

- (2) a liveborn infant that died within the first two years of life;
- (3) a woman who died during a pregnancy or within 12 months of a fetal death, a live birth, or other termination of a pregnancy; or
- (4) the biological mother of a fetus or infant as described in clause (1) or (2).

The commissioner only has access to medical data and health records related to deaths or stillbirths that occur on or after July 1, 1994. With respect to data under clause (4), the commissioner only has access to medical data and health records that contain information that bears upon the pregnancy and the outcome of the pregnancy.

(b) The provider or responsible authority that creates, maintains, or stores the data shall furnish the data upon the request of the commissioner. The provider or responsible authority may charge a fee for providing data, not to exceed the actual cost of retrieving and duplicating the data.

(c) The commissioner shall make a good faith reasonable effort to notify the subject of the data, or the parent, spouse, other guardian, or legal representative of the subject of the data, before collecting data on the subject. For purposes of this paragraph, "reasonable effort" includes:

(1) one visit by a public health nurse to the last known address of the data subject, or the parent, spouse, or guardian; and

(2) if the public health nurse is unable to contact the data subject, or the parent, spouse, or guardian, one notice by certified mail to the last known address of the data subject, or the parent, spouse, or guardian.

(d) The commissioner does not have access to coroner or medical examiner data that are part of an active investigation as described in section 13.83.

Sec. 14. **EFFECTIVE DATE.**

Sections 7 and 8 are effective August 1, 1998. Section 10 is effective August 1, 2000. Section 13 is effective the day following final enactment.

Presented to the governor May 29, 1997

Signed by the governor June 2, 1997, 2:06 p.m.

CHAPTER 229—H.F.No. 1460

VETOED

CHAPTER 230—H.F.No. 241

An act relating to motor carriers; allowing personnel of departments of transportation and public safety to conduct joint or combined audits of motor carrier records; requiring commissioner of public safety to provide commissioner of transportation information on traffic accidents involving

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commercial motor vehicles; providing for enforcement authority of personnel of departments of transportation and public safety relating to motor carriers; modifying requirements to obtain restricted driver's license for farm work; conforming state statutes to federal motor carrier safety regulations; providing for the reauthorization of the uniform hazardous materials registration and permit program for an additional year; authorizing commissioner of transportation to accept electronic signatures for electronically transmitted motor carrier documents; providing immunity from civil liability for certain disclosures by motor carrier employers; providing for hazardous waste transporter licensing under state law; amending Minnesota Statutes 1996, sections 168.187, subdivision 20; 169.09, subdivision 13; 169.85; 169.871, subdivisions 1 and 1a; 171.041, as amended; 221.0314, subdivisions 1, 2, 6, 7, 9, 10, and 11; 221.0355, subdivisions 5 and 15; 221.221, subdivisions 2 and 4; 296.17, subdivision 18; 296.171, subdivision 4; and 299D.06; Laws 1994, chapter 589, section 8, as amended; proposing coding for new law in Minnesota Statutes, chapter 221.

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

Section 1. Minnesota Statutes 1996, section 168.187, subdivision 20, is amended to read:

Subd. 20. **JOINT OR RECIPROCAL AUDITS.** The commissioner of public safety may make arrangements with the commissioner of transportation and with agencies of other states administering motor vehicle registration laws for joint or reciprocal audits of any owner.

Sec. 2. Minnesota Statutes 1996, section 169.09, subdivision 13, is amended to read:

Subd. 13. **REPORTS CONFIDENTIAL; EVIDENCE, FEE, PENALTY, APPROPRIATION.** (a) All written reports and supplemental reports required under this section shall be for the use of the commissioner of public safety and other appropriate state, federal, county, and municipal governmental agencies for accident analysis purposes, except:

(1) the commissioner of public safety or any law enforcement agency shall, upon written request of any person involved in an accident or upon written request of the representative of the person's estate, surviving spouse, or one or more surviving next of kin, or a trustee appointed pursuant to section 573.02, disclose to the requester, the requester's legal counsel, or a representative of the requester's insurer the report required under subdivision 8;

(2) the commissioner of public safety shall, upon written request, provide the driver filing a report under subdivision 7 with a copy of the report filed by the driver;

(3) the commissioner of public safety may verify with insurance companies vehicle insurance information to enforce sections 65B.48, 169.792, 169.793, 169.796, and 169.797;

(4) the commissioner of public safety ~~may give to~~ shall provide the commissioner of transportation the name and address of a carrier subject to section 221.031 for use in enforcing the information obtained for each traffic accident report requirements under chapter 221 involving a commercial motor vehicle, for purposes of administering commercial vehicle safety regulations; and

(5) the commissioner of public safety may give to the United States Department of Transportation commercial vehicle accident information in connection with federal grant programs relating to safety.

New language is indicated by underline, deletions by strikeout.

(b) Accident reports and data contained in the reports shall not be discoverable under any provision of law or rule of court. No report shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the commissioner of public safety shall furnish upon the demand of any person who has, or claims to have, made a report, or, upon demand of any court, a certificate showing that a specified accident report has or has not been made to the commissioner solely to prove compliance or failure to comply with the requirements that the report be made to the commissioner.

(c) Nothing in this subdivision prevents any person who has made a report pursuant to this section from providing information to any persons involved in an accident or their representatives or from testifying in any trial, civil or criminal, arising out of an accident, as to facts within the person's knowledge. It is intended by this subdivision to render privileged the reports required, but it is not intended to prohibit proof of the facts to which the reports relate.

(d) Disclosing any information contained in any accident report, except as provided in this subdivision, section 13.82, subdivision 3 or 4, or other statutes, is a misdemeanor.

(e) The commissioner of public safety may charge authorized persons a \$5 fee for a copy of an accident report.

(f) The commissioner and law enforcement agencies may charge commercial users who request access to response or incident data relating to accidents a fee not to exceed 50 cents per report. "Commercial user" is a user who in one location requests access to data in more than five accident reports per month, unless the user establishes that access is not for a commercial purpose. Money collected by the commissioner under this paragraph is appropriated to the commissioner.

Sec. 3. Minnesota Statutes 1996, section 169.85, is amended to read:

169.85 WEIGHING; PENALTY.

The driver of a vehicle which has been lawfully stopped may be required by a peace officer to submit the vehicle and load to a weighing by means of portable or stationary scales, and the peace officer may require that the vehicle be driven to the nearest available scales if the distance to the scales is no further than five miles, or if the distance from the point where the vehicle is stopped to the vehicle's destination is not increased by more than ten miles as a result of proceeding to the nearest available scales. Official traffic control devices as authorized by section 169.06 may be used to direct the driver to the nearest scale. When a truck weight enforcement operation is conducted by means of portable or stationary scales and signs giving notice of the operation are posted within the highway right-of-way and adjacent to the roadway within two miles of the operation, the driver of a truck or combination of vehicles registered for or weighing in excess of 12,000 pounds shall proceed to the scale site and submit the vehicle to weighing and inspection.

Upon weighing a vehicle and load, as provided in this section, an officer may require the driver to stop the vehicle in a suitable place and remain standing until a portion of the load is removed that is sufficient to reduce the gross weight of the vehicle to the limit permitted under section 169.825. A suitable place is a location where loading or tampering with the load is not prohibited by federal, state, or local law, rule or ordinance. A driver may be required to unload a vehicle only if the weighing officer determines that (a) on routes subject to the provisions of section 169.825, the weight on an axle exceeds the law-

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ful gross weight prescribed by section 169.825, by 2,000 pounds or more, or the weight on a group of two or more consecutive axles in cases where the distance between the centers of the first and last axles of the group under consideration is ten feet or less exceeds the lawful gross weight prescribed by section 169.825, by 4,000 pounds or more; or (b) on routes designated by the commissioner in section 169.832, subdivision 11, the overall weight of the vehicle or the weight on an axle or group of consecutive axles exceeds the maximum lawful gross weights prescribed by section 169.825; or (c) the weight is unlawful on an axle or group of consecutive axles on a road restricted in accordance with section 169.87. Material unloaded must be cared for by the owner or driver of the vehicle at the risk of the owner or driver.

A driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing as required in this section, or who fails or refuses, when directed by an officer upon a weighing of the vehicle, to stop the vehicle and otherwise comply with the provisions of this section, is guilty of a misdemeanor.

When used in this section, the word "officer" means a peace officer or an employee of the department of public safety described in section 299D.06.

Sec. 4. Minnesota Statutes 1996, section 169.871, subdivision 1, is amended to read:

Subdivision 1. **CIVIL LIABILITY.** The owner or lessee of a vehicle that is operated with a gross weight in excess of a weight limit imposed under sections 169.825 and 169.832 to 169.851 and 169.87 or a shipper who ships or tenders goods for shipment in a single truck or combination vehicle that exceeds a weight limit imposed under sections 169.825 and 169.832 to 169.851 and 169.87 is liable for a civil penalty as follows:

(a) If the total gross excess weight is not more than 1,000 pounds, one cent per pound for each pound in excess of the legal limit;

(b) If the total gross excess weight is more than 1,000 pounds but not more than 3,000 pounds, \$10 plus five cents per pound for each pound in excess of 1,000 pounds;

(c) If the total gross excess weight is more than 3,000 pounds but not more than 5,000 pounds, \$110 plus ten cents per pound for each pound in excess of 3,000 pounds;

(d) If the total gross excess weight is more than 5,000 pounds but not more than 7,000 pounds, \$310 plus 15 cents per pound for each pound in excess of 5,000 pounds;

(e) If the total gross excess weight is more than 7,000 pounds, \$610 plus 20 cents per pound for each pound in excess of 7,000 pounds.

Any penalty imposed upon a defendant under this subdivision shall not exceed the penalty prescribed by this subdivision. Any fine paid by the defendant in a criminal overweight action that arose from the same overweight violation shall be applied toward payment of the civil penalty under this subdivision. A peace officer or department of public safety employee described in section 299D.06 who cites a driver for a violation of the weight limitations established by sections 169.81 to 169.851 and 169.87 shall give written notice to the driver that the driver or another may also be liable for the civil penalties provided herein in the same or separate proceedings.

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Sec. 5. Minnesota Statutes 1996, section 169.871, subdivision 1a, is amended to read:

Subd. 1a. **SPECIAL PERMIT VIOLATIONS.** The owner or lessee of a vehicle that is operated with a gross weight in excess of a weight limit imposed by permit under sections 169.86 and 169.862 and a shipper who ships or tenders goods for shipment in a single truck or combination vehicle that exceeds a weight limit permitted under sections 169.86 or 169.862 is liable for a civil penalty at a rate of five cents per pound for each pound in excess of the weight permitted under section 169.86 or 169.862, or \$100, whichever is greater.

Any penalty imposed upon a defendant under this subdivision shall not exceed the penalty prescribed by this subdivision. Any fine paid by the defendant in a criminal overweight action that arose from the same overweight violation may not be applied toward payment of the civil penalty under this subdivision. A peace officer or department of public safety employee described in section 299D.06 who cites a driver for a violation of the weight limitations established by permit pursuant to section 169.86 or 169.862 shall give written notice to the driver that the driver or another may also be liable for the civil penalty provided in this subdivision in the same or separate proceedings.

Sec. 6. Minnesota Statutes 1996, section 171.041, as amended by Laws 1997, chapter 48, section 1, is amended to read:

171.041 RESTRICTED LICENSES FOR FARM WORK.

Notwithstanding any provisions of section 171.04 relating to the age of an applicant to the contrary, the commissioner may issue a restricted farm work license to operate a motor vehicle to a person who has attained the age of 15 years but who is under the age of 16 years and who, except for age, is qualified to hold a driver's license. The applicant is not required to comply with the six-month instruction permit possession provisions of sections 171.04, subdivision 1, clause (2), and 171.05, subdivision 2a. The restricted license shall be issued solely for the purpose of authorizing the person to whom the restricted license is issued to assist the person's parents or guardians with farm work. A person holding this restricted license may operate a motor vehicle only during daylight hours and only within a radius of 20 miles of the parent's or guardian's farmhouse; however, in no case may a person holding the restricted license operate a motor vehicle in a city of the first class. An applicant for a restricted license shall apply to the commissioner for the license on forms prescribed by the commissioner. The application shall be accompanied by:

(1) a copy of a property tax statement showing that the applicant's residence applicant owns land that is classified as agricultural land or a copy of a rental statement or agreement showing that the applicant rents land classified as agricultural land; and

(2) by a written verified statement by the applicant's parent or guardian setting forth the necessity for the license.

Sec. 7. Minnesota Statutes 1996, section 221.0314, subdivision 1, is amended to read:

Subdivision 1. **APPLICABILITY.** (a) ~~Intrastate motor carriers, private carriers, and persons providing intrastate transportation described in section 221.025,~~ must comply with the rules federal regulations incorporated in this section. ~~Private carriers and per-~~

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sons providing intrastate transportation described in section 221.025, must comply with the federal regulations incorporated in this section to the extent required by section 221.031. Every carrier and its officers, agents, representatives, and employees responsible for managing, maintaining, equipping, operating, or driving motor vehicles, or hiring, supervising, training, assigning, or dispatching drivers, must be instructed in and comply with the rules incorporated in this section and shall require that its agents, representatives, drivers, and employees comply.

(b) In the rules incorporated in subdivisions 2 to 11:

(1) the term "motor carrier" means a carrier required to comply with this section by section 221.031;

(2) a reference to a federal agency or office means the Minnesota department of transportation; and

(3) a reference to a federal administrative officer means the commissioner of the Minnesota department of transportation.

Sec. 8. Minnesota Statutes 1996, section 221.0314, subdivision 2, is amended to read:

Subd. 2. **QUALIFICATIONS OF DRIVERS.** Code of Federal Regulations, title 49, part 391 and appendixes C, D, and E, are incorporated by reference except for sections ~~391.1; 391.2; 391.11, paragraph (b)(1); 391.47; 391.49, paragraphs (b) to (l); 391.51, paragraphs (f) and (g); 391.62; 391.64; 391.67; 391.68; 391.69; 391.71; and these sections incorporated in section 221.0313, subdivision 4 391.73.~~ In addition, the cross references to Code of Federal Regulations, title 49, section ~~391.62, 391.67, or 391.71~~ or to part 391, subpart G, found in Code of Federal Regulations, title 49, sections ~~391.11, paragraphs (a) and (b); 391.21, paragraph (a); 391.23, paragraph (a); 391.25; 391.27, paragraph (a); 391.31, paragraph (a); 391.35, paragraph (a); 391.41, paragraph (a); and 391.45,~~ sections or paragraphs not incorporated in this subdivision are not incorporated by reference.

Sec. 9. Minnesota Statutes 1996, section 221.0314, subdivision 6, is amended to read:

Subd. 6. **DRIVING OF MOTOR VEHICLES.** Code of Federal Regulations, title 49, part 392, is incorporated by reference, except that sections ~~392.1, 392.2, and 392.30, paragraph (a),~~ of that part, are not incorporated.

Sec. 10. Minnesota Statutes 1996, section 221.0314, subdivision 7, is amended to read:

Subd. 7. **PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION.** Code of Federal Regulations, title 49, part 393, is incorporated by reference, except that sections ~~393.1, 393.3, and 393.5~~ of that part are not incorporated for paragraph (d) of section 393.43. In addition, despite the first paragraph of Code of Federal Regulations, title 49, section 393.95, a lightweight vehicle must carry a fire extinguisher meeting the requirements in Code of Federal Regulations, title 49, section 393.95.

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Sec. 11. Minnesota Statutes 1996, section 221.0314, subdivision 9, is amended to read:

Subd. 9. **HOURS OF SERVICE OF DRIVERS.** Code of Federal Regulations, title 49, part 395, is incorporated by reference, except that sections 395.3, paragraphs (d) to (f); 395.8, paragraphs (k)(2) and (l)(2); paragraphs (a), (c), (d), (f), (i), (j), (l), (m), (n), and (o) of section 395.1 and section 395.13, of that part are not incorporated. In addition, the cross reference references to paragraph (e) in Code of Federal Regulations, title 49, section 395.3, paragraph (a), is sections or paragraphs not incorporated in this subdivision are not incorporated by reference. The requirements of Code of Federal Regulations, title 49, sections 395.3, paragraphs (a) and (b); and 395.8, paragraphs (a) to (k), part 395, do not apply to drivers of lightweight vehicles.

Sec. 12. Minnesota Statutes 1996, 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; 396.11, paragraph (d); 396.17 to; 396.19; 396.21; and 396.23 of that part are not incorporated.

Sec. 13. Minnesota Statutes 1996, section 221.0314, subdivision 11, is amended to read:

Subd. 11. **TRANSPORTING HAZARDOUS MATERIALS; DRIVING AND PARKING.** A person who transports hazardous materials shall comply with this section and rules adopted under section 221.031 when that person is transporting a hazardous material, hazardous waste, or hazardous substance in a vehicle that must be marked or placarded in accordance with Code of Federal Regulations, title 49, section 172.504, incorporated by reference in section 221.033. Code of Federal Regulations, title 49, part 397, is incorporated by reference, except that sections 397.1 to 397.3 of that part are not incorporated. A petroleum transport driver shall not park on a public street adjacent to a bridge, tunnel, dwelling, building, or place where persons work, congregate, or assemble, except when necessary to unload.

Sec. 14. Minnesota Statutes 1996, section 221.0355, subdivision 5, is amended to read:

Subd. 5. **HAZARDOUS WASTE TRANSPORTERS.** (a) A carrier with its principal place of business in Minnesota or who designates Minnesota as its base state shall file a disclosure statement with and obtain a permit from the commissioner that specifically authorizes the transportation of hazardous waste before transporting a hazardous waste in Minnesota. A carrier that designates another participating state as its base state shall file a disclosure statement with and obtain a permit from that state that specifically authorizes the transportation of hazardous waste before transporting a hazardous waste in Minnesota. A registration is valid for one year from the date a notice of registration form is issued and a permit is valid for three years from the date issued or until a carrier fails to renew its registration, whichever occurs first.

(b) A disclosure statement must include the information contained in part III of the uniform application. A person who has direct management responsibility for a carrier's hazardous waste transportation operations shall submit a full set of the person's finger-

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prints, with the carrier's disclosure statement, for identification purposes and to enable the commissioner to determine whether the person has a criminal record. The commissioner shall send the person's fingerprints to the Federal Bureau of Investigation and shall request the bureau to conduct a check of the person's criminal record. The commissioner shall not issue a notice of registration or permit to a hazardous waste transporter who has not made a full and accurate disclosure of the required information or paid the fees required by this subdivision. Making a materially false or misleading statement in a disclosure statement is prohibited.

(c) The commissioner shall assess a carrier the actual costs incurred by the commissioner for conducting the uniform program's required investigation of the information contained in a disclosure statement.

(d) A permit under this subdivision becomes a license under section 221.035, subdivision 1, on August 1, 1997 1998, and is subject to the provisions of section 221.035 until it expires.

Sec. 15. Minnesota Statutes 1996, section 221.0355, subdivision 15, is amended to read:

Subd. 15. **HAZARDOUS WASTE LICENSES.** (a) From October 1, 1994, until August 1, 1997 1998, the commissioner shall not register hazardous material transporters under section 221.0335 or license hazardous waste transporters under section 221.035. A person who is licensed under section 221.035 need not obtain a permit under subdivision 4 or 5 for the transportation of hazardous waste in Minnesota, until the person's license has expired. A carrier wishing to transport hazardous waste in another participating state shall obtain a permit under the uniform program authorizing the transportation.

(b) The commissioner may refund fees paid under section 221.035, minus a proportional amount calculated on a monthly basis for each month that a hazardous waste transporter license was valid, to a person who was issued a hazardous waste transporter license after May 5, 1994, who applied for a permit authorizing the transportation of hazardous waste under subdivisions 4 and 5 before October 1, 1994, and who was subsequently issued that permit under the uniform program.

Sec. 16. **[221.173] ELECTRONIC SIGNATURES.**

(a) The commissioner may accept in lieu of a required document completed on paper, an electronically transmitted document authenticated by an electronic signature.

(b) The commissioner shall consult with the commissioner of administration, who shall provide advice and assistance in establishing criteria and standards for authentication of electronic signatures and establishing to a reasonable certainty the validity, security, and linkage of a specific, unaltered, electronically transmitted document, its unforged signature, and its authorized signer.

(c) The commissioner may determine the technology or system to be used, which may include a private key/public key system, an encrypted or cryptology-based system, a pen-based, on-screen signature system that captures and verifies an autograph and links it to a specific document, or other system or technology or combination of systems.

(d) To the extent consistent with this section, laws and rules pertaining to paper-based documents also pertain to electronically transmitted documents.

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

Sec. 17. Minnesota Statutes 1996, section 221.221, subdivision 2, is amended to read:

Subd. 2. **POLICE OFFICER ENFORCEMENT POWERS.** ~~Transportation representatives program specialists and hazardous material program specialists of the department, for the purpose of enforcing the provisions of this chapter, sections 169.781 to 169.783 relating to commercial vehicle inspections, and section 296.17, subdivisions 10 and 17, relating to motor carrier licenses and trip permits, and the applicable rules, orders, or directives of the commissioner, the commissioner of revenue, and the board issued under this chapter and chapter 296, but for no other purpose, have the powers conferred by law upon police officers. The powers include the authority to conduct inspections at designated highway weigh stations or under other appropriate circumstances.~~

Sec. 18. Minnesota Statutes 1996, section 221.221, subdivision 4, is amended to read:

Subd. 4. **INSPECTION OF DOCUMENTS.** Records, log books, certificates, licenses, shipping documents, or other papers or documents required to be maintained in the carrier's files or in vehicles subject to determine compliance with this chapter and rules adopted under this chapter, must be presented for inspection, upon request, to a peace officer or police officer or other person empowered to enforce the provisions of this chapter.

Sec. 19. **[221.86] PARTIAL IMMUNITY FOR MOTOR CARRIER EMPLOYERS.**

A motor carrier employer that discloses information in good faith about a present or former employee in response to a request pursuant to Code of Federal Regulations, title 49, section 382.413, is immune from civil liability, except in cases of knowing disclosure of false information or negligence, for the disclosure and the consequences proximately caused by the disclosure, provided that:

(1) the employer has and observes a written testing policy and procedure which complies with federal and state laws;

(2) the employer uses a certified laboratory and lawful test procedures;

(3) the employer sends the information to the prospective employer who has requested the information, on a request and authorization form signed by the employee; and

(4) the employer sends only information on the employee for whom the information was requested, that:

(i) shows whether or not, during the preceding two years, the employee tested 0.04 or greater alcohol concentration, tested positive on a verified test for the presence of controlled substances, or refused to be tested for alcohol or controlled substances;

(ii) states the dates of any tests listed in item (i); and

(iii) includes any and all information on confirmatory tests requested by the employee.

Sec. 20. Minnesota Statutes 1996, section 296.17, subdivision 18, is amended to read:

New language is indicated by underline, deletions by strikeout.

Subd. 18. **COOPERATIVE AUDITS.** The commissioner may make arrangements with the commissioner of transportation and may enter into agreements with the appropriate authorities of other states having statutes similar to this act for the cooperative audit of motor carriers' reports and returns. In performing any such audit, or part thereof, the officers and employees of the department of transportation and the other state or states shall be deemed authorized agents of this state for such purpose, and such audits, or parts thereof, shall have the same effect as similar audits, or parts thereof, when made by the commissioner.

Sec. 21. Minnesota Statutes 1996, section 296.171, subdivision 4, is amended to read:

Subd. 4. **EXCHANGES OF INFORMATION.** The commissioner of public safety may make arrangements or agreements with the commissioner of transportation and other states to exchange information for audit and enforcement activities in connection with fuel tax licensing. The filing of fuel tax returns under this section is subject to the rights, terms, and conditions granted or contained in the applicable agreement or arrangement made by the commissioner under the authority of this section.

Sec. 22. Minnesota Statutes 1996, section 299D.06, is amended to read:

299D.06 INSPECTIONS; WEIGHING.

(a) Department personnel must be classified employees assigned to the division of state patrol if they are employed to enforce the:

(1) laws relating to motor vehicle equipment; school bus equipment; drivers license; drivers' licenses; motor vehicle registration; motor vehicle size and weight; motor carrier insurance, registration, and safety; and motor vehicle petroleum tax; to enforce public utilities commission rules relating to motor carriers, to enforce taxes;

(2) pollution control agency rules relating to motor vehicle noise abatement; and to enforce

(3) laws relating to directing the movement of vehicles shall be classified employees of the commissioner of public safety assigned to the division of state patrol.

(b) Employees engaged in these duties, while actually on the job during their working hours only, shall have power to:

(1) issue citations in lieu of arrest and continued detention; and to

(2) prepare notices to appear in court for violation of these laws and rules, in the manner provided in section 169.91, subdivision 3.

They shall not be armed and, except as provided in this section, shall have none of the other powers and privileges reserved to peace officers including the power to enforce traffic laws and regulations.

Sec. 23. Laws 1994, chapter 589, section 8, as amended by Laws 1996, chapter 455, article 3, section 33, is amended to read:

Sec. 8. REPEALER.

Minnesota Statutes 1992, section 221.033, subdivision 4, is repealed. Section 5 is repealed effective August 1, 1997 1998.

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

Sec. 24. HAZARDOUS WASTE TRANSPORTER LICENSING.

Unless, before Congress adjourns in 1997, Congress specifically reauthorizes the uniform hazardous materials permit program created in the Hazardous Materials Transportation Uniform Safety Act of 1990, United States Code, title 49 appendix, sections 18-19, subsection (c), the commissioner shall stop registering and permitting hazardous material and hazardous waste transporters on the date Congress adjourns in 1997, and shall revert to licensing hazardous waste transporters under Minnesota Statutes, section 221.0335. A permit under Minnesota Statutes, section 221.0355, becomes a hazardous waste transporter license under Minnesota Statutes, section 221.0335.

Presented to the governor May 29, 1997

Signed by the governor June 2, 1997, 2:08 p.m.

CHAPTER 231—H.F.No. 2163

An act relating to the financing and operation of state and local government; providing property tax class rate reform; dedicating future state revenues to property tax reform; providing a property tax rebate; providing for calculation of rent constituting property taxes; changing truth-in-taxation requirements; imposing levy limits on cities and counties for taxes levied in 1997 and 1998; authorizing deferral of property taxes by senior citizens; changing fiscal note requirements for state mandates; requiring periodic review of administrative rules; making miscellaneous property, income, and sales tax changes; changing and modifying the application of tax increment financing provisions; authorizing certain local governments to exercise certain powers; authorizing local tax levies, abatements, and assessments; modifying certain local aids; conforming certain income tax laws with changes in federal law; modifying certain income tax definitions and formulas; providing income tax credits; modifying the application of sales and excise taxes; exempting certain purchases from the sales tax; modifying waste management tax and minerals tax provisions; increasing the budget reserve; revising the law governing regional development commissions; modifying certain provisions relating to insurance companies; requiring studies; requiring reports; appropriating money; repealing an appropriation; amending Minnesota Statutes 1996, sections 6.76; 16A.152, subdivision 2; 60A.075, subdivisions 1, 8, and 9; 60A.077, subdivisions 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, and by adding a subdivision; 69.021, subdivision 7; 93.41; 103D.905, subdivisions 4, 5, and by adding a subdivision; 115A.554; 117.155; 121.15, by adding a subdivision; 124.195, subdivisions 7 and 10; 124.239, subdivision 5, and by adding subdivisions; 161.45, by adding a subdivision; 216B.16, by adding a subdivision; 270.60, by adding a subdivision; 270B.01, subdivision 8; 270B.02, by adding a subdivision; 270B.12, by adding a subdivision; 271.01, subdivision 5; 271.19; 272.02, subdivision 1, and by adding a subdivision; 272.115; 273.11, subdivisions 1, 1a, and 16; 273.111, subdivisions 3 and 6; 273.112, subdivisions 2, 3, and 4; 273.12; 273.121; 273.124, subdivision 1, and by adding a subdivision; 273.13, subdivisions 22, 23, 24, 25, 31, 32, and by adding a subdivision; 273.1393; 273.1398, subdivision 8; 273.18; 274.01; 274.13, by adding subdivisions; 275.065, subdivisions 1, 3, 5a, 6, 8, and by adding subdivisions; 275.07, subdivision 4; 275.16; 275.62, subdivision 1; 276.04, subdivision 2; 278.07; 281.13; 281.23, subdivision 6, and by adding a subdivision; 281.273; 281.276; 282.01, subdivision 8; 282.04, subdivision 1; 287.22; 289A.02, subdivision 7; 289A.56, subdivision 4; 290.01, subdivisions 19, 19a, 19b, 19c, 19d, 19f, 19g, 31, and by adding a subdivision; 290.014, subdivisions 2 and 3; 290.015, subdivisions 3 and 5; 290.06, subdivision 22, and by adding a subdivision; 290.067, subdivision 1; 290.068, subdivision 1; 290.0922,

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