

**CHAPTER 91—H.F.No. 1153**

*An act relating to civil actions; clarifying the limits on recovery for economic loss caused by components of manufactured goods; amending Minnesota Statutes 1992, section 604.10.*

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

Section 1. Minnesota Statutes 1992, section 604.10, is amended to read:

**604.10 ECONOMIC LOSS ARISING FROM THE SALE OF GOODS.**

(a) Economic loss that arises from a sale of goods that is due to damage to tangible property other than the goods sold may be recovered in tort as well as in contract, but economic loss that arises from a sale of goods between parties who are each merchants in goods of the kind is not recoverable in tort.

(b) Economic loss that arises from a sale of goods, between merchants, that is not due to damage to tangible property other than the goods sold may not be recovered in tort.

(c) The economic loss recoverable in tort under this section does not include economic loss due to damage to the goods themselves.

(d) The economic loss recoverable in tort under this section does not include economic loss incurred by a manufacturer of goods arising from damage to the manufactured goods and caused by a component of the goods.

**Sec. 2. EFFECTIVE DATE.**

Section 1 is effective the day following final enactment and applies to any action begun on or after August 1, 1991.

Presented to the governor May 3, 1993

Signed by the governor May 5, 1993, 6:20 p.m.

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**CHAPTER 92—S.F.No. 397**

*An act relating to highways; allowing county state-aid highway money to be used for certain equipment for emergency responders; amending Minnesota Statutes 1992, section 162.08, subdivision 4.*

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

Section 1. Minnesota Statutes 1992, section 162.08, subdivision 4, is amended to read:

**Subd. 4. PURPOSES; OTHER USES OF MUNICIPAL ACCOUNT**

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

**ALLOCATION.** Except as provided in subdivision 3 money so apportioned and allocated to each county shall be used for aid in the establishment, location, construction, reconstruction, improvement, and maintenance of the county state-aid highway system within each county, including the expense of commissioner-approved signals and safety devices on ~~such system approved by the commissioner~~ county state-aid highways, and systems that permit an emergency vehicle operator to activate a green traffic signal for the emergency vehicle; provided, that in the event of hardship, or in the event that the county state-aid highway system of any county is improved to the standards set forth in the commissioner's rules, a portion of the money apportioned other than the money allocated for expenditures within cities having a population of less than 5,000, may be used on other roads within the county with the consent and in accordance with the commissioner's rules. If the portion of the county state-aid highway system lying within cities having a population of less than 5,000 is improved to the standard set forth in the commissioner's rules, a portion of the money credited to the municipal account may be used on other county highways or other streets lying within such cities. Upon the authorization of the commissioner, a county may expend accumulated municipal account funds on county state-aid highways within the county outside of cities having a population of less than 5,000. The commissioner shall authorize the expenditure if:

(a) the county submits a written request to the commissioner and holds a hearing within 30 days of the request to receive and consider any objections by the governing bodies of cities within the county having a population of less than 5,000; and

(b) no written objection is filed with the commissioner by any such city within 14 days of that hearing as provided in this subdivision.

The county shall notify all of the cities of the public hearing by certified mail and shall notify the commissioner in writing of the results of the hearing and any objections to the use of the funds as requested by the county.

If, within 14 days of the hearing, a city having a population of less than 5,000 files a written objection with the commissioner identifying a specific county state-aid highway within the city which is requested for improvement, the commissioner shall investigate the nature of the requested improvement. Notwithstanding clause (b), the commissioner may authorize the expenditure requested by the county if: (1) the identified highway is not deficient in meeting minimum state-aid street standards; or (2) the county shows evidence that the identified highway has been programmed for construction in the county's five-year capital improvement budget in a manner consistent with the county's transportation plan; or (3) there are conditions created by or within the city and beyond the control of the county that prohibit programming or constructing the identified highway.

Authorization by the commissioner for use of municipal account funds on county state-aid highways outside of cities having a population of less than

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5,000 shall be applicable only to the county's accumulated and current year allocation. Future municipal account allocations shall be used as directed by law unless subsequent requests are made by the county and approved in accordance with the provisions of this section.

Presented to the governor May 3, 1993

Signed by the governor May 5, 1993, 6:10 p.m.

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### CHAPTER 93—H.F.No. 51

*An act relating to motor vehicles; requiring junking certificates of title; regulating title branding for damaged vehicles; amending Minnesota Statutes 1992, sections 168A.01, subdivisions 17a, 17b, and by adding a subdivision; 168A.04, subdivisions 1 and 4; 168A.05, subdivisions 3 and 5; 168A.15; 168A.151, subdivisions 1, 4, and by adding a subdivision; 168A.152, by adding a subdivision; 325F.6641, subdivision 1; 325F.6642, subdivisions 1, 2, 3, 5, and 6; and 325F.6644; repealing Minnesota Statutes 1992, section 168A.151, subdivisions 2, 3, and 5.*

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

Section 1. Minnesota Statutes 1992, section 168A.01, is amended by adding a subdivision to read:

Subd. 8b. JUNKING CERTIFICATE. "Junking certificate" means a receipt issued by the department's driver and vehicle services division when a vehicle is declared unrepairable under section 168A.151.

Sec. 2. Minnesota Statutes 1992, section 168A.01, subdivision 17a, is amended to read:

Subd. 17a. SALVAGE TITLE. "Salvage title" means a certificate of title that is issued to a vehicle graded and stamped as declared a "class C" repairable total loss vehicle under section 168A.151 and includes an existing certificate of title that has been stamped with the legend "salvage certificate of title" in accordance with section 168A.151.

Sec. 3. Minnesota Statutes 1992, section 168A.01, subdivision 17b, is amended to read:

Subd. 17b. SALVAGE VEHICLE. "Salvage vehicle" means a vehicle that has been graded and stamped under section 168A.151 a salvage certificate of title.

Sec. 4. Minnesota Statutes 1992, section 168A.04, subdivision 1, is amended to read:

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