

CHAPTER 172—H.F.No. 493

VETOED

CHAPTER 173—S.F.No. 375

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CHAPTER 174—S.F.No. 965

An act relating to transportation; authorizing issuance of permits for 12-foot wide loads of baled straw; changing classification and endorsement requirements to operate a vehicle carrying liquid fertilizer; amending Minnesota Statutes 1994, sections 169.851, subdivision 1; 169.862; and 171.02, subdivision 2a.

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

Section 1. Minnesota Statutes 1994, section 169.851, subdivision 1, is amended to read:

Subdivision 1. **DEFINITIONS.** For the purposes of this section and sections 169.862, 169.871, and 169.872, the terms defined in subdivisions 2 and 3 have the meanings given to them.

Sec. 2. Minnesota Statutes 1994, section 169.862, is amended to read:

169.862 PERMITS FOR WIDE LOADS OF BALED AGRICULTURAL PRODUCTS.

The commissioner of transportation with respect to highways under the commissioner's jurisdiction, and local authorities with respect to highways under their jurisdiction, may issue an annual permit to enable a vehicle carrying round bales of hay, straw, or cornstalks, with a total outside width of the vehicle or the load not exceeding 11-1/2 feet, to be operated on public streets and highways. The commissioner of transportation and local authorities may issue an annual permit to enable a vehicle, having a maximum width of 102 inches, carrying a first haul of square bales of straw, each bale having a minimum size of four feet by four feet by eight feet, with a total outside width of the load not exceeding 12 feet, to be operated on public streets and highways between August

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1 and December 1 within 35 miles of the border between this state and the state of North Dakota. The commissioner of transportation and local authorities may issue an annual permit to enable a vehicle carrying square bales of hay, each with an outside dimension of not less than three feet by four feet by seven feet, with a total height of the loaded vehicle not exceeding 15 feet, to be operated on those public streets and highways designated in the permit. Permits issued under this section are governed by the applicable provisions of section 169.86 except as otherwise provided herein and, in addition, carry the following restrictions:

(a) The vehicles may not be operated between sunset and sunrise, 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 Sunday from noon until sunset, or on the days the following holidays are observed: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

(b) The vehicles may not be operated on interstate highways.

(c) The vehicles may not be operated on a trunk highway with a pavement less than 24 feet wide.

(d) A vehicle operated under the permit must be equipped with a retractable or removable mirror on the left side so located that it will reflect to the driver a clear view of the highway for a distance of at least 200 feet to the rear of the vehicle.

(e) A vehicle operated under the permit must display red, orange, or yellow flags, 18 inches square, as markers at the front and rear and on both sides of the load. The load must be securely bound to the transporting vehicle.

(f) Farm vehicles not for hire carrying round baled hay less than 20 miles are exempt from the requirement to obtain a permit. All other requirements of this section apply to vehicles transporting round baled hay.

The fee for the permit is \$24.

Sec. 3. Minnesota Statutes 1994, section 171.02, subdivision 2a, is amended to read:

Subd. 2a. ~~EXCEPTION TO HAZARDOUS MATERIALS ENDORSEMENT EXCEPTIONS.~~ Notwithstanding subdivision 2, (1) a hazardous materials endorsement is not required to operate a vehicle having a gross vehicle weight of 26,000 pounds or less while carrying in bulk tanks a total of not more than 200 gallons of petroleum products and (2) a class CC license or hazardous materials endorsement is not required to operate a farm vehicle as defined in Code of Federal Regulations, title 49, section 390.5, having a gross vehicle weight of 26,000 pounds or less while carrying in bulk tanks a total of not more than 1,500 gallons of liquid fertilizer.

Sec. 4. **EFFECTIVE DATE.**

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Section 3 is effective the day following final enactment.

Presented to the governor May 15, 1995

Signed by the governor May 16, 1995, 1:15 p.m.

CHAPTER 175—S.F.No. 1112

An act relating to local government; authorizing Sherburne county to convey certain county ditches to the city of Elk River under certain conditions; granting certain powers to the town of Embarrass.

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

Section 1. SHERBURNE COUNTY; CONVEYANCE OF CERTAIN COUNTY DITCHES TO THE CITY OF ELK RIVER.

The county of Sherburne may, by one or more resolutions of its board of commissioners, convey to the city of Elk River all of its rights, title, and interests in all or any portion of county ditches numbered 1, 10, 12, 28, and 31.

Sec. 2. PROCEDURES AND CONDITIONS OF CONVEYANCE.

The conveyance or conveyances will be effective as of the date of such a county board resolution, provided that the city of Elk River, by resolution of its city council:

(1) has agreed to accept the conveyance to it of a specific ditch or portion thereof;

(2) has agreed to assume as of the effective date, all of the rights, title, and interests of the county; and

(3) has agreed to assume responsibility, under its municipal authority, for management of surface water within the area served by the ditch or portion of a ditch so conveyed.

Sec. 3. EFFECT OF CONVEYANCE.

Upon the effective date of a conveyance authorized under this act, with respect to any ditch or portion of a ditch so conveyed:

(1) the city of Elk River shall hold all of the county of Sherburne's property rights, title, and interests in any ditch or portion of a ditch so conveyed;

(2) Sherburne county shall have no further responsibility for the ditch or portion of a ditch so conveyed;

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