

and before the 31st day of December, 1928, such judge shall continue to hold office until the end of the 31st day of December, 1928. In the year 1928 and thereafter there shall be elected at the regular village elections in all such villages municipal judges to succeed those whose terms, including any extensions thereof made by this act, will expire on December 31st next following the election, each judge so elected to serve for a term of four years, beginning January 1 next following his election, and until his successor is elected and qualified.

Approved April 23, 1927.

CHAPTER 412—S. F. No. 288

An act regulating the use of the highways, imposing penalties for the violation thereof, and repealing Chapter 416, Laws of 1925; Chapter 396, Laws of 1921; and all other acts and parts of acts inconsistent herewith.

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

TITLE 1—DEFINITION OF TERMS.

Section 1. **Definitions.**—The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:

(a) "Vehicle." Every device in, upon or by which any person or thing is or may be transported or drawn upon a public highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks; provided, that in as far as is applicable, for the purpose of Title II of this act, a bicycle or ridden animal shall be deemed a vehicle, and; provided further that this act shall not apply to street cars except where specifically so stated.

(b) "Motor Vehicle." Every vehicle, as herein defined, which is self-propelled.

(c) "Motorcycle." Every motor vehicle designed to travel on not more than three wheels in contact with the ground, except any such vehicle as may be included within the term "tractor" as herein defined.

(d) "Truck Tractor." Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

(e) "Farm Tractor." Every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry.

(f) "Road Tractor." Every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

(g) "Trailer." Every vehicle without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by a motor vehicle.

(h) "Semi-trailer." Every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.

(i) "Pneumatic Tires." All tires inflated with compressed air.

(j) "Solid Rubber Tires." Every tire made of rubber other than a pneumatic tire.

(k) "Metal Tires." All tires the surface of which in contact with the highway is wholly or partly of metal or other hard, non-resilient material.

(l) "Person." Every natural person, firm, co-partnership, association or corporation.

(m) "Owner." Owner means any person, firm, association or corporation owning or renting a motor vehicle or having the exclusive use thereof, under lease or otherwise, for a period greater than thirty days. The use of a motor vehicle in violation of the provisions of this act or of the provisions of any municipal ordinance passed pursuant thereto shall be prima facie evidence that said motor vehicle was at the time of such violation controlled, operated and used by the registered owner thereof.

(n) "Highway." Every way or place of whatever nature open to the use of the public, as a matter of right, for purposes of vehicular travel.

(o) "Private Road or Driveway." Every road or driveway not open to the use of the public for purposes of vehicular travel.

(p) "Intersection." The area embraced within the prolongation of the lateral curb lines or, if none, then the lateral boundary lines of two or more highways which join one another at an angle, whether or not one such highway crosses the other.

(q) "Safety Zone." The area or space set aside within a highway by a municipality for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone.

(r) "Right of Way." The privilege of the immediate use of the highway.

(s) "Commissioner." The Commissioner of Highways of this State acting directly or through his duly authorized officers and agents.

(t) "Local Authorities." Every county, municipal and other local board or body charged with the construction or maintenance of any highway.

(u) "Municipality." Every incorporated city, village, or borough in this state.

(v) "Truck." Any motor vehicle designed or used principally for carrying things other than passengers and includes a motor vehicle to which has been added a cabinet box, platform rack or other equipment for the purpose of carrying merchandise other than the person or effects of the passenger.

TITLE II. OPERATION OF VEHICLES. RULES OF THE ROAD.

Sec. 2. Minors under sixteen years of age not to operate motor vehicles—habitual users of intoxicants not to drive motor vehicles.—Subdivision (a) No person shall operate or drive a motor vehicle on any highway in this state who is under 15 years of age unless such person is accompanied at the time by a duly licensed chauffeur, or by the owner, or by a competent person over 15 years of age authorized by the owner of the motor vehicle being operated, provided that such owner must be 15 years of age or over. No person whether licensed or not who is an habitual user of narcotics or who is under the influence of intoxicating liquors or narcotics shall drive any vehicle upon any highway.

Sec. 3. Rules for driving.—(a) No person shall operate or halt any vehicle upon a highway carelessly or heedlessly in disregard of the rights or safety of others or in a manner so as to endanger or be likely to endanger any person or property.

(b) Any person who drives any vehicle upon a highway in wilful and wanton disregard of the rights or safety of others and in a manner so as to endanger or be likely to endanger any person shall be guilty of a gross misdemeanor.

Sec. 4. Speed regulations.—(a) Any person driving a vehicle on a highway shall drive the same at a speed not greater than is reasonable and proper, having due regard to the traffic, the surface and width of the highway, and of any other conditions then existing.

(b) Operating a vehicle at speeds exceeding those hereinafter specified shall be prima facie evidence that the operator of said vehicle is driving the same at a speed greater than is reasonable and proper as defined in sub-division (a) of this section:

1. Fifteen miles an hour when approaching within fifty feet of a grade crossing of any steam, electric or street railway when the driver's view is obstructed. A driver's view shall be deemed to be obstructed when at any time during the last two hundred feet of his approach to such crossing he does not have a clear and uninterrupted view of such railway crossing and of any traffic on such railway for a distance of four hundred feet in each direction from such crossing;

2. Fifteen miles an hour when passing a school during school recess or while children are going to or leaving school during opening or closing hours;

3. Fifteen miles an hour when approaching within fifty feet and in crossing an intersection of highways when the driver's view is obstructed. A driver's view shall be deemed to be obstructed when at any time during the last fifty feet of his approach to such intersection, he does not have a clear and unobstructed view of such intersection and of the traffic upon all of the highways entering such intersection for a distance of two hundred feet from such intersection;

4. Fifteen miles an hour is going around curves or along a grade upon a highway when the driver's view is obstructed within a distance of one hundred feet along such highway in the direction in which he is proceeding;

5. Twenty miles an hour on any highway where the same passes through the closely built-up portions of any municipality or where the traffic is congested, when traffic on such highway is controlled at intersections by traffic officers or traffic control devices;

6. Fifteen miles an hour on all other highways where the same pass through the closely built-up portion of any municipality or where the traffic is congested;

7. Twenty miles an hour on any highway where the same passes through the residence portion of any municipality;

8. Thirty-five miles an hour under all other conditions.

(c) Municipalities in their respective jurisdictions are hereby authorized in their discretion to increase the speed which shall be prima facie unlawful upon "thru" highways at the entrances to which vehicles are by ordinance of such municipalities required to stop before entering or crossing such "thru" highways. Municipalities shall place and maintain upon all "thru" highways as to which such speed is so increased adequate signs giving notice of such special regulations and shall also place and maintain upon each and every highway intersecting any such "thru" highway, appropriate stop signs which shall be illuminated at night or so placed as to be illuminated by the headlights of an approaching vehicle or by street lights.

(d) Municipalities in their respective jurisdictions are hereby authorized in their discretion to regulate by ordinance the speed of trucks whose weight including load exceeds 16,000 pounds.

Sec. 5. (a) Railway crossings.—Whenever any person driving a vehicle or street car approaches a highway and interurban or steam railway grade crossing and a clearly visible and positive signal gives warning of the immediate approach of a railway train or car, it shall be unlawful for the driver of the vehicle or street car to fail to bring the vehicle or street car to a complete stop before traversing such grade crossing.

(b) Whenever any vehicle carrying school children, explosives, or inflammable liquids, or passengers for hire, or any vehicle having in tow any other vehicle or equipment, or any vehicle of the tractor or caterpillar type, approaches any interurban or steam railway grade crossing, it shall be the duty of the driver thereof to bring the same to a complete stop before crossing said track, to ascertain when such crossing can be made in safety.

Sec. 6. Vehicles must be registered.—No person shall operate or drive a motor vehicle on any highway unless such vehicle shall have been registered in accordance with the laws of this state and shall have the number plates for the current year only, as assigned to it by the Registrar of Motor Vehicles, conspicuously displayed thereon in such manner that the view thereof shall not be obstructed. If the vehicle be a motorcycle, motorcycle side car, trailer or semi-trailer, one such plate shall be displayed on the rear thereof, if it be any other kind of motor vehicle, one such plate shall be displayed on the front and one on the rear thereof; securely fastened so as to prevent the same from swinging. It shall be the duty of the person driving the motor vehicle to keep said plate legible and unobstructed and free from grease, dust, or other blurring material so that the lettering thereon shall be plainly visible at all times.

Sec. 7. Maintenance officer to determine speed on bridges.—The officer or body charged with the maintenance of any highway is hereby authorized to determine the maximum speed at which vehicles may with safety be operated upon any bridge forming a part thereof and to post signs at each end of such bridge designating such maximum speed. It shall be unlawful for any person to operate a vehicle upon a bridge which has been thus posted at a speed greater than that indicated on such signs.

Sec. 8. (a) Exceptions.—The provisions of this act shall not apply to vehicles when operated with due regard for safety, under the direction of peace officers in the chase or appre-

hension of violators of the law or of persons charged with or suspected of any such violation, nor to fire departments or fire patrol vehicles when traveling in response to a fire alarm, nor to public ambulances when traveling in emergencies. This exemption shall not however protect the driver of any such vehicle from the consequences of a reckless disregard of the safety of others.

(b) If a licensed physician or private ambulance driver, while driving a motor vehicle in response to an emergency call, be stopped for driving said vehicle at a speed greater than is reasonable and proper, he shall upon giving his name and address and the registration number of his vehicle be permitted to proceed in the vehicle to his destination, and thereafter such proceedings shall be had as would have been proper had he not been a physician or ambulance driver.

Sec. 9. Drivers to keep on right half of road.—Upon all highways of sufficient width, except upon one way streets, the driver of a vehicle shall drive the same upon the right half of the travelled portion of the highway and shall drive a slow moving vehicle as closely as possible to the right-hand edge or curb of such highway, unless it is impracticable to travel on such side of the highway and except when overtaking and passing another vehicle.

Sec. 10. Intersections.—In crossing an intersection of highways or the intersection of a highway by a railroad right of way, the driver of a vehicle shall at all times cause such vehicle to travel on the right half of the highway unless such right half is obstructed or impassable.

Sec. 11. Must pass on right when meeting other vehicles.—Drivers of vehicles proceeding in opposite directions shall pass each other to the right, each giving to the other at least one-half of the main traveled portion of the roadway as nearly as possible.

Sec. 12. Must pass to left of vehicle going in same direction.—The driver of any vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left thereof, and shall not again drive to the right side of the highway until safely clear of such overtaken vehicle.

Sec. 13. (a) Driving regulations.—The driver of a vehicle shall not drive to the left side of the center line of a highway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be made in safety.

(b) The driver of a vehicle shall not overtake and pass another vehicle proceeding in the same direction upon the crest of a grade or upon a curve in the highway where the

driver's view along the highway is obstructed within a distance of 500 feet.

(c) The driver of a vehicle shall not overtake and pass any other vehicle proceeding in the same direction at any steam or electric railway grade crossing nor at any intersection of highways except when such intersection is controlled by a traffic officer or automatic signal device, provided, that when the driver of any motor vehicle has signalled a left hand turn and has properly approached the intersection, such vehicle may be passed on its right side.

Sec. 14. Right of way.—The driver of a vehicle upon a highway about to be overtaken and passed by another vehicle approaching from the rear shall give way to the right in favor of the overtaking vehicle on suitable and audible signal being given by the driver of the overtaking vehicle, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

Sec. 15. (a) Driving regulations.—The driver of a motor vehicle or street car shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicles and the traffic upon and condition of the highway and the condition of his vehicle.

(b) The driver of any truck or truck tractor when traveling upon a highway outside of a closely built up portion or residence portion of a municipality shall not follow another truck or truck tractor within one hundred feet, but this shall not be construed to prevent one truck or truck tractor overtaking and passing another.

Sec. 16. (a) Same.—Except as otherwise provided in this section, the driver of a vehicle intending to turn to the right at an intersection shall approach such intersection in the lane for traffic nearest to the right hand side of the highway, and in turning shall keep as closely as practicable to the right-hand curb or edge of the highway. When intending to turn to the left he shall approach such intersection in the lane for traffic to the right of and nearest to the center line of the highway and in turning shall keep as near to the center of the intersection as practicable and shall at all times leave space to allow safe passage to any vehicle seeking to make a right-hand turn from the direction in which he is turning on the same intersection at the same time.

(b) Where traffic control devices or markings have been installed within an intersection, vehicles shall when practicable be driven to the right thereof, unless such device or markings indicates that driving to the left is permitted or unless directed to drive to the left by a traffic officer.

Sec. 17. Same.—The driver of any vehicle upon a highway before starting, stopping or turning from a direct line shall first see that such movement can be made in safety, and if any pedestrian or cyclist may be affected by such movement shall give a clearly audible signal by sounding the warning device, and whenever the operation of any other vehicle may be affected by such movement shall give a signal either by extending the arm horizontally from and beyond the left side of the vehicle or by an adequate mechanical or electrical signal device, plainly visible to the driver of such other vehicle, of the intention to make such movement at least fifty feet before a stop or turn is to be made, except that the requirement of signal by warning device shall apply to motor vehicles only.

Sec. 18. Subdivision (a) Same.—When two vehicles or a vehicle and a street car approach or enter an intersection at approximately the same time, the driver of the vehicle or street car on the left shall yield the right of way to the vehicle or street car on the right, except as otherwise provided in Section 20 herein. The driver of any vehicle or street car traveling at an unlawful speed shall forfeit any right of way which he might otherwise have hereunder.

(b) The driver of a vehicle or street car approaching but not having entered an intersection shall yield the right of way to a vehicle within such intersection and turning therein to the left across the line of travel of such first mentioned vehicle or street car, provided the driver of the vehicle turning to the left has given a plainly visible signal of intention to turn.

(c) The driver of any vehicle upon a highway where the same passes through the closely built up portions or residence portions of any municipality shall yield the right of way to a pedestrian crossing such highway within any clearly marked crosswalk or any regular pedestrian crossing included in the prolongation of the lateral boundary lines of the adjacent sidewalk at the end of a block, except at intersections where the movement of traffic is being regulated by traffic officers or traffic control devices. Every pedestrian crossing a highway within a business or residence district at any point other than a pedestrian crossing, crosswalk or intersection shall yield the right of way to vehicles upon the highway.

Sec. 19. (a) Same.—The driver of a vehicle entering a highway from an alley, private road or drive shall yield the right of way to all vehicles approaching on such highway, and when the view is obstructed shall stop before crossing any sidewalk or entering any highway.

(b) The driver of a vehicle upon a highway shall yield the right of way to ambulances and to police and fire department vehicles as when the drivers thereof sound an audible

signal. This provision shall not operate to relieve the driver of an ambulance, or a police or fire department vehicle from the duty to drive with due regard for the safety of all persons using the highway.

(c) No driver of a motor vehicle or street car at intersections controlled by traffic officers shall fail to obey signals by such officers as to traffic movement.

(d) No driver of any vehicle or street car shall fail to stop his vehicle or street car when the word "stop" or a red light is displayed at an intersection by an automatic traffic control device against the line of traffic in which such vehicle or street car is moving, and no driver of any vehicle or street car may again place such vehicle or street car in motion or cross such intersection until such device displays the word "go" or a green light.

Sec. 20. (a) **Same.**—Upon the approach of any ambulance or police or fire department vehicle giving audible signal by bell, siren, or exhaust whistle, the driver of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right hand edge or curb of the highway, clear of any intersection of highways, and shall stop and remain in such position unless otherwise directed by a police or traffic officer until the ambulance or police or fire department vehicles shall have passed.

(b) It shall be unlawful for the driver of any vehicle to follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet or to drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm, unless permitted to do so by a police or fire department officer.

Sec. 21. **Commissioner may designate "Thru" highways.**—The Commissioner with reference to trunk highways and municipalities with reference to highways under their jurisdiction and trunk highways within their corporate limits and county boards with reference to state aid, county and town roads, except where they intersect with trunk highways, are hereby authorized to designate any such highways as a "thru" highway by erecting at the entrance thereto from intersecting highways stop signs and whenever such signs have been so erected all drivers of vehicles or street cars shall stop in obedience thereto before entering such highway. All such signs shall be illuminated at night or so placed as to be illuminated by the headlights of an approaching vehicle or street car or by street lights.

Sec. 22. (a) **Must not pass on left of street cars.**—The driver of a vehicle shall not overtake and pass upon the left any interurban or street car proceeding in the same direction,

whether actually in motion or temporarily at rest.

(b) The driver of a vehicle overtaking any railway, interurban or street car stopped or about to stop for the purpose of receiving or discharging any passenger, shall bring such vehicle to a full stop at least ten feet in the rear of such car and remain stationary until any such passenger has boarded such car or reached the adjacent sidewalk or curb, except that where a safety zone has been established, a vehicle need not be brought to a full stop before passing any such railway, interurban or street car, but may proceed past such car at a speed not greater than is reasonable and proper and in no event greater than ten miles an hour and with due caution for the safety of pedestrians.

Sec. 23. **Safety zone.**—The driver of a vehicle shall not at any time drive through or over a safety zone.

Sec. 24. (a) **Parking regulations.**—No person shall park or leave standing any vehicle, whether attended or unattended, upon the paved or improved or main traveled portion of any highway, outside of a municipality, when it is practicable to park or leave such vehicle standing off of the paved or improved or main traveled portion of such highway; provided, in no event shall any person leave standing any vehicle, upon any highway unless a clear and unobstructed width of not less than fifteen feet upon the main traveled portion of said highway opposite such standing vehicle shall be left for free passage of other vehicles thereon, nor unless a clear view of such vehicle may be obtained from a distance of 200 feet in each direction upon such highway.

(b) Whenever any peace officer shall find a vehicle standing upon a highway in violation of the provisions of this section, he is hereby authorized to move such vehicle or require the driver or person in charge of such vehicle to move such vehicle to a position permitted under this section.

(c) The provisions of this section shall not apply to the driver of any vehicle which is disabled while on the paved or improved or main traveled portion of a highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such vehicle in such position.

(d) No vehicle may be brought to a stop on the left side of a highway except in one way streets.

(e) No person shall place any vehicle on a highway to display the same for sale or exchange. A vehicle shall be deemed to be displayed in violation of this section when found standing upon a street, and bearing a sign indicating that it is for sale or exchange.

Sec. 25. **Same.**—No person shall park a vehicle or permit it to stand, whether attended or unattended, upon a highway in

front of a private driveway or within fifteen feet in either direction of a fire hydrant or the entrance to a fire station nor within twenty-five feet from the intersection of curb lines or if none then within fifteen feet of the intersection of property lines at an intersection of highways.

Sec. 26. Brakes must be set.—No person having control or charge of a motor vehicle shall allow such vehicle to stand on any highway unattended without first effectively setting the brakes thereon and when standing upon any grade without turning the front wheels of such vehicle to the curb or side of the highway.

Sec. 27. Driving on street grades.—The driver of a motor vehicle upon steep grades shall hold such motor vehicle under control and as near the right hand side of the highway as reasonably possible.

Sec. 28 (a) Must not coast.—The driver of a motor vehicle when traveling upon a down grade upon any highway shall not allow the vehicle to coast with the gears of such vehicle in neutral.

(b) No person shall ride in or jump into or upon any vehicle without the consent of the driver.

(c) No person shall hitch a toboggan, hand sled, bicycle or similar vehicle onto any motor vehicle.

(d) No person shall stand in the travelled portion of a roadway for the purpose of or while soliciting a ride from the driver of any vehicle other than a common carrier.

Sec. 29. Drivers must stop in case of accident.—The driver of any motor vehicle involved in an accident resulting in injury or death to any person or damage to property shall immediately stop such vehicle at the scene of such accident and give his name, address and the registration number of his vehicle and exhibit his operator's or chauffeur's license to the person struck or the driver or occupants of any vehicle collided with, and if such person sustaining injury or damage is incapable of receiving such information, then such motor vehicle operator shall forthwith communicate such information to any police or peace officer or department of police within whose jurisdiction such accident happened, and thereupon such motor vehicle operator shall request of, and receive from, such police or peace officer, or department of police the name and address of such police or peace officer to whom such information was communicated, and shall render to any person injured in such accident reasonable assistance including the carrying of such person to a physician or surgeon for medical or surgical treatment if it is apparent that such treatment is necessary or is requested by the injured person.

Sec. 30. Garage or repair men to report accidents in certain cases.—The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been involved in a serious accident or struck by any bullet shall report to the nearest police station or sheriff's office forthwith and to the Registrar of Motor Vehicles within twenty-four hours after such motor vehicle is received, giving the engine number, registration number and the name and address of the owner or operator of such vehicle.

Sec. 31. Application.—The provisions of this act applicable to the drivers of vehicles upon the highways, shall apply to the drivers of all vehicles owned or operated by this state or any county, city, town, district or any other political subdivision of the state subject to such specific exceptions as are set forth in this act. The provisions of this act shall not apply to persons, teams, motor vehicles and other equipment while actually engaged in work upon the surface of a highway but shall apply to such persons and vehicles when traveling to or from such work.

Sec. 32. Municipalities to enforce act by ordinances.—Municipalities shall have power to pass and enforce ordinances identical in effect, except as to penalties, with the provisions of this Act and to provide by ordinance; (a) for the regulation of traffic by means of traffic officers or traffic control devices; (b) for the prohibition of other than one way traffic on certain highways; (c) for the regulation of parking within their corporate limits, provided that no parking shall be permitted on state trunk highways which shall encroach upon the portion maintained by the state, except by permission of the Commissioner; (d) for the establishment of loading zones for taxicabs and motor vehicle common carriers within which no parking shall be permitted; (e) for the regulation of the use of highways other than trunk highways by commercial vehicles; (f) that pedestrians shall obey the directions of traffic officers and the legend displayed on traffic control devices; provided that no enumeration of powers of municipalities in this Act shall be deemed to deny others not inconsistent with this Act.

Sec. 33. Municipalities may not alter speed restrictions.—Municipalities except as expressly authorized herein shall have no power or authority to alter any speed restriction declared in this Act or to enact or enforce any ordinance contrary to the provisions of this Act.

TITLE III.
THE SIZE, WEIGHT, CONSTRUCTION AND
EQUIPMENT OF VEHICLES.

Sec. 34. Violations.—It shall be unlawful and constitute a misdemeanor for any person to drive or move or for the owner to cause or knowingly, permit to be driven or moved on any highway any vehicle or vehicles of a size or weight exceeding the limitations stated under this title or any vehicle or vehicles which are not constructed or equipped as required under this title.

Sec. 35. (a) Size of loads.—No vehicle shall exceed a total outside width, including any load thereon, of eight feet, except that the width of a farm tractor shall not exceed nine feet, and excepting further, that the limitations as to size of vehicles stated in this section shall not apply to implements of husbandry and ditching equipment temporarily propelled or moved upon the public highway, provided, that this subdivision shall not apply to loads of loose hay or corn stalks while being transported on public highways.

(b) No vehicle unladen or with load shall exceed a height of twelve feet and six inches.

(c) No vehicle shall exceed a length of 35 feet, and no combination of vehicles coupled together shall exceed a total length of 85 feet.

(d) No train of vehicles or vehicle operated alone shall carry any load extending more than three feet beyond the front thereof.

(e) No passenger vehicle shall carry any load extending beyond the line of the fenders on the left side of such vehicle nor extending more than 15 inches beyond the line of the fender on the right side thereof.

(f) Bumpers shall not exceed the width of the vehicle.

Sec. 36. Length of loads.—Whenever the load on any vehicle, shall extend more than four feet beyond the rear of the bed or body thereof, there shall be displayed at the end of such load in such position as to be clearly visible at all times from the rear of such load a red flag not less than twelve inches both in length and width, except that between one-half hour after sunset and one-half hour before sunrise there shall be displayed at the end of any such load a yellow or red light or reflector plainly visible under normal atmospheric conditions at least two hundred feet from the rear of such vehicle.

Sec. 37. Weight of loads.—No vehicle of four wheels or less whose gross weight, including load, is more than 28,000 pounds, and no vehicle having a greater weight than 22,400 pounds on one axle, and no vehicle having a load of over 800

pounds per inch width of tire upon any wheel concentrated upon the surface of the highway (said width in the case of rubber tires to be measured between the flanges of the rim), shall be operated on any highway; provided that in special cases vehicles whose weight including load, exceeds that herein prescribed may be operated under special permits granted as hereinafter provided.

Sec. 38. Commissioner may cause loads to be weighed.—The Commissioner or any peace officer having reason to believe that the weight of a vehicle and load is unlawful is authorized to weigh the same either by means of portable or stationary scales and may require that such vehicle be driven to the nearest scales in the event such scales are within two miles. The commissioner or officer may then require the driver to unload immediately such portion of the load as may be necessary to decrease the gross weight of such vehicle to the maximum therefor specified in this Act.

Sec. 39. Special permits.—The officer or body charged with the maintenance of any highway, may, upon application in writing and good cause being shown therefor, issue a special permit in writing authorizing the applicant to operate or move a combination of vehicles or vehicle of a size or weight exceeding the maximum specified in this Act, upon any highway for the maintenance of which the officer or body granting the permit is responsible. Every such permit shall designate the route to be traveled and contain any other restriction and conditions deemed necessary by the officer or body granting such permit. Every such permit shall be carried in the vehicle to which it refers and shall be open to inspection by the Commissioner or any peace officer.

Sec. 40. Maintenance officers to regulate weights.—The officer or body charged with the maintenance of any highway shall have authority to restrict the character and weight of traffic upon such highway when in his or its judgment such traffic will destroy or excessively damage such highway, and shall post such highway with plainly printed notices stating the character and weight of traffic prohibited on such highway at both ends of the section thereof on which traffic is restricted, at intermediate points where said restricted section is intersected by cross roads, and also at the points where such restricted highways leave the nearest municipality.

Sec. 41. (a) Tires on vehicles.—Every solid rubber tire on a vehicle moved on any highway shall have the rubber on its entire traction surface at least one and one-half inches thick above the edge of the flange of the entire periphery.

(b) No tire on a vehicle moved on a highway shall have on its periphery any block, stud, flange, cleat or spike or any

other protuberances of any material other than rubber which project beyond the tread of the traction surface of the tire except that it shall be permissible to use farm machinery with tires having protuberances which will not materially injure the highway and except also, that it shall be permissible to use tire chains of reasonable proportions upon any vehicle when required for safety because of snow, ice or other conditions tending to cause a vehicle to slide or skid.

(c) The officer or body charged with the maintenance of any highway may in their discretion issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of such movable tracks or farm tractors or other farm machinery, provided, that traction engines with flat diagonal cleats upon the periphery of the wheels thereof may, when used in connection with threshing operations, be operated on the highways at places where and times when such operation is necessary.

Sec. 42. (a) **Trailers.**—No motor vehicle shall be driven upon any highway drawing or having attached thereto more than two other vehicles, except that a motor vehicle with semi-trailer may draw in addition thereto two other vehicles; (b) the draw bar or other connection between any two vehicles, one of which is towing or drawing the other on a highway, shall not exceed fifteen feet in length from one vehicle to the other. Whenever such connection consists of a chain, rope or cable, there shall be displayed upon such connection a red flag or other signal or cloth not less than twelve inches both in length and width.

Sec. 43. **Brakes.**—Every motor when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels and so constructed that no part which is liable to failure shall be common to the two, except that a motorcycle need be equipped with only one brake. All such brakes shall be maintained in good order and shall be capable at all times of stopping such vehicle in dry weather on a level surface within a distance of 40 feet from the spot where such brakes are first applied when such vehicle is traveling at a speed of twenty miles per hour.

Sec. 44. (a) **Horns.**—Every motor vehicle when operated upon a highway shall be equipped with a warning device in good working order capable of emitting sound audible under normal conditions from a distance of not less than two hundred feet, and it shall be unlawful, except as otherwise pro-

vided in this section for any vehicle to be equipped with or for any person to use upon a vehicle any siren, compression or spark plug whistle or for any person at any time to use a warning device otherwise than as a reasonable warning or to make any unnecessary or unreasonable loud or harsh sound by means of such warning device.

(b) Every police and fire department and fire patrol vehicle and every ambulance used for emergency calls shall be equipped with a bell, siren, or exhaust whistle.

Sec. 45. Must have unobstructed view.—No person shall drive a motor vehicle on a highway which motor vehicle is so constructed or loaded as to prevent the driver from obtaining a view of the highway to the rear by looking backward from the driver's position, unless such vehicle is equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least two hundred feet to the rear of such vehicle.

Sec. 46. (a) Windshields not to be obstructed.—It shall be unlawful for any person to drive any vehicle upon a highway with any sign, poster or other non-transparent material upon the front windshield, side wings, front side-windows or rear windows of such motor vehicle other than a certificate or other paper required to be so displayed by law.

(b) Every windshield on a motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from the windshield in the driver's line of vision which device shall be so constructed as to be controlled or operated by the driver of the vehicle.

Sec. 47. (a) Must have mufflers.—No person shall drive a motor vehicle on a highway unless such motor vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise.

(b) It shall be unlawful to use a "muffler cut-out" on any motor vehicle upon a highway.

(c) No vehicle shall be so operated as to emit excessive smoke.

Sec. 48. (a) Lights.—Every motor vehicle upon a highway within this state during the period from a half hour after sunset to a half hour before sunrise and at any other time when there is not sufficient light to render clearly discernible any person on the highway at a distance of two hundred feet ahead, shall be equipped with lighted front and rear lamps as in this section respectively required for different classes of vehicles and subject to exemption with reference to lights on parked vehicles.

(b) Every motor vehicle other than a motorcycle, road-roller, road machine, or farm tractor shall be equipped with two head lamps, no more or less, at the front of and on opposite sides of the motor vehicle, which head lamps shall comply with the requirements and limitations hereinafter set forth and except as to acetylene head lamps shall be of a type which has been approved by the Commissioner.

(c) Every motorcycle shall be equipped with at least one and not more than two head lamps which shall comply with the requirements and limitations hereinafter set forth and except as to acetylene head lamps shall be of a type which has been approved by the Commissioner.

(d) Every motor vehicle and every trailer or semi-trailer which is being drawn at the end of a train of vehicles shall carry at the rear a lamp of a type which has been approved by the Commissioner and which exhibits a yellow or red light plainly visible under normal atmospheric conditions from a distance of five hundred feet to the rear of such vehicle and which is so constructed and placed that the number plate carried on the rear of such vehicle shall under like conditions be so illuminated by a white light as to be read from a distance of fifty feet to the rear of such vehicle.

(e) Every motor vehicle, other than any road-roller, road machinery or farm tractor, having a width at any part in excess of eighty inches shall carry two clearance lamps or other suitable illuminating or reflecting device on the left side of such vehicle, one located at the front and displaying a white light visible under normal atmospheric conditions from a distance of 500 feet to the front of the vehicle, and the other located at the rear of the vehicle and displaying a yellow or red light visible under like conditions from a distance of 500 feet to the rear of the vehicle.

(f) Every bicycle shall be equipped with a lighted lamp on the front thereof visible under normal atmospheric conditions from a distance of at least three hundred feet in front of such bicycle and shall also be equipped with a reflex mirror or lamp on the rear exhibiting a yellow or red light visible under like conditions from a distance of at least two hundred feet to the rear of such bicycle.

Sec. 49. (a) Spot lamps.—Any motor vehicle may be equipped with not to exceed two spot lamps, except that a motorcycle shall not be equipped with more than one spot lamp, and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the beam will be directed to the left of the center of the highway nor more

than 100 feet ahead of the motor vehicle upon which such lamp or lamps are mounted.

(b) Any motor vehicle may be equipped with not to exceed two auxiliary driving lamps and one automatically controlled driving lamp placed below the level of the stationary headlamps mounted on the front at a height not less than 24 inches above the level surface on which the vehicle stands and every such auxiliary or automatically controlled driving lamp or lamps shall meet the requirements and limitations hereinafter set forth.

(c) Whenever a motor vehicle is equipped with a signal lamp to comply with the provisions of Section 18, the signal lamp shall be so constructed and located on the vehicle as to give a signal yellow or red in color, which shall be plainly visible in normal sunlight, from a distance of 100 feet to the rear of the vehicle but shall not project a glaring or dazzling light.

(d) Any device, other than head lamps, spot lamps or auxiliary driving lamps, which projects a beam of light of an intensity greater than twenty-five candlepower, shall be so directed that no part of the beam will strike the level of the surface on which the vehicle stands at a distance of more than 50 feet from the vehicle.

Sec. 50. **Driving lights.**—(a) The head lamps of motor vehicles shall be so constructed, arranged, and adjusted that, except as herein provided, they will at all times under normal atmospheric conditions and on a level road produce a driving light sufficient to render clearly discernible a person two hundred feet ahead, but no head lamp nor auxiliary driving lamp shall project a glaring or dazzling light to persons in front of such lamp.

(b) Head lamps and auxiliary driving lamps shall be deemed to comply with the foregoing provisions prohibiting glaring and dazzling lights if none of the main bright portion of the lamp beam rises above a horizontal plane passing through the lamp centers parallel to the level road upon which the loaded vehicle stands and in no case higher than forty-two inches, seventy-five feet ahead of the vehicle.

(c) Whenever a motor vehicle is being operated upon a highway, or a portion thereof, which is sufficiently lighted to reveal a person on the highway at a distance of 200 feet ahead of the vehicle it shall be permissible to dim the head lamps or to tilt the beams downward or to substitute therefor the light from an auxiliary driving lamp or pair of such lamps, subject to the restrictions as to tilted beams and auxiliary driving lamps set forth in this subsection. Whenever a motor vehicle meets another vehicle on any highway

it shall be permissible to tilt the beams of the head lamps downward or to substitute therefor the light from an auxiliary driving lamp or pair of such lamps subject to the requirement that the tilted head lamps or auxiliary lamp or lamps shall give sufficient illumination under normal atmospheric conditions and on a level road to render clearly discernible a person 75 feet ahead, but shall not project a glaring or dazzling light to persons in front of the vehicle, provided that at least two lights shall be displayed on the front of and on opposite sides of every motor vehicle other than a motorcycle, road-roller, road machine, or farm tractor.

Sec. 51. Same.—Motor vehicles may be equipped with two acetylene head lamps of approximately equal candlepower when equipped with clear plane glass fronts, bright six-inch spherical mirrors and standard acetylene five-eighths foot burners not more and not less and which do not project a glaring or dazzling light into the eyes of approaching drivers.

Sec. 52. Commissioner must approve lamps.—(a) It shall be unlawful for any person to sell or offer for sale, either separately or as a part of the equipment of a motor vehicle, or to use upon a motor vehicle upon a highway, any electric head lamp, or any auxiliary driving lamp, rear lamp or signal lamp, unless of a type which has been submitted to the Commissioner for test and for which a certificate of approval has been obtained from the Commissioner as hereinafter provided.

(b) The Commissioner is hereby authorized and required to adopt and enforce standard specifications as to the amount, color and direction of light to be emitted by head lamps, auxiliary driving lamps, rear lamps and signal lamps for compliance with the requirements and limitations set forth herein; and the Commissioner is authorized and required to determine whether any head lamps, auxiliary driving lamps, signal lamps and rear lamps submitted will comply with the requirements of this act and the specifications adopted by the Commissioner and to approve such head lamps, auxiliary driving lamps, signal lamps and rear lamps, and to publish lists of such devices by name and type together with the permissible candlepower rating of the bulbs as he shall determine are lawful hereunder, and to forward such lists to Registrar of Motor Vehicles and to the clerk of every municipality.

(c) Any person, firm or corporation desiring approval of a device shall submit to the Commissioner two sets of each type of device upon which approval is desired, together with a fee fixed by the Commissioner not to exceed \$75.00 for each type of head lamp and auxiliary driving lamp and a fee not

to exceed \$25.00 for each type of rear lamp or signal lamp submitted. Within 30 days the Commissioner shall, upon notice to the applicant submit such device to the United States Bureau of Standards or to such other recognized testing laboratory as he may elect for a report as to the compliance of such type of device with the standard specifications and the provisions of this act as to lighting performance.

The Commissioner is authorized and required to accept the certificate of the United States Bureau of Standards or of some other recognized testing laboratory as to compliance with the specifications and requirements; provided, however, that in cases of dispute as to the findings of such other laboratory appeal may be made to the United States Bureau of Standards; and provided, also, that the Commissioner is authorized to refuse approval of any device, certified as complying with the specifications and requirements, which the Commissioner determines will be in actual use unsafe or impracticable or would fail to comply with the provisions of this act. If the certificate of the United States Bureau of Standards or of some other recognized testing laboratory as to compliance within the specifications and requirements specified in Section 53 be submitted with the application for approval of the lighting devices submitted to the Commissioner, then no fee in excess of \$10.00 shall be required by the Commissioner to be paid by any applicant for approval of any lighting device as specified in this subdivision.

(d) The Commissioner shall request the testing agency to submit a report of each type of device to the Commissioner. For those which are found to comply with the specifications and requirements the report shall include any special adjustments required and the candlepower rating of the bulbs for such conformance. Reports of all tests shall be accessible to the public and a copy thereof shall be furnished by the Commissioner to the applicant for the test.

(e) The Commissioner, when having reason to believe that an approved device as being sold commercially does not comply with the requirements of this act, may after 30 days' notice to the manufacturer thereof, suspend or revoke the approval issued therefor until or unless such device is resubmitted to and retested by an authorized testing agency and is found to meet the requirements of this act. The Commissioner may at the time of the retest purchase in the open market and submit to the testing agency one or more sets of such approved devices and if such device upon such retest fails to meet the requirements of this act, the Commissioner may refuse to renew the certificate of approval of such device.

(f) It shall be unlawful for any person to sell or to offer for sale either separately or as a part of the equipment of a motor vehicle any head lamp, auxiliary driving lamp, rear lamp or signal lamp approved by the Commissioner unless such device bears thereon the trade-mark or name under which it is approved so as to be legible when installed, and is accompanied by printed instructions as to the candlepower of bulbs to be used therewith as approved by the Commissioner and any particular methods of mounting or adjustment as to focus or aim necessary for compliance with the requirements of this act.

Sec. 53. Commissioner may designate stations for adjusting lamps.—(a) The Commissioner is hereby authorized and required to designate, furnish instructions to and to supervise official stations for adjusting head lamps and auxiliary driving lamps to conform with the provisions of this act. When head lamps and auxiliary driving lamps have been adjusted in conformity with the instructions issued by the Commissioner a certificate of adjustment shall be issued to the driver of the motor vehicle on forms issued in duplicate by the Commissioner and showing date of issue, registration number of the motor vehicle, owner's name, make of vehicle and official designation of the adjusting station.

(b) The driver of any motor vehicle equipped with approved head lamps, auxiliary driving lamps, rear lamps or signal lamps, who is arrested upon a charge that such lamps are improperly adjusted or are equipped with bulbs of a candlepower not approved for use therewith, shall be allowed 48 hours within which to bring such lamps into conformance with the requirements of this act. It shall be a defense to any such charge that the person arrested produce in Court or submit to the prosecuting attorney a certificate from an official adjusting station showing that within 48 hours after such arrest such lamps have been made to conform with the requirements of this act.

Sec. 54. Parked automobiles must have lights.—Whenever a vehicle is parked or stopped upon a highway whether attended or unattended during the times mentioned in Section 49 there shall be displayed upon such vehicle one or more lamps projecting a white light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle and projecting a yellow or red light visible under like conditions from a distance of five hundred feet to the rear, except that municipalities may provide by ordinance that no lights need be displayed upon any such vehicle when parked in accordance with local ordinances upon

a highway where there is sufficient light to reveal any person within a distance of two hundred feet upon such highway.

Sec. 55. Red or green lights must not be used on front—exceptions.—It shall be unlawful for any person to drive or move any vehicle upon a highway with any red or green light thereon visible from directly in front thereof. This Section shall not apply to police or fire department or fire patrol vehicles.

TITLE IV. HIGHWAY TRAFFIC SIGNS.

Sec. 56. Highway signs and signals.—The Commissioner is hereby authorized to establish a standard of highway signs and signals. Signs erected by local authorities shall conform to the standard so established as to legend, color and shape.

Sec. 57. No signs without consent of commissioner.—No permanent sign or signal shall be erected on any trunk highway without the written consent of the Commissioner; provided that when a municipality has applied to the Commissioner for his consent to the erection upon a trunk highway of a sign or signal, it may place upon such trunk highway a temporary sign or signal not affixed to such trunk highway and maintain it thereon until the Commissioner shall have granted or denied such application.

Sec. 58. Certain signs prohibited.—No unauthorized person shall erect or maintain upon any highway any warning or direction sign, marker, signal or light in imitation of any official sign, marker, signal or light erected under the provisions of this Act, and no person shall erect or maintain upon any highway any sign or signal bearing thereon any commercial advertising.

Sec. 59. Signs must not be removed.—No person shall deface, injure, knock down, or remove any sign posted as provided in this Act.

TITLE V. PENALTIES.

Sec. 60. Violations.—Every person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor unless such violation is by this Act or any other law of this state declared to be a gross misdemeanor or a felony.

Sec. 61. Drunken drivers.—(a) Every person who while under the influence of intoxicating liquor or narcotics drives a vehicle upon a highway shall be guilty of a gross misdemeanor and shall be punished by imprisonment in the county jail or workhouse for not less than ten days nor more than one year, and in addition thereto, in the discretion of the court, by a fine of not more than one thousand dollars, and the Registrar of Motor Vehicles shall revoke any chauffeur's license which such person may have to operate a motor vehicle

under the laws of this state, and such person shall also be prohibited from operating any motor vehicle upon the highways for a period of three months after the date of such conviction, for the first offense, and for such period, not less than three months nor more than one year as shall be fixed by the court, upon each subsequent conviction.

Subdivision (b). The court may upon conviction of any person of a violation of the provisions of subdivision (a) of this section, or of subdivision (b) of Section 3 of this Act, in addition to the penalty imposed by this Act, make an order forbidding the person so convicted to drive or operate a motor vehicle on any highway in this state for such period not exceeding two years as the court shall fix unless the person so convicted shall execute and file with the Registrar of Motor Vehicles an indemnity bond, payable to the State of Minnesota for the benefit of any person entitled to recover thereunder in the amount of Twenty-five Hundred Dollars with sureties approved by the court conditioned that he will pay all damages any person may sustain in consequence of any negligence or unlawful Act committed by him in driving or operating a motor vehicle on any such highway during the period so fixed; and any person who drives or operates a motor vehicle during the period fixed by the court without giving such bond, shall be guilty of a misdemeanor.

Sec. 62. **Certain acts to be gross misdemeanor.**—Subdivision (a). The driver of any motor vehicle involved in any accident resulting in injury or death to any person who violates the provisions of Section 30 of this Act shall be guilty of a gross misdemeanor.

(b). The driver of any motor vehicle involved in an accident resulting in damage to property who violates the provisions of Section 30 of this Act shall be guilty of a misdemeanor.

TITLE VI. PROCEDURE UPON ARREST, REPORTS.

Sec. 63. **Arrests.**—In case any person shall be taken into custody because of any violation of the provisions of this Act, he shall forthwith be taken before any magistrate in the county. If he be so taken before a magistrate during usual business hours, he shall be entitled to an immediate hearing; and if such hearing cannot reasonably be had, or if he shall not desire it, he shall be released upon giving a recognizance with sufficient sureties, or upon depositing cash bail, in such amount as the magistrate shall determine, to appear and answer for such violation at such time and place as shall be fixed by the magistrate. In case the violation is a misdemeanor, the arresting officer may, in lieu of taking the prisoner before a mag-

istrate serve a written notice upon him to appear before such magistrate at a time and place fixed in said notice.

Sec. 64. Magistrate to report violation.—(a) Every magistrate in this state shall keep a full report of every case in which a person is charged with violation of any provision of this Act, and in the event that such person is convicted or that his bail is forfeited, an abstract of such report shall be sent forthwith by the magistrate to the Registrar of Motor Vehicles but this requirement shall not be deemed to make such court a court of record.

(b) Abstracts required by this section shall be made upon forms prepared by the Registrar of Motor Vehicles and shall include all necessary information as to the parties to the case, the nature of the offense, the date of hearing, the plea, the judgment, the amount of the fine or forfeiture, as the case may be, and every such abstract shall be certified by the magistrate as a true abstract to the record of the court.

(c) Each clerk of any court of record of this state shall also, within ten days after any final judgment of conviction of any violation of any of the provisions of this Act, send to the Registrar of Motor Vehicles a certified copy of such judgment of conviction. Certified copies of the judgment shall also be forwarded to the Registrar of Motor Vehicles upon conviction of any person of manslaughter or other felony in the commission of which a vehicle was used. The said Registrar of Motor Vehicles shall keep such records in his office.

TITLE VII. EFFECT OF AND SHORT TITLE OF ACT.

Sec. 65. Interpretation.—This Act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

Sec. 66. Title.—This act may be cited as the Uniform Highway Traffic Act.

Sec. 67. Provisions separable.—If any part or parts of this Act shall be held to be unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of this Act. The legislature hereby declares that it would have passed the remaining parts of this Act if it had known that such part or parts thereof would be declared unconstitutional.

Sec. 68. Inconsistent laws repealed.—Chapter 416, Laws of 1925, and Chapter 396, Laws of 1921 are hereby repealed and all other acts and parts of acts inconsistent herewith are hereby repealed to the extent of such inconsistency.

Sec. 69. This Act shall take effect from and after its passage.

Approved April 23, 1927.