

revenue bonds or obligations shall include any revenues of the housing and redevelopment authority.

Sec. 5. **REPORT.**

By January 1, 1984, the city shall report to the appropriate committees of the legislature on the implementation of the program or programs created pursuant to sections 1 to 5. The report shall include but is not limited to information on the amount of bonds issued and the number and types of dwelling units served, whether single family, multifamily, of four units or less, or multifamily of more than four units.

Sec. 6. **EFFECTIVE DATE.**

Sections 1 to 6 are effective separately for each of the cities of Richfield and Bloomington the day after compliance with Minnesota Statutes, section 645.021, subdivision 3.

Approved May 19, 1983

CHAPTER 198 — S.F.No. 883

An act relating to transportation; modifying the definition of truck-tractor to include the power unit of automobile carriers; adjusting the motor vehicle registration tax on certain trailers; requiring proof of payment of the federal heavy use tax on heavy trucks; increasing the maximum allowable width on vehicles from 8 to 8-1/2 feet; allowing special permits for the transport of manufactured home frames; modifying vehicle length requirements to allow longer semitrailers and vehicle combinations; modifying the gross weight seasonal increase to include all axle combinations; modifying the distance a peace officer may require a vehicle to travel to a scale and defining a suitable place for unloading an overweight vehicle; modifying the civil penalty for overweight vehicles; increasing width requirement on loads of baled hay before flashing amber lights are required; requiring the commissioner to comply with criteria for the addition of federal qualifying highways; amending Minnesota Statutes 1982, sections 168.011, subdivision 12; 168.013, subdivision 1d, and by adding a subdivision; 169.01, subdivision 7; 169.80, subdivision 2; 169.81, subdivisions 2 and 3; 169.825, subdivision 11; 169.85; 169.86, by adding a subdivision; 169.862; and 169.871, subdivision 1, and by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 169; repealing Minnesota Statutes 1982, sections 169.80, subdivision 2a; and 169.81, subdivisions 3a, 3b, and 7.

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

Section 1. Minnesota Statutes 1982, section 168.011, subdivision 12, is amended to read:

Subd. 12. **TRUCK-TRACTOR.** "Truck-tractor" means any:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(a) a 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; and

(b) a motor vehicle designed and used primarily for drawing other vehicles used exclusively for transporting motor vehicles and capable of carrying motor vehicles on its own structure.

Sec. 2. Minnesota Statutes 1982, section 168.013, subdivision 1d, is amended to read:

Subd. 1d. **TRAILERS.** On trailers the annual tax ~~shall be~~ is based on total gross weight and ~~shall be~~ is 30 percent of the Minnesota base rate prescribed in subdivision 1e, when the gross weight is 15,000 pounds or less and when the gross weight of a trailer is more than 15,000 pounds, the tax for the first eight years of vehicle life is 100 percent of the tax imposed in the Minnesota base rate schedule and during the ninth and succeeding years of vehicle life the tax is 75 percent of the Minnesota base rate prescribed by subdivision 1e, but in no event less than \$5, provided, that the tax on trailers with a total gross weight of 3,000 pounds or less ~~shall be~~ is payable biennially.

Farm trailers with a gross weight in excess of 10,000 pounds and as described in section 168.011, subdivision 17, are taxed as farm trucks as prescribed in subdivision 1c.

Sec. 3. Minnesota Statutes 1982, section 168.013, is amended by adding a subdivision to read:

Subd. 20. **FEDERAL HEAVY VEHICLE USE TAX; PROOF OF PAYMENT.** No person may register a motor vehicle that, along with the trailers and semitrailers customarily used with the same type of motor vehicle, has a taxable gross weight of at least 33,000 pounds and is subject to the use tax imposed by the Internal Revenue Code of 1954, section 4481, unless proof of payment of the use tax, if required and in a form as may be prescribed by the secretary of the treasury, is presented.

Sec. 4. Minnesota Statutes 1982, section 169.01, subdivision 7, is amended to read:

Subd. 7. **TRUCK-TRACTOR.** "Truck-tractor" means:

(a) every a 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 ; and

(b) a motor vehicle designed and used primarily for drawing other vehicles used exclusively for transporting motor vehicles and capable of carrying motor vehicles on its own structure.

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Sec. 5. Minnesota Statutes 1982, section 169.80, subdivision 2, is amended to read:

Subd. 2. **OUTSIDE WIDTH.** The total outside width of any a vehicle exclusive of rear view mirrors or load securement devices which are not an integral part of the vehicle and not exceeding three inches on each side, or the load thereon shall may not exceed eight feet 102 inches except that the outside width of a farm tractor, or a vehicle owned by a political subdivision and used exclusively for the purpose of handling sewage sludge from sewage treatment facilities to farm fields or disposal sites, shall may not exceed 12 feet, and except as otherwise provided in this section.

A vehicle exceeding eight feet 102 inches in total outside width, owned by a political subdivision and used for the purpose of transporting or applying sewage sludge to farm fields or disposal sites shall may not transport sludge for distances greater than 15 miles, nor shall may it be used for transportation of sewage sludge or return travel between the hours of sunset and sunrise, or at any other time when visibility is impaired by weather, smoke, fog, or other conditions rendering persons and vehicles not clearly discernible on the highway at a distance of 500 feet.

The total outside width of a low bed trailer or equipment dolly, and the load thereon, used exclusively for transporting farm machinery and construction equipment shall may not exceed nine feet in width except that any a low bed trailer or equipment dolly with a total outside width, including the load thereon, in excess of eight feet shall 102 inches may not be operated on any interstate highway without first having obtained a permit for the operation pursuant to under section 169.86. The vehicle shall must display 12-inch square red flags as markers at the front and rear of the left side of the vehicle.

The total outside width of a trackless trolley car or passenger motor bus, operated exclusively in any a city, or contiguous cities in this state, shall may not exceed nine feet. A passenger motor bus, not exceeding eight and one-half feet in width, may operate within and between the cities of this state.

The total outside width of loads of forest products when loaded crossways shall not exceed 100 inches, provided the 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.

Sec. 6. Minnesota Statutes 1982, section 169.86, is amended by adding a subdivision to read:

Subd. 3a. The commissioner or local authority may not deny a permit for the transport to a manufacturing plant of manufactured home frames not more than 15-1/2 feet in width during periods of seasonal weight restrictions unless the load exceeds the weight restrictions.

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Sec. 7. Minnesota Statutes 1982, section 169.81, subdivision 2, is amended to read:

Subd. 2. **LENGTH OF VEHICLES.** (a) No single unit motor vehicle, except truck cranes which ~~shall~~ may not exceed 45 feet, unladen or with load ~~shall~~ may exceed a length of 40 feet extreme overall dimensions inclusive of front and rear bumpers, except that the governing body of ~~any a~~ any a city is ~~hereby~~ authorized by ~~ordinance~~ permit to provide for the maximum length of ~~any a~~ any a motor vehicle, or combination of motor vehicles, or the number of vehicles that may be fastened together, and which may be operated upon the streets or highways of ~~such a~~ such a city; provided, that ~~such ordinance shall the permit may not~~ such ordinance shall the permit may not prescribe a length less than that permitted by state law. ~~Any such A~~ Any such A motor vehicle operated in compliance with ~~such ordinance the permit~~ such ordinance the permit on the streets or highways of ~~such the city shall is not be deemed to be~~ such the city shall is not be deemed to be in violation of this chapter. ~~A truck tractor and semitrailer shall be regarded as a combination of vehicles for the purpose of determining lawful length.~~

(b) ~~No single semitrailer may have an overall length, exclusive of non-cargo-carrying accessory equipment, including refrigeration units or air compressors, necessary for safe and efficient operation mounted or located on the end of the semitrailer adjacent to the truck or truck-tractor, in excess of 48 feet, except as provided in paragraph (d). No single trailer may have an overall length inclusive of tow bar assembly and exclusive of rear protective bumpers which do not increase the overall length by more than six inches, in excess of 45 feet. For determining compliance with the provisions of this subdivision, the length of the semitrailer or trailer must be determined separately from the overall length of the combination of vehicles.~~

(c) ~~No semitrailer or trailer used in a three-vehicle combination may have an overall length, exclusive of non-cargo-carrying accessory equipment, including refrigeration units or air compressors, necessary for safe and efficient operation mounted or located on the end of the semitrailer or trailer adjacent to the truck or truck-tractor, and further exclusive of the tow bar assembly, in excess of 28-1/2 feet.~~

(d) ~~The commissioner may issue an annual permit for a semitrailer in excess of 48 feet in length, if the distance from the kingpin to the centerline of the rear axle group of the semitrailer does not exceed 41 feet and if a combination of vehicles, which includes a semitrailer in excess of 48 feet for which a permit has been issued under this paragraph, does not exceed an overall length of 65 feet. The annual fee for a permit issued under this paragraph is \$36.~~

Sec. 8. Minnesota Statutes 1982, section 169.81, subdivision 3, is amended to read:

Subd. 3. **LENGTH OF VEHICLE COMBINATIONS AND SEMI-TRAILERS AND TRUCK-TRACTORS.** (a) Statewide, except as provided in

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clause (e) paragraph (b), no combination of vehicles coupled together, including truck-tractor and semitrailer, shall may consist of more than two units and no combination of vehicles, unladen or with load, shall may exceed a total length of ~~60~~ 65 feet. The length limitation shall does not apply to the transportation of telegraph poles, telephone poles, electric light and power poles, piling, or pole length pulpwood, and is subject to the following further exceptions: the length limitations shall do not apply to vehicles ~~when~~ transporting pipe, or other objects by a public utility when required for emergency or repair of public service facilities or when operated under special permits as provided in this subdivision, but with respect to night transportation, a vehicle and the load shall must be equipped with a sufficient number of clearance lamps and marker lamps on both sides and upon the extreme ends of a projecting load to clearly mark the dimensions of the load. Mount combinations may be drawn but the combinations may not exceed 65 feet in length. The limitation on the number of units shall does not apply to vehicles used for transporting milk from point of production to point of first processing, in which case no combination of vehicles coupled together unladen or with load, including truck-tractor and semitrailers, shall may consist of more than three units and no combination of those vehicles shall may exceed a total length of ~~60~~ 65 feet. Notwithstanding other provisions of this section, and except as provided in paragraph (b), no combination of vehicles consisting of a truck-tractor and semitrailer designed and used exclusively for the transportation of motor vehicles may exceed 65 feet in length. The load may extend a total of seven feet, but may not extend more than three feet beyond the front or four feet beyond the rear, and in no case may the overall length of the combination of vehicles, unladen or with load, exceed 65 feet. For the purpose of registration, trailers coupled with a truck-tractor, semitrailer combination shall be deemed are semitrailers. The state, as to state trunk highways, and a city or town, as to roads or streets located within the city or town, may issue permits authorizing the transportation of combinations of vehicles exceeding the limitations in this subdivision over highways, roads, or streets within their boundaries. Combinations of vehicles authorized by this subdivision may be restricted as to the use of highways by the commissioner, as to state trunk highways, and a road authority, as to highways or streets subject to its jurisdiction. Nothing in this subdivision shall be deemed to alter alters or change changes the authority vested in local authorities under the provisions of section 169.04. ~~This subdivision shall not apply to the operation of combinations of vehicles subject to the provisions of section 169.861.~~

(b) No single semitrailer or trailer shall have an overall length, exclusive of rear protective bumpers which do not increase the overall length by more than six inches and further exclusive of accessory equipment mounted or located on the end of the semitrailer or trailer adjacent to the truck or truck-tractor, in excess of 45 feet, except for those semitrailers governed by subdivisions 3a, 3b and 7. For purposes of determining compliance with the provisions of this subdivision, the

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length of the semitrailer or trailer shall be determined separate from the overall length of the combination of vehicles.

(e) A The following combination of vehicles between 55 and 65 feet in length regularly engaged in the transportation of commodities and consisting of a truck and semitrailer or a truck-tractor and semitrailer drawing one additional semitrailer which may be equipped with an auxiliary dolly or a truck-tractor and semitrailer drawing one full trailer may operate only on divided highways having four or more lanes of travel, and on other highways as may be designated by the commissioner of transportation subject to section 169.87, subdivision 1, and subject to the approval of the authority having jurisdiction over the highway, for the purpose of providing reasonable access between the divided highways of four or more lanes of travel and truck terminals and marshalling yards, facilities for food, fuel, repair, and rest, and points of loading and unloading for household goods carriers, livestock carriers, or for the purpose of providing continuity of route:

(1) a truck-tractor and semitrailer exceeding 65 feet in length;

(2) a combination of vehicles with an overall length exceeding 55 feet and including a truck-tractor and semitrailer drawing one additional semitrailer which may be equipped with an auxiliary dolly;

(3) a combination of vehicles with an overall length exceeding 55 feet and including a truck-tractor and semitrailer drawing one full trailer; and

(4) a truck-tractor and semitrailer designed and used exclusively for the transportation of motor vehicles and exceeding an overall length of 65 feet including the load.

All Vehicles operated under the provisions of this section ~~shall~~ must conform to the standards for those vehicles as prescribed by the United States Department of Transportation, Federal Highway Administration, Bureau of Motor Carrier Safety, and as may be amended. The total length of the combination, unladen or with load, shall not exceed 65 feet. For the purpose of registration, trailers coupled with a truck-tractor semitrailer combination shall be deemed semitrailers.

Sec. 9. Minnesota Statutes 1982, section 169.825, subdivision 11, is amended to read:

Subd. 11. **GROSS WEIGHT SEASONAL INCREASES.** (a) The limitations provided in this section ~~shall be~~ are increased:

(1) by ten percent from January 1 to March 7 each winter, statewide;

(2) by ten percent from December 1 through December 31 each winter in the zone bounded as follows: beginning at Pigeon River in the northeast corner of Minnesota; thence in a southwesterly direction along the north shore of Lake

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Superior along Trunk Highway No. 61 to the junction with Trunk Highway No. 210; thence westerly along Trunk Highway No. 210 to the junction with Trunk Highway No. 10; thence northwesterly along Trunk Highway No. 10 to the junction with Trunk Highway No. 59; thence northerly along Trunk Highway No. 59 to the junction with Trunk Highway No. 2; thence westerly along Trunk Highway No. 2 to the junction with Trunk Highway No. 32; thence northerly along Trunk Highway No. 32 to the junction with Trunk Highway No. 11; thence northeast along Trunk Highway No. 11 to the east line of Range 43W to the Minnesota-Canadian Border; thence easterly along said Border to Lake Superior;

(b) The duration of any a ten percent increase shall be in load limits is subject to limitation by order of the commissioner, subject to implementation of springtime load restrictions, or March 7.

(c) When the ten percent increase is in effect, a permit shall be is required for any a motor vehicle, trailer, or semitrailer combination that has a gross weight in excess of 80,000 pounds, an axle group weight in excess of that prescribed in subdivision 10, or a single axle weight in excess of 20,000 pounds and which travels on interstate routes;

(d) In all cases where gross weights in an amount less than those that set forth in this section are fixed, limited, or restricted on any a highway or bridge by or pursuant to any other under another section of this chapter, the lesser gross weight as so fixed, limited, or restricted shall may not be exceeded and shall must control instead of the gross weights set forth in this section;

(e) Notwithstanding any other provision of this subdivision, no vehicle shall may exceed a total gross vehicle weight of 80,000 pounds on routes which have not been designated by the commissioner pursuant to under section 169.832, subdivision 11.

Sec. 10. [169.835] FEDERAL QUALIFYING HIGHWAYS.

The commissioner of transportation may not add routes to the system of federal qualifying highways submitted to the federal highway administration in accordance with the Surface Transportation Assistance Act of 1982, United States Code, title 49, section 2311, except in compliance with the criteria established by the commissioner for the addition of routes.

Sec. 11. Minnesota Statutes 1982, section 169.85, is amended to read:
169.85 WEIGHING; PENALTY.

The driver of any a vehicle which has been lawfully stopped may be required by a peace officer to submit the vehicle and load to a weighing by means of portable or stationary scales, and the peace officer may require that the vehicle be driven to the nearest available scales in the event the scales are within if the distance to the scales is no further than five miles, or if the distance from the

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point where the vehicle is stopped to the vehicle's destination is not increased by more than ten miles as a result of proceeding to the nearest available scales. Official traffic control devices as authorized by section 169.06 may be used to direct the driver to the nearest scale. When any a truck weight enforcement operation is conducted by means of portable or stationary scales and signs giving notice of the operation are posted within the highway right-of-way and adjacent to the roadway within two miles of the operation, the driver of every a truck or combination of vehicles registered for or weighing in excess of 12,000 pounds, and the driver of every a charter bus, except a bus registered in Minnesota, shall proceed to the scale site and submit the vehicle to weighing and inspection.

Upon weighing a vehicle and load, as provided in this section, an officer may require the driver to stop the vehicle in a suitable place and remain standing until a portion of the load is removed that is sufficient to reduce the gross weight of the vehicle to the limit permitted under section 169.825. A suitable place is a location where loading or tampering with the load is not prohibited by federal, state, or local law, rule or ordinance. A driver may be required to unload a vehicle only if the weighing officer determines that (a) on routes subject to the provisions of section 169.825, the weight on any an axle exceeds the lawful gross weight prescribed by section 169.825, by 2,000 pounds or more, or the weight on any a group of two or more consecutive axles in cases where the distance between the centers of the first and last axles of the group under consideration is ten feet or less exceeds the lawful gross weight prescribed by section 169.825, by 4,000 pounds or more; or (b) on routes designated by the commissioner in section 169.832, subdivision 11, the overall weight of the vehicle or the weight on any an axle or group of consecutive axles exceeds the maximum lawful gross weights prescribed by section 169.825; or (c) the weight is unlawful on any an axle or group of consecutive axles on any a road restricted in accordance with section 169.87. All Material so unloaded shall must be cared for by the owner or driver of the vehicle at the risk of the owner or driver.

Any A driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing as required in this section, or who fails or refuses, when directed by an officer upon a weighing of the vehicle, to stop the vehicle and otherwise comply with the provisions of this section, is guilty of a misdemeanor.

Sec. 12. Minnesota Statutes 1982, section 169.862, is amended to read:
169.862 PERMITS FOR WIDE LOADS OF BALED HAY.

The commissioner of transportation, with respect to highways under his the commissioner's jurisdiction, and local authorities, with respect to highways under their jurisdiction, may issue an annual permit to enable a vehicle carrying round baled hay, with a total outside width of the vehicle or the load ~~thereon~~ not exceeding 11-1/2 feet, to be operated on public streets and highways. Permits issued ~~pursuant to~~ under this section ~~shall be~~ are governed by the applicable

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provisions of section 169.86 except as otherwise provided herein, and, in addition ~~shall~~, carry the following restrictions:

(a) The vehicles ~~shall~~ may not be operated between sunset and sunrise, when visibility is impaired by weather, fog, or other conditions rendering persons and vehicles not clearly visible at a distance of 500 feet, or on Saturdays, Sundays, and holidays.

(b) The vehicles ~~shall~~ may not be operated on interstate highways.

(c) The vehicles ~~shall~~ may not be operated on a trunk highway with a pavement less than 24 feet wide.

(d) A vehicle operated under the permit ~~shall~~ must be equipped with a retractable or removable mirror on the left side so located that it will reflect to the driver a clear view of the highway for a distance of at least 200 feet to the rear of the vehicle. Simultaneous flashing amber lights, as provided in section 169.59, subdivision 4, ~~shall~~ must be displayed to the front and rear of the vehicle. The flashing amber lights ~~shall~~ must be lighted only when the width of the load exceeds eight feet 102 inches. The flashing amber light system ~~shall be~~ is in addition to and separate from the turn signal system and the hazard warning light system.

(e) A vehicle operated under the permit ~~shall~~ must display red, orange, or yellow flags, 12 inches square, as markers at the front and rear, and on both sides of the load. The load ~~shall~~ must be securely bound to the transporting vehicle.

The fee for the permit ~~shall be~~ is \$25.

Sec. 13. Minnesota Statutes 1982, section 169.871, subdivision 1, is amended to read:

Subdivision 1. **CIVIL LIABILITY.** The owner or lessee of a vehicle that is operated with a gross weight in excess of a weight limit imposed under sections 169.825 and 169.832 to 169.851 and 169.87 or a shipper who ships or tenders goods for shipment in a single truck or combination vehicle that exceeds a weight limit imposed under sections 169.825 and 169.832 to 169.851 and 169.87 is liable for a civil penalty as follows:

(a) If the total gross excess weight is not more than ~~3,000~~ 1,000 pounds, one cent per pound for each pound in excess of the legal limit;

(b) If the total gross excess weight is more than ~~3,000~~ 1,000 pounds but not more than ~~4,000~~ 3,000 pounds, \$10 plus five cents per pound for each pound in excess of ~~the legal limit~~ 1,000 pounds;

(c) If the total gross excess weight is more than ~~4,000~~ 3,000 pounds but not more than ~~6,000~~ 5,000 pounds, \$110 plus 45 ten cents per pound for each pound in excess of ~~the legal limit~~ 3,000 pounds; or

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(d) If the total gross excess weight is more than ~~6,000~~ 5,000 pounds but not more than 7,000 pounds, \$310 plus 30 15 cents per pound for each pound in excess of the legal limit 5,000 pounds;

(e) If the total gross excess weight is more than 7,000 pounds, \$610 plus 20 cents per pound for each pound in excess of 7,000 pounds.

Any penalty imposed upon a defendant under this ~~section~~ subdivision shall not exceed the ~~maximum~~ penalty prescribed by this subdivision. Any fine paid by the defendant in a criminal overweight action that arose from the same overweight violation shall be applied toward payment of the civil penalty under this subdivision. A peace officer who cites a driver for a violation of the weight limitations established by sections 169.81 to 169.851 and 169.87 shall give written notice to the driver that he or another may also be liable for the civil penalties provided herein in the same or separate proceedings.

Sec. 14. Minnesota Statutes 1982, section 169.871, is amended by adding a subdivision to read:

Subd. 1a. The owner or lessee of a vehicle that is operated with a gross weight in excess of a weight limit imposed by permit under sections 169.86 and 169.862 and a shipper who ships or tenders goods for shipment in a single truck or combination vehicle that exceeds a weight limit permitted under sections 169.86 or 169.862 is liable for a civil penalty at a rate of five cents per pound for each pound in excess of the weight permitted under section 169.86 or 169.862, or \$100, whichever is greater.

Any penalty imposed upon a defendant under this subdivision shall not exceed the penalty prescribed by this subdivision. Any fine paid by the defendant in a criminal overweight action that arose from the same overweight violation may not be applied toward payment of the civil penalty under this subdivision. A peace officer who cites a driver for a violation of the weight limitations established by permit pursuant to section 169.86 or 169.862 shall give written notice to the driver that the driver or another may also be liable for the civil penalty provided in this subdivision in the same or separate proceedings.

Sec. 15. **REPEALER.**

Minnesota Statutes 1982, sections 169.80, subdivision 2a; and 169.81, subdivisions 3a, 3b, and 7, are repealed.

Sec. 16. **EFFECTIVE DATE.**

Sections 1, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 14 are effective the day following final enactment. Sections 2 and 3 are effective for taxable years beginning after December 31, 1983. Section 13 is effective July 1, 1983.

Approved May 19, 1983

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