

**pensation.** The court commissioner of Washington county shall receive from the county as compensation for his services in conducting commitment proceedings not less than \$10 nor more than \$25 per day, as may be determined by the probate court. Such compensation shall be paid from the general fund of the county in the same manner as the compensation of the probate judge is paid.

Approved April 30, 1963.

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CHAPTER 398—H. F. No. 1037

*An act relating to the central motor pool, and the reimbursement by state departments and agencies for the costs of its services; amending Minnesota Statutes 1961, Section 16.75, Subdivision 6.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1961, Section 16.75, Subdivision 6, is amended to read:

Subd. 6. **Central motor pool; reimbursement of costs; insurance.** Each state department or agency using the facilities of the central motor pool or any branch thereof shall reimburse the commissioner of administration for the services provided in accordance with the schedule of charges which the commissioner of administration shall establish. Such schedule of charges shall include reasonable overhead costs including vehicle depreciation and other costs, ~~excluding~~ *including* public liability or property damage insurance, incurred in the operation of the central motor pool, or any branch thereof.

Approved April 30, 1963.

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CHAPTER 399—H. F. No. 1170

[Coded]

*An act relating to the registration of motor vehicle carriers operating in interstate commerce with the railroad and warehouse commission, and providing penalties for violation thereof.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **[221.61] Motor carriers; interstate operations; necessity of obtaining federal authority; registration of authority.**

**Changes or additions indicated by italics, deletions by strikeout.**

It shall be unlawful for any motor carrier to perform any act of transportation in interstate commerce for hire upon the public highways of this state requiring authority therefor from the interstate commerce commission pursuant to the provisions of the federal motor carrier act or any amendment thereof without having first obtained such authority and without first having registered such authority with the railroad and warehouse commission.

**Sec. 2. [221.62] Exempt interstate carriers; registration of exemption authority.** It shall be unlawful for any carrier engaged in interstate commerce exempt from seeking appropriate authority for transportation service from the interstate commerce commission, if written authority for such exemption is provided for by the interstate commerce act, to perform any transportation service for compensation upon the public highways of this state without first having registered such written authority for exemption with the railroad and warehouse commission.

**Sec. 3. [221.63] Affidavit of exemption.** In any case where the interstate commerce act exempts any carrier engaged in interstate commerce for hire from the necessity of procuring authority for any transportation service from the interstate commerce commission and does not provide for written authority for such exemption, such exempted carrier shall file with the railroad and warehouse commission a sworn affidavit disclosing the fact of the exemption and specifying the nature of the commodity carried and the specific nature of the service offered before performing any such interstate transportation service for compensation upon the public highways of this state. Such affidavit shall be executed by the individual owner of the carrier, or if such carrier be a partnership, by one of the partners, or if a corporation, by an officer or managing agent thereof.

**Sec. 4. [221.64] Registration fee; exemptions.** Such registration as herein provided shall be granted upon application, without hearing, upon payment of an annual filing fee in the amount of \$25; provided, however, that any permit holder who pays the registration fee provided in Minnesota Statutes 1961, Section 221.131, shall be exempt from the payment of any fees provided in this section. Nothing in this act shall be construed to require the payment of such registration fee by any person who is exempt from obtaining a permit as provided in Minnesota Statutes 1961, Section 221.011, Paragraphs 13 and 21. Upon application, and payment of said fee if applicable, the railroad and warehouse commission shall furnish a distinguishing identification for each such registration which identification shall at all times be displayed on the truck tractor of the registration holder. Additional identification units may be issued by the commission to each registration holder for \$1 per unit. Nothing

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in this act shall be construed to require any registration pursuant to this act by any motor vehicle carrier engaged exclusively in intrastate commerce. Motor vehicle carriers subject to Chapter 221, Minnesota Statutes 1961, shall register their operations in interstate commerce pursuant to this act only at the time of and as part of their application for renewal or granting of a permit or certificate by the railroad and warehouse commission.

Sec. 5. [221.65] **Reciprocal agreements.** Nothing in this act shall be construed to impair the authority of the railroad and warehouse commission to enter into reciprocal agreements with the regulatory bodies of other states and the provinces of the dominion of Canada, as provided in Minnesota Statutes 1961, Section 221.231.

Sec. 6. [221.66] **Enforcement.** If any motor carrier operates in violation of any provision of this act, the railroad and warehouse commission or its duly authorized agent or any carrier or other interested person may institute an action or proceeding upon verified complaint in any district court of any county wherein such motor carrier has designated a resident agent for service of process, or in the district court of Ramsey county, for enforcement of any provisions of this act and enjoining upon such motor carrier obedience to such act. The court may grant provisional or other relief, ordinary or extraordinary, legal or equitable, which the nature of the case may require, including temporary or mandatory restraining orders or injunctions.

Sec. 7. [221.67] **Service of process.** The use of any of the public highways of this state for the transportation of persons or property for compensation by a motor carrier in interstate commerce shall be deemed an irrevocable appointment by such carrier of the secretary of state to be his true and lawful attorney upon whom may be served all legal process in any action or proceeding brought under section 6 of this act against him or his executor, administrator, personal representative, heirs, successors or assigns. Such use is a signification of agreement by said interstate motor carrier that any such process in any action against him or his executor, administrator, personal representative, heirs, successors, or assigns which is so served shall be of the same legal force and validity as if served upon him personally. Such service shall be made by serving a copy thereof upon the secretary of state or by filing such copy in his office, together with payment of a fee of \$2, and such service shall be sufficient service upon the absent motor carrier; provided that notice of such service and a copy of the process are within ten days thereafter sent by mail by the plaintiff to the defendant at his last known address and that the plaintiff's affidavit of compliance with the provisions of this chapter is attached to the summons.

**Changes or additions indicated by *italics*, deletions by ~~strikeout~~.**

Sec. 8. [221.68] **Violations; penalties.** Any person who violates or procures, aids, or abets violation of, or fails to comply with, the provisions of this act or any valid order or rule of the railroad and warehouse commission issued hereunder shall be guilty of a misdemeanor; and, additionally, shall be subject to a penalty of \$50 for each and every day of such failure to so comply, to be recovered for the state in a civil action. Each distinct violation shall be a separate offense.

Approved April 30, 1963.

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CHAPTER 400—H. F. No. 1315

*An act relating to contracts and purchases of the state, providing for the acceptance of certain bids with alterations and erasures, amending Minnesota Statutes 1961, Section 16.08.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1961, Section 16.08, is amended to read:

16.08 **State contracts; alterations or erasures on bids; explanation; contracts and purchases, award of.** All contracts and purchases made by or under the supervision of the commissioner or any state department or agency for which competitive bids are required shall be awarded to the lowest responsible bidder, taking into consideration conformity with the specifications, terms of delivery, and other conditions imposed in the call for bids. The commissioner shall have power to decide as to the lowest responsible bidder for all purchases. As to contracts other than for purchases, the head of the interested department or agency shall make the decision, subject to the approval of the commissioner. Any or all bids may be rejected, and a bid shall be rejected if it contains any alteration or erasure *unless the alteration or erasure is corrected as herein provided. An alteration or erasure may be crossed out and the correction thereof printed in ink or typewritten adjacent thereto and initialed in ink by the person signing the bid. The person signing the bid shall also file a certificate with the bid explaining the correction of the alteration or erasure.* The commissioner may reject the bid of any bidder who has failed to perform a previous contract with the state. A record shall be kept of all bids, with names of bidders and amounts of bids, and

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