

(d) The proceeds of a sale, lease, or other transfer of property under this subdivision by the commissioner or by the commissioner of administration shall be deposited in the environmental response, compensation, and compliance account. Any share of the proceeds that the agency is required by federal law or regulation to reimburse to the federal government is appropriated from the account to the agency for that purpose. Except for section 94.16, subdivision 2, the provisions of section 94.16 do not apply to real property sold by the commissioner of administration which was acquired under subdivision 15.

Presented to the governor April 24, 1990

Signed by the governor April 26, 1990, 10:00 p.m.

CHAPTER 529—S.F.No. 2060

An act relating to drivers' licenses; defining gross vehicle weight and commercial motor vehicle; allowing holder of class CC driver's license with school bus endorsement to operate a small school bus; changing effective dates of requirements for commercial driver's license; setting fees; appropriating money; amending Minnesota Statutes 1988, sections 169.01, subdivision 46; 171.01, subdivision 16; 171.05, subdivisions 1 and 2; and 171.321, subdivision 1; Minnesota Statutes 1989 Supplement, sections 169.01, subdivision 75; 171.01, subdivision 22; 171.02, subdivision 2; and 171.06, subdivision 2; Laws 1989, chapter 307, sections 43 and 44.

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

Section 1. Minnesota Statutes 1988, section 169.01, subdivision 46, is amended to read:

Subd. 46. **GROSS VEHICLE WEIGHT.** "Gross vehicle weight" means the greater of:

(1) the unloaded weight of a vehicle or the unloaded weight of a truck-tractor and semitrailer combination, plus the weight of the load; or

(2) the value specified by the manufacturer as the maximum gross weight or gross vehicle weight rating.

Sec. 2. Minnesota Statutes 1989 Supplement, section 169.01, subdivision 75, is amended to read:

Subd. 75. **COMMERCIAL MOTOR VEHICLE.** (a) "Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used to transport passengers or property if the motor vehicle:

(1) has a gross vehicle weight of 26,001 or more pounds;

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(2) has a towed unit with a gross vehicle weight of more than 10,000 pounds;

(3) is a bus; or

(4) is of any size and is used in the transportation of hazardous materials defined in section 221.033; or

(5) is outwardly equipped and identified as a school bus, except for school buses defined in section 169.44, subdivision 15.

(b) For purposes of sections 169.1211, 169.1215, and 169.123, subdivisions 2 and 4, a commercial motor vehicle does not include a farm truck, firefighting equipment, or recreational equipment being operated by a person within the scope of section 171.02, subdivision 2, paragraph (a).

Sec. 3. Minnesota Statutes 1988, section 171.01, subdivision 16, is amended to read:

Subd. 16. **GROSS VEHICLE WEIGHT.** "Gross vehicle weight" (GVW) means the greater of:

(1) the unloaded weight of the a vehicle or the unloaded weight of a truck-tractor and semitrailer combination, plus the weight of the load thereon; or the registered

(2) the value specified by the manufacturer as the maximum gross weight of the or gross vehicle whichever is greater weight rating.

Sec. 4. Minnesota Statutes 1989 Supplement, section 171.01, subdivision 22, is amended to read:

Subd. 22. **COMMERCIAL MOTOR VEHICLE.** "Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used to transport passengers or property if the motor vehicle:

(1) has a gross vehicle weight of 26,001 or more pounds;

(2) has a towed unit with a gross vehicle weight of more than 10,000 pounds;

(3) is a bus; or

(4) is of any size and is used in the transportation of hazardous materials defined in section 221.033; or

(5) is outwardly equipped and identified as a school bus, except for school buses defined in section 169.44, subdivision 15.

Sec. 5. Minnesota Statutes 1989 Supplement, section 171.02, subdivision 2, is amended to read:

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Subd. 2. **DRIVER'S LICENSE CLASSIFICATIONS, ENDORSEMENTS, EXEMPTIONS.** Drivers' licenses shall be classified according to the types of vehicles which may be driven by the holder of each type or class of license. The commissioner may, as appropriate, subdivide the classes listed in this subdivision and issue licenses classified accordingly. No class of license shall be valid to operate a motorcycle, school bus, tank vehicle, double-trailer or ~~triple-trailer combination~~, vehicle transporting hazardous materials, or bus, unless so endorsed. There shall be four general classes of licenses as follows:

(a) Class C; valid for:

(1) all farm trucks as defined in section 168.011, subdivision 17, operated by (i) the owner, (ii) an immediate family member of the owner, (iii) an employee of the owner not primarily employed to operate the farm truck, within 150 miles of the farm, or (iv) an employee of the owner employed during harvest to operate the farm truck for the first, continuous transportation of agricultural products from the production site or on-farm storage site to any other location within 50 miles of that site;

(2) fire trucks and emergency fire equipment, whether or not in excess of 26,000 pounds GVW, operated by a firefighter while on duty, or a tiller operator employed by a fire department who drives the rear portion of a midmount aerial ladder truck;

(3) recreational equipment as defined in section 168.011, subdivision 25, that is operated for personal use; and

(4) all single unit ~~two-axle~~ vehicles; ~~including vehicles with a temporary auxiliary axle as defined in section 169.67, subdivision 4, but not including except~~ vehicles with a gross vehicle weight of 26,001 or more pounds, vehicles designed to carry more than 15 passengers including the driver, ~~nor~~ and vehicles that carry hazardous materials.

The holder of a class C license may also tow vehicles under 10,000 pounds GVW ~~including travel trailers~~ gross vehicle weight.

(b) Class CC; valid for:

(1) operating class C vehicles ~~and~~;

(2) with a hazardous materials endorsement, ~~for~~ transporting hazardous materials in class C vehicles; and

(3) with a school bus endorsement, operating school buses designed to transport 15 or fewer passengers, including the driver.

(c) Class B; valid for all vehicles in class C, class CC, and all other single unit vehicles including, with a passenger endorsement, buses.

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(d) Class A; valid for any vehicle or combination thereof.

Sec. 6. Minnesota Statutes 1988, section 171.05, subdivision 1, is amended to read:

Subdivision 1. Any person who is 18 or more years of age and who, except for a lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a Class C driver's license under this chapter, may apply for an instruction permit and the department shall issue such permit entitling the applicant, while having such permit in immediate possession, to drive a motor vehicle for which a Class C license is valid upon the highways for a period of one year, but such person must be accompanied by an adult licensed driver who is actually occupying a seat beside the driver. Any license of a lower class may be used as an instruction permit for a higher class for a period of six months after passage of the written test or tests required for the higher class and when the licensee is accompanied by and receiving instruction from a holder of the appropriate higher class license. A copy of the record of examination taken for the higher class license must be carried by the driver while using such lower class license as an instruction permit.

Sec. 7. Minnesota Statutes 1988, section 171.05, subdivision 2, is amended to read:

Subd. 2. Notwithstanding any provision in subdivision 1 to the contrary, the department, upon application therefor, may issue an instruction permit to an applicant who is 15, 16, or 17 years of age and who is enrolled in an approved driver education program including behind the wheel training. Such an instruction permit holder who has the permit in possession may operate a motor vehicle while receiving behind the wheel training in an approved driver education program, but only when accompanied by an authorized instructor who occupies the seat beside the permit holder, ~~or~~. During and upon completion of the course, a 16 or 17 year old may operate a motor vehicle while accompanied by an adult licensed driver who is actually occupying a seat beside the driver. During and upon completion of the course, a 15 year old may operate a motor vehicle while accompanied by a licensed parent or guardian or licensed adult driver authorized by the parent or guardian who also must occupy the seat beside the instruction permit holder.

Sec. 8. Minnesota Statutes 1989 Supplement, section 171.06, subdivision 2, is amended to read:

Subd. 2. FEES. (a) The fees for a license and Minnesota identification card are as follows:

Classified Driver License	C-\$15	CC-\$19	B-\$26	A-\$34
Classified Under 21 D.L.	C-\$15		B-\$22.50	A-\$10
		<u>CC-\$19</u>	<u>B-\$26</u>	<u>A-\$14</u>
Instruction Permit				\$ 6
Duplicate Driver or Under 21 License				\$ 4.50
Minnesota identification card, except as otherwise provided in section 171.07, subdivisions 3 and 3a				\$ 9

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Sec. 9. Minnesota Statutes 1988, section 171.321, subdivision 1, is amended to read:

Subdivision 1. No person shall drive a school bus when transporting school children to or from school or upon a school related trip or activity without having a valid ~~Class B or class A, class B, or class CC~~ driver's license with a school bus endorsement except that a person possessing a valid driver's license but not a school bus endorsement may drive a vehicle with a seating capacity of ten or less persons used as a school bus but not outwardly equipped or identified as a school bus.

Sec. 10. Laws 1989, chapter 307, section 43, is amended to read:

Sec. 43. **APPROPRIATION.**

\$480,000 is appropriated to the commissioner of public safety from the trunk highway fund for record keeping, implementation, and administration of sections 1 to 42. \$252,000 is for fiscal year 1990 and \$228,000 is for fiscal year 1991. Any unencumbered balance remaining in the 1990 fiscal year does not cancel, but is available for the 1991 fiscal year.

Sec. 11. Laws 1989, chapter 307, section 44, is amended to read:

Sec. 44. **EFFECTIVE DATE.**

Subdivision 1. Sections 1 to 16, 18 to 27, and 29 to 43 are effective January 1, 1990.

~~Section 17 is effective January 1, 1990, and is effective for an individual driver on the expiration date of that driver's license between January 1, 1990, and January 1, 1994. Section 17 is effective for all drivers after January 1, 1994.~~

Subd. 2. Section 28, subdivisions 1, 2, 3, 4, and 6, are effective January 1, 1990, and apply to offenses committed, and revocations imposed for incidents occurring on, or after that date. Section 28, subdivision 5, is effective the day following final enactment.

Subd. 3. (a) Section 17 is effective for an individual driver on:

(1) July 1, 1990, if the expiration date of that driver's license is in July 1992;

(2) August 1, 1990, if the expiration date of that driver's license is in August 1992;

(3) September 1, 1990, if the expiration date of that driver's license is in September 1992;

(4) October 1, 1990, if the expiration date of that driver's license is in October 1992;

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(5) November 1, 1990, if the expiration date of that driver's license is in November 1992;

(6) December 1, 1990, if the expiration date of that driver's license is in December 1992;

(7) January 1, 1991, if the expiration date of that driver's license is in January 1993;

(8) February 1, 1991, if the expiration date of that driver's license is in February 1993;

(9) March 1, 1991, if the expiration date of that driver's license is in March 1993;

(10) April 1, 1991, if the expiration date of that driver's license is in April 1993;

(11) May 1, 1991, if the expiration date of that driver's license is in May 1993;

(12) June 1, 1991, if the expiration date of that driver's license is in June 1993;

(13) July 1, 1991, if the expiration date of that driver's license is in July 1993;

(14) August 1, 1991, if the expiration date of that driver's license is in August 1993;

(15) September 1, 1991, if the expiration date of that driver's license is in September 1993;

(16) October 1, 1991, if the expiration date of that driver's license is in October 1993;

(17) November 1, 1991, if the expiration date of that driver's license is in November 1993; or

(18) December 1, 1991, if the expiration date of that driver's license is in December 1993.

(b) Section 17 is effective for an individual driver on:

(1) January 1, 1992, if the expiration date of that driver's license is in April 1992;

(2) February 1, 1992, if the expiration date of that driver's license is in May 1992; or

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(3) March 1, 1992, if the expiration date of that driver's license is in June 1992.

(c) Section 17 is effective for an individual driver not described in paragraph (a) or (b) on the expiration date of that driver's license.

(d) Section 17 is effective for all commercial motor vehicle drivers after March 31, 1992.

Sec. 12. INTERIM FEES.

Subdivision 1. The commissioner of public safety shall issue a commercial driver's license to a driver listed in section 11, subdivision 3, paragraph (a), who otherwise qualifies for the license and pays to the commissioner a duplicate fee of \$4.50 and a fee of \$4 for the commercial driver's license information system established by the Federal Highway Administration under the Commercial Motor Vehicle Safety Act of 1986, section 12007, instead of the renewal fee under Minnesota Statutes, section 171.06, subdivision 2. A commercial driver's license issued under this subdivision expires on the date the person's license would have expired if not for the enactment of section 11. This subdivision supersedes any contrary provision of Minnesota Statutes, chapter 171, regarding fees and licensing periods for commercial drivers' licenses.

Subd. 2. The commissioner of public safety shall issue a commercial driver's license to a driver listed in section 11, subdivision 3, paragraph (b), who qualifies for the license and pays the renewal and other fees required. The license expires on the date the person's license would have expired if not for the enactment of section 11.

Subd. 3. Subdivision 1 is repealed effective January 1, 1992.

Sec. 13. APPROPRIATION.

\$146,000 is appropriated to the commissioner of public safety from the trunk highway fund for the purposes of sections 1 to 5 and 8 to 12.

Sec. 14. EFFECTIVE DATE.

Sections 1 to 13 are effective July 1, 1990.

Presented to the governor April 24, 1990

Signed by the governor April 26, 1990, 10:40 p.m.

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