

SENATE

STATE OF MINNESOTA

EIGHTY-NINTH SESSION

S.F. No. 3165

(SENATE AUTHORS: SKOE)

DATE	D-PG	OFFICIAL STATUS
03/23/2016	5237	Introduction and first reading Referred to Transportation and Public Safety

1.1 A bill for an act

1.2 relating to transportation; requiring an officer to obtain a search warrant to inspect

1.3 and copy records concerning receipt of certain overweight loads; amending

1.4 Minnesota Statutes 2014, section 169.872, subdivisions 1, 1a.

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

1.6 Section 1. Minnesota Statutes 2014, section 169.872, subdivision 1, is amended to read:

1.7 Subdivision 1. **Record keeping.** A person who weighs goods before or after

1.8 unloading or a person who loads or unloads goods on the basis of liquid volume measure

1.9 shall keep a written record of the origin, weight, and composition of each shipment, the date

1.10 of loading or receipt, the name and address of the shipper, the total number of axles on the

1.11 vehicle or combination of vehicles, and the registration number of the power unit or some

1.12 other means of identification by which the shipment was transported. The record shall be

1.13 retained for 14 days and shall be open to inspection and copying by a state law enforcement

1.14 officer ~~or motor transport representative~~, except state conservation officers, upon demand

1.15 and presentation of a search warrant. ~~No search warrant is required to inspect or copy the~~

1.16 ~~record~~. This subdivision does not apply to a person weighing goods who is not involved in

1.17 the shipping, receiving, and transporting of those goods, or to a person weighing raw and

1.18 unfinished farm products transported in a single-unit vehicle with not more than three axles

1.19 or by a trailer towed by a farm tractor when the transportation is the first haul of the product.

1.20 Sec. 2. Minnesota Statutes 2014, section 169.872, subdivision 1a, is amended to read:

1.21 Subd. 1a. **Limit on civil penalties.** A civil penalty for excessive weight under

1.22 section 169.871 may be imposed based on a record of a shipment under this section only if

1.23 a state law enforcement officer ~~or motor transportation representative~~: (1) has presented a

- 2.1 search warrant and inspected and copied the record within 14 days of the date the shipment
- 2.2 was received by the person keeping the record; and (2) has assessed the penalty within 90
- 2.3 days of the date the officer or representative inspected and copied the record.