

(2) was employed on a full-time basis immediately preceding retirement as a state university or community college faculty member;

(3) begins drawing an annuity from the teachers retirement association; and

(4) returns to work on not less than a one-third time basis and not more than a two-thirds time basis in the system from which the person retired under an agreement in which the person may not earn a salary of more than \$35,000 in a calendar year from employment in the system from which the person retired.

(b) Initial participation, the amount of time worked, and the duration of participation under this section must be mutually agreed upon by the employer and the employee. The employer may require up to one-year notice of intent to participate in the program as a condition of participation under this section. The employer shall determine the time of year the employee shall work.

(c) Notwithstanding any law to the contrary, a person eligible under paragraphs (a) and (b) may not earn further service credit in the teachers retirement association and is not eligible to participate in the individual retirement account plan or the supplemental retirement plan established in chapter 354B as a result of service under this section. No employer or employee contribution to any of these plans may be made on behalf of such a person.

Presented to the governor May 5, 1994

Signed by the governor May 9, 1994, 4:30 p.m.

CHAPTER 603—H.F.No. 2762

An act relating to traffic regulations; regulating use and operation of Head Start buses; amending Minnesota Statutes 1992, sections 169.01, subdivision 6, and by adding a subdivision; 169.28, subdivision 1; 169.441, subdivision 4, and by adding a subdivision; 169.442, subdivision 5; 169.443, subdivisions 5 and 6; 169.447; 169.448, subdivisions 1 and 3; 169.451; 169.64, subdivision 8; 169.781, subdivision 1; 169.87, subdivision 3; 171.01, by adding a subdivision; 171.3215; 221.011, subdivision 21; and 631.40, by adding a subdivision; Minnesota Statutes 1993 Supplement, sections 171.321, subdivision 2; 221.025; and 221.031, subdivision 3b.

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

Section 1. Minnesota Statutes 1992, section 169.01, subdivision 6, is amended to read:

Subd. 6. **SCHOOL BUS.** "School bus" means a motor vehicle used to transport pupils to or from a school defined in section 120.101, or to or from school-related activities, by the school or a school district, or by someone under an agreement with the school or a school district. A school bus does not include

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a motor vehicle transporting children to or from school for which parents or guardians receive direct compensation from a school district, a motor coach operating under charter carrier authority, or a transit bus providing services as defined in section 174.22, subdivision 7. A school bus may be type I A, type B, type C, or type D, type H, or type III as follows:

(a) A "type I school bus" means a school bus of more than 10,000 pounds gross vehicle weight rating, designed for carrying more than ten persons:

(b) A "type II school bus" is a bus with a gross vehicle weight rating of 10,000 pounds or less, designed for carrying more than ten persons. It must be outwardly equipped and identified as a school bus:

(1) a "type A school bus" is a conversion or body constructed upon a van-type compact truck or a front-section vehicle, with a gross vehicle weight rating of 10,000 pounds or less, designed for carrying more than ten persons;

(2) a "type B school bus" is a conversion or body constructed and installed upon a van or front-section vehicle chassis, or stripped chassis, with a gross vehicle weight rating of more than 10,000 pounds, designed for carrying more than ten persons. Part of the engine is beneath or behind the windshield and beside the driver's seat. The entrance door is behind the front wheels;

(3) a "type C school bus" is a body installed upon a flat back cowl chassis with a gross vehicle weight rating of more than 10,000 pounds, designated for carrying more than ten persons. All of the engine is in front of the windshield and the entrance door is behind the front wheels;

(4) a "type D school bus" is a body installed upon a chassis, with the engine mounted in the front, midship or rear, with a gross vehicle weight rating of more than 10,000 pounds, designed for carrying more than ten persons. The engine may be behind the windshield and beside the driver's seat; it may be at the rear of the bus, behind the rear wheels, or midship between the front and rear axles. The entrance door is ahead of the front wheels; and

(e) (5) type III school buses and type III Head Start buses are restricted to passenger cars, station wagons, vans, and buses having a maximum manufacturer's rated seating capacity of ten people, including the driver, and a gross vehicle weight rating of 10,000 pounds or less. In this subdivision, "gross vehicle weight rating" means the value specified by the manufacturer as the loaded weight of a single vehicle. A "type III school bus" and "type III Head Start bus" must not be outwardly equipped and identified as a type A, B, C, or D school bus or type A, B, C, or D Head Start bus.

Sec. 2. Minnesota Statutes 1992, section 169.01, is amended by adding a subdivision to read:

Subd. 80. HEAD START BUS. "Head Start bus" means a motor vehicle used to transport children and parents to or from a Head Start facility, or to or from Head Start-related activities, by the Head Start grantee, or by someone under an agreement with the Head Start grantee. A Head Start bus does not

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include a motor vehicle transporting children or parents to or from a Head Start facility for which parents or guardians receive direct compensation from a Head Start grantee, a motor coach operating under charter carrier authority, or a transit bus providing services as defined in section 174.22, subdivision 7. A Head Start bus may be a type A, B, C, or D bus or type III bus, as described in subdivision 6.

A Head Start bus manufactured after December 31, 1994, must meet the same standards as a type A, B, C, or D school bus, except that a Head Start bus is not required to be equipped with the warning signals required for a school bus under section 169.442, subdivision 1. A Head Start bus must be painted colors other than national school bus yellow.

Sec. 3. Minnesota Statutes 1992, section 169.28, subdivision 1, is amended to read:

Subdivision 1. **STOP REQUIRED.** The driver of any motor vehicle carrying passengers for hire, or of any school bus whether carrying passengers or not, or of any Head Start bus whether carrying passengers or not, or of any vehicle carrying explosive substances or flammable liquids, or liquid gas under pressure as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop the vehicle not less than ten feet from the nearest rail of the railroad and while so stopped shall listen and look in both directions along the track for any approaching train, and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until safe to do so.

A school bus or Head Start bus shall not be flagged across railroad grade crossings except at those railroad grade crossings that the local school administrative officer may designate.

Sec. 4. Minnesota Statutes 1992, section 169.441, is amended by adding a subdivision to read:

Subd. 2a. HEAD START BUSES; COLOR; IDENTIFICATION. (a) A Head Start bus is exempt from the color requirements of this chapter.

(b) A type A, B, C, or D Head Start bus must bear on its front and rear a plainly visible sign containing the words "Head Start bus" in letters at least eight inches in height.

Sec. 5. Minnesota Statutes 1992, section 169.441, subdivision 4, is amended to read:

Subd. 4. **"MN" DESIGNATION IN BUS BODY SERIAL NUMBER.** School bus bodies manufactured after December 31, 1991, and Head Start bus bodies manufactured after December 31, 1994, and used on streets and highways in Minnesota must bear the designation "MN" within the bus body identification number. The "MN" designation may be made only by the manufacturer and must not be located on either end of the bus body identification number.

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The manufacturer of the school bus body certifies by the "MN" designation that the bus body has been manufactured to meet the minimum standards required of school bus bodies and Head Start bus bodies by law. A school bus body manufactured before January 1, 1992, that does not bear a current inspection sticker on July 1, 1992, may not be used on streets and highways in Minnesota after July 1, 1992, unless its manufacturer recertifies that the school bus body meets minimum standards required of school bus bodies by law.

Sec. 6. Minnesota Statutes 1992, section 169.442, subdivision 5, is amended to read:

Subd. 5. **WHITE STROBE LAMPS ON SCHOOL BUSES.** Notwithstanding sections 169.55, subdivision 1; 169.57, subdivision 3, paragraph (b), or other law to the contrary, a school bus that is subject to and complies with the ~~color and~~ equipment requirements of subdivision 1 and section 169.441, subdivision 1, or a Head Start bus that is not a type III bus defined in section 169.01, subdivision 6, may be equipped with a 360-degree, flashing strobe lamp that emits a white light with a flash rate of 60 to 120 flashes a minute. The lamp may be used only as provided in this subdivision.

The strobe lamp must be of a double flash type certified to the commissioner of public safety by the manufacturer as being weatherproof and having a minimum effective light output of 200 candelas as measured by the Blondel-Rey formula. The lamp must be permanently mounted on the longitudinal center line of the bus roof not less than two feet nor more than seven feet forward of the rear roof edge. It must operate from a separate switch containing an indicator lamp to show when the strobe lamp is in use.

The strobe lamp may be lighted only when atmospheric conditions or terrain restrict the visibility of school bus lamps and signals or Head Start bus lamps and signals so as to require use of the bright strobe lamp to alert motorists to the presence of the school bus or Head Start bus. A strobe lamp may not be lighted unless the school bus or Head Start bus is actually being used as a school bus or Head Start bus.

Sec. 7. Minnesota Statutes 1992, section 169.443, subdivision 5, is amended to read:

Subd. 5. **MOVING BUS AFTER CHILDREN UNLOADED.** When children are getting off a school bus or Head Start bus, the driver shall visually determine that they are a safe distance from the bus before moving the bus.

Sec. 8. Minnesota Statutes 1992, section 169.443, subdivision 6, is amended to read:

Subd. 6. **OTHER BUSES.** The driver of a type III school bus or type III Head Start bus shall load or unload school children or Head Start passengers only from the right-hand side of the vehicle, provided that on a one-way street the driver shall load or unload school children or Head Start passengers only

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from the curb side of the vehicle. When loading or unloading school children or Head Start passengers, the driver shall activate the vehicle's four-way hazard lights described in section 169.59, subdivision 4.

Sec. 9. Minnesota Statutes 1992, section 169.447, is amended to read:

169.447 SCHOOL BUS AND HEAD START BUS SAFETY.

Subdivision 1. **PASSENGER SEATING.** (a) The number of pupils or other authorized passengers transported in a school bus or Head Start bus must not be more than the number of pupils or passengers that can be fully seated. Seating capacity must be adjusted according to each passenger's individual physical size, but not more than the manufacturers' rated seating capacity.

(b) No person shall stand in the school bus or Head Start bus when the bus is in motion.

Subd. 2. **DRIVER SEAT BELTS.** New school buses and Head Start buses manufactured after December 31, 1994, must be equipped with driver seat belts and seat belt assemblies of the type described in section 169.685, subdivision 3. School bus drivers and Head Start bus drivers must use these seat belts.

Subd. 3. **RECAPPED TIRES.** Recapped tires must not be used on the front wheels of a school bus.

Subd. 4. **AISLE AND EXIT.** The driver of a school bus or Head Start bus shall keep the aisle and emergency exit of a school bus or Head Start bus unobstructed at all times when children are being transported.

Subd. 5. **TRAILER BEHIND SCHOOL BUS.** A school bus may pull a trailer, as defined by section 169.01, subdivision 10, only when traveling to or from cocurricular or extracurricular activities, as defined in section 123.38.

Subd. 6. **OVERHEAD BOOK RACKS.** Types F A, B, C, and H D school buses may be equipped with padded, permanent overhead book racks that do not hang over the center aisle of the bus.

Sec. 10. Minnesota Statutes 1992, section 169.448, subdivision 1, is amended to read:

Subdivision 1. **RESTRICTIONS ON APPEARANCE; PENALTY.** A bus that is not used as a school bus may not be operated on a street or highway unless it is painted a color significantly different than national school bus glossy yellow or Minnesota school bus golden orange.

A bus that is not used as a school bus or Head Start bus may not be operated if it is equipped with school bus or Head Start bus-related equipment and printing.

A violation of this subdivision is a misdemeanor.

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This subdivision does not apply to a school bus owned by or under contract to a school district operated as a charter or leased bus.

Sec. 11. Minnesota Statutes 1992, section 169.448, subdivision 3, is amended to read:

Subd. 3. **HEAD START VEHICLES.** Notwithstanding subdivision 1, a vehicle used to transport ~~students~~ passengers under Public Law Number 99-425, the Head Start Act, may be equipped as a school bus or Head Start bus.

Sec. 12. Minnesota Statutes 1992, section 169.451, is amended to read:

169.451 **SCHOOL BUS INSPECTION; RULES; PENALTY.**

Subdivision 1. **ANNUAL REQUIREMENT.** The Minnesota state patrol shall inspect every school bus and every Head Start bus annually to ascertain whether its construction, design, equipment, and color comply with all provisions of law.

Subd. 2. **INSPECTION CERTIFICATE.** No person shall drive, or no owner shall knowingly permit or cause to be driven, any school bus or Head Start bus unless there is displayed thereon a certificate issued by the commissioner of public safety stating that on a certain date, which shall be within 13 months of the date of operation, a member of the Minnesota state patrol inspected the bus and found that on the date of inspection the bus complied with the applicable provisions of state law relating to construction, design, equipment, and color.

Subd. 3. **RULES OF COMMISSIONER.** (a) The commissioner of public safety shall provide by rule for the issuance and display of distinctive inspection certificates.

(b) The commissioner of public safety shall provide by rule a point system for evaluating the effect on safety operation of any variance from law detected during ~~school bus~~ inspections conducted pursuant to subdivision 1.

Subd. 4. **VIOLATIONS; PENALTY.** The state patrol shall enforce subdivision 2. A violation of subdivision 2 is a misdemeanor.

Sec. 13. Minnesota Statutes 1992, section 169.64, subdivision 8, is amended to read:

Subd. 8. **WHITE STROBE LAMPS.** Notwithstanding sections 169.55, subdivision 1, 169.57, subdivision 3, clause (b), or any other law to the contrary, a vehicle may be equipped with a 360-degree flashing strobe lamp that emits a white light with a flash rate of 60 to 120 flashes a minute, and the lamp may be used as provided in this subdivision, if the vehicle is:

(1) a school bus that is subject to and complies with the ~~color and~~ equipment requirements of sections 169.441, ~~subdivisions~~ subdivision 1 and 2, and

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169.442, subdivision 1, or a Head Start bus that is not a type III bus as defined in section 169.01, subdivision 6. The lamp shall be permanently mounted on the longitudinal center line of the bus roof not less than ~~five~~ two feet nor more than seven feet forward of the rear roof edge. It shall operate from a separate switch containing an indicator lamp to show when the strobe lamp is in use. The strobe lamp may be lighted only when atmospheric conditions or terrain restrict the visibility of school bus lamps and signals or Head Start bus lamps and signals so as to require use of the bright strobe lamp to alert motorists to the presence of the school bus or Head Start bus. A strobe lamp may not be lighted unless the school bus or Head Start bus is actually being used as a school bus or Head Start bus; or

(2) a road maintenance vehicle owned or under contract to the department of transportation or a road authority of a county, home rule or statutory city, or town, but the strobe lamp may only be operated while the vehicle is actually engaged in snow removal during daylight hours.

The strobe lamp shall be of a double flash type certified to the commissioner of public safety by the manufacturer as being weatherproof and having a minimum effective light output of 200 candelas as measured by the Blondel-Rey formula.

Sec. 14. Minnesota Statutes 1992, section 169.781, subdivision 1, is amended to read:

Subdivision 1. **DEFINITIONS.** For purposes of sections 169.781 to 169.783:

(a) "Commercial motor vehicle" means:

(1) a commercial motor vehicle as defined in section 169.01, subdivision 75, paragraph (a); and

(2) each vehicle in a combination of more than 26,000 pounds.

"Commercial motor vehicle" does not include (1) a school bus or Head Start bus displaying a certificate under section 169.451, (2) a bus operated by the metropolitan transit commission created in section 473.404 or by a local transit commission created in chapter 458A, or (3) a motor vehicle with a gross weight of not more than 26,000 pounds, carrying in bulk tanks a total of not more than 200 gallons of petroleum products or liquid fertilizer or pesticide.

(b) "Commissioner" means the commissioner of public safety.

(c) "Owner" means a person who owns, or has control, under a lease of more than 30 days' duration, of one or more commercial motor vehicles.

(d) "Storage semitrailer" means a semitrailer that (1) is used exclusively to store property at a location not on a street or highway, (2) does not contain any load when moved on a street or highway, (3) is operated only during daylight

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hours, and (4) is marked on each side of the semitrailer "storage only" in letters at least six inches high.

(e) "Building mover vehicle" means a vehicle owned or leased by a building mover as defined in section 221.81, subdivision 1, paragraph (a), and used exclusively for moving buildings.

Sec. 15. Minnesota Statutes 1992, section 169.87, subdivision 3, is amended to read:

Subd. 3. **SCHOOL BUSES AND HEAD START BUSES.** Weight restrictions imposed pursuant to subdivisions 1 and 2 do not apply to a school bus or Head Start bus transporting students, Head Start children, or Head Start parents when the gross weight on a single axle of the school bus or Head Start bus does not exceed 14,000 pounds; provided that, road authorities may restrict any highway under their jurisdiction to a lesser ~~school bus~~ axle weight by written order to school boards and Head Start grantees 24 hours in advance of required compliance with such reduced axle weight.

Sec. 16. Minnesota Statutes 1992, section 171.01, is amended by adding a subdivision to read:

Subd. 27. HEAD START BUS. "Head Start bus" means a motor vehicle used to transport children or parents to or from a Head Start facility, or to or from Head Start-related activities, by the Head Start grantee, or by someone under an agreement with the Head Start grantee. A Head Start bus does not include a motor vehicle transporting children or parents to or from a Head Start facility for which parents or guardians receive direct compensation from a Head Start grantee, a motor coach operating under charter carrier authority, or a transit bus providing services as defined in section 174.22, subdivision 7.

Sec. 17. Minnesota Statutes 1993 Supplement, section 171.321, subdivision 2, is amended to read:

Subd. 2. **RULES, QUALIFICATIONS AND TRAINING.** (a) The commissioner of public safety shall prescribe rules governing the ~~qualifications of individuals to drive school buses~~ physical qualifications of school bus drivers and tests required to obtain a school bus endorsement. The rules must provide that an applicant for a school bus endorsement or renewal is exempt from the physical qualifications and medical examination required to operate a school bus upon providing evidence of being medically examined and certified within the preceding 24 months as physically qualified to operate a commercial motor vehicle, pursuant to Code of Federal Regulations, title 49, part 391, subpart E, or rules of the commissioner of transportation incorporating those federal regulations.

(b) ~~The commissioner of public safety, in conjunction with the commissioner of education, shall adopt a training program for school bus drivers. Adoption of the program is not subject to chapter 14. The program must provide for~~

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initial classroom and behind-the-wheel training, and annual in-service training. The program must provide training in defensive driving, human relations, emergency and accident procedures, vehicle maintenance, traffic laws, and use of safety equipment. The program must provide that the training will be conducted by the contract operator for a school district, the school district, the commissioner of education, a licensed driver training school, or by another person or entity approved by both commissioners.

The commissioner of public safety, in conjunction with the commissioner of jobs and training, shall adopt a training program for Head Start bus drivers. Adoption of this program is not subject to chapter 14. The program must provide for initial classroom and behind-the-wheel training, and annual in-service training. The program must provide training in defensive driving, human relations, emergency and accident procedures, vehicle maintenance, traffic laws, and use of safety equipment. The program must provide that the training will be conducted by the contract operator for a Head Start agency, the Head Start grantee, a licensed driver training school, or by another person or entity approved by both commissioners.

Sec. 18. Minnesota Statutes 1992, section 171.3215, is amended to read:

171.3215 CANCELING BUS DRIVER'S ENDORSEMENT ENDORSEMENTS FOR CRIME AGAINST MINOR CERTAIN OFFENSES.

Subdivision 1. **DEFINITIONS.** (a) As used in this section, the following terms have the meanings given them.

(+)(b) "School bus driver" means a person possessing a school bus driver's endorsement on a valid Minnesota driver's license or a person possessing a valid Minnesota driver's license who drives a vehicle with a seating capacity of ten or less persons used as a school bus.

(2) "Crime against a minor" means an act committed against a minor victim that constitutes a violation of section 609.185, 609.19, 609.195, 609.20, 609.205, 609.21, subdivision 1, 609.221, 609.222, 609.223, 609.342, 609.343, 609.344, 609.345, 609.352, or a felony violation of section 609.322, 609.323, 609.324, or 609.377.

(c) "Disqualifying offense" includes any felony offense, any criminal violation of chapter 152, any violation under section 609.3451, 609.746, subdivision 1, or 617.23, or a fourth moving violation within a three-year period.

(d) "Head Start bus driver" means a person possessing a valid Minnesota driver's license:

- (1) with a passenger endorsement, who drives a Head Start bus;
- (2) with a school bus driver's endorsement, who drives a Head Start bus; or
- (3) who drives a vehicle with a seating capacity of ten or fewer persons used as a Head Start bus.

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Subd. 2. **CANCELLATION FOR DISQUALIFYING OFFENSE.** ~~The commissioner~~ Within ten days of receiving notice under section 631.40, subdivision 1a, that a school bus driver has committed a crime against a minor been convicted of a disqualifying offense, the commissioner shall permanently cancel the school bus driver's endorsement on the offender's driver's license. Within ten days of receiving notice under section 631.40, subdivision 1a, that a school bus driver has been convicted of a gross misdemeanor or a violation of section 169.121 or 169.129, and within ten days of revoking a school bus driver's license under section 169.123, the commissioner shall cancel the school bus driver's endorsement on the offender's driver's license for five years. After five years, cancellation of a school bus driver's endorsement for a conviction under section 169.121 or 169.129 shall remain in effect until the driver provides proof of successful completion of an alcohol or controlled substance treatment program. Upon canceling the offender's school bus driver's endorsement, the ~~department~~ commissioner shall immediately notify the licensed offender of the cancellation in writing, by depositing in the United States post office a notice addressed to the licensed offender at the licensed offender's last known address, with postage prepaid thereon.

Subd. 2a. **CANCELLATION FOR CRIME AGAINST MINOR.** Within ten days of receiving notice that a Head Start bus driver has committed a crime against a minor, the commissioner shall permanently cancel the passenger endorsement on the offender's driver's license. Upon canceling the offender's passenger endorsement, the commissioner shall immediately notify the licensed offender of the cancellation in writing, by depositing in the United States post office, a notice addressed to the licensed offender at the licensed offender's last known address, with postage prepaid thereon. For purposes of this subdivision, "crime against a minor" means an act committed against a minor victim that constitutes a violation of section 609.185, 609.19, 609.195, 609.20, 609.205, 609.21, subdivision 1, 609.221, 609.222, 609.223, 609.342, 609.343, 609.344, 609.345, 609.352, or a felony violation of section 609.322, 609.323, 609.324, or 609.377.

Subd. 3. **BACKGROUND CHECK.** Before issuing or renewing a driver's license with a school bus driver's endorsement, the department shall conduct an investigation to determine whether the applicant has been convicted of committing a crime against a minor. The department shall not issue a new bus driver's endorsement and shall not renew an existing bus driver's endorsement if the applicant has been convicted of committing a crime against a minor.

Sec. 19. Minnesota Statutes 1992, section 221.011, subdivision 21, is amended to read:

Subd. 21. **CHARTER CARRIER.** "Charter carrier" means a person who engages in the business of transporting the public by motor vehicle under charter. The term "charter carrier" does not include regular route common carriers of passengers, school buses or Head Start buses described in section 221.025, clause (a), or persons providing limousine service described in section 221.84.

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

Sec. 20. Minnesota Statutes 1993 Supplement, section 221.025, is amended to read:

221.025 EXEMPTIONS.

The provisions of this chapter requiring a certificate or permit to operate as a motor carrier do not apply to the intrastate transportation described below:

(a) the transportation of students to or from school or school activities in a school bus inspected and certified under section 169.451 and the transportation of children or parents to or from a Head Start facility or Head Start activity in a Head Start bus inspected and certified under section 169.451;

(b) the transportation of solid waste, as defined in section 116.06, subdivision 22, including recyclable materials and waste tires, except that the term "hazardous waste" has the meaning given it in section 221.011, subdivision 31;

(c) a commuter van as defined in section 221.011, subdivision 27;

(d) authorized emergency vehicles as defined in section 169.01, subdivision 5, including ambulances; and tow trucks equipped with proper and legal warning devices when picking up and transporting (1) disabled or wrecked motor vehicles or (2) vehicles towed or transported under a towing order issued by a public employee authorized to issue a towing order;

(e) the transportation of grain samples under conditions prescribed by the board;

(f) the delivery of agricultural lime;

(g) the transportation of dirt and sod within an area having a 50-mile radius from the home post office of the person performing the transportation;

(h) the transportation of sand, gravel, bituminous asphalt mix, concrete ready mix, concrete blocks or tile and the mortar mix to be used with the concrete blocks or tile, or crushed rock to or from the point of loading or a place of gathering within an area having a 50-mile radius from that person's home post office or a 50-mile radius from the site of construction or maintenance of public roads and streets;

(i) the transportation of pulpwood, cordwood, mining timber, poles, posts, decorator evergreens, wood chips, sawdust, shavings, and bark from the place where the products are produced to the point where they are to be used or shipped;

(j) the transportation of fresh vegetables from farms to canneries or viner stations, from viner stations to canneries, or from canneries to canneries during the harvesting, canning, or packing season, or transporting potatoes, sugar beets, wild rice, or rutabagas from the field of production to the first place of delivery or unloading, including a processing plant, warehouse, or railroad siding;

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(k) the transportation of property or freight, other than household goods and petroleum products in bulk, entirely within the corporate limits of a city or between contiguous cities except as provided in section 221.296;

(l) the transportation of unprocessed dairy products in bulk within an area having a 100-mile radius from the home post office of the person providing the transportation;

(m) the transportation of agricultural, horticultural, dairy, livestock, or other farm products within an area having a 25-mile radius from the person's home post office and the carrier may transport other commodities within the 25-mile radius if the destination of each haul is a farm;

(n) passenger transportation service that is not charter service and that is under contract to and with operating assistance from the department or the regional transit board; and

(o) the transportation of newspapers, as defined in section 331A.01, subdivision 5, telephone books, handbills, circulars, or pamphlets in a vehicle with a gross vehicle weight of 10,000 pounds or less.

The exemptions provided in this section apply to a person only while the person is exclusively engaged in exempt transportation.

Sec. 21. Minnesota Statutes 1993 Supplement, section 221.031, subdivision 3b, is amended to read:

Subd. 3b. **PASSENGER TRANSPORTATION; EXEMPTIONS.** (a) A person who transports passengers for hire in intrastate commerce, who is not made subject to the rules adopted in section 221.0314 by any other provision of this section, must comply with the rules for hours of service of drivers while transporting employees of an employer who is directly or indirectly paying the cost of the transportation.

(b) This subdivision does not apply to:

- (1) a local transit commission;
- (2) a transit authority created by law; or
- (3) persons providing transportation:

(i) in a school bus as defined in section 169.01, subdivision 6;

(ii) in a Head Start bus as defined in section 169.01, subdivision 80;

(iii) in a commuter van;

~~(iii)~~ (iv) in an authorized emergency vehicle as defined in section 169.01, subdivision 5;

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(iv) (v) in special transportation service certified by the commissioner under section 174.30;

(v) (vi) that is special transportation service as defined in section 174.29, subdivision 1, when provided by a volunteer driver operating a private passenger vehicle as defined in section 169.01, subdivision 3a;

(vi) (vii) in a limousine the service of which is licensed by the commissioner under section 221.84; or

(vii) (viii) in a taxicab, if the fare for the transportation is determined by a meter inside the taxicab that measures the distance traveled and displays the fare accumulated.

Sec. 22. Minnesota Statutes 1992, section 631.40, is amended by adding a subdivision to read:

Subd. 1b. CRIME AGAINST MINOR. When a person is convicted of committing a crime against a minor as defined in section 171.3215, subdivision 2a, the court shall order that the presentence investigation include information about whether the offender is a Head Start bus driver as defined in section 171.3215, subdivision 1, whether the offender possesses a passenger endorsement on the offender's driver's license, and for what Head Start agency the offender drives a Head Start bus. If the offender is a Head Start bus driver or possesses a Head Start bus driver's passenger endorsement, the court administrator shall send a certified copy of the conviction to the department of public safety and to the Head Start agency for which the offender drives a Head Start bus.

Presented to the governor May 5, 1994

Signed by the governor May 9, 1994, 4:52 p.m.

CHAPTER 604—S.F.No. 2316

An act relating to public finance; providing for management of funds under the control of the state board of investment; limiting the investment authority of various local pension plans to the pre-1994 investment authority of the state board of investment; changing certain debt service fund investment authority; amending Minnesota Statutes 1992, sections 11A.17, subdivisions 1, 4, 9, 10a, and 14; 11A.18, subdivision 9; 11A.24, subdivisions 3, 5, and 6; 353D.05, subdivision 2; 354B.07, subdivision 2; 356A.06, subdivision 7; and 422A.05, subdivision 2c; Minnesota Statutes 1993 Supplement, sections 11A.24, subdivisions 1 and 4; 69.77, subdivision 2g; 69.775; 352D.04, subdivision 1; 352D.09, subdivision 8; 354B.05, subdivision 3; and 475.66, subdivision 3.

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

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