

Presented to the governor May 12, 1993

Signed by the governor May 14, 1993, 10:01 p.m.

CHAPTER 187—H.F.No. 735

An act relating to highway traffic regulations; implements of husbandry; defining implements of husbandry; exempting trailers that carry dry fertilizer from vehicle registration tax; reducing the maximum speed limit for implements of husbandry to 25 miles per hour; clarifying the use of slow-moving vehicle emblem for implements of husbandry; requiring hazard warning lights on implements of husbandry; regulating brakes on implements of husbandry; imposing certain size and weight restrictions; requiring slow-moving vehicle safety to be included in driver examinations and driver education courses; amending Minnesota Statutes 1992, sections 168.012, subdivision 2b; 169.01, subdivision 55; 169.145; 169.18, subdivision 5; 169.47; 169.522, subdivision 1; 169.55, subdivision 2, and by adding a subdivision; 169.64, subdivision 6; 169.67, subdivisions 3, 4, and by adding a subdivision; 169.72, subdivision 1; 169.781, subdivision 3; 169.80, subdivisions 1 and 2; 169.82; 169.86, subdivision 5; and 171.13, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 169.

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

Section 1. Minnesota Statutes 1992, section 168.012, subdivision 2b, is amended to read:

Subd. 2b. A trailer used exclusively to carry liquid or dry fertilizer for use on a farm shall not be taxed as a motor vehicle using the public streets and highways and shall be exempt from the provisions of this chapter.

Sec. 2. Minnesota Statutes 1992, section 169.01, subdivision 55, is amended to read:

Subd. 55. **IMPLEMENT OF HUSBANDRY.** (a) "Implement of husbandry" means every vehicle, including a farm tractor and farm wagon, designed and or adapted exclusively for agricultural, horticultural, or livestock-raising operations or for lifting or carrying an implement of husbandry and in either case not subject to registration if used upon the highways.

(b) A towed vehicle meeting the description in paragraph (a) ~~that is not required to be registered~~ is an implement of husbandry without regard to whether the vehicle is towed by an implement of husbandry or by a registered motor vehicle.

Sec. 3. Minnesota Statutes 1992, section 169.145, is amended to read:

169.145 IMPLEMENTS OF HUSBANDRY; SPEED; PENALTY.

New language is indicated by underline, deletions by ~~strikeout~~.

No person shall ~~may~~:

~~(1) drive a self-propelled or tow an implement of husbandry; nor shall any person tow a self-propelled implement of husbandry; nor shall any person that exceeds 6,000 pounds registered gross weight or gross vehicle weight and is not equipped with brakes; or~~

~~(2) tow a vehicle registered as a farm trailer that exceeds 6,000 pounds registered gross weight or gross vehicle weight and is not equipped with brakes and exceeding 6,000 pounds, at a speed in excess of 30 25 miles per hour. Violation of this section is a misdemeanor.~~

Sec. 4. Minnesota Statutes 1992, section 169.18, subdivision 5, is amended to read:

Subd. 5. **DRIVING LEFT OF ROADWAY CENTER.** (a) No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to the right-hand side of the roadway before coming within 100 feet of any vehicle approaching from the opposite direction;

(b) Except on a one-way roadway or as provided in paragraph (c), no vehicle shall, in overtaking and passing another vehicle or at any other time, be driven to the left half of the roadway under the following conditions:

(1) When approaching the crest of a grade or upon a curve in the highway where the driver's view along the highway is obstructed within a distance of 700 feet;

(2) When approaching within 100 feet of any underpass or tunnel, or railroad grade crossing, or when approaching within 100 feet of or traversing any intersection within a city or without if so posted;

(3) Where official signs are in place prohibiting passing, or a distinctive center line is marked, which distinctive line also so prohibits passing, as declared in the manual of traffic-control devices adopted by the commissioner.

(c) Paragraph (b) does not apply to a self-propelled or towed implement of husbandry that (1) is escorted at the front by a registered motor vehicle that is displaying vehicular hazard warning lights visible to the front and rear in normal sunlight, and (2) does not extend into the left half of the roadway to any greater extent than made necessary by the total width of the right half of the roadway together with any adjacent shoulder that is suitable for travel.

Sec. 5. Minnesota Statutes 1992, section 169.47, is amended to read:

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169.47 UNSAFE EQUIPMENT.

Subdivision 1. **MISDEMEANOR.** (a) It is unlawful and punishable as hereinafter provided for any person to drive or for the owner to cause or knowingly permit to be driven on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this chapter, or which is equipped in any manner in violation of this chapter, or for any person to do any act forbidden or fail to perform any act required under this chapter.

(b) The provisions of this chapter with respect to equipment on vehicles ~~shall do not~~ apply to implements of husbandry, road machinery, or road rollers; or farm tractors, except as ~~herein made applicable~~ otherwise provided in this chapter.

(c) For purposes of this section, a specialized vehicle resembling a low-slung two-wheel trailer having a short bed or platform shall be deemed to be an implement of husbandry when such vehicle is used exclusively to transport implements of husbandry, provided, however, that no such vehicle shall operate on the highway before sunrise or after sunset unless proper lighting is affixed to the implement being drawn.

Sec. 6. Minnesota Statutes 1992, section 169.522, subdivision 1, is amended to read:

Subdivision 1. **DISPLAYING EMBLEM; RULES.** (a) All animal-drawn vehicles, motorized golf carts when operated on designated roadways pursuant to section 169.045, implements of husbandry with load, and other machinery, including all road construction machinery, which are designed for operation at a speed of 25 miles per hour or less shall display a triangular slow-moving vehicle emblem, except (1) when being used in actual construction and maintenance work and traveling within the limits of a construction area which is marked in accordance with requirements of the manual of uniform traffic control devices, as set forth in section 169.06, or (2) for a towed implement of husbandry that is empty and that is not self-propelled, in which case it may be towed at lawful speeds greater than 25 miles per hour without removing the slow-moving vehicle emblem. The emblem shall consist of a fluorescent yellow-orange triangle with a dark red reflective border and be mounted so as to be visible from a distance of not less than 600 feet to the rear. When a primary power unit towing an implement of husbandry or other machinery displays a slow-moving vehicle emblem visible from a distance of 600 feet to the rear, it shall not be necessary to display a similar emblem on the secondary unit. After January 1, 1975, all slow-moving vehicle emblems sold in this state shall be so designed that when properly mounted they are visible from a distance of not less than 600 feet to the rear when directly in front of lawful lower beam of head lamps on a motor vehicle. The commissioner of public safety shall adopt standards and specifications for the design and position of mounting the slow-moving vehicle emblem. Such

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standards and specifications shall be adopted by rule in accordance with the administrative procedure act. A violation of this section shall not be admissible evidence in any civil cause of action arising prior to January 1, 1970.

(b) An alternate slow-moving vehicle emblem consisting of a dull black triangle with a white reflective border may be used after obtaining a permit from the commissioner under rules of the commissioner. A person with a permit to use an alternate slow-moving vehicle emblem must:

(1) carry in the vehicle a regular slow-moving vehicle emblem and display the emblem when operating a vehicle between sunset and sunrise, and at any other time when visibility is impaired by weather, smoke, fog, or other conditions; and

(2) permanently affix to the rear of the slow-moving vehicle at least 72 square inches of reflective tape that reflects the color red.

Sec. 7. Minnesota Statutes 1992, section 169.55, subdivision 2, is amended to read:

Subd. 2. **FARM VEHICLES IMPLEMENTS OF HUSBANDRY.** At the times when lighted lamps on vehicles are required;

(1) every ~~farm tractor and self-propelled unit of farm equipment~~ shall implement of husbandry must be equipped with at least one lamp displaying a white ~~or amber~~ light to the front, and at least one lamp displaying a red light to the rear;

(2) every self-propelled ~~unit of farm equipment~~ shall implement of husbandry must also display two red reflectors visible to the rear;

(3) every combination of a self-propelled and towed ~~unit of farm equipment~~ shall implement of husbandry must be equipped with at least one lamp mounted to indicate as nearly as practicable the extreme left projection of the combination and displaying a white or amber light to the front and a red ~~or amber~~ light to the rear of the self-propelled implement of husbandry; and

(4) the last unit of every combination of ~~farm equipment~~ shall implements of husbandry must display two red reflectors visible to the rear.

The reflectors ~~shall must~~ be of the type approved for use upon commercial vehicles. The reflectors ~~shall must~~ be mounted as close as practicable to the extreme edges of the ~~unit of farm equipment and implement of husbandry.~~ The reflectors ~~shall must~~ be reflex reflectors that ~~shall be are~~ visible at night from all distances within 600 feet to 100 feet when directly in front of lawful lower beams of headlamps.

Sec. 8. Minnesota Statutes 1992, section 169.55, is amended by adding a subdivision to read:

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Subd. 3. IMPLEMENTS OF HUSBANDRY; HAZARD WARNING LIGHTS. No person may operate a self-propelled implement of husbandry manufactured after January 1, 1970, on a highway unless the implement of husbandry displays vehicular hazard warning lights visible to the front and rear in normal sunlight.

Sec. 9. Minnesota Statutes 1992, section 169.64, subdivision 6, is amended to read:

Subd. 6. **FLASHING AMBER LIGHT ON SERVICE VEHICLE, SNOW REMOVAL EQUIPMENT, IMPLEMENT OF HUSBANDRY.** (a) Any service vehicle ~~or self-propelled unit of farm equipment except a farm tractor~~ may be equipped with a flashing amber lamp of a type approved by the commissioner of public safety.

(1) (b) A service vehicle shall not display the lighted lamp authorized under paragraph (a) when traveling upon the highway or at any other time except at the scene of a disabled vehicle or while engaged in snow removal or road maintenance.

(2) (c) A self-propelled ~~unit of farm equipment~~ implement of husbandry may display the lighted lamp authorized under paragraph (a) at any time.

Sec. 10. Minnesota Statutes 1992, section 169.67, subdivision 3, is amended to read:

Subd. 3. **TRAILERS, SEMITRAILERS, TANK TRAILERS.** Every trailer, semitrailer, or other vehicle with a gross weight that is 3,000 pounds or more or exceeds the empty weight of the towing vehicle, when drawn or pulled upon a highway, shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle, and so designed as to be applied by the driver of a towing motor vehicle from its cab, except (a) trailers owned by farmers when transporting agricultural products produced on the owner's farm or supplies back to the farm of the owner of the trailer; (b) custom service vehicles drawn by motor vehicles equipped with brakes capable of stopping both vehicles within the distance required by law for vehicles with four-wheel brakes and contractors' custom service vehicles not exceeding 30,000 pounds gross weight and 45 miles per hour when drawn by a motor vehicle capable of stopping the combination within the performance standards of subdivision 5; (c) trailers or semitrailers when used by retail dealers delivering implements of husbandry; (d) motor vehicles drawn by motor vehicles equipped with brakes capable of stopping the combination of vehicles within the performance requirements of this section; (e) tank trailers not exceeding 8,500 pounds gross weight used solely for transporting liquid fertilizer or gaseous fertilizer under pressure, or distributor trailers not exceeding 8,500 pounds gross weight used solely for transporting and distributing dry fertilizer, when hauled by a truck capable of stopping with loaded trailer attached in the distance specified by subdivision 5 for vehicles equipped with four-wheel brakes, providing the gross weight of such trailer or semitrailer other than those described in this clause when drawn by a pleasure

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vehicle shall not exceed 3,000 pounds; or when drawn by a truck or tractor shall not exceed 6,000 pounds; or may exceed 6,000 pounds but not exceed 15,000 pounds for a trailer described in clause (a) when drawn by a truck or tractor at a speed not exceeding 30 miles per hour; and except disabled vehicles towed to a place of repair: (a) No trailer or semitrailer with a gross weight of 3,000 or more pounds, or a gross weight that exceeds the empty weight of the towing vehicle, may be drawn on a highway unless it is equipped with brakes that are adequate to control the movement of and to stop and hold the trailer or semitrailer.

(b) No trailer or semitrailer with a gross weight of more than 6,000 pounds may be drawn on a highway unless it is equipped with brakes that are so constructed that they are adequate to stop and hold the trailer or semitrailer whenever it becomes detached from the towing vehicle.

(c) Except as provided in paragraph (d), paragraph (a) does not apply to:

(1) a trailer used by a farmer while transporting farm products produced on the user's farm, or supplies back to the farm of the trailer's user;

(2) a towed custom service vehicle drawn by a motor vehicle that is equipped with brakes that meet the standards of subdivision 5, provided that such a towed custom service vehicle that exceeds 30,000 pounds gross weight may not be drawn at a speed of more than 45 miles per hour;

(3) a trailer or semitrailer operated or used by retail dealers of implements of husbandry while engaged exclusively in the delivery of implements of husbandry;

(4) a motor vehicle drawn by another motor vehicle that is equipped with brakes that meet the standards of subdivision 5;

(5) a tank trailer of not more than 12,000 pounds gross weight owned by a distributor of liquid fertilizer while engaged exclusively in transporting liquid fertilizer, or gaseous fertilizer under pressure;

(6) a trailer of not more than 12,000 pounds gross weight owned by a distributor of dry fertilizer while engaged exclusively in the transportation of dry fertilizer; and

(7) a disabled vehicle while being towed to a place of repair.

(d) Vehicles described in paragraph (c), clauses (1), (3), and (4), may be operated without complying with paragraph (a) only if the trailer or semitrailer does not exceed the following gross weights:

(1) 3,000 pounds while being drawn by a vehicle registered as a passenger automobile, other than a pickup truck as defined in section 168.011, subdivision 29;

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(2) 12,000 pounds while being drawn by any other motor vehicle except a self-propelled implement of husbandry.

Sec. 11. Minnesota Statutes 1992, section 169.67, subdivision 4, is amended to read:

Subd. 4. **SERVICE BRAKES ON WHEELS; EXCEPTIONS.** Every motor vehicle, trailer, or semitrailer, manufactured after June 30, 1988, and operated upon the highways shall be equipped with service brakes upon all wheels of every such vehicle, except mobile cranes not exceeding 45 miles per hour and capable of stopping within the performance standards of subdivision 5, and except that any motorcycle, any trailer or semitrailer of less than 3,000 pounds gross weight, a third wheel, of a swivel type, on a travel trailer, a temporary auxiliary axle attached to a motor vehicle during the period of road restrictions for the purpose of relieving weight of another axle, when the temporary auxiliary axle and the axle to be relieved do not exceed the combined gross weight of 18,000 pounds, and the vehicle to which such temporary axle is attached meets the brake requirements of this section, need not be equipped with brakes; and except, further, that brakes are not required on the front wheels of vehicles manufactured before July 1, 1988, having three or more axles or upon more than one wheel of a motorcycle provided the brakes on the other wheels are adequate to stop the vehicle in accordance with the braking performance requirements of subdivision 5: (a) All motor vehicles, trailers, and semitrailers manufactured after June 30, 1988, must be equipped with foot brakes on all wheels.

(b) Paragraph (a) does not apply to:

(1) a mobile crane that is not operated at a speed of more than 45 miles per hour and is capable of stopping within the performance standards of subdivision 5;

(2) a motorcycle;

(3) a trailer or semitrailer with a gross weight of less than 3,000 pounds;

(4) a swivel-type third wheel on a travel trailer; and

(5) a temporary auxiliary axle attached to a motor vehicle during a period of vehicle weight restrictions for the purpose of relieving the weight on another axle, if the combined gross weight on the temporary axle and the axle being relieved does not exceed 18,000 pounds and the motor vehicle meets all brake requirements under this section.

(c) Paragraph (a) does not require brakes on the front wheels of a vehicle having three or more axles and manufactured before July 1, 1988, if the brakes on the other wheels of the vehicle meet the standards of subdivision 5.

Sec. 12. Minnesota Statutes 1992, section 169.67, is amended by adding a subdivision to read:

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Subd. 6. IMPLEMENTS OF HUSBANDRY. An implement of husbandry that (1) is not self-propelled, (2) has a manufacturer's recommended capacity of more than 24,000 pounds, and (3) is manufactured and sold after January 1, 1994, must be equipped with brakes adequate to control the movement of and to stop and hold the towed vehicle.

Sec. 13. Minnesota Statutes 1992, section 169.72, subdivision 1, is amended to read:

Subdivision 1. **SOLID RUBBER, METAL, AND STUDDED TIRES; EXCEPTIONS; PERMITS.** Every solid rubber tire on a vehicle shall have rubber on its entire traction surface at least one inch thick above the edge of the flange of the entire periphery.

No person shall operate or move on any highway any motor vehicle, trailer, or semitrailer, having any metal tire in contact with the roadway, except in case of emergency.

Except as provided in this section, no tire on a vehicle moved on a highway shall have on its periphery any block, stud, flange, cleat, or spike or any other protuberances of any material other than rubber which projects beyond the tread of the traction surface of the tire. It shall be permissible to use any of the following on highways: ~~Farm machinery~~ implements of husbandry with tires having protuberances which will not injure the highway, and tire chains of reasonable proportions upon any vehicle when required for safety because of snow, ice, or other conditions tending to cause a vehicle to skid.

The commissioner and local authorities in their respective jurisdictions may, in their discretion, issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of such movable tracks or farm tractors or other farm machinery, the operation of which upon a highway would otherwise be prohibited under this chapter.

Sec. 14. Minnesota Statutes 1992, section 169.781, subdivision 3, is amended to read:

Subd. 3. **WHO MAY INSPECT.** (a) An inspection required by this section may be performed only by:

(1) an employee of the department of public safety or transportation who has been certified by the commissioner after having received training provided by the state patrol; or

(2) another person who has been certified by the commissioner after having received training provided by the state patrol or other training approved by the commissioner.

(b) A person who is not an employee of the department of public safety or transportation may be certified by the commissioner if the person is: (1) an

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owner, or employee of the owner, of one or more commercial motor vehicles that are power units; (2) a dealer licensed under section 168.27 and engaged in the business of buying and selling commercial motor vehicles, or an employee of the dealer; or (3) engaged ~~primarily~~ in the business of repairing and servicing commercial motor vehicles. Certification of persons described in clauses (1) to (3) is effective for two years from the date of certification. The commissioner may require biennial retraining of persons holding a certificate under this paragraph as a condition of renewal of the certificate. The commissioner may charge a fee of not more than \$10 for each certificate issued and renewed. A certified person described in clauses (1) to (3) may charge a fee of not more than \$50 for each inspection of a vehicle not owned by the person or the person's employer.

(c) Except as otherwise provided in subdivision 5, the standards adopted by the commissioner for commercial motor vehicle inspections under sections 169.781 to 169.783 shall be the standards prescribed in Code of Federal Regulations, title 49, section 396.17, and in chapter III, subchapter B, appendix G. The commissioner may classify types of vehicles for inspection purposes and may issue separate classes of inspector certificates for each class.

The commissioner shall issue separate categories of inspector certificates based on the following classifications:

(1) a class of certificate that authorizes the certificate holder to inspect commercial motor vehicles without regard to ownership or lease; and

(2) a class of certificate that authorizes the certificate holder to inspect only commercial motor vehicles the certificate holder owns or leases.

The commissioner shall issue a certificate described in clause (1) only to a person described in paragraph (b), clause (2) or (3).

(d) The commissioner, after notice and an opportunity for a hearing, may suspend a certificate issued under paragraph (b) for failure to meet annual certification requirements prescribed by the commissioner or failure to inspect commercial motor vehicles in accordance with inspection procedures established by the state patrol. The commissioner shall revoke a certificate issued under paragraph (b) if the commissioner determines after notice and an opportunity for a hearing that the certified person issued an inspection decal for a commercial motor vehicle when the person knew or reasonably should have known that the vehicle was in such a state of repair that it would have been declared out of service if inspected by an employee of the state patrol. Suspension and revocation of certificates under this subdivision are not subject to sections 14.57 to 14.69.

Sec. 15. Minnesota Statutes 1992, section 169.80, subdivision 1, is amended to read:

Subdivision 1. **LIMITATIONS.** It is a misdemeanor for a person to drive or move, or for the owner to cause or knowingly permit to be driven or moved, on a highway a vehicle or vehicles of a size or weight exceeding the limitations

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stated in sections 169.80 to 169.88, or otherwise in violation of sections 169.80 to 169.88, other than section 169.81, subdivision 5a, and the maximum size and weight of vehicles as prescribed in sections 169.80 to 169.88 shall be lawful throughout this state, and local authorities shall have no power or authority to alter these limitations except as express authority may be granted in sections 169.80 to 169.88.

When all the axles of a vehicle or combination of vehicles are weighed separately the sum of the weights of the axles so weighed shall be evidence of the total gross weight of the vehicle or combination of vehicles so weighed.

When each of the axles of any group that contains two or more consecutive axles of a vehicle or combination of vehicles have been weighed separately the sum of the weights of the axles so weighed shall be evidence of the total gross weight on the group of axles so weighed.

When, in any group of three or more consecutive axles of a vehicle or combination of vehicles any axles have been weighed separately and two or more axles consecutive to each other in the group have been weighed together, the sum of the weights of the axles weighed separately and the axles weighed together shall be evidence of the total gross weight of the group of axles so weighed.

The provisions of sections 169.80 to 169.88 governing size, weight, and load shall not apply to fire apparatus; ~~or to implements of husbandry temporarily moved upon a highway; or to loads of loose hay or corn stalks if transported by a horse-drawn vehicle or drawn by a farm tractor, or to a vehicle operated under the terms of a special permit issued as provided by law. For purposes of sections 169.80 to 169.88, a specialized vehicle resembling a low-slung two-wheel trailer having a short bed or platform shall be deemed to be an implement of husbandry when the vehicle is used exclusively to transport implements of husbandry; and the term "temporarily moved upon a highway" shall mean a movement not to exceed 50 miles.~~

In addition to any other special permits authorized, an annual permit may be issued authorizing movements on interstate highways and movements exceeding 50 miles on noninterstate highways of oversize vehicles and loads when the vehicles or combination of vehicles are used exclusively to transport implements of husbandry. Annual permits are issued in accordance with the applicable provisions of section 169.86, except that the transporting vehicle or combination of vehicles may be moved at the discretion of the permittee without prior route approval from the permit issuing office of the department of transportation if:

(a) The overall width of the transporting vehicle, including load, does not exceed 14 feet;

(b) The transporting vehicle otherwise complies with equipment requirements and length, height and weight limitations prescribed by this chapter;

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(c) The movement is made after the hour of sunrise and not later than 30 minutes after sunset;

(d) The movement is not made 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 Sundays after 12 o'clock noon, and holidays;

(e) The transporting vehicle shall display at the front and rear end of the load or vehicle a pair of flashing amber lights, as provided in section 169.59, subdivision 4, whenever the overall width of the vehicle exceeds ten feet, six inches; and

(f) The movement, if made on a trunk highway, is made on a trunk highway with a surfaced roadway width of not less than 24 feet.

The fee for an annual permit is \$24.

Sec. 16. Minnesota Statutes 1992, section 169.80, subdivision 2, is amended to read:

Subd. 2. **OUTSIDE WIDTH.** The total outside width of 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 may not exceed 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, may not exceed 12 feet, and except as otherwise provided in this section.

A vehicle exceeding 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 may not transport sludge for distances greater than 15 miles, nor 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, used exclusively for transporting farm machinery and construction equipment may not exceed nine feet in width except that a low bed trailer or equipment dolly with a total outside width, including the load, in excess of 102 inches may not be operated on any interstate highway without first having obtained a permit for the operation under section 169.86. The vehicle 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 a city or contiguous cities in this state, may not exceed nine feet.

Sec. 17. [169.801] IMPLEMENTS OF HUSBANDRY.

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Subdivision 1. EXEMPTION FROM SIZE, WEIGHT, LOAD PROVISIONS. Except as provided in this section and section 169.82, the provisions of sections 169.80 to 169.88 that govern size, weight, and load do not apply to:

(1) a horse-drawn wagon while carrying a load of loose straw or hay;

(2) a specialized vehicle resembling a low-slung trailer having a short bed or platform, while transporting one or more implements of husbandry; or

(3) an implement of husbandry while being driven or towed at a speed of not more than 25 miles per hour; provided that this exemption applies to an implement of husbandry owned, leased, or under the control of a farmer only while the implement of husbandry is being operated on noninterstate roads or highways within 75 miles of any farmland: (i) owned, leased, or operated by the farmer and (ii) on which the farmer regularly uses the implement of husbandry.

Subd. 2. WEIGHT PER INCH OF TIRE WIDTH. An implement of husbandry that is not self-propelled and is equipped with pneumatic tires may not be operated on a public highway with a maximum wheel load that exceeds 600 pounds per inch of tire width before August 1, 1996, and 500 pounds per inch of tire width on and after August 1, 1996.

Subd. 3. HITCHES. A towed implement of husbandry must be equipped with (1) safety chains that meet the requirements of section 169.82, subdivision 3, paragraph (b); (2) a regulation fifth wheel and kingpin assembly approved by the commissioner of public safety; or (3) a hitch pin or other hitching device with a retainer that prevents accidental unhitching.

Sec. 18. Minnesota Statutes 1992, section 169.82, is amended to read:

169.82 TRAILER EQUIPMENT.

~~Except as provided in section 169.67, any trailer exceeding a gross weight of 6,000 pounds shall be equipped with brakes adequate to stop and hold such trailer, and which are so constructed that they will so operate whenever such trailer becomes detached from the towing vehicle.~~

Subdivision 1. CONNECTION TO TOWING VEHICLE. (a) When one vehicle is towing another the drawbar or other connection shall ~~must~~ be of sufficient strength to pull all the weight being towed thereby, and said.

(b) The drawbar or other connection shall ~~may~~ not exceed 15 feet from one vehicle to the other ~~except.~~ This paragraph ~~does not apply to~~ the connection between any two vehicles transporting poles, pipe, machinery or other objects of structural nature which cannot readily be dismembered.

Subd. 2. MARKING. When one vehicle is towing another and the connection consists of a chain, rope, or cable, there shall be ~~displayed upon such the~~ connection ~~must display~~ a white, red, yellow, or orange flag or cloth not less than 12 inches square.

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Subd. 3. HITCHES; CHAINS. (a) Every trailer or semitrailer ~~shall~~ must be hitched to the towing motor vehicles furnishing the tractive power for it ~~vehicle~~ by a device approved by the commissioner of public safety ~~as safe and in addition shall~~.

(b) Every trailer and semitrailer must be equipped with safety chains permanently attached to the trailer ~~except that in cases~~ where the coupling device is a regulation fifth wheel and kingpin assembly approved by the commissioner of public safety ~~such safety chains shall not be required~~. In towing, ~~such the~~ chains ~~shall~~ must be carried through a ring on the towbar and attached to the towing vehicle, and ~~shall~~ must be of sufficient strength to control the trailer in the event of failure of the towing device.

(c) This subdivision does not apply to towed implements of husbandry.

No person may be charged with a violation of this section solely by reason of violating a maximum speed prescribed in section 169.145 or 169.67.

Sec. 19. Minnesota Statutes 1992, section 169.86, subdivision 5, is amended to read:

Subd. 5. FEES. The commissioner, with respect to highways under the commissioner's jurisdiction, may charge a fee for each permit issued. All such fees for permits issued by the commissioner of transportation shall be deposited in the state treasury and credited to the trunk highway fund. Except for those annual permits for which the permit fees are specified elsewhere in this chapter, the fees shall be:

(a) \$15 for each single trip permit.

(b) \$36 for each job permit. A job permit may be issued for like loads carried on a specific route for a period not to exceed two months. "Like loads" means loads of the same product, weight, and dimension.

(c) \$60 for an annual permit to be issued for a period not to exceed 12 consecutive months. Annual permits may be issued for:

(1) motor vehicles used to alleviate a temporary crisis adversely affecting the safety or well-being of the public;

(2) motor vehicles which travel on interstate highways and carry loads authorized under subdivision 1a;

(3) motor vehicles operating with gross weights authorized under section 169.825, subdivision 11, paragraph (a), clause (3); and

(4) special pulpwood vehicles described in section 169.863.

(d) \$120 for an oversize annual permit to be issued for a period not to exceed 12 consecutive months. Annual permits may be issued for:

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- (1) mobile cranes;
- (2) construction equipment, machinery, and supplies;
- (3) manufactured homes;

(4) ~~farm equipment implements of husbandry~~ when the movement is not made according to the provisions of ~~section 169.80, subdivision 1, paragraphs (a) to (f) paragraph (i);~~

- (5) double-deck buses;
- (6) commercial boat hauling.

(e) For vehicles which have axle weights exceeding the weight limitations of section 169.825, an additional cost added to the fees listed above. The additional cost is equal to the product of the distance traveled times the sum of the overweight axle group cost factors shown in the following chart:

Overweight Axle Group Cost Factors

Weight (pounds) exceeding weight limi- tations on axles	Cost Per Mile For Each Group Of:		
	Two consec- utive axles spaced within 8 feet or less	Three consec- utive axles spaced within 9 feet or less	Four consec- utive axles spaced with- in 14 feet or less
0-2,000	.100	.040	.036
2,001-4,000	.124	.050	.044
4,001-6,000	.150	.062	.050
6,001-8,000	Not permitted	.078	.056
8,001-10,000	Not permitted	.094	.070
10,001-12,000	Not permitted	.116	.078
12,001-14,000	Not permitted	.140	.094
14,001-16,000	Not permitted	.168	.106
16,001-18,000	Not permitted	.200	.128
18,001-20,000	Not permitted	Not permitted	.140
20,001-22,000	Not permitted	Not permitted	.168

The amounts added are rounded to the nearest cent for each axle or axle group. The additional cost does not apply to paragraph (c), clauses (1) and (3).

For a vehicle found to exceed the appropriate maximum permitted weight, a cost-per-mile fee of 22 cents per ton, or fraction of a ton, over the permitted maximum weight is imposed in addition to the normal permit fee. Miles must be calculated based on the distance already traveled in the state plus the distance from the point of detection to a transportation loading site or unloading site within the state or to the point of exit from the state.

(f) As an alternative to paragraph (e), an annual permit may be issued for

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overweight, or oversize and overweight, construction equipment, machinery, and supplies. The fees for the permit are as follows:

Gross Weight (pounds) of Vehicle	Annual Permit Fee
90,000 or less	\$200
90,001 - 100,000	\$300
100,001 - 110,000	\$400
110,001 - 120,000	\$500
120,001 - 130,000	\$600
130,001 - 140,000	\$700
140,001 - 145,000	\$800

If the gross weight of the vehicle is more than 145,000 pounds the permit fee is determined under paragraph (e).

(g) For vehicles which exceed the width limitations set forth in section 169.80 by more than 72 inches, an additional cost equal to \$120 added to the amount in paragraph (a) when the permit is issued while seasonal load restrictions pursuant to section 169.87 are in effect.

(h) \$85 for an annual permit to be issued for a period not to exceed 12 months, for refuse compactor vehicles that carry a gross weight of not more than: 22,000 pounds on a single rear axle; 38,000 pounds on a tandem rear axle; or, subject to section 169.825, subdivision 14, 46,000 pounds on a tridem rear axle. A permit issued for up to 46,000 pounds on a tridem rear axle must limit the gross vehicle weight to not more than 62,000 pounds.

(i) For vehicles exclusively transporting implements of husbandry, an annual permit fee of \$24. A vehicle operated under a permit authorized by this paragraph may be moved at the discretion of the permit holder without prior route approval by the commissioner if:

(1) the total width of the transporting vehicle, including load, does not exceed 14 feet;

(2) the vehicle is operated only between sunrise and 30 minutes after sunset, and is not operated at any time after 12:00 noon on Sundays or holidays;

(3) the vehicle is not operated when visibility is impaired by weather, fog, or other conditions that render persons and other vehicles not clearly visible at 500 feet;

(4) the vehicle displays at the front and rear of the load or vehicle a pair of flashing amber lights, as provided in section 169.59, subdivision 4, whenever the overall width of the vehicle exceeds 126 inches; and

(5) the vehicle is not operated on a trunk highway with a surfaced roadway width of less than 24 feet unless such operation is authorized by the permit.

A permit under this paragraph authorizes movements of the permitted vehi-

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cle on an interstate highway, and movements of 75 miles or more on other highways.

Sec. 20. Minnesota Statutes 1992, section 171.13, subdivision 1, is amended to read:

Subdivision 1. **APPLICANTS.** Except as otherwise provided in this section, the commissioner shall examine each applicant for a driver's license by such agency as the commissioner directs. This examination must include a test of applicant's eyesight; ability to read and understand highway signs regulating, warning, and directing traffic; knowledge of traffic laws; knowledge of the effects of alcohol and drugs on a driver's ability to operate a motor vehicle safely and legally; knowledge of railroad grade crossing safety; knowledge of slow-moving vehicle safety; an actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle; and other physical and mental examinations as the commissioner finds necessary to determine the applicant's fitness to operate a motor vehicle safely upon the highways, provided, further however, no driver's license shall be denied an applicant on the exclusive grounds that the applicant's eyesight is deficient in color perception. Provided, however, that war veterans operating motor vehicles especially equipped for handicapped persons, shall, if otherwise entitled to a license, be granted such license. The commissioner shall make provision for giving these examinations either in the county where the applicant resides or at a place adjacent thereto reasonably convenient to the applicant.

Sec. 21. Minnesota Statutes 1992, section 171.13, is amended by adding a subdivision to read:

Subd. 1e. SLOW-MOVING VEHICLES. The commissioner shall include in each examination under subdivision 1 an examination of the applicant's knowledge of highway safety with respect to approaching, following, and passing slow-moving vehicles and the significance of the slow-moving vehicle emblem.

Sec. 22. **PUBLICATION.**

The commissioner of public safety shall at the earliest practicable date prepare and publish a compilation of all laws that govern the operation of implements of husbandry on public highways. The commissioner shall, within the department budget, make the publication available to agricultural and other organizations for the purpose of achieving the widest feasible distribution of the publication among farmers, farm implement dealers, and other persons directly affected by these laws.

Sec. 23. **DRIVER EDUCATION.**

The commissioner of public safety and the commissioner of education shall take such actions as are necessary to increase significantly the amount of instruction provided in driver education courses in public schools and private driver education schools in highway safety with regard to approaching, following, and passing slow-moving vehicles and the significance of the slow-moving vehicle emblem.

New language is indicated by underline, deletions by ~~strikeout~~.

Presented to the governor May 12, 1993

Signed by the governor May 14, 1993, 3:40 p.m.

CHAPTER 188—S.F.No. 739

An act relating to health; regulating ionization radiation; exempting practitioners of veterinary medicine from certain quality assurance tests; amending Minnesota Statutes 1992, section 144.121, by adding subdivisions.

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

Section 1. Minnesota Statutes 1992, section 144.121, is amended by adding a subdivision to read:

Subd. 3. EXEMPTION. Notwithstanding rules adopted by the commissioner under section 144.12, subdivision 1, clause (15), practitioners of veterinary medicine are not required to conduct densitometry and sensitometry tests as part of any ionizing radiation quality assurance program.

Sec. 2. Minnesota Statutes 1992, section 144.121, is amended by adding a subdivision to read:

Subd. 4. RADIATION MONITORING. Whenever involved in radiation procedures, practitioners of veterinary medicine and staff shall wear film-based radiation monitoring badges to monitor individual exposure. The badges must be submitted periodically to a dosimetry service for individual exposure determination.

Sec. 3. **EFFECTIVE DATE.**

This act is effective July 1, 1993.

Presented to the governor May 12, 1993

Signed by the governor May 14, 1993, 9:59 p.m.

CHAPTER 189—H.F.No. 690

An act relating to retirement; public employees retirement association; disability benefits; reducing the reduction in benefits to coordinate them with amounts received under workers' compensation law for certain former employees.

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

New language is indicated by underline, deletions by ~~strikeout~~.