bicycle, coaster, roller skates, sled, or toy vehicle to attach the same or himself or herself to any vehicle upon a roadway.

(D) *Where to ride.*

(1) Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(2) Persons riding bicycles upon a roadway shall ride single file except on paths or parts of roadways set aside for the exclusive use of bicycles.

(3) Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use the path and shall not use the roadway.

(E) *Right-of-way.* Whenever a person is riding a bicycle upon a sidewalk, the person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing the pedestrian. Provided, that it is unlawful for any person to ride a bicycle on a sidewalk in a business area.

(F) *Carrying articles.* It is unlawful for any person operating a bicycle to carry any package, bundle, or article which prevents the driver from keeping at least 1 hand upon the handlebars.

(G) *Lighting and brake equipment.* Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type approved by the Department which is visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector. (Prior Code, § 7.20) Penalty, see § 10.99

## **§ 70.04 SNOWMOBILE REGULATIONS.**

(A) *Scope of application.* Notwithstanding provisions of this chapter to the contrary, this section shall regulate the operation of snowmobiles in the City of Hastings. All provisions of this chapter apply to snowmobiles. The intent of this section is to provide corridors for snowmobiles to exit and enter the city. No recreational snowmobiling shall be allowed within the city limits.

(B) *Permitted areas of operation.*

(1) Snowmobiles may be operated on the following streets in the City of Hastings which are provided as corridors for snowmobiles to exit and enter the city:

- (a) 10th Street between Highway 61 and Highway 291;
- (b) 4th Street, West to State Street, North to 1st Street, West to the city limits;
- (c) Pine Street between 2nd Street to County Road 47;
- (d) Ramsey Street between 2nd Street and 18th Street;
- (e) Tyler Street between 2nd Street and 18th Street;

- (f) 15th Street between Tyler Street and the west city limits;
- (g) 18th Street between Highway 61 and Pine Street;
- (h) Ashland Street between Highway 55 and County Road 47;
- (i) 36th Street from Kendall Drive to Highway 61; and
- (j) General Sieben Drive from 4th Street to Carleton Drive

(2) Snowmobiles may be operated on any residential street when traveling to or from the operator=s residence and 1 of the streets listed in division (B)(1) above.

(3) When leaving the city, no person operating a snowmobile shall cross any of the streets listed in division (B)(1) above. When a snowmobile comes to a street listed in division (B)(1), the snowmobile must travel on the street listed in that paragraph to the city limits. When returning to the city, the snowmobile must be operated on 1 of the streets listed in division (B)(1) to a street which will provide the most direct route back to the operator=s residence.

(4) A snowmobile service district is created between Highway 316 and Highway 61, from 33rd Street south to the southern city limits. Within this service district, snowmobile operators are permitted to stop at restaurants, gas stations, lodging facilities, and parking lots for park and ride operations.

(C) *Prohibited areas of operation.* No snowmobile shall be operated in any of the following locations:

- (1) Public sidewalks;
- (2) Boulevards within any public right-of-way;
- (3) Private property of another without the specific permission of the property owner;
- (4) Any trails, walk paths, bike paths, or alleys;
- (5) Within any ponding basins;
- (6) Within any city park, except the boulevard area of Roadside Park up to a maximum of 50 feet south of the centerline of Highway 55;
- (7) All school property;
- (8) All city property;
- (9) Lake Rebecca; and/or
- (10) Ditches of state highways and county roads except as allowed by state law and by county ordinance.

(D) *Manner of operation.*

(1) When operating a snowmobile on a permitted street, all snowmobiles shall be operated on the most right-hand portion of the lane used for traffic traveling in the same direction of travel.

(2) No person shall operate or be in physical control of a snowmobile anywhere in the city while under the influence of alcohol or drugs in violation of M.S. § 84.91, now in effect and as it may be amended from time to time.

(3) No snowmobile shall be operated at a speed greater than reasonable or proper under all surrounding circumstances, but in no event shall a snowmobile be operated at a speed greater than 20 mph while traveling on a public street or right-of-way. Within the service district, snowmobiles shall not be operated at a speed greater than 10 mph.

(4) No snowmobile shall be operated in a careless, reckless, or negligent manner or heedlessly in disregard for the rights or safety of others, or in a manner so as to endanger or be likely to endanger or cause injury or damage to any person or property.

(5) No snowmobile shall be operated in the city from 10:00 p.m. to 8:00 a.m., on any day, except when returning to the operator=s residence and on a street listed in division (B)(1) above.

(6) No snowmobile operator shall allow their snowmobile to tow any person or thing on a public street except when using a rigid tow bar attached to the rear of the snowmobile and when the item being towed is equipped with the proper reflective material required by Minnesota Statutes.

(7) No person while operating a snowmobile shall intentionally drive, chase, run over, or kill any animal.

(8) No person shall leave a snowmobile in a public place without locking the ignition, removing the key, and taking the key with the operator.

(9) All snowmobiles in the city must be operated in conformance with M.S. Chapters 84 and 169 which are incorporated herein by reference, which are now in effect and as they may be amended from time to time.

(10) No snowmobiles shall be operated in the city from April 2 to November 30 of each year.

(E) *Required standards of operation.*

(1) *Equipment.* All snowmobiles operated in the city must be properly equipped in compliance with M.S. Chapter 84, now in effect and as it may be amended from time to time.

(2) *Operators.* No person under 18 years of age shall operate a snowmobile except in compliance with Minnesota state law. (Prior Code,§ 7.30) Penalty, see§ 10.99

**§ 70.05 UNLAWFUL TRANSPORT OF REFUSE.**

It is unlawful for any person to haul or transport refuse, as defined in this code, upon any street unless

the same is in a watertight container on all sides and the bottom, with a tight-fitting cover, or in a vehicle with a leak-proof body and completely covered or enclosed by canvas or other means so as to completely eliminate the possibility of loss of cargo, and along a route directly from the point of origin to a legal place of disposal. (Prior Code,§ 7.40) Penalty, see§ 10.99



## **§ 70.06 EXHIBITION DRIVING.**

(A) *Prima facie evidence.* It is prima facie evidence of exhibition driving when a motor vehicle stops, starts, accelerates, decelerates, or turns at an unnecessary rate of speed so as to cause tires to squeal, gears to grind, soil to be thrown, engine backfire, fishtailing, or skidding, or, as to 2-wheeled or 3-wheeled motor vehicles, the front wheel to lose contact with the ground or roadway surface.

(B) *Unlawful act.* It is a misdemeanor for any person to do any exhibition driving on any street, parking lot, or other public or private property, except when an emergency creates necessity for the operation to prevent injury to persons or damage to property; provided, that this section shall not apply to driving on a licensed racetrack with the permission and under the auspices and direction of the licensee. (Prior Code, § 7.50) Penalty, see § 10.99

## **§ 70.07 DRIVING THROUGH PRIVATE PROPERTY TO AVOID TRAFFIC SIGNAL.**

It is unlawful for any person to avoid obedience to any traffic-control device by driving upon or through any private property. (Prior Code, § 7.51) Penalty, see § 10.99

## **§ 70.08 REGULATION OF MOTOR VEHICLES ON PUBLIC, SEMI-PUBLIC, AND PRIVATE PROPERTY.**

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***MOTOR VEHICLES.*** Self-propelled motorized vehicles, whether or not licensed by the State of Minnesota, including automobiles, trucks, motorcycles, motor scooters, mini bikes, dune buggies, trail bikes, go-carts and all terrain vehicles (but specifically excluding snowmobiles as defined and regulated by City Code).

***PARKING LOTS.*** Areas designated for parking of motor vehicles and access and entrance roads used in connection with the parking lots.

***PRIVATE PROPERTY.*** Property, whether owned by government unit or private person or corporations, not open for use by the public, including but not limited to yards of residences, apartment buildings, industrial and commercial locations, railroads, cemeteries, and golf courses.

***PUBLIC PROPERTY.*** Property owned by a governmental body that may be used by the public, subject to reasonable regulations by the government body, including: public parks; county, city and school parks, grounds, yards and parking lots, but excluding state, city and county streets and roads.

***SEMI-PUBLIC PROPERTY.*** Privately-owned property, generally open for use by the public, including commercial and institutional parking lots and other property generally used by patrons of a commercial business or institution.

(B) It is hereby declared unlawful for any person to operate a motor vehicle:

(1) On private property of one other than the owner, and on semi-public property (except parking lots), without express permission of the owner;

(2) On public property (excluding parking lots) unless area is expressly posted to allow the use by governmental until having control of area in which case operation thereon shall comply with all posted restrictions and regulations;

(3) On parking lots and (when authority is granted as above provided) on public property, semi-public property and private property:

(a) Contrary to posted instructions and directions;

(b) At unsafe or unreasonable speeds;

(c) In a careless, reckless, or negligent manner so as to endanger life or property;

(d) While under the influence of an alcoholic beverage or narcotic drug or combination thereof; and/or

(e) So as to create or cause unnecessary engine noises or tire squeal or so as to cause the tires to spin or slide upon the acceleration or stopping of the vehicle or so as to cause the motor vehicle to turn abruptly or swerve from side to side or so as to create a substantial likelihood of damage to person or property.

(4) On any public, semi-public, or private property (except parking lots) during the hours from 10:00 p.m. to 8:00 a.m. except that a property owner or persons specifically authorized by him or her may operate between these hours but the operation shall comply with the prohibition set forth in division (B)(3) above.

(C) It is unlawful to operate a motor vehicle on public, private, or semi-public property, including parking lots, unless equipped as follows:

(1) With standard mufflers which are properly attached and which reduce the noise of operation of the motor vehicle to the minimum necessary for operation. No muffler cutouts, by-passes, straight pipes, or similar devices shall be allowed;

(2) Without brakes adequate to control the movement of and to stop and hold the vehicle;

(3) Without a deadman throttle which when pressure is removed will cause the motor to be disengaged from the drive system if such a throttle was part of the original equipment on the vehicle; and

(4) When operated at night, without at least 1 clear lamp attached to the front, with sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during the hours of darkness under normal atmospheric conditions. The headlamps shall be so aimed that glaring rays are not projected into the eyes of an oncoming vehicle operator. It shall also be equipped with at least 1 red tail lamp, having a minimum candle power of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during the hours of darkness under normal atmospheric conditions. This equipment shall be required and shall be in operating condition when the vehicle is operated during the hours of 2 hour after sunset to 2 hour before sunrise or at times of reduced visibility.

(D) It is unlawful to chase, drive after, run over, kill, or injure any animal with a motor vehicle.

(E) Vehicles not licensed under the laws of the State of Minnesota may not be operated on parking lots, whether publicly owned or semi-private property unless specifically authorized by the owner thereof.

(F) Persons operating motor vehicles the operation of which requires the operator to wear a helmet under regulations of the State of Minnesota and in particular the Public Safety Department thereof shall, when operated in the City of Hastings, be operated by a person wearing an approved helmet.

(G) Passengers may not be carried in or upon the vehicle if under the laws of the State of Minnesota, passengers are not allowed when the vehicle is operated on the public roads. When passengers are under state law allowed on or in the vehicle, the passengers shall be governed by state law applicable to passengers on vehicles of that type when operated on public right-of-way. (Prior Code, § 7.65) Penalty, see § 10.99