

load is securely bound with a chain attached to front and rear of the loading platform of the vehicle so as to hold the load securely in place.

Approved March 30, 1955.

CHAPTER 281—S. F. No. 658

An act relating to chauffeur licenses; amending Minnesota Statutes 1953, Sections 168.39; 168.41; 168.413; 168.44.

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

Section 1. Minnesota Statutes 1953, Section 168.39, is amended to read:

168.39 Chauffeurs, licenses. No person shall drive a motor vehicle as a chauffeur upon any public highway in this state unless he be licensed by the secretary of state, as provided by this chapter, except that a non-resident chauffeur, *licensed* under the provisions of the law of the country, state, territory, *province* or district of his residence, operating such motor vehicle temporarily within the state not more than 60 days in any one year and while *having in his immediate possession the license* assigned to him as such chauffeur in the country, state, territory, *province* or district of his residence, shall be exempt from such license requirements. 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.

The term "chauffeur," as used in sections 168.39 to 168.45, means and includes:

(1) Every person, including the owner, who operates a motor vehicle while it is in use as a carrier of persons or property for hire;

(2) Every person who is employed for the principal purpose of operating a passenger vehicle;

(3) Every employee who, in the course of his employment, operates upon the streets or highways a truck, tractor, or truck-tractor belonging to another, with the exception of those light trucks classified as pickups, panels and sedan deliveries which are only used to carry tools, repairs, light materials and equipment used by the driver in the furtherance of some other and principal occupation, and farm trucks as de-

fined by section 168.011, subdivision 17, operated by the owner or an immediate member of his family; and

(4) Every person who drives a school bus transporting school children.

Sec. 2. Minnesota Statutes 1953, Section 168.41, is amended to read:

168.41 Badges. *Subdivision 1.* The secretary of state shall, upon payment of the required fee, issue to every person licensed hereunder a license in a form prescribed by the secretary of state which shall bear thereon a distinguishing number assigned to the licensee, the full name, date of birth, residence address, and a brief description of the licensee, and a space upon which the licensee shall write his usual signature with pen and ink. No license shall be valid until it has been so signed by the licensee. A distinctive separate type license shall be provided for school bus drivers, and no licensed chauffeur or school bus driver shall voluntarily permit another person to possess and use the license so provided, nor shall any person, while driving or operating a motor vehicle, use any license belonging to another.

Subd. 2. Every licensee shall have said license in his immediate possession at all times when operating as a chauffeur or school bus driver and shall display the same, upon demand of a justice of the peace, a peace officer, an authorized representative of the department, or by an officer authorized by law to enforce the laws relating to the operation of motor vehicles on public streets and highways, and the licensee shall, upon request of any such officer, write his name in the presence of such officer in order that the identity of the licensee may be determined.

Sec. 3. Minnesota Statutes 1953, Section 168.413, is amended to read:

168.413 Loss of badges. In the event of the loss or destruction of the original license the secretary of state, upon receiving a sworn statement from the licensee of such loss or destruction and the payment of the fee of \$1, shall issue a duplicate license.

Sec. 4. Minnesota Statutes 1953, Section 168.44, is amended to read:

168.44 Licenses, revocation. For sufficient cause upon complaint and after hearing, or upon report of conviction by any court in this state of violation of any provision of the Highway Traffic Regulation Act, or a municipal traffic ordi-

nance, or upon report of conviction of any offense in any other state or in any Province of the Dominion of Canada, which, if committed in this state, would be cause for revocation, the secretary of state may revoke the license of any chauffeur who, in the judgment of the secretary of state, should not be permitted to continue as a licensed chauffeur. If a licensed chauffeur is convicted in this state of a major offense, revocation by the secretary of state of his chauffeur's license shall be mandatory. For the purpose of this section, the term "major offense" shall be used to refer to any of the following offenses:

(a) Manslaughter resulting from the operation of a motor vehicle;

(b) Driving a motor vehicle, the operation of which requires a chauffeur's license, while under the influence of intoxicating liquor or narcotic drug;

(c) Any crime punishable as a felony under the motor vehicle laws of this state or any other felony in the commission of which a motor vehicle is used;

(d) Forfeiture of bail upon three charges of reckless driving all within the preceding 12 months;

(e) Failure of a driver of a motor vehicle involved in an accident to stop and disclose his identity at the scene of an accident resulting in the death or injury of a person.

Whenever a person is brought before any court charged with a "major offense," whether the charge be under state law or municipal ordinance, the court shall, before accepting a plea of guilty or entertaining a judgment of conviction pursuant thereto, inform the defendant that upon conviction not only will he be liable to a penalty, but the chauffeur's license that he may have must be revoked. Whenever in any court a licensed chauffeur is convicted of any violation of the Highway Traffic Regulation Act, or a municipal traffic ordinance, the court shall promptly report such conviction to the secretary of state together with any recommendations that the court may wish to make with reference to the chauffeur's license. Whenever the offense of which the licensed chauffeur is convicted is a "major offense" the court shall, as a part of the penalty, order the convicted chauffeur to return his chauffeur's license promptly to the secretary of state. Failure on the part of a chauffeur to return the license promptly to the secretary of state as ordered by the court shall constitute "contempt of court." The revocation of a chauffeur's license upon his conviction of a "major offense" shall be for a period of three, six, nine, or twelve months, the length of the period to be in each

particular case as recommended by the court on the basis of the seriousness of the offense and the interest of public safety and welfare.

When at least three months of a period for which a chauffeur's license has been revoked have elapsed, and if the chauffeur's livelihood depends upon his employment as a licensed chauffeur, the secretary of state may, upon recommendation by the court in which the chauffeur was convicted, issue a limited license to such chauffeur on condition that proof of financial responsibility covering the vehicle or vehicles to be operated shall be filed in accordance with the provisions of the financial responsibility act. The secretary of state in issuing such limited license may impose such condition and limitation as in his judgment are necessary in the interest of public safety and welfare, including reexamination as to the chauffeur's qualifications. Such license may be limited to the operation of particular vehicles, to particular classes of operation, and to particular conditions of traffic.

The limited license issued by the secretary of state shall clearly indicate the limitations imposed and the chauffeur operating under such limited license shall have such license in his immediate possession at all times when operating as a chauffeur. Such a limited chauffeur's license may also be issued by the secretary of state when in his judgment the privileges of a chauffeur should be limited in that manner because of convictions of other than major offenses against the traffic laws or ordinances or other conditions pertaining to the chauffeur's qualifications.

Sec. 5. *This act shall take effect January 1, 1956 but shall apply only to licenses expiring after March 31, 1956.*

Approved March 30, 1955.

CHAPTER 282—S. F. No. 689

An act relating to county historical societies; amending Minnesota Statutes 1953, Section 138.06.

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

Section 1. Minnesota Statutes 1953, Section 138.06, is amended to read:

138.06 **County historical societies, appropriations.** The county board of any county in the state having a population of less than 25,000, according to the last United States census, is