

CHAPTER 70—S.F.No. 1600

An act relating to motor vehicles; eliminating requirement that certain applications submitted to department of public safety be in writing; amending Minnesota Statutes 1998, sections 168.013, subdivision 3; and 168.82, subdivision 1.

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

Section 1. Minnesota Statutes 1998, section 168.013, subdivision 3, is amended to read:

Subd. 3. APPLICATION; CANCELLATION; EXCESSIVE GROSS WEIGHT FORBIDDEN. The applicant for all licenses based on gross weight shall state in writing upon oath, the unloaded weight of the motor vehicle, trailer or semitrailer and the maximum load the applicant proposes to carry thereon, the sum of which shall constitute the gross weight upon which the license tax shall be paid, but in no case shall the declared gross weight upon which the tax is paid be less than 1-1/4 times the declared unloaded weight of the motor vehicle, trailer or semitrailer to be registered, except recreational vehicles taxed under subdivision 1g, school buses taxed under subdivision 18 and tow trucks or towing vehicles defined in section 169.01, subdivision 52. The gross weight of a tow truck or towing vehicle is the actual weight of the tow truck or towing vehicle fully equipped, but does not include the weight of a wrecked or disabled vehicle towed or drawn by the tow truck or towing vehicle.

The gross weight of no motor vehicle, trailer or semitrailer shall exceed the gross weight upon which the license tax has been paid by more than four percent or 1,000 pounds, whichever is greater.

The gross weight of the motor vehicle, trailer or semitrailer for which the license tax is paid shall be indicated by a distinctive character on the license plate or plates except as provided in subdivision 12 and the plate or plates shall be kept clean and clearly visible at all times.

The owner, driver, or user of a motor vehicle, trailer or semitrailer upon conviction for transporting a gross weight in excess of the gross weight for which it was registered or for operating a vehicle with an axle weight exceeding the maximum lawful axle load weight shall be guilty of a misdemeanor and be subject to increased registration or reregistration according to the following schedule:

(1) The owner, driver or user of a motor vehicle, trailer or semitrailer upon conviction for transporting a gross weight in excess of the gross weight for which it is registered by more than four percent or 1,000 pounds, whichever is greater, but less than 25 percent or for operating or using a motor vehicle, trailer or semitrailer with an axle weight exceeding the maximum lawful axle load as provided in section 169.825 by more than four percent or 1,000 pounds, whichever is greater, but less than 25 percent, in addition to any penalty imposed for the misdemeanor shall apply to the registrar to increase the authorized gross weight to be carried on the vehicle to a weight equal to or greater than the gross weight the owner, driver, or user was convicted of carrying, the increase computed for the balance of the calendar year on the basis of 1/12 of the annual tax for each month remaining in the calendar year beginning with the first day of the month in which the violation occurred. If the additional registration tax computed upon that weight, plus the tax al-

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ready paid, amounts to more than the regular tax for the maximum gross weight permitted for the vehicle under section 169.825, that additional amount shall nevertheless be paid into the highway fund, but the additional tax thus paid shall not permit the vehicle to be operated with a gross weight in excess of the maximum legal weight as provided by section 169.825. Unless the owner within 30 days after a conviction shall apply to increase the authorized weight and pay the additional tax as provided in this section, the registrar shall revoke the registration on the vehicle and demand the return of the registration card and plates issued on that registration.

(2) The owner or driver or user of a motor vehicle, trailer or semitrailer upon conviction for transporting a gross weight in excess of the gross weight for which the motor vehicle, trailer or semitrailer was registered by 25 percent or more, or for operating or using a vehicle or trailer with an axle weight exceeding the maximum lawful axle load as provided in section 169.825 by 25 percent or more, in addition to any penalty imposed for the misdemeanor, shall have the reciprocity privileges on the vehicle involved if the vehicle is being operated under reciprocity canceled by the registrar, or if the vehicle is not being operated under reciprocity, the certificate of registration on the vehicle operated shall be canceled by the registrar and the registrar shall demand the return of the registration certificate and registration plates. The registrar may not cancel the registration or reciprocity privileges for any vehicle found in violation of seasonal load restrictions imposed under section 169.87 unless the axle weight exceeds the year-round weight limit for the highway on which the violation occurred. The registrar may investigate any allegation of gross weight violations and demand that the operator show cause why all future operating privileges in the state should not be revoked unless the additional tax assessed is paid.

(3) Clause (1) does not apply to the first haul of unprocessed or raw farm products or unfinished forest products, when the registered gross weight is not exceeded by more than ten percent. For purposes of this clause, "first haul" means (i) the first, continuous transportation of unprocessed or raw farm products from the place of production or on-farm storage site to any other location within 50 miles of the place of production or on-farm storage site, or (ii) the first, continuous transportation of unfinished forest products from the place of production to the place of first unloading.

(4) When the registration on a motor vehicle, trailer or semitrailer is revoked by the registrar according to provisions of this section, the vehicle shall not be operated on the highways of the state until it is registered or reregistered, as the case may be, and new plates issued, and the registration fee shall be the annual tax for the total gross weight of the vehicle at the time of violation. The reregistration pursuant to this subdivision of any vehicle operating under reciprocity agreements pursuant to section 168.181 or 168.187 shall be at the full annual registration fee without regard to the percentage of vehicle miles traveled in this state.

Sec. 2. Minnesota Statutes 1998, section 168.82, subdivision 1, is amended to read:

Subdivision 1. **APPLICATION, FEE, REQUIREMENTS.** Whenever a person seeks to operate a motor vehicle or tow a manufactured home owned by a nonresident upon the highways of this state solely for the purpose of transporting it from a point outside the state to another point outside the state, and such vehicle is not otherwise exempt from registration and taxation as provided by law, such owner shall not be required to register the vehicle and pay the tax but in lieu thereof shall apply in writing to the registrar for a one-way trip permit and pay a fee of \$10. Unless such act of transportation also re-

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quires approval by the commissioner of transportation as provided in section 169.86, such person may be permitted to proceed with such vehicle into the state, not to exceed 35 miles, to the nearest city wherein a deputy registrar is located before securing such permit. The application for permit shall be in such form and contain such information as the registrar may determine. Any motor vehicle operated under such permit shall carry no load. As used in this section, "person" includes a natural person, firm, copartnership, association, or corporation.

Presented to the governor April 16, 1999

Signed by the governor April 20, 1999, 9:15 a.m.

CHAPTER 71—S.F.No. 973

An act relating to courts; requesting the supreme court to study and make recommendations regarding juror compensation.

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

Section 1. **JUROR COMPENSATION STUDY.**

(a) The supreme court, in consultation with the conference of chief judges, is requested to study and make recommendations regarding the juror compensation system. The study should address:

- (1) per diem rates of compensation;
- (2) reimbursement for special expenses such as child care and travel;
- (3) payment of jurors by employers;
- (4) special compensation for jurors who serve on longer trials; and
- (5) other compensation issues identified by the court.

(b) The study should address the use of a system that fairly compensates jurors to avoid financial hardship resulting from jury service balanced against the need to promote juries that are randomly selected and cross-representative of society.

(c) The supreme court is requested to report to the legislature with the results of the study and recommendations by December 15, 1999.

Presented to the governor April 16, 1999

Signed by the governor April 20, 1999, 9:16 a.m.

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