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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. **2364**

03/02/2023 Authored by Tabke and Olson, B.,
The bill was read for the first time and referred to the Committee on Transportation Finance and Policy
02/22/2024 Adoption of Report: Amended and re-referred to the Committee on Labor and Industry Finance and Policy
03/11/2024 Adoption of Report: Placed on the General Register
Read for the Second Time

1.1 A bill for an act
1.2 relating to transportation; amending requirements for transporting petroleum
1.3 products; amending Minnesota Statutes 2022, section 221.033, subdivision 1, by
1.4 adding a subdivision; repealing Minnesota Statutes 2022, section 221.033,
1.5 subdivision 2c.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2022, section 221.033, subdivision 1, is amended to read:

1.8 Subdivision 1. **Requirements.** Except as provided in ~~subdivisions 2 to 2d~~ this section,
1.9 no person may transport or offer or accept for transportation within the state of Minnesota
1.10 a hazardous material, hazardous substance, or hazardous waste except in compliance with
1.11 United States Code, title 49, sections 5101 to 5126 and the provisions of Code of Federal
1.12 Regulations, title 49, parts 171 to 199, which are incorporated by reference. Those provisions
1.13 apply to transportation in intrastate commerce to the same extent they apply to transportation
1.14 in interstate commerce.

1.15 Sec. 2. Minnesota Statutes 2022, section 221.033, is amended by adding a subdivision to
1.16 read:

1.17 Subd. 2e. **Transportation of specific petroleum products; driver requirements.** (a)
1.18 This subdivision applies to intrastate commerce.

1.19 (b) A driver who operates a motorized tank truck vehicle with a capacity of less than
1.20 3,500 gallons that is used to transport petroleum products must have a valid commercial
1.21 driver's license with endorsements for hazardous materials and tank vehicles and be at least
1.22 18 years of age.

2.1 (c) A driver who operates a vehicle that is used to transport liquefied petroleum gases
2.2 in nonbulk or bulk packaging as defined in Code of Federal Regulations, title 49, section
2.3 171.8, including the transportation of consumer storage tanks in compliance with Code of
2.4 Federal Regulations, title 49, section 173.315(j), must have a valid commercial driver's
2.5 license with a hazardous materials endorsement and be at least 18 years of age.

2.6 (d) A driver who operates a vehicle under paragraph (c) must also have a tank vehicle
2.7 endorsement if the aggregate capacity of the bulk packaging being transported is 1,000
2.8 gallons or more.

2.9 (e) Nonbulk or bulk packaging transported under paragraph (c) must have an aggregate
2.10 capacity of less than 3,500 gallons.

2.11 Sec. 3. **REPEALER.**

2.12 Minnesota Statutes 2022, section 221.033, subdivision 2c, is repealed.

APPENDIX
Repealed Minnesota Statutes: H2364-1

221.033 REGULATION OF HAZARDOUS MATERIALS.

Subd. 2c. **Age of petroleum tank truck driver.** A driver of a motorized tank truck vehicle having a capacity of less than 3,500 gallons, who is engaged in the intrastate transportation of petroleum products, must be at least 18 years of age.