

A bill for an act

relating to transportation; modifying provisions relating to overweight vehicle permits; modifying provision governing medical waiver to operate commercial vehicle in intrastate commerce; removing obsolete language and making clarifying changes; amending Minnesota Statutes 2010, sections 169.86, subdivisions 4, 5; 221.0314, subdivision 3a.

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

Section 1. Minnesota Statutes 2010, section 169.86, subdivision 4, is amended to read:

Subd. 4. **Display and inspection of permit.** ~~Every such~~ A permit ~~shall~~ must be carried in the vehicle or combination of vehicles to which it refers and ~~shall~~ must be open to inspection by any ~~police~~ peace officer or authorized agent of any authority granting ~~such~~ the permit, ~~and~~. A permit may be carried in electronic format if it is easily read. No person shall violate any of the terms or conditions of ~~such~~ a special permit.

Sec. 2. Minnesota Statutes 2010, section 169.86, subdivision 5, is amended to read:

Subd. 5. **Fees; proceeds deposited; appropriation.** The commissioner, with respect to highways under the commissioner's jurisdiction, may charge a fee for each permit issued. All ~~such~~ fees for permits issued by the commissioner of transportation ~~shall~~ must be deposited in the state treasury and credited to the trunk highway fund. Except for those annual permits for which the permit fees are specified elsewhere in this chapter, the fees ~~shall be~~ are:

(a) \$15 for each single trip permit.

(b) \$36 for each job permit. A job permit may be issued for like loads carried on a specific route for a period not to exceed two months. "Like loads" means loads of the same product, weight, and dimension.

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(c) \$60 for an annual permit to be issued for a period not to exceed 12 consecutive months. Annual permits may be issued for:

(1) motor vehicles used to alleviate a temporary crisis adversely affecting the safety or well-being of the public;

(2) motor vehicles ~~which~~ that travel on interstate highways and carry loads authorized under subdivision 1a;

(3) motor vehicles operating with gross weights authorized under section 169.826, subdivision 1a;

(4) special pulpwood vehicles described in section 169.863;

(5) motor vehicles bearing snowplow blades not exceeding ten feet in width;

(6) noncommercial transportation of a boat by the owner or user of the boat;

(7) motor vehicles carrying bales of agricultural products authorized under section 169.862; and

(8) special milk-hauling vehicles authorized under section 169.867.

(d) \$120 for an oversize annual permit to be issued for a period not to exceed 12 consecutive months. Annual permits may be issued for:

(1) mobile cranes;

(2) construction equipment, machinery, and supplies;

(3) manufactured homes and manufactured storage buildings;

(4) implements of husbandry;

(5) double-deck buses;

(6) commercial boat hauling;

(7) three-vehicle combinations consisting of two empty, newly manufactured trailers for cargo, horses, or livestock, not to exceed 28-1/2 feet per trailer; provided, however, the permit allows the vehicles to be moved from a trailer manufacturer to a trailer dealer only while operating on twin-trailer routes designated under section 169.81, subdivision 3, paragraph (c); and

(8) vehicles operating on that portion of marked Trunk Highway 36 described in section 169.81, subdivision 3, paragraph (e).

(e) For vehicles ~~which~~ that have axle weights exceeding the weight limitations of sections 169.823 to 169.829, an additional cost added to the fees listed above. However, this paragraph applies to any vehicle described in section 168.013, subdivision 3, paragraph (b), but only when the vehicle exceeds its gross weight allowance set forth in that paragraph, and then the additional cost is for all weight, including the allowance weight, in excess of the permitted maximum axle weight. The additional cost is equal

to the product of the distance traveled times the sum of the overweight axle group cost factors shown in the following chart:

Overweight Axle Group Cost Factors				
Weight (pounds)		Cost Per Mile For Each Group Of:		
exceeding weight	Two	Three		
limitations on axles	consecutive	consecutive		
	axles spaced	axles spaced	Four consecutive	
	within 8 feet	within 9 feet	axles spaced within	
	or less	or less	14 feet or less	
0-2,000	.12	.05	.04	
2,001-4,000	.14	.06	.05	
4,001-6,000	.18	.07	.06	
6,001-8,000	.21	.09	.07	
8,001-10,000	.26	.10	.08	
10,001-12,000	.30	.12	.09	
12,001-14,000	Not permitted	.14	.11	
14,001-16,000	Not permitted	.17	.12	
16,001-18,000	Not permitted	.19	.15	
18,001-20,000	Not permitted	Not permitted	.16	
20,001-22,000	Not permitted	Not permitted	.20	

The amounts added are rounded to the nearest cent for each axle or axle group. The additional cost does not apply to paragraph (c), clauses (1) and (3).

For a vehicle found to exceed the appropriate maximum permitted weight, a cost-per-mile fee of 22 cents per ton, or fraction of a ton, over the permitted maximum weight is imposed in addition to the normal permit fee. Miles must be calculated based on the distance already traveled in the state plus the distance from the point of detection to a transportation loading site or unloading site within the state or to the point of exit from the state.

(f) As an alternative to paragraph (e), an annual permit may be issued for overweight, or oversize and overweight, mobile cranes; construction equipment, machinery, and supplies; implements of husbandry; and commercial boat hauling. The fees for the permit are as follows:

Gross Weight (pounds) of Vehicle	Annual Permit Fee
90,000 or less	\$200
90,001 - 100,000	\$300
100,001 - 110,000	\$400
110,001 - 120,000	\$500
120,001 - 130,000	\$600

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4.1	130,001 - 140,000	\$700
4.2	140,001 - 145,000	\$800
4.3	<u>145,001 - 155,000</u>	<u>\$900</u>

4.4 If the gross weight of the vehicle is more than ~~145,000~~ 155,000 pounds the permit fee is
4.5 determined under paragraph (e).

4.6 (g) For vehicles which exceed the width limitations set forth in section 169.80 by
4.7 more than 72 inches, an additional cost equal to \$120 added to the amount in paragraph (a)
4.8 when the permit is issued while seasonal load restrictions pursuant to section 169.87 are
4.9 in effect.

4.10 (h) \$85 for an annual permit to be issued for a period not to exceed 12 months, for
4.11 refuse-compactor vehicles that carry a gross weight of not more than: 22,000 pounds on
4.12 a single rear axle; 38,000 pounds on a tandem rear axle; or, subject to section 169.828,
4.13 subdivision 2, 46,000 pounds on a tridem rear axle. A permit issued for up to 46,000
4.14 pounds on a tridem rear axle must limit the gross vehicle weight to not more than 62,000
4.15 pounds.

4.16 (i) \$300 for a motor vehicle described in section 169.8261. The fee under this
4.17 paragraph must be deposited ~~as follows:~~

4.18 ~~(1) in fiscal years 2005 through 2010:~~

4.19 ~~(i) the first \$50,000 in each fiscal year must be deposited in the trunk highway fund~~
4.20 ~~for costs related to administering the permit program and inspecting and posting bridges;~~

4.21 ~~(ii) all remaining money in each fiscal year must be deposited in a bridge inspection~~
4.22 ~~and signing account in the special revenue fund. Money in the account is appropriated~~
4.23 ~~to the commissioner for:~~

4.24 ~~(A) inspection of local bridges and identification of local bridges to be posted,~~
4.25 ~~including contracting with a consultant for some or all of these functions; and~~

4.26 ~~(B) erection of weight-posting signs on local bridges; and~~

4.27 ~~(2) in fiscal year 2011 and subsequent years must be deposited in the trunk highway~~
4.28 ~~fund.~~

4.29 (j) Beginning August 1, 2006, \$200 for an annual permit for a vehicle operating
4.30 under authority of section 169.824, subdivision 2, paragraph (a), clause (2).

4.31 Sec. 3. Minnesota Statutes 2010, section 221.0314, subdivision 3a, is amended to read:

4.32 Subd. 3a. **Waiver for other medical condition.** (a) The commissioner may grant
4.33 a waiver to a person who is not physically qualified to drive under Code of Federal
4.34 Regulations, title 49, section 391.41, paragraph (b)(3) to (b)(13). A waiver granted under
4.35 this subdivision applies to intrastate transportation only.

(b) A person who wishes to obtain a waiver under this subdivision must give the commissioner the following information:

- (1) the applicant's name, address, and telephone number;
- (2) the name, address, and telephone number of an employer coapplicant, if any;
- (3) a description of the applicant's experience in driving the type of vehicle to be operated under the waiver;
- (4) a description of the type of driving to be done under the waiver;
- (5) a description of any modifications to the vehicle the applicant intends to drive under the waiver that are designed to accommodate the applicant's medical condition or disability;
- (6) whether the applicant has been granted another waiver under this subdivision;
- (7) a copy of the applicant's current driver's license;
- (8) a copy of a medical examiner's certificate showing that the applicant is medically unqualified to drive unless a waiver is granted;
- (9) a statement from the applicant's treating physician that includes:
 - (i) the extent to which the physician is familiar with the applicant's medical history;
 - (ii) a description of the applicant's medical condition for which a waiver is necessary;
 - (iii) assurance that the applicant has the ability and willingness to follow any course of treatment prescribed by the physician, including the ability to self-monitor or manage the medical condition; and
 - (iv) the physician's professional opinion that the applicant's condition will not adversely affect the applicant's ability to operate a motor vehicle safely; and
- (10) any other information considered necessary by the commissioner including requiring a physical examination or medical report from a physician who specializes in a particular field of medical practice.

(c) In granting a waiver under this subdivision, the commissioner may impose conditions the commissioner considers necessary to ensure that an applicant is able to operate a motor vehicle safely and that the safety of the general public is protected.

(d) A person who is granted a waiver under this subdivision must:

- (1) at intervals specified in the waiver, give the commissioner periodic reports from the person's treating physician, or a medical specialist if the commissioner so requires in the waiver, that contain the information described in paragraph (b), clause (9), together with a description of any episode that involved the person's loss of consciousness or loss of ability to operate a motor vehicle safely; and
- (2) immediately report the person's involvement in an accident for which a report is required under section 169.09, subdivision 7.

(e) The commissioner shall deny an application if, during the three years preceding the application:

(1) the applicant's driver's license has been suspended under section 171.18, paragraph (a), clauses (1) to (9), (11), and (12), canceled under section 171.14, or revoked under section 171.17, 171.172, or 171.174; ~~or~~

(2) the applicant has been convicted of a violation under section 171.24; or

~~(2)~~ (3) the applicant has been convicted of a disqualifying offense, as defined in Code of Federal Regulations, title 49, section 383.51, paragraph (b), which is incorporated by reference.

(f) The commissioner may deny an application or may immediately revoke a waiver granted under this subdivision. Notice of the commissioner's reasons for denying an application or for revoking a waiver must be in writing and must be mailed to the applicant's or waiver holder's last known address by certified mail, return receipt requested. A person whose application is denied or whose waiver is revoked is entitled to a hearing under chapter 14.

(g) A waiver granted under this subdivision expires on the date of expiration shown on the medical examiner's certificate described in paragraph (b), clause (8).