

## HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 1284

03/23/2011 Authored by Beard, Morrow and Nelson

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance

04/14/2011 Adoption of Report: Pass as Amended and Read Second Time

05/23/2011 Pursuant to Rule 4.20, re-referred to the Committee on Transportation Policy and Finance

02/13/2012 Adoption of Report: Pass as Amended and re-referred to Government Operations and Elections

1.1 A bill for an act  
1.2 relating to railroads; exempting train crews from requirement for driver's license;  
1.3 amending Minnesota Statutes 2010, sections 169.035, by adding a subdivision;  
1.4 171.03.

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

1.6 Section 1. Minnesota Statutes 2010, section 171.03, is amended to read:

1.7 **171.03 PERSONS EXEMPT.**

1.8 The following persons are exempt from license hereunder:

1.9 (a) A person in the employ or service of the United States federal government is  
1.10 exempt while driving or operating a motor vehicle owned by or leased to the United  
1.11 States federal government.

1.12 (b) A person in the employ or service of the United States federal government is  
1.13 exempt from the requirement to possess a valid class A, class B, or class C commercial  
1.14 driver's license while driving or operating for military purposes a commercial motor  
1.15 vehicle for the United States federal government if the person is:

1.16 (1) on active duty in the U. S. Coast Guard;

1.17 (2) on active duty in a branch of the U. S. armed forces, which includes the Army,  
1.18 Air Force, Navy, and Marine Corps;

1.19 (3) a member of a reserve component of the U. S. armed forces; or

1.20 (4) on active duty in the Army National Guard or Air National Guard, which  
1.21 includes (i) a member on full-time National Guard duty, (ii) a member undergoing  
1.22 part-time National Guard training, and (iii) a National Guard military technician, who is a  
1.23 civilian required to wear a military uniform.

2.1 The exemption provided under this paragraph does not apply to a U. S. armed forces  
2.2 reserve technician.

2.3 (c) Any person while driving or operating any farm tractor or implement of  
2.4 husbandry temporarily on a highway is exempt. For purposes of this section, an all-terrain  
2.5 vehicle, as defined in section 84.92, subdivision 8, an off-highway motorcycle, as defined  
2.6 in section 84.787, subdivision 7, and an off-road vehicle, as defined in section 84.797,  
2.7 subdivision 7, are not implements of husbandry.

2.8 (d) A nonresident who is at least 15 years of age and who has in immediate  
2.9 possession a valid driver's license issued to the nonresident in the home state or country  
2.10 may operate a motor vehicle in this state only as a driver.

2.11 (e) A nonresident who has in immediate possession a valid commercial driver's  
2.12 license issued by a state or jurisdiction in accordance with the standards of Code of  
2.13 Federal Regulations, title 49, part 383, and who is operating in Minnesota the class of  
2.14 commercial motor vehicle authorized by the issuing state or jurisdiction is exempt.

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

2.19 (g) Any person who becomes a resident of the state of Minnesota and who has in  
2.20 possession a valid driver's license issued to the person under and pursuant to the laws of  
2.21 some other state or jurisdiction or by military authorities of the United States may operate  
2.22 a motor vehicle as a driver, but only for a period of not more than 60 days after becoming  
2.23 a resident of this state, without being required to have a Minnesota driver's license as  
2.24 provided in this chapter.

2.25 (h) Any person who becomes a resident of the state of Minnesota and who has in  
2.26 possession a valid commercial driver's license issued by another state or jurisdiction in  
2.27 accordance with the standards of Code of Federal Regulations, title 49, part 383, is exempt  
2.28 for not more than 30 days after becoming a resident of this state.

2.29 (i) Any person operating a snowmobile, as defined in section 84.81, is exempt.

2.30 (j) A railroad operator, as defined in section 169.035, subdivision 4, paragraph (a),  
2.31 is exempt while operating a railroad locomotive or train, or on-track equipment while  
2.32 being operated upon rails. This exemption includes operation while crossing a street or  
2.33 highway, whether public or private.

2.34 Sec. 2. Minnesota Statutes 2010, section 169.035, is amended by adding a subdivision  
2.35 to read:

3.1            Subd. 4. **Trains.** (a) For purposes of this subdivision, "railroad operator" means  
3.2 a person who is a locomotive engineer, conductor, member of the crew of a railroad  
3.3 locomotive or train, or an operator of on-track equipment.

3.4            (b) A peace officer may not issue a citation for violation of this chapter or chapter  
3.5 171 to a railroad operator involving the operation of a railroad locomotive or train, or  
3.6 on-track equipment while being operated upon rails.

3.7            (c) Notwithstanding section 171.08, a railroad operator is not required to display or  
3.8 furnish a driver's license to a peace officer in connection with the operation of a railroad  
3.9 locomotive or train, or on-track equipment while being operated upon rails.