

Presented to the governor May 5, 1994

Signed by the governor May 6, 1994, 4:58 p.m.

CHAPTER 599—H.F.No. 1919

VETOED

CHAPTER 600—H.F.No. 2365

An act relating to traffic regulations; making technical changes; removing requirement for auxiliary low beam lights to be removed or covered when snowplow blade removed; requiring seat belts for commercial motor vehicles; allowing transportation within state of raw farm and forest products exceeding maximum weight limitation by not more than ten percent; amending Minnesota Statutes 1992, sections 169.743; and 169.851, subdivision 5; Minnesota Statutes 1993 Supplement, sections 169.122, subdivision 5; 169.47, subdivision 1; 169.522, subdivision 1; 169.56, subdivision 5; 169.686, subdivision 1; and 221.0314, subdivision 10.

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

Section 1. Minnesota Statutes 1993 Supplement, section 169.122, subdivision 5, is amended to read:

Subd. 5. **EXCEPTION.** This section does not apply to the possession or consumption of alcoholic beverages by passengers in:

(1) a bus operated under a charter as defined in section 221.011, subdivision 20; or

(2) a vehicle providing limousine service as defined in section ~~168.011, subdivision 35~~ 221.84, subdivision 1.

Sec. 2. Minnesota Statutes 1993 Supplement, section 169.47, subdivision 1, is amended to read:

Subdivision 1. **MISDEMEANOR; EXCEPTIONS.** (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.

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

(b) The provisions of this chapter with respect to equipment on vehicles do not apply to implements of husbandry, road machinery, or road rollers except as 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. 3. Minnesota Statutes 1993 Supplement, 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 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

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(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. 4. Minnesota Statutes 1993 Supplement, section 169.56, subdivision 5, is amended to read:

Subd. 5. **EXCEPTION FOR LIGHTS OBSTRUCTED LIGHTS BY SNOWPLOW BLADE.** (a) The auxiliary lamps permitted in ~~subdivisions~~ subdivision 3 and 4 may be mounted more than 42 inches high on any truck equipped with a snowplow blade that obstructs the required headlights. The lights may not be illuminated when a snowplow blade is not mounted ~~so as to obstruct the required headlights; the auxiliary lamps permitted in subdivisions 3 and 4 and mounted above 42 inches high must be removed or the lens must be covered with an opaque material on the vehicle.~~

(b) No other vehicle may be operated on a public highway unless the auxiliary lamps permitted in subdivisions 3 and 4 comply with the height requirements or are completely covered with an opaque material.

Sec. 5. Minnesota Statutes 1993 Supplement, section 169.686, subdivision 1, is amended to read:

Subdivision 1. **SEAT BELT REQUIREMENT.** A properly adjusted and fastened seat belt, including both the shoulder and lap belt when the vehicle is so equipped, shall be worn by:

- (1) the driver of a passenger vehicle or commercial motor vehicle;
- (2) a passenger riding in the front seat of a passenger vehicle or commercial motor vehicle; and
- (3) a passenger riding in any seat of a passenger vehicle who is older than three but younger than 11 years of age.

A person who is 15 years of age or older and who violates clause (1) or (2) is subject to a fine of \$25. The driver of the passenger vehicle or commercial motor vehicle in which the violation occurred is subject to a \$25 fine for a violation of clause (2) or (3) by a child of the driver under the age of 15 or any child under the age of 11. A peace officer may not issue a citation for a violation of this section unless the officer lawfully stopped or detained the driver of the motor vehicle for a moving violation other than a violation involving motor vehicle equipment. The department of public safety shall not record a violation of this subdivision on a person's driving record.

Sec. 6. Minnesota Statutes 1992, section 169.743, is amended to read:

169.743 BUG DEFLECTORS.

Bug deflectors shall be permitted but not required on motor vehicles. No bug deflector shall be sold, offered for sale, or used which is composed of other

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than nonilluminated material. No person shall operate any motor vehicle equipped with a bug deflector of nontransparent material having more than one inch of material extending above the highest part of the ~~front of the~~ hood, excluding any decorative ornament, and no person shall operate any motor vehicle equipped with a bug deflector of transparent material having more than three inches of material extending above the highest part of the ~~front of the~~ hood, excluding any decorative ornament; provided that trucks and truck-tractors of 12,000 pounds gross vehicle weight or larger may be operated with a clear, uncolored bug deflector extending no more than six inches above the highest part of the ~~front of the~~ hood, excluding any decorative ornament.

Sec. 7. Minnesota Statutes 1992, section 169.851, subdivision 5, is amended to read:

Subd. 5. **EXCEPTION FOR FARM AND FOREST PRODUCTS.** The maximum weight provisions of this section do not apply to the first haul of unprocessed or raw farm products and the transportation of raw and unfinished forest products when the prescribed maximum weight limitation is not exceeded by more than ten percent.

Sec. 8. Minnesota Statutes 1993 Supplement, section 221.0314, subdivision 10, is amended to read:

Subd. 10. **INSPECTION, REPAIR, AND MAINTENANCE.** Code of Federal Regulations, title 49, part 396, is incorporated by reference, except that sections 396.1, 396.9, and 396.17 to ~~396.25~~ 396.23 of that part are not incorporated.

Presented to the governor May 5, 1994

Signed by the governor May 6, 1994, 12:00 p.m.

CHAPTER 601—H.F.No. 392

VETOED

CHAPTER 602—H.F.No. 2658

An act relating to retirement; waiving the annuity reduction for certain faculty in the state university and community college systems who return to teaching part-time after retirement; mandating employer-paid health insurance for these faculty; proposing coding for new law in Minnesota Statutes, chapters 136 and 354.

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

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