

**Ordinance Amending Article III. General Rules of Vehicle Operation, Division
1. Generally, Sec. 82-91, Unreasonable Acceleration**

THE CITY OF BLAINE DOES ORDAIN: (Added portions are underscored and deleted portions are shown with overstrike.)

Sec. 82-91. ~~Unreasonable acceleration~~ Exhibition driving and street racing prohibited.

~~No person shall start or accelerate any motor vehicle with an unnecessary exhibition of speed on any public or private way within the city limits. Prima facie evidence of such unnecessary exhibition of speed shall be squealing or screeching sounds emitted by the tires or the throwing of sand, gravel, or other debris by the tires of such vehicle.~~

(Ord. No. 19-2433, 8-19-2019)

(a) Purpose

Exhibition driving and street racing events have been occurring with greater frequency in the City of Blaine and throughout the Twin Cities metropolitan region since 2020. Such events are organized online, swiftly and anonymously, through various social media applications. The events frequently draw large crowds, and various other criminal activity has occurred at organized exhibition driving and street racing events. The city council recognizes exhibition driving and street racing pose a grave public health and safety risk to the person who engages in the unlawful activity and the persons who assemble to view or witness the unlawful activity. These events are a public nuisance. The purpose of this Ordinance is to proscribe exhibition driving, street racing, and unlicensed car shows in the City of Blaine by declaring it unlawful to engage in or be a spectator at such events.

(b) Definitions

Exhibition driving means turning, accelerating, decelerating or otherwise operating a motor vehicle in a manner that causes unnecessary engine noise or backfire, squealing tires, skidding, sliding, swaying, throwing of sand, gravel, dirt or other material, or in a manner simulating a race. Unreasonable squealing or screeching sounds emitted by tires, or the unreasonable throwing of sand, gravel, dirt or other material by the tires is prima facie evidence of a violation of this section. "Unnecessary" for the purposes of this definition means that the activity would not be caused by the normal course of operating a motor vehicle. "Unreasonable" for the purposes of this definition means that the conduct would be considered unreasonable or inappropriate by people of ordinary sensibilities on any highway, street, roadway, or off-street parking facility.

Exhibiting driving event occurs when one or more vehicles engages in exhibition driving and at least one spectator is present.

Off-street parking facility means any public or private off-street parking area in the city that is held open for use by the general public for parking vehicles and parking areas intended for the use of businesses, employees and their customers.

Spectator means any person who is present at an exhibition driving event, street racing event, or unlicensed car show to view, witness, organize, or otherwise participate in the event.

Street racing means comparing or contesting relative speeds by operating one or more vehicles, regardless of whether the speed contested or compared exceeds the maximum speed prescribed by law, on any highway, street, or off-street parking facility.

Street racing event occurs when one or more vehicles engages in street racing and at least one spectator is present.

Unlicensed car show occurs when two or more motor vehicles are parked in any off-street parking facility without the permission of the owner of the off-street parking facility and without having obtained a special event permit from the city for the purpose of displaying the motor vehicles to spectators.

(c) Exhibition driving and street racing prohibited.

Any person who drives or operates a motor vehicle engaged in exhibition driving or street racing in the City of Blaine is guilty of a misdemeanor.

(d) Spectators prohibited at exhibition driving and street racing events.

Any person who is a spectator at an exhibition driving event or a street racing event in the City of Blaine is guilty of a misdemeanor.

(e) Unlawful assembly declared.

For the purpose of Minnesota Statutes §§ 609.705 and 609.715, exhibition driving events, street racing events, and unlicensed car shows constitute unlawful assemblies.

Secs. 82-92—82-110. Reserved.