

by the owner thereof for ten years after such filing or recording, may be destroyed by the register of deeds.

Approved April 7, 1947.

CHAPTER 266—H. F. No. 580

An act relating to the supervision and regulations of for hire transportation of persons and property by motor vehicle; amending Minnesota Statutes 1945, Sections 221.04, 221.05, 221.06, 221.10 and 221.21 and repealing Sections 221.07 and 221.175.

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

Section 1. Minnesota Statutes 1945, Section 221.04, Subdivision 3, is amended to read as follows:

221.04. Certain powers of commission. Subd. 3. **Hearings.** No time schedule, tariff or rates shall be put into effect or be changed or altered except upon hearing duly had and an order therefor by the commission. Notice of such hearing shall be served upon any competing carrier; *provided, however, that* if it appears that an emergency exists or that there is need for a minor or unimportant change in the time schedule, *or schedule of fares, or for a change thereof beneficial to the public,* the commission may authorize a modification thereof without a hearing and the service of notice as herein provided, but in such event notice of such fact shall thereafter be served within a reasonable time upon *all interested parties as defined in Section 221.06,* which shall have the right within 15 days thereafter to complain that *they are* being injured by such change and a hearing shall thereupon be granted.

Sec. 2. Minnesota Statutes 1945, Section 221.05, Subdivision 1, is amended to read as follows:

221.05. Certificates for operation. Subdivision 1. **Necessity for.** No auto transportation company shall hereafter operate for the transportation of persons or property for hire as a common carrier on any public highway without first having obtained from the commission under the provisions of sections 221.01 to 221.16 a certificate declaring that public convenience and necessity require such operation. *Where an application has been filed with the commission as provided in subdivision 2, the commission may grant a temporary*

certificate, valid only until a final order has been entered upon such application, where it is shown that no auto transportation company is then authorized to serve on the route proposed in the application, that no common carrier by rail would be directly affected by the granting of a temporary certificate and that there is no other application on file with the commission covering the route for which the temporary certificate is sought. A certificate which has been issued to an auto transportation company may be amended by the commission on ex parte application without fee so as to grant an additional or alternate route when there is no other means of transportation over such proposed additional route or between the termini of such proposed additional route and such proposed additional route does not exceed 10 miles in length.

Sec. 3. Minnesota Statutes 1945, Section 221.06, is amended to read as follows:

221.06. Hearings on petitions for certificates. Upon the filing of such petition the commission shall fix a time and place for hearing thereon which shall not be less than 20 days after such filing. The commission shall cause a copy of such petition and notice of hearing thereon to be served upon the managing agent, or an officer, or the owner of any common carrier operating into or through any village or city located on the proposed route of the applicant, on the chairman of any town board of a township whose roads are a part of the proposed route, on the county auditor of any county, and the governing board of any city or village into or through which any street or highway may pass, over which it is proposed to operate any such motor vehicle, at least ten days before the date of hearing, and any such common carrier, town board, board of county commissioners and governing board of any village or city, are hereby declared to be interested parties to the proceedings and may offer testimony for or against the granting of such certificate. *If during the hearing an amendment to the petition is proposed which appears to be in the public interest, the commission may allow the same if it can be done without prejudice to the rights of interested parties.*

Sec. 4. Minnesota Statutes 1945, Section 221.10, is amended to read as follows:

221.10. Bonds of transportation companies; indemnity insurance. Before a certificate shall be issued to any transportation company it shall file with the commission public liability or indemnity insurance satisfactory to the commis-

sion and in such amount as it shall prescribe, covering injuries and damages accruing to persons or property arising out of its operations as such transportation company. Such insurance shall be subject to cancelation for non-payment of premiums or withdrawal from service of a vehicle or vehicles covered thereby upon 15 days' written notice to the insured and to the commission. Such insurance may be, from time to time, reduced or increased by the commission. The commission may, if so desired by the company, accept in lieu of the insurance, such other form of security as may be satisfactory to the commission.

Sec. 5. Minnesota Statutes 1945, Section 221.21 is amended to read as follows:

221.21. Fees for applicants. *Permits issued pursuant to the provisions of Section 221.20 shall be effective for a 12 month period commencing on the first day of the month of their issuance or renewal. The permit holder shall pay into the treasury of the state of Minnesota a registration fee of \$7.50 on each vehicle operated by him under authority of such permit during said 12 month period or fraction thereof. Truck-tractors used by applicant exclusively in combination with semi-trailers shall not be counted as vehicles in the computation of fees under this section, provided applicant pays the fees for such semi-trailers. The commission shall furnish a distinguishing plate for each vehicle for which a fee has been paid, which plate shall at all times be displayed on the vehicle to which it has been assigned. Plates may be reassigned to another vehicle without fee by the commission upon application of the permit holder. Plates issued under the provisions of this section shall be good only for the period for which the permit is effective. The name and residence of the permit holder shall be stenciled or otherwise shown in a conspicuous place on each vehicle operated under his permit. The provisions of this section covering the registration of vehicles of permit holders shall also apply to the vehicles operated by auto transportation companies. For the purpose of distributing the work of registering motor vehicles required to be registered under this section as uniformly as practicable throughout 12 months of the calendar year, the commission may, if it deems necessary, beginning July 1, 1947, and until July 1, 1948, issue permits and register the vehicles under such permits for periods of not less than six months nor more than 18 months and prorate the fee therefor on the basis of \$.63 per month. After July 1, 1948 all permits and all registration of motor vehicles shall be on the basis of the aforesaid 12 month period. In the event a*

permit has been suspended or revoked the commission may order a hearing upon an application for renewal thereof or upon an application for a permit to be issued to the holder of such suspended or revoked permit and may grant or deny such renewal or permit.

Sec. 6. Repeal of Section 221.07. Minnesota Statutes 1945, Section 221.07, is hereby repealed.

Sec. 7. Repeal of Section 221.175. Minnesota Statutes 1945, Section 221.175, is hereby repealed.

Approved April 7, 1947.

CHAPTER 267—H. F. No. 694

[Not Coded]

An act to appropriate money to the Teachers Retirement Fund to pay certain annuities and benefits under Laws 1915, Chapter 199.

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

Section 1. Necessity for legislation. For the reasons stated in Laws 1945, Chapter 532, Section 1, it is necessary that an appropriation be made for the purposes stated in section 2 of this act, the appropriation made by said chapter 532 not having been sufficient to pay all lawful claims therein referred to.

Sec. 2. Appropriation. There is hereby appropriated out of the general revenue fund in the state treasury to the Teachers Retirement Fund the sum of \$50,000, or so much thereof as may be necessary, to pay annuities and benefits to which members of the "Fund Association" created by Laws 1915, Chapter 199, became entitled upon retirement pursuant to said act and which were not paid while said persons were engaged in teaching in other states.

Sec. 3. Payment on order of board. The funds appropriated by this act shall be paid out on authority of the board of trustees of the Teachers Retirement Fund after careful investigation by said board of each claim submitted to it.

Approved April 7, 1947.