

A bill for an act
relating to transportation; prohibiting certain highway rest area operators
from preventing commercial motor vehicle operators from observing federal
"Hours of Service of Drivers" regulations; modifying certain provisions relating
to maximum vehicle weight on highways; incorporating federal regulations
governing hours of service for drivers of well-drilling rigs; amending Minnesota
Statutes 2006, sections 169.824, subdivision 2; 221.0314, subdivision 9;
proposing coding for new law in Minnesota Statutes, chapter 160.

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

Section 1. **[160.2721] COMMERCIAL VEHICLE DRIVERS AT REST AREAS.**

(a) The commissioner shall allow a commercial motor vehicle operator who is
subject to hours of service regulations under Code of Federal Regulations, title 49, part
395, to stop and park continuously, for a period of up to ten hours as necessary to comply
with the hours of service regulations, at any Department of Transportation safety rest area
or travel information center that has parking stalls designed to accommodate a commercial
motor vehicle, as defined in section 169.01, subdivision 75.

(b) Any clause or provision in a lease or other agreement for the operation of a
Department of Transportation safety rest area or travel information center that purports to
limit the requirements under paragraph (a) is void and without effect.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 2. Minnesota Statutes 2006, section 169.824, subdivision 2, is amended to read:

Subd. 2. **Gross vehicle weight of all axles.** (a) Notwithstanding the provisions
of section 169.85, the gross vehicle weight of all axles of a vehicle or combination of
vehicles ~~shall~~ must not exceed:

H.F. No. 1529, 1st Committee Engrossment - 85th Legislative Session (2007-2008)

(1) 80,000 pounds for any vehicle or combination of vehicles on all ~~state~~ (i) trunk highways as defined in section 160.02, subdivision 29, and for all (ii) routes designated under section 169.832, subdivision 11, and (iii) paved county highways, including paved county state-aid highways;

(2) 88,000 pounds for any vehicle or combination of vehicles with six or more axles while exclusively engaged in hauling livestock on all state trunk highways other than interstate highways, if the vehicle has a permit under section 169.86, subdivision 5, paragraph (k); and

(3) 73,280 pounds for any vehicle or combination of vehicles with five axles or less on all routes, other than ~~state trunk highways and routes that are designated under section 169.832, subdivision 11, except that a vehicle needing reasonable access to a terminal or facilities for food, fuel, repairs, and rest, located within three miles of a ten-ton route, may not exceed 80,000 pounds. "Terminal" means any location where freight either originates, terminates, or is handled in the transportation process, or where commercial motor carriers maintain operating facilities; and~~ routes identified in clause (1).

~~(4) 80,000 pounds for any vehicle or combination of vehicles with six or more axles on all routes, other than state trunk highways and routes that are designated under section 169.832, subdivision 11.~~

~~(b) The maximum weights specified in this section for five consecutive axles shall not apply to a four-axle ready-mix concrete truck which was equipped with a fifth axle prior to June 1, 1981. The maximum gross weight on four or fewer consecutive axles of vehicles excepted by this clause shall not exceed any maximum weight specified for four or fewer consecutive axles in this section.~~

(b) Notwithstanding the maximum weight provisions of this section and section 169.85, and in order to promote the reduction of fuel use and emissions because of engine idling, the maximum gross vehicle weight limits and the axle weight limits for any motor vehicle subject to sections 169.80 to 169.88 and equipped with idle reduction technology must be increased by the amount of weight necessary to compensate for the weight of the idle reduction technology, not to exceed 400 pounds. At the request of an authorized representative of the Department of Transportation or Department of Public Safety the vehicle operator shall provide proof that the vehicle is equipped with this technology through documentation or demonstration.

Sec. 3. Minnesota Statutes 2006, section 221.0314, subdivision 9, is amended to read:

Subd. 9. **Hours of service of driver.** Code of Federal Regulations, title 49, part 395, is incorporated by reference, except that paragraphs (a), (c), (d), (f), (h), (i), (k), ~~(j)~~,

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3.1 (m), and (n) of section 395.1 and section 395.13 of that part are not incorporated. In
3.2 addition, cross-references to sections or paragraphs not incorporated in this subdivision
3.3 are not incorporated by reference. The requirements of Code of Federal Regulations, title
3.4 49, part 395, do not apply to drivers of lightweight vehicles.