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**CHAPTER 35—H.F.No.1104**

[Coded]

*An act relating to highway traffic regulations; equipment on certain vehicles; requiring tires on certain vehicles to meet requirements of the commissioner of public safety; prohibiting the sale, other than to a dealer, of certain vehicles with unsafe tires; and prescribing penalties.*

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

**Section 1. [169.721] TRAFFIC REGULATIONS; UNSAFE TIRES; DEFINITIONS.** Subdivision 1. As used in sections 1 to 7, the terms defined in this section have the meanings given them.

Subd. 2. "Passenger automobile" means any motor vehicle designed and used for the carrying of not more than nine persons, excluding motorcycles and motor scooters, but including within its meaning station wagons or other highway use motor vehicles using passenger automobile type tires.

Subd. 3. "Commissioner" means the commissioner of public safety.

**Sec. 2. [169.722] RULES AND REGULATIONS.** The commissioner shall promulgate rules pursuant to chapter 15 providing for the safe operating conditions of tires for use on passenger automobiles. The rules shall be so promulgated that a law enforcement officer may determine whether or not a tire is in compliance by visual inspection or by the use of simple measuring gauges. The rules shall be based on and include effects of tread wear and depth of tread, and shall incorporate all of the provisions of section 3.

**Sec. 3. [169.723] UNSAFE TIRES.** A tire shall be considered unsafe if it has:

- (1) Any part of the ply or cord exposed; or
- (2) Any bump, bulge or separation; or
- (3) A tread design depth of less than  $2/32$  ( $1/16$ ) of an inch measured in the tread groove nearest the center of the tire at three locations equally spaced around the circumference of the tire, exclusive of tie bars or for those tires with tread wear indicators; or
- (4) Been worn to the level of the tread wear indicators in any two tread grooves at three locations; or
- (5) A marking "not for highway use", or "for racing purposes

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only", or "unsafe for highway use"; or

(6) Tread or sidewall cracks, cuts or snags deep enough to expose the body cords; or

(7) Been regrooved or recut below the original tread design depth, except special taxi cab tires which have extra undertread rubber and are identified as such.

Sec. 4. **[169.724] PROHIBITION.** No person shall drive, move or cause to be driven or moved any passenger automobile upon the highways of this state, unless such passenger automobile is equipped with tires in safe operating condition in accordance with rules promulgated by the commissioner.

Sec. 5. **[169.725] ENFORCEMENT.** Any officer of the Minnesota highway patrol, at any time, upon reasonable cause to believe that a passenger automobile is equipped with tires in violation of the provisions of this act, or of the rules promulgated hereunder, may require the operator of the passenger automobile to stop and submit the passenger automobile to an inspection. If the inspection discloses that the tires of the passenger automobile are in violation, the officer may issue a citation for such violation, and such defect shall be corrected forthwith.

Sec. 6. **[169.726] CERTAIN SALES PROHIBITED.** No person or organization shall sell or offer for sale, other than to a motor vehicle dealer, any passenger automobile for use on the public highways of this state, unless the passenger automobile is equipped with tires that are in compliance with the rules promulgated by the commissioner under authority of section 2. If the tires are not in compliance with the rules, the person or organization selling or offering to sell the passenger automobile shall cause, prior to sale, the tires to be removed from the vehicle and shall equip the vehicle with tires that are in compliance with the rules; unless the vehicle is towed or hauled away. No person, firm, corporation or organization shall sell or offer for sale, other than to a tire dealer, tires for highway use not in compliance with these rules.

Sec. 7. **[169.727] PENALTY.** Any person who violates the provisions of this act or any rule promulgated pursuant thereto is guilty of a petty misdemeanor.

Approved March 5, 1976.

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