

(4) the degree of control that each of the affected agencies prefers to retain in administering its programs; and

(5) any issues relating to cash flow from one fiscal year to the next.

(c) The commissioner of revenue shall submit a report by October 1, 1993, to the legislative commission on waste management, the senate environment and natural resources finance division, and the house of representatives committee on environment and natural resources finance. The report must include options and recommendations, including proposed legislation if necessary.

Presented to the governor May 15, 1993

Signed by the governor May 19, 1993, 8:30 a.m.

CHAPTER 280—S.F.No. 566

An act relating to retirement; removing the requirement for periodic review of the rule of 90; repealing Minnesota Statutes 1992, section 356.85.

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

Section 1. **REPEAL.**

Minnesota Statutes 1992, section 356.85, is repealed.

Presented to the governor May 15, 1993

Signed by the governor May 19, 1993, 10:32 a.m.

CHAPTER 281—S.F.No. 1221

An act relating to motor vehicles; requiring license plates to stay with motor carrier on prorated truck; changing the registration period for prorated vehicles; excepting prorated vehicles from renewal notice requirements; making owner-operator subject to suspension of plates and international fuel tax agreement license for certain delinquent filings or payments; authorizing warning lamps on solid waste collection vehicles; amending Minnesota Statutes 1992, sections 168.09, subdivisions 3 and 5; 168.12, subdivision 1; 168.187, subdivision 26; 168.31, subdivision 4a; and 169.64, by adding a subdivision.

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

Section 1. Minnesota Statutes 1992, section 168.09, subdivision 3, is amended to read:

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

Subd. 3. **PRORATABLE VEHICLES; OTHER VEHICLES.** (a) Plates or other insignia issued for a motor vehicle registered under the provisions of section 168.187 for a calendar year shall be displayed on the motor vehicle not later than 12:01 a.m. on March 2 of the year unless extended by the registrar for the period of time required for the issuance of the new plates or insignia. The commissioner of public safety shall register all motor vehicles registered under section 168.187 for a period of 14 months for the registration year 1994 to implement the provisions of this subdivision. The registration year for vehicles registered under section 168.187 as provided in this section shall be from March 1 to the last day of February for 1995 and succeeding years.

(b) Plates or other insignia issued for a self-propelled motor vehicle registered for over 27,000 pounds except a motor vehicle registered under the provision of sections 168.017 and 168.187 shall be displayed on the vehicle not later than 12:01 a.m. on March 2 of the year, nor earlier than 12:01 a.m. on February 15 of the year, unless otherwise extended by the registrar for the period of time required for the issuance of the new plates or insignia.

(c) Plates or other insignia issued for a self-propelled vehicle registered for 27,000 pounds or less and all other motor vehicles except those registered under the provisions of section 168.017 or 168.187 shall be displayed not later than 12:01 a.m. on March 2 of the year, and not earlier than January 1 of the year unless otherwise extended by the registrar for the period of time required for the issuance of the new plates or insignia. ~~The commissioner of public safety shall register all motor vehicles with the exception of those registered under sections 168.017 or 168.187 for a period of 14 months for the registration year 1978 to implement the provisions of this subdivision.~~ The registration year for all vehicles as provided in this section paragraph and paragraph (b) shall be from March 1 to the last day of February for 1979 and succeeding years.

Sec. 2. Minnesota Statutes 1992, section 168.09, subdivision 5, is amended to read:

Subd. 5. **DEFENSES TO FAILURE TO RENEW.** No person may be charged with violating this section by reason of failure to renew the registration of a previously registered motor vehicle, except those vehicles registered under section 168.187, if:

(1) the person produces a statement from the registrar to the effect that the person was not notified by the registrar of the annual renewal for the registration of the vehicle to which a citation was issued; and

(2) the person renews the registration and pays the motor vehicle tax and fees due within ten days of being cited for the violation.

Sec. 3. Minnesota Statutes 1992, section 168.12, subdivision 1, is amended to read:

Subdivision 1. **NUMBER PLATES; DESIGN, VISIBILITY, PERIODS OF**

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ISSUANCE. The registrar, upon the approval and payment, shall issue to the applicant the number plates required by law, bearing the state name and the number assigned. The number assigned may be a combination of a letter or sign with figures. The color of the plates and the color of the abbreviation of the state name and the number assigned shall be in marked contrast. The plates shall be lettered, spaced, or distinguished to suitably indicate the registration of the vehicle according to the rules of the registrar, and when a vehicle is registered on the basis of total gross weight, the plates issued shall clearly indicate by letters or other suitable insignia the maximum gross weight for which the tax has been paid. These number plates shall be so treated as to be at least 100 times brighter than the conventional painted number plates. When properly mounted on an unlighted vehicle, these number plates, when viewed from a vehicle equipped with standard headlights, shall be visible for a distance of not less than 1,500 feet and readable for a distance of not less than 110 feet. The registrar shall issue these number plates for the following periods:

(1) New number plates issued pursuant to section 168.012, subdivision 1, shall be issued to a vehicle for as long as it is owned by the exempt agency and shall not be transferable from one vehicle to another but may be transferred with the vehicle from one tax exempt agency to another.

(2) Plates issued for passenger automobiles as defined in section 168.011, subdivision 7, shall be issued for a seven-year period. All plates issued under this paragraph must be replaced if they are seven years old or older at the time of annual registration or will become so during the registration period.

(3) Number plates issued under sections 168.053 and 168.27, subdivisions 16 and 17, shall be for a seven-year period.

(4) Plates for any vehicle not specified in clauses (1) to (3), except for trailers as hereafter provided, shall be issued for the life of the vehicle. Beginning with number plates issued for the year 1981, plates issued for trailers with a total gross weight of 3,000 pounds or less shall be issued for the life of the trailer and shall be not more than seven inches in length and four inches in width.

In a year in which plates are not issued, the registrar shall issue for each registration a tab or sticker to designate the year of registration. This tab or sticker shall show the calendar year or years for which issued, and is valid only for that period. The number plates, number tabs, or stickers issued for a motor vehicle may not be transferred to another motor vehicle during the period for which it is issued, except a motor vehicle registered under section 168.187.

Notwithstanding any other provision of this subdivision, number plates issued to a vehicle which is used for behind-the-wheel instruction in a driver education course in a public school may be transferred to another vehicle used for the same purpose without payment of any additional fee. The registrar shall be notified of each transfer of number plates under this paragraph and may prescribe a form for notification.

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Sec. 4. Minnesota Statutes 1992, section 168.187, subdivision 26, is amended to read:

Subd. 26. **DELINQUENT FILING OR PAYMENT.** If a fleet owner or owner-operator licensed under this section and section 168.041, subdivision 11, is delinquent in either filing or paying the international fuel tax agreement reports for more than 30 days, or paying the international registration plan billing for more than 30 days, the fleet owner or owner-operator, after ten days' written notice, is subject to suspension of the apportioned license plates and the international fuel tax agreement license.

Sec. 5. Minnesota Statutes 1992, section 168.31, subdivision 4a, is amended to read:

Subd. 4a. **INSTALLMENTS.** If the tax for a vehicle assessed under section 168.187 amounts to more than \$400, the owner may pay the tax by installments. The owner shall submit with the application for registration, no later than January 1 ~~or the registration year~~, one-third of the Minnesota annual tax due or \$400, whichever is greater. The applicant shall furnish a bond, bank letter of credit, or certificate of deposit approved by the registrar of motor vehicles, for the total of the tax still due. The amount of the bond, letter of credit, or certificate of deposit may include any penalties assessed. The bond, letter of credit, or certificate of deposit must be for the benefit of the state for monetary loss caused by failure of the vehicle owner to pay delinquent license fees and penalties. The remainder of the tax due must be paid in two equal installments; the due date of the first installment is May 1 and the second installment is due on September 1. If an owner of a vehicle fails to pay an installment on or before the due date, the vehicle must not be used on the public streets or highways in this state until the installment or installments of the tax remaining due on the vehicle has been paid in full for the licensed year, together with a penalty at the rate of \$1 per day for the remainder of the month in which the balance of the tax becomes due and \$4 a month for each succeeding month or fraction of it during which the balance of the tax remains unpaid. The registrar shall deny installment payment privileges provided in this subdivision in the subsequent year to any owner on any or all vehicles of an owner who during the current year fails to pay any installment and penalties due within one month after the due date.

Sec. 6. Minnesota Statutes 1992, section 169.64, is amended by adding a subdivision to read:

Subd. 9. **WARNING LAMPS ON VEHICLES COLLECTING SOLID WASTE.** A vehicle used to collect solid waste may be equipped with a single amber gaseous discharge warning lamp that meets the Society of Automotive Engineers standard J 1318, Class 2. The lamp may be operated only when the collection vehicle is in the process of collecting solid waste and is either:

- (1) stopped at an establishment where solid waste is to be collected; or
- (2) traveling at a speed that is at least ten miles per hour below the posted

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speed limit and moving between establishments where solid waste is to be collected.

Presented to the governor May 15, 1993

Signed by the governor May 19, 1993, 10:36 a.m.

CHAPTER 282—S.F.No. 1367

An act relating to the environment; authorizing administrative penalty orders for violations of provisions relating to hazardous chemical reporting requirements; amending Minnesota Statutes 1992, section 299K.10, by adding a subdivision.

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

Section 1. Minnesota Statutes 1992, section 299K.10, is amended by adding a subdivision to read:

Subd. 9. ADMINISTRATIVE PENALTY ORDERS. The commission may issue an order requiring a violation of the federal act to be corrected and administratively assessing monetary penalties. Except in the case of serious or repeated violations, the penalty assessed in the order must be forgiven if the person who is subject to the order corrects the violation before the 31st day after receiving the order. The procedures in section 116.072 must be followed when issuing administrative penalty orders under this subdivision. The maximum amount of an administrative penalty order under this subdivision is \$10,000 for all violations identified in an inspection or a review of compliance.

Sec. 2. PLAN FOR USE OF ADMINISTRATIVE PENALTY ORDERS.

The commission shall prepare a plan for use of the authority provided in section 1 by December 1, 1993. The commission shall publish a notice of the availability of a draft plan in the State Register and allow a 30-day period for public comment before finalizing the plan.

Presented to the governor May 15, 1993

Signed by the governor May 19, 1993, 8:20 a.m.

CHAPTER 283—S.F.No. 304

An act relating to agriculture; requiring aquatic pest control applicators to be licensed; establishing categories of commercial aquatic applicator and certified aquatic applicator; exempting certain applications from aquatic pest control licensure requirements; amending

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