

## CHAPTER 644—H.F.No.1562

[Coded in Part]

*An act relating to driver's and chauffeur's licenses; providing for classified licenses and qualifications therefor; requiring examinations for renewal thereof; prescribing fees; providing penalties; amending Minnesota Statutes 1969, Sections 170.25, Subdivision 2; 171.01, Subdivision 6, and by adding subdivisions; 171.02; 171.03; 171.04; 171.05, Subdivision 1; 171.06, Subdivisions 1 and 2; 171.07; 171.08; 171.10; 171.13, by adding a subdivision; 171.26; 171.30; Chapter 171, by adding sections; and repealing Minnesota Statutes 1969, Sections 168.39 to 168.45, and 171.01, Subdivision 7.*

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

Section 1. Minnesota Statutes 1969, Section 170.25, Subdivision 2, is amended to read:

Subd. 2. **DRIVERS AND CHAUFFEURS LICENSES; CLASSIFICATIONS AND QUALIFICATIONS.** This section shall not apply under the conditions stated in section 170.26 or to any of the following:

(1) To such driver or owner if such owner had in effect at the time of such accident an automobile liability policy with respect to the motor vehicle involved in such accident, affording substantially the same coverage as is required for proof of financial responsibility under this chapter;

(2) To such driver, if not the owner of such motor vehicle, if there was in effect at the time of such accident an automobile liability policy or bond with respect to his operation of motor vehicles, affording substantially the same coverage as is required for proof of financial responsibility under this chapter;

(3) To such driver or owner if the liability of such driver or owner for damages resulting from such accident is, in the judgment of the commissioner, covered by any other form of liability insurance policy or bond;

(4) To the driver or owner of any motor vehicle if such owner is at the time of such accident qualified as a self-insurer under section 170.52; or

(5) To the driver, if not the owner of such motor vehicle, when ~~operating the motor vehicle as a driver for hire under circumstances in which the driver is required to be licensed pursuant to section 168.39 in the course of his employment:~~

(a) A vehicle carrying persons or property for hire;

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(b) A truck, tractor, or truck tractor;

(c) A passenger vehicle when the principal purpose for which he is employed is operation of such vehicle .

Sec. 2. Minnesota Statutes 1969, Section 171.01, Subdivision 6, is amended to read:

Subd. 6. Driver. Every person, ~~other than a chauffeur,~~ who drives or is in actual physical control of a motor vehicle ~~upon a highway .~~

Sec. 3. Minnesota Statutes 1969, Section 171.01, is amended by adding subdivisions to read:

Subd. 15. “State” means any state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico or any province of the Dominion of Canada.

Subd. 16. “Gross vehicle weight” (GVW) means the weight of the vehicle plus the weight of the load thereon or the registered gross weight of the vehicle whichever is greater.

Subd. 17. “Motorcycle” means every motor vehicle having a 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.

Subd. 18. (a) “House trailer” means any trailer or semitrailer designed and used for human living quarters, and meeting all of the following qualifications:

(1) Is not used as the residence of the owner or occupant;

(2) Is used for temporary living quarters by the owner or occupant while engaged in recreational or vacation activities;

(3) Is towed on the public streets or highways incidental to such recreational or vacation activities.

The term “house trailer” shall not include bunkhouses, so called, temporarily mounted on trailers, and mobile homes. Such bunkhouses, exclusive of the trailer and mobile homes, shall be listed and taxed as personal property as provided by law.

(b) “Mobile home” means any trailer or semitrailer which is designed, constructed, and equipped for use as a human dwelling place, living abode, or living quarters except house trailers.

Subd. 19. “Bus” means every motor vehicle designed for carrying more than ten passengers and used for the transportation of persons, and every motor vehicle other than a taxicab designed and used for the transportation of persons for compensation.

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Sec. 4. Minnesota Statutes 1969, Section 171.02, is amended to read:

**171.02 LICENSE; SURRENDER OF OTHER LICENSES.** Subdivision 1. No person, except those hereinafter expressly exempted, shall drive any motor vehicle upon any street or highway in this state unless such person has a valid license as a driver valid under the provisions of this chapter for the type or class of vehicle being driven. No person shall receive a driver's license unless and until he surrenders to the department all valid driver's licenses in his possession issued to him by any other jurisdiction. All surrendered licenses shall be returned by the department to the issuing department together with information that licensee is now licensed in new jurisdiction. No person shall be permitted to have more than one valid driver's license at any time.

Subd. 2. Drivers' licenses shall be classified according to the types of vehicles which may be driven by the holder of each type or class of license. The commissioner may, as appropriate, subdivide the classes listed in this subdivision and issue licenses classified accordingly. No class of license shall be valid to operate a motorcycle or school bus unless so endorsed. There shall be three general classes of licenses as follows:

a. Class C; valid for all farm trucks as defined in section 168.011, subdivision 17, operated by the owner or an immediate member of his family or an employee not primarily employed for the purpose of operating the farm truck, and all single unit two axle vehicles not in excess of 24,000 pounds GVW including vehicles with a temporary auxiliary axle as defined in Minnesota Statutes, Section 169.67, Subdivision 4. Holder may also tow trailers under 10,000 pounds GVW including house trailers. Buses as defined under this chapter may not be driven by a holder of a Class C license.

b. Class B; valid for all vehicles in Class C and all other single unit vehicles including buses.

c. Class A; valid for any vehicle or combination thereof.

Sec. 5. Minnesota Statutes 1969, Section 171.03, is amended to read:

**171.03 PERSONS EXEMPT.** The following persons are exempt from license hereunder:

~~(1) Persons licensed as chauffeurs under the laws of the state of Minnesota while operating motor vehicles in the performance of their duties as such chauffeurs;~~

~~(2) (1) Any person in the employ or service of the United States federal government while driving or operating a motor vehicle in the~~

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service of the Army, Navy, or Marine Corps of owned by or leased to the United States federal government ;

~~(3)~~ (2) Any person while driving or operating any farm tractor, or implement of husbandry temporarily operated or moved on a highway;

~~(4)~~ (3) A nonresident who is at least 15 years of age and who has in his immediate possession a valid driver's license issued to him in his home state or country may operate a motor vehicle in this state only as a driver;

~~(5)~~ (4) Any nonresident who is at least 18 years of age, whose home state or country does not require the licensing of drivers may operate a motor vehicle as a driver, only for a period of not more than 90 days in any calendar year if the motor vehicle so operated is duly registered for the current calendar year in the home state or country of such nonresident.

~~(6)~~ (5) Any person ~~over 21 years of age~~ who becomes a resident of the state of Minnesota and who has in his possession a valid driver's license issued to him under and pursuant to the laws of some other state or province or by military authorities of the United States may operate a motor vehicle as a driver, only for a period of not more than 60 days after becoming a resident of this state without being required to have a Minnesota driver's license as provided in this chapter;

~~(7)~~ (6) Any person operating a snowmobile, as defined in section 84.81.

Sec. 6. Minnesota Statutes 1969, Section 171.04, is amended to read:

**171.04 PERSONS NOT ELIGIBLE FOR DRIVER'S LICENSES.** The department shall not issue a driver's license hereunder:

(1) To any person who is under the age of 16 years; ~~nor, after January 1, 1967,~~ to any person under 18 years unless such person shall have successfully completed a course in driver education, including both classroom and behind-the-wheel instruction, approved by the department of public safety or, in the case of a course offered by a private, commercial driver education school or institute employing driver education instructors, by the department of public safety, except when such person has completed a course of driver education in another state or has a previously issued valid license from another state or country; nor to any person under 18 years unless the application of license is approved by either parent when both reside in the same household as the minor applicant, otherwise the parent having custody or with whom the minor is living in the event there is no court order for custody, or guardian having the custody of such

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minor, or in the event a person under the age of 18 has no living father, mother or guardian, the license shall not be issued to such person unless his application therefor is approved by his employer. Behind-the-wheel driver education courses offered in any public school shall be open for enrollment to persons between the ages of 15 and 18 years residing in the school district or attending school therein. Any public school offering behind-the-wheel driver education courses may charge an enrollment fee for the behind-the-wheel driver education course which shall not exceed the actual cost thereof to the public school and the school district. The approval required herein shall contain a verification of the age of the applicant;

(2) To any person whose license has been suspended during the period of suspension except that a suspended license may be reinstated during the period of suspension upon the licensee furnishing proof of financial responsibility in the same manner as provided in the safety responsibility act;

(3) To any person whose license has been revoked except upon furnishing proof of financial responsibility in the same manner as provided in the safety responsibility act and if otherwise qualified;

(4) To any person who is an habitual drunkard as determined by competent authority or is addicted to the use of narcotic drugs;

(5) To any person who has been adjudged legally incompetent by reason of mental illness, mental deficiency, or inebriation, and has not been restored to capacity, unless the department is satisfied that such person is competent to operate a motor vehicle with safety to persons or property;

(6) To any person who is required by this chapter to take an examination, unless such person shall have successfully passed such examination;

(7) To any person who is required under the provisions of the safety responsibility laws of this state to deposit proof of financial responsibility and who has not deposited such proof;

(8) To any person when the commissioner has good cause to believe that the operation of a motor vehicle on the highways by such person would be inimical to public safety or welfare;

(9) To any person when, in the opinion of the commissioner, such person is afflicted with or suffering from such physical or mental disability or disease as will affect such person in a manner to prevent him from exercising reasonable and ordinary control over a motor vehicle while operating the same upon the highways; nor to a person who is unable to read and understand official signs regulating, warning, and directing traffic.

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Sec. 7. Minnesota Statutes 1969, Section 171.05, Subdivision 1, is amended to read:

**171.05 INSTRUCTION PERMITS.** Subdivision 1. Any person who, except for his lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a Class C driver's license under this chapter, may apply for an instruction permit and the department shall issue such permit entitling the applicant, while having such permit in his immediate possession, to drive a motor vehicle for which a Class C license is valid upon the highways for a period of six months, but such person must be accompanied by an adult licensed driver ~~or chauffeur~~ who is actually occupying a seat beside the driver. Any license of a lower class may be used as an instruction permit for a higher class for a period of six months after passage of the written test or tests required for the higher class and when the licensee is accompanied by and receiving instruction from a holder of the appropriate higher class license. A copy of the record of examination taken for the higher class license must be carried by the driver while using such lower class license as an instruction permit.

Sec. 8. Minnesota Statutes 1969, Section 171.06, Subdivision 1, is amended to read:

**171.06 LICENSES, PERMITS.** Subdivision 1. **FORMS OF APPLICATION.** Every application for an instruction permit or for a driver's license ~~or for a duplicate license or for a renewal of a driver's license~~ shall be made upon a form furnished by the department, and every ~~such~~ application shall be accompanied by the proper fee prescribed in subdivision 2. All such applications except applications for renewal shall be signed in the presence of the person authorized to accept such applications, or the signature on the application shall be verified by a notary public. Payment of the fee for the Class B license and Class A license upon initial application therefor shall entitle the applicant to not more than two attempts to pass the driving portions of the examination for such class within a period of three months from the date of the application. If additional examinations are necessary, such applicant must submit a new application with the proper fee, such new application to entitle the applicant to two additional tests in a three month period from the application date.

Sec. 9. Minnesota Statutes 1969, Section 171.06, Subdivision 2, is amended to read:

Subd. 2. **FEES.** (a) The fee for an instruction permit to obtain a Class C license shall be \$1 \$2. The fee for a driver's Class C license shall be \$3 \$5. The fee for a Class B license shall be \$10. The fee for a Class A license shall be \$15. The fees paid for a Class B and Class A license shall include any previous fees paid for a lower class license issued within the preceding twelve months;

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(b) The fee for a duplicate license of any class shall be 50 cents \$1.

Sec. 10. Minnesota Statutes 1969, Section 171.07, is amended to read:

**171.07 DEPARTMENT TO ISSUE LICENSES. Subdivision 1.** The department shall, upon the payment of the required fee, issue to every applicant qualifying therefor a license designating the type or class of vehicles he is authorized to drive as applied for, which license shall bear thereon a distinguishing number assigned to the licensee, the full name, date of birth, residence address, a description of the licensee in such manner as the commissioner deems necessary, and a space upon which the licensee shall write his usual signature with pen and ink. No license shall be valid until it has been so signed by the licensee. Every license issued to an applicant under the age of 21 shall be of a distinguishing color and plainly marked "provisional."

~~Each license certificate issued on or before July 1, 1964, shall be on an all plastic or laminated plastic card with the identifying information embossed thereon.~~

Subd. 2. The department shall not issue a Class B or Class A license to anyone who does not have or has not qualified for a Class C license. A Class A license shall not be issued to anyone under 18 years of age.

Sec. 11. Minnesota Statutes 1969, Section 171.08, is amended to read:

**171.08 LICENSEE TO HAVE LICENSE IN POSSESSION.** Every licensee shall have his license in his immediate possession at all times when operating a motor vehicle and shall display the same, upon demand of a justice of the peace, a peace officer, an authorized representative of the department, or by an officer authorized by law to enforce the laws relating to the operation of motor vehicles on public streets and highways; however, no person charged with violating ~~this the possession~~ requirement shall be convicted if he produces in court or the office of the arresting officer a driver's license theretofore issued to him for the class of vehicle which he was driving and valid at the time of his arrest or satisfactory proof that at the time of the arrest he was validly licensed for the class of vehicle which he was driving. The licensee shall also, upon request of any such officer, write his name in the presence of such officer in order that the identity of the licensee may be determined.

Sec. 12. Minnesota Statutes 1969, Section 171.10, is amended to read:

**171.10 DUPLICATE LICENSES; VEHICLE ENDORSEMENT. Subdivision 1.** In the event that an instruction permit or driver's

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license issued under the provisions of this chapter is lost or destroyed, or becomes illegible, the person to whom the same was issued shall obtain a duplicate thereof, furnishing proof satisfactory to the department that such permit or license has been lost or destroyed or has become illegible, and make payment of the required fee.

Subd. 2. When any person after applying for or receiving a driver's license and prior to the expiration year of the license wishes to have a motorcycle or school bus vehicle endorsement added to the license, he shall, after taking the necessary examination, apply for a duplicate license and make payment of the proper fee.

Sec. 13. Minnesota Statutes 1969, Section 171.13, is amended by adding a subdivision to read:

Subd. 5. FEE FOR VEHICLE ENDORSEMENT. Any person applying to secure a motorcycle or school bus vehicle endorsement on his driver's license shall pay a \$2.50 examination fee, such fee to entitle the applicant to two examinations within a three month period if necessary. If additional examinations are required, the applicant will be required to pay an additional \$2.50 examination fee, such fee to entitle the applicant to take two more examinations, if necessary, within a three month period.

Sec. 14. Minnesota Statutes 1969, Section 171.26, is amended to read:

**171.26 MONEYS CREDITED TO TRUNK HIGHWAY FUND AND TO GENERAL FUND.** All money received under the provisions of this chapter shall be paid into the state treasury ~~and with 90 percent of such money credited to the trunk highway fund, and ten percent credited to the general fund so much thereof as shall be necessary for the administration of the drivers license law and the safety responsibility act is hereby appropriated for that purpose.~~ Such money that shall be necessary for the administration of the drivers license law and safety responsibility act is hereby appropriated from the trunk highway fund.

Sec. 15. Minnesota Statutes 1969, Section 171.30, is amended to read:

**171.30 LIMITED LICENSE.** Subdivision 1. In any case where a license has been suspended under Minnesota Statutes, Section 171.18 or revoked under Minnesota Statutes, Section 171.17, if the driver's livelihood depends upon the use of his driver's license, the commissioner may at his own discretion and shall upon recommendation by the court excluding justices of the peace in which the driver was convicted, issue a limited license to such driver. The commissioner in issuing such limited license may impose such conditions and limitations as in his judgment are necessary to the interests of the public

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safety and welfare including re-examination as to the driver's qualifications. Such license may be limited to the operation of particular vehicles, to particular classes and times of operation and to particular conditions of traffic.

The limited license issued by the commissioner shall clearly indicate the limitations imposed and the driver operating under such limited license shall have such license in his possession at all times when operating as a driver.

In determining whether to issue a limited license, the commissioner shall consider the number and the seriousness of prior convictions and the entire driving record of the driver and shall consider the number of miles driven by such driver annually.

Subd. 2. PERSONS NOT ELIGIBLE. A limited license shall not be issued for a period of 60 days to an individual who has had his license or privilege revoked or suspended for commission of the following offenses:

(a) Manslaughter or criminal negligence resulting from the operation of a motor vehicle.

(b) Any felony in the commission of which a motor vehicle was used.

(c) Failure to stop and disclose identity as required under the laws of this state, in the event of a motor vehicle accident resulting in the death or personal injury of another.

Subd. 3. The commissioner shall issue a limited license restricted to the vehicles whose operation is permitted only under a Class A or Class B license whenever a Class A or Class B license has been suspended under Minnesota Statutes, Section 171.18, or revoked under Minnesota Statutes, Section 171.17, for violation of the highway traffic regulation act committed in a private passenger motor vehicle. This subdivision shall not apply to any persons described in Minnesota Statutes, Section 171.04, Clauses (4), (5), (6) and (9).

Sec. 16. Minnesota Statutes 1969, Chapter 171, is amended by adding sections to read:

**[171.321] QUALIFICATIONS OF SCHOOL BUS DRIVERS.**  
Subdivision 1. No person shall drive a school bus when transporting school children to or from school or upon a school related trip or activity without having a valid Class B or Class A license with a school bus endorsement except that a person possessing a valid driver's license but not a school bus endorsement may drive a passenger automobile or station wagon used as a school bus for occasional trips but not for regular trips to and from school.

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Subd. 2. The state board of education and the commissioner shall jointly prescribe rules governing the qualifications of individuals to drive school buses.

**[171.322] AGE LIMITS FOR OPERATORS OF VEHICLES FOR HIRE.** No person under 18 years of age shall operate a motor vehicle while it is in use as a carrier of persons for hire, nor shall any person under 18 years of age drive a passenger carrying vehicle as a hired driver.

Sec. 17. Minnesota Statutes 1969, Sections 168.39; 168.40; 168.41; 168.413; 168.42; 168.423; 168.43; 168.44; 168.45; and 171.01, Subdivision 7, are repealed.

Sec. 18. **EFFECTIVE DATE.** The effective date of this act shall be January 1, 1973; however, Class C, Class B or Class A licenses may be issued after January 1, 1972, and shall be valid for use as hereinbefore stated. Anyone holding a chauffeur's license may after January 1, 1972, secure a classified license in lieu thereof but he must first surrender the chauffeur's license therefor.

Approved June 1, 1971.

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## CHAPTER 645—H.F.No.1717

*An act relating to the department of public service; appeals to district court from orders of the commission; authorizing the commission to grant temporary permits to certain carriers in certain cases; amending Minnesota Statutes 1969, Sections 216.24 and 221.121, Subdivision 1.*

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

Section 1. Minnesota Statutes 1969, Section 216.24, is amended to read:

**216.24 DEPARTMENT OF PUBLIC SERVICE; TEMPORARY PERMITS FOR CERTAIN CARRIERS; APPEALS.** Any party to a proceeding before the commission, or any party affected by any order thereof, or the state of Minnesota, by the attorney general, may appeal therefrom to the district court of the county in which the complainants, or a majority of them, reside, or in case none of them reside in the state, or in a proceeding commenced by the commission on its own motion without complaint, to the district court of one of

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