

Sec. 11. **EFFECTIVE DATE.** Sections 1, 2, 4, 5, 6, 7, 8, 9 and 10 are effective April 15, 1978, and apply to all causes of action arising on or after that date.

Section 3 is effective August 1, 1978.

Approved April 5, 1978.

CHAPTER 739-H.F.No.474

[Coded in Part]

An act relating to highway traffic regulations; defining terms; driving rules; pedestrian rules; regulating the operation of motor vehicles, bicycles and other human powered vehicles; amending Minnesota Statutes 1976, Sections 169.01, Subdivisions 2, 3, 31, 51, and by adding a subdivision; 169.03, Subdivision 8; 169.18, Subdivision 7; 169.19, Subdivisions 1 and 8; 169.20, Subdivision 4; 169.21, Subdivision 3; 169.31; and Chapter 169, by adding a section; repealing Minnesota Statutes 1976, Section 169.221.

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

Section 1. Minnesota Statutes 1976, Section 169.01, Subdivision 2, is amended to read:

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~~ excepting devices ~~moved by human power~~ or used exclusively upon stationary rails or tracks.

Sec. 2. Minnesota Statutes 1976, Section 169.01, Subdivision 3, is amended to read:

Subd. 3. **MOTOR VEHICLE.** "Motor vehicle" means every vehicle which is self-propelled ~~and not deriving its power from overhead wires~~ and every vehicle which is propelled by electric power obtained from overhead trolley wires. Motor vehicle does not include a vehicle moved solely by human power.

Sec. 3. Minnesota Statutes 1976, Section 169.01, Subdivision 31, is amended to read:

Subd. 31. **ROADWAY.** "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the sidewalk or shoulder even though such sidewalk or shoulder is used by persons riding bicycles or other human powered vehicles. 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.

Sec. 4. Minnesota Statutes 1976, Section 169.01, Subdivision 51, is amended to read:

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Subd. 51. **BICYCLE.** "Bicycle" means every device propelled solely by human power upon which any person may ride, having two tandem wheels ~~either of which is over 14 inches in diameter, except scooters and similar devices~~ and including any device generally recognized as a bicycle though equipped with two front or rear wheels.

Sec. 5. Minnesota Statutes 1976, Section 169.01, is amended by adding a subdivision to read:

Subd. 62. BICYCLE LANES AND WAYS. The terms "bicycle lane" and "bicycle way" shall have the meanings ascribed to them in section 160.263.

Sec. 6. Minnesota Statutes 1976, Section 169.03, Subdivision 8, is amended to read:

Subd. 8. Every person riding a ~~bicycle~~ or an animal or driving any animal drawing a vehicle upon a roadway shall be subject to the provisions of this chapter applicable to the driver of a vehicle, except those provisions which by their nature can have no application.

Sec. 7. Minnesota Statutes 1976, Section 169.18, Subdivision 7, is amended to read:

Subd. 7. **LANED HIGHWAYS.** When any roadway has been divided into two or more clearly marked lanes for traffic, the following rules, in addition to all others consistent herewith, shall apply:

(a) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety;

(b) Upon a roadway which is not a one-way roadway and which is divided into three lanes, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding, and is signposted to give notice of such allocation. The left lane of a three-lane roadway which is not a one-way roadway shall not be used for overtaking and passing another vehicle;

(c) Official signs may be erected directing slow-moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction, and drivers of vehicles shall obey the directions of every such sign;

(d) Whenever a bicycle lane has been established on a roadway, any person operating a motor vehicle on such roadway shall not drive in the bicycle lane except to park where parking is permitted, to enter or leave the highway, or to prepare for a turn as provided in section 169.19, subdivision 1.

Sec. 8. Minnesota Statutes 1976, Section 169.19, Subdivision 1, is amended to read:

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169.19 **TURNING AND STARTING.** Subdivision 1. **TURNING AT INTERSECTION.** The driver of a vehicle intending to turn at an intersection shall do so as follows:

(1) Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway;

(2) Approach for a left turn on other than one-way roadways shall be made in that portion of the right half of the roadway nearest the center line thereof, and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection;

(3) Approach for a left turn from a two-way roadway into a one-way roadway shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection;

(4) A left turn from a one-way roadway into a two-way roadway shall be made from the left hand lane and by passing to the right of the center line of the roadway being entered upon leaving the intersection;

(5) Where both streets or roadways are one way, both the approach for a left turn and a left turn shall be made as close as practicable to the left-hand curb or edge of the roadway;

(6) Local authorities in their respective jurisdictions may cause markers, buttons, or signs to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this section be traveled by vehicles turning at an intersection, and when markers, buttons, or signs are so placed no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons, or signs ;

(7) Whenever it is necessary for the driver of a motor vehicle to cross a bicycle lane adjacent to his lane of travel to make a turn, the driver shall drive the motor vehicle into the bicycle lane prior to making the turn, and shall make the turn, yielding the right of way to any vehicles approaching so close thereto as to constitute an immediate hazard.

Sec. 9. Minnesota Statutes 1976, Section 169.19, Subdivision 8, is amended to read:

Subd. 8. **HAND SIGNALS.** When the signal is given by means of the hand and arm the driver shall indicate his intention to start, stop, or turn by extending the hand and arm from and beyond the left side of the vehicle in the following manner and these signals shall indicate as follows:

(1) Left turn. — Hand and arm extended horizontally.

(2) Right turn. — Hand and arm extended upward, except that a bicyclist or motorcyclist may extend the right hand and arm horizontally to the right side of the

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bicycle or motorcycle.

(3) Stop or decrease speed. — Hand and arm extended downward.

Sec. 10. Minnesota Statutes 1976, Section 169.20, Subdivision 4, is amended to read:

Subd. 4. **VEHICLE ENTERING ROADWAY.** The driver of a vehicle ~~entering or crossing a highway from a private road or driveway~~ about to enter or cross a roadway from any place other than a roadway shall yield the right of way to all vehicles approaching on ~~such highway~~ the roadway to be entered or crossed.

Sec. 11. Minnesota Statutes 1976, Section 169.21, Subdivision 3, is amended to read:

Subd. 3. **CROSSING BETWEEN INTERSECTIONS.** Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the roadway.

Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all vehicles upon the roadway.

Between adjacent intersections at which traffic-control signals are in operation pedestrians shall not cross at any place except in a marked crosswalk.

Notwithstanding the other provisions of this section every driver of a vehicle shall: (a) exercise due care to avoid colliding with any bicycle or pedestrian upon any roadway ~~and give warning by sounding the horn when necessary~~ and (b) give an audible signal when necessary and exercise proper precaution upon observing any child or any obviously confused or incapacitated person upon a roadway.

Sec. 12. Minnesota Statutes 1976, Chapter 169, is amended by adding a section to read:

[169.222] OPERATION OF BICYCLES. Subdivision 1. TRAFFIC LAWS APPLY. Every person operating a bicycle shall have all of the rights and duties applicable to the driver of any other vehicle by this chapter, except in respect to those provisions in this chapter relating expressly to bicycles and in respect to those provisions of this chapter which by their nature cannot reasonably be applied to bicycles.

Subd. 2. MANNER AND NUMBER RIDING. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped, except (a) on a baby seat attached to the bicycle, provided that the baby seat is equipped with a harness to hold the child securely in the seat and that protection is provided against the child's feet hitting the spokes of the wheel or (b) in a seat attached to the bicycle operator.

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Subd. 3. CLINGING TO VEHICLES. No person riding upon any bicycle, coaster, roller skates, toboggan, sled, skateboard, or toy vehicle shall attach the same or himself to any street car or vehicle upon a roadway.

Subd. 4. RIDING ON ROADWAYS. (a) Every person operating a bicycle upon a roadway shall ride as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations:

(i) When overtaking and passing another vehicle proceeding in the same direction.

(ii) When preparing for a left turn at an intersection or into a private road or driveway.

(iii) When reasonably necessary to avoid conditions, including fixed or moving objects, vehicles, pedestrians, animals, surface hazards, or narrow width lanes, that make it unsafe to continue along the right-hand curb or edge.

(b) Persons riding bicycles upon a roadway shall not ride more than two abreast and shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane.

(c) A person operating a bicycle upon a sidewalk, or across a roadway on a crosswalk, shall yield the right of way to any pedestrian and shall give an audible signal when necessary before overtaking and passing any pedestrian. No person shall ride a bicycle upon a sidewalk within a business district unless permitted by local authorities. Local authorities may prohibit the operation of bicycles on any sidewalk or crosswalk under their jurisdiction.

A person lawfully operating a bicycle on a sidewalk, or across a roadway on a crosswalk, shall have all the rights and duties applicable to a pedestrian under the same circumstances.

Subd. 5. CARRYING ARTICLES. No person operating a bicycle shall carry any package, bundle, or article which prevents the driver from keeping at least one hand upon the handle bars or from properly operating the brakes of the bicycle.

Subd. 6. BICYCLE EQUIPMENT. (a) No person shall operate a bicycle at nighttime unless the bicycle or its operator is equipped with a lamp which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector of a type approved by the department of public safety which is visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle. No person may operate a bicycle at any time when there is not sufficient light to render persons and vehicles on the highway clearly discernible at a distance of 500 feet ahead unless the bicycle or its operator is equipped with reflective surfaces that shall be visible during the hours of darkness from 600 feet when viewed in front of lawful lower beams of head lamps on a motor vehicle.

The reflective surfaces shall include reflective materials on each side of each pedal

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to indicate their presence from the front or the rear and with a minimum of 20 square inches of reflective material on each side of the bicycle or its operator. Any bicycle equipped with side reflectors as required by regulations for new bicycles prescribed by the United States consumer product safety commission shall be considered to meet the requirements for side reflectorization contained in this subdivision.

(b) No person shall operate a bicycle unless it is equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

(c) No person shall operate upon a highway any bicycle equipped with handlebars so raised that the operator must elevate his hands above the level of his shoulders in order to grasp the normal steering grip area.

(d) No person shall operate upon a highway any bicycle which is of such a size as to prevent the operator from stopping the bicycle, supporting it with at least one foot on the highway surface and restarting in a safe manner.

Subd. 7. SALE WITH REFLECTORS AND OTHER EQUIPMENT. No person shall sell or offer for sale any new bicycle unless it is equipped with reflectors and other equipment as required by subdivision 6, clauses (a) and (b) and by the regulations for new bicycles prescribed by the United States consumer product safety commission.

Subd. 8. TURNING AND LANE CHANGES. An arm signal to turn right or left shall be given continuously during the last 100 feet traveled by the bicycle before turning, unless the arm is needed to control the bicycle, and shall be given while the bicycle is stopped waiting to turn.

Subd. 9. BICYCLE PARKING. (a) A person may park a bicycle on a sidewalk unless prohibited or restricted by local authorities. A bicycle parked on a sidewalk shall not impede the normal and reasonable movement of pedestrian or other traffic.

(b) A bicycle may be parked on a roadway at any location where parking is allowed if it is parked in such a manner that it does not obstruct the movement of a legally parked motor vehicle.

Subd. 10. BICYCLE EVENTS. (a) Bicycle events, parades, contests, or racing on a highway shall not be unlawful when approved by state or local authorities having jurisdiction over that highway. Approval shall be granted only under conditions which assure reasonable safety for all participants, spectators and other highway users, and which prevent unreasonable interference with traffic flow which would seriously inconvenience other highway users.

(b) By agreement with the approving authority, participants in an approved bicycle highway event may be exempted from compliance with any traffic laws otherwise applicable thereto, provided that traffic control is adequate to assure the safety of all highway users.

Sec. 13. Minnesota Statutes 1976, Section 169.31, is amended to read:

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169.31 **STOP AT SIDEWALKS.** The driver of a vehicle within a business or residence district emerging from an alley, driveway, or building shall stop such vehicle immediately prior to driving onto a sidewalk or into the sidewalk area extending across any alleyway or private driveway and shall yield the right of way to any pedestrian and all other traffic on the sidewalk.

Sec. 14. [169.315] **OPENING AND CLOSING VEHICLE DOORS.** No person shall open any door on a motor vehicle unless and until it is reasonably safe to do so and can be done without interfering with the movement of other traffic. No person shall allow any door on the side of a vehicle adjacent to moving traffic to remain open for a period of time longer than necessary to load or unload passengers.

Sec. 15. Minnesota Statutes 1976, Section 169.221 is repealed.

Approved April 5, 1978.

CHAPTER 740-H.F.No.544

[Coded in Part]

An act relating to highways; lifting the construction moratorium on I-35E in the city of St. Paul; removing a certain route from the trunk highway system; establishing priorities for planning for construction of a certain trunk route; amending Minnesota Statutes 1976, Sections 161.117; 161.12; 161.123; and Chapter 161, by adding a section.

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

Section 1. Minnesota Statutes 1976, Section 161.117, is amended to read:

161.117 **TRUNK HIGHWAYS; ADDITIONAL ROUTES.** There may be added by order of the commissioner of transportation to the trunk highway system new routes described as follows:

(1) Route No. 380. Beginning at a point on Route No. 390 at its intersection with Shepard Road in the city of St. Paul; thence extending in a northeasterly direction generally following along the course of Shepard Road to a point on Route No. 112; thence extending in a northeasterly direction to a point on Route No. 392 easterly of the downtown area of St. Paul; providing a connector route between Route No. 390 and Routes No. 112 and 392;

(2) Route No. 384. Beginning at a point on Route No. 112, northerly of the Lafayette Street bridge in the city of St. Paul; thence extending in a northwesterly direction to a point on Route No. 390 southerly of Maryland Avenue in the city of St. Paul; providing a connector route between Route No. 112 and Route No. 390; and

(3) Route No. 382. Beginning at a point on Route No. 390 at its junction with Route No. 111, thence extending in a general northerly direction, within the corridor of

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