

237.32 Application, to what companies. The provisions of sections 237.28 to 237.30 shall apply only to telephone exchanges rendering service in cities of the first and second class and to toll properties of telephone companies operating toll lines in more than four counties of the state.

Sec. 2. Minnesota Statutes 1949, Section 237.31, is hereby repealed.

Approved March 22, 1951.

CHAPTER 114—H. F. No. 890

An act relating to highway traffic regulation; defining certain terms; amending Minnesota Statutes 1949, Section 169.01.

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

Section 1. Minnesota Statutes 1949, Section 169.01, is amended to read:

169.01 Definitions. Subdivision. 1. **Words, terms, phrases.** For the purposes of this chapter, *the terms defined in this section shall have the meanings ascribed to them.*

Subd. 2. **Vehicle** "*Vehicle*" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

Subd. 3. **Motor vehicle** "*Motor vehicle*" means every vehicle which is self-propelled and not deriving its power from overhead wires.

Subd. 4. **Motorcycle.** "*Motorcycle*" means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including motor scooters and bicycles with motor attached, but excluding a tractor.

Subd. 5. **Authorized emergency vehicle.** "*Authorized emergency vehicle*" means vehicles of fire department, police vehicles, and such ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the commissioner of highways or the chief of police of an incorporated city, and equipped and identified according to law.

Subd. 6. **School bus.** "*School bus*" means every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated for compensation for the transportation of children to or from school.

Subd. 7. **Truck-tractor.** "*Truck-tractor*" means 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.

Subd. 8. **Farm tractor.** "*Farm tractor*" means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing-machines, and other implements of husbandry.

Subd. 9. **Road tractor.** "*Road tractor*" means 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.

Subd. 10. **Trailer.** "*Trailer*" means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

Subd. 11. **Semi-trailer.** "*Semi-trailer*" means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

Subd. 12. **Pneumatic tire.** "*Pneumatic tire*" means every tire in which compressed air is designed to support the load.

Subd. 13. **Solid tire.** "*Solid tire*" means every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

Subd. 14. **Metal tire.** "*Metal tire*" means every tire the surface of which in contact with the highway is wholly or partly of metal or other hard non-resilient material.

Subd. 15. **Railroad.** "*Railroad*" means a carrier of persons or property upon cars, other than street cars, operated upon stationary rails.

Subd. 16. **Railroad train.** "*Railroad train*" means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except street cars.

Subd. 17. **Street car.** "*Street car*" means a car other than a railroad train for transporting persons or property and operated upon rails principally within a municipality.

Subd. 18. **Trackless trolley car.** "*Trackless trolley car*" means every vehicle which is propelled by electric power obtained from overhead trolley wires but not operated on rails.

Subd. 19. **Explosives.** "*Explosives*" means any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combusive units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb.

Subd. 20. **Flammable liquid.** "*Flammable liquid*" means any liquid which has a flash point of 70 degrees Fahrenheit, or less, as determined by a tagliabue or equivalent closed cup test device.

Subd. 21. **Commissioner.** "*Commissioner*" means the commissioner of highways of this state, acting directly or through his duly authorized officers and agents.

Subd. 22. **Department.** "*Department*" means the department of highways of this state, acting directly or through its duly authorized officers and agents.

Subd. 23. **Person.** "*Person*" means every natural person, firm, copartnership, association, or corporation.

Subd. 24. **Pedestrian.** "*Pedestrian*" means any person afoot.

Subd. 25. **Driver.** "*Driver*" means every person who drives or is in actual physical control of a vehicle.

Subd. 26. **Owner.** "*Owner*" means a person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this chapter.

Subd. 27. **Police Officer.** "*Police officer*" means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

Subd. 28. **Local authorities.** "*Local authorities*" means every county, municipal, and other local board or body having authority to adopt local police regulations under the constitution and laws of this state, and the Regents of the University of Minnesota, with reference to property owned, leased, or occupied, by the Regents of the University of Minnesota, or the University of Minnesota.

Subd. 29. **Street or highway.** "*Street or highway*" means the entire width between boundary lines of any way or place when any part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular traffic.

Subd. 30. **Private road or driveway.** "*Private road or driveway*" means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

Subd. 31. **Roadway.** "*Roadway*" means that portion of a highway improved, designed, or ordinarily used for vehicular travel. In the event a highway includes two or more separate roadways the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.

Subd. 32. **One-way roadway.** "*One-way roadway*" means a street or roadway designated and sign-posted for one-way traffic and on which all vehicles are required to move in one indicated direction.

Subd. 33. **Sidewalk.** "*Sidewalk*" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

Subd. 34. **Laned highway.** "*Laned highway*" means a highway the roadway of which is divided into two or more clearly marked lanes for vehicular traffic.

Subd. 35. **Through highway.** "*Through highway*" means every highway or portion thereof at the entrances to which vehicular traffic from intersecting highways is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this chapter.

Subd. 36. **Intersection.** "*Intersection*" means (a) the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another, at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(b) Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

Subd. 37. **Crosswalk.** "*Crosswalk*" means (1) that portion of a roadway ordinarily included with the prolonga-

tion or connection of the lateral lines of sidewalks at intersections; (2) any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Subd. 38. **Safety zone.** "*Safety zone*" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times set apart as a safety zone.

Subd. 39. **Business district.** "*Business district*" means the territory contiguous to and including a highway when 50 per cent or more of the frontage thereon for a distance of 300 feet or more is occupied by buildings in use for business.

Subd. 40. **Residence district.** "*Residence district*" means the territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of 300 feet or more is in the main improved with residences or residences and buildings in use for business.

Subd. 41. **Official traffic control devices.** "*Official traffic control devices*" means all signs, signals, markings, and devices not inconsistent with this chapter placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

Subd. 42. **Traffic control signal.** "*Traffic control signal*" means any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

Subd. 43. **Railroad sign or signal.** "*Railroad sign or signal*" means any sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

Subd. 44. **Traffic.** "*Traffic*" means pedestrians, ridden or herded animals, vehicles, street cars, and other conveyances, either singly or together, while using any highway for purposes of travel.

Subd. 45. **Right of way.** "*Right of way*" means the privilege of the immediate use of highway.

Subd. 46. **Gross weight.** "*Gross weight* means the unloaded weight of a vehicle or the unloaded weight of a truck-tractor and semi-trailer combination, plus the weight of the load.

Subd. 47. **Custom service vehicles.** "*Custom service vehicles*" means all vehicles used as well-drilling machine, wood-sawing machine, cement mixer, rock crusher, road grader, ditch digger, or elevating grader, and similar service equipment.

Subd. 48. **Motor vehicle dealer.** "*Motor vehicle dealer*" means any person engaged in the business of manufacturing or selling new and unused motor vehicles, or used motor vehicles, or both, having an established place of business for the sale, trade, and display of such motor vehicles, and having in his possession motor vehicles for the purpose of sale or trade.

Subd. 49. **Truck.** "*Truck*" means every motor vehicle designed, used or maintained primarily for the transportation of property.

Subd. 50. **Bus.** "*Bus*" means every motor vehicle designed for carrying more than ten passengers and used for the transportation of persons, and every motor vehicle other than a taxicab designed and used for the transportation of persons for compensation.

Subd. 51. **Bicycle.** "*Bicycle*" means every device propelled by human power upon which any person may ride, having two tandem wheels either of which is over 20 inches in diameter, and including any device generally recognized as a bicycle though equipped with two front or rear wheels. Approved March 22, 1951.

CHAPTER 115—H. F. No. 891

An act relating to aircraft violations; amending Minnesota Statutes 1949, Section 360.075, Subdivisions 1, 6.