

CHAPTER 7440
DEPARTMENT OF PUBLIC SAFETY
STATE PATROL DIVISION
SLOW MOVING VEHICLE EMBLEMS

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7440.0100 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of this chapter the following terms shall have the meanings given them.

Subp. 1a. **Alternate SMV emblem.** "Alternate SMV emblem" is the SMV emblem that may be displayed instead of the standard SMV emblem by persons who have obtained a permit to display the alternate SMV emblem from the commissioner.

Subp. 2. **ASAE.** "ASAE" is an abbreviation for American Society of Agricultural Engineers.

Subp. 3. **ASTM.** "ASTM" is an abbreviation for American Society for Testing and Materials.

Subp. 3a. **Commissioner.** "Commissioner" means the commissioner of public safety.

Subp. 4. **Portable emblem.** "Portable emblem" means the slow moving vehicle emblem when attached to the backing material specified in part 7440.0400, subpart 4.

Subp. 5. **SAE.** "SAE" is an abbreviation for Society of Automotive Engineers.

Subp. 6. **Slow moving vehicle.** "Slow moving vehicle" means all animal-drawn vehicles, implements of husbandry, and other machinery, including all road construction machinery, except when used in actual construction and maintenance work as qualified by Minnesota Statutes, section 169.522, which are designed for operation at a speed of 25 miles per hour or less. These vehicles are those that normally travel at rates of speed slower than regular vehicular traffic (vehicles that have a maximum travel speed of less than 25 miles per hour).

Subp. 7. **SMV emblem.** "SMV emblem" means the triangular multicolored device used to identify slow moving vehicles.

Subp. 8. **SMV.** "SMV" is an abbreviation for slow moving vehicle.

Statutory Authority: *MS s 169.522 subd 1*

History: *11 SR 957*

7440.0200 PURPOSE AND SCOPE.

Subpart 1. **Purpose.** The purpose of this chapter is to carry out the mandate of the legislature and to effectuate that mandate as set forth in Minnesota Statutes, section 169.522, with reference to standards and specifications for the design and position of mounting of slow moving vehicle emblems.

Subp. 2. **Scope.** The scope of this chapter is confined within the framework of and intended to be consistent with Minnesota Statutes, section 169.522.

Statutory Authority: *MS s 169.522 subd 1*

7440.0300 DESCRIPTION OF SMV AND ALTERNATE SMV EMBLEMS.

Subpart 1. **SMV emblem.** The SMV emblem consists of a fluorescent yellow-orange triangle with a dark red reflective border. The yellow-orange fluorescent triangle provides a brightly visible daylight identification. The reflective red border defines the shape of the fluorescent triangle in daylight and appears as a hollow red triangle when illuminated by motor vehicle headlights at night.

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Subp. 2. **Alternate SMV emblem.** The alternate SMV emblem consists of a dull black triangle with a white reflective border. In normal weather conditions, the white reflective border must be visible from a distance of not less than 600 feet to the rear when properly mounted.

Statutory Authority: *MS s 169.522 subd 1*

History: *11 SR 957*

7440.0350 PERMIT TO DISPLAY ALTERNATE SMV EMBLEM.

Subpart 1. **Conflicting beliefs.** Persons who have sincerely held religious beliefs prohibiting their use of the standard SMV emblem may apply for a permit to display the alternate SMV emblem.

Subp. 2. **Application.** Applications for permits to display the alternate SMV emblem must be made on an application form prescribed by the commissioner. The application must contain a statement of the conflicting religious principles or tenets on which the applicant's objection to the display of the standard SMV emblem is based.

Subp. 3. **Permit use requirements.** The alternate SMV emblem may be used only on animal-drawn vehicles. A person operating a vehicle displaying the alternate SMV emblem must have in possession in the vehicle a permit or copy of a permit to display the alternate SMV emblem. A permit is not transferable and may not be used by persons other than employees or immediate household members of the family of a person who has obtained a permit. The permit must be displayed to a peace officer upon request.

Subp. 4. **Permit life.** A permit for the display of the alternate SMV emblem is valid for a period of four years.

Subp. 5. **Appeal.** The decision granting or denying permit requests must be in writing and must set forth the reasons for the action. A person whose application is denied may request a contested case hearing to review the denial, by writing to the commissioner of public safety.

Statutory Authority: *MS s 169.522 subd 1*

History: *11 SR 957*

7440.0400 DESIGN STANDARDS AND SPECIFICATIONS.

Subpart 1. **Dimensional requirements.** The size must be as shown in part 7440.9920. Backing material for portable SMV emblems must have the same geometric shape as the emblem and may be slightly larger in order to provide a margin of not more than one-fourth inch.

Subp. 2. **Color and reflectivity.** The design standards and specifications for color and reflectivity are:

A. The spectrophotometric color values of the yellow-orange fluorescent material must have a dominant wave length of 602–610 millimicrons and a purity of 84 percent before the exposure test specified in subpart 3. The dominant wave length of the fluorescent material after the exposure test must not change more than ten percent.

B. The reflective material used on SMV and alternate SMV emblems must conform to federal specification L–S–300C, Table II, "Specific Intensity per unit Area (SIA): Minimum Reflectivity 1 Sheeting and Tape," of March 20, 1979, approved by the Commissioner, Federal Supply Service, General Services Administration. Table II is incorporated by reference, is not subject to frequent change, and is located and available for copying at the Minnesota State Law Library, 25 Constitution Avenue, Saint Paul, Minnesota 55155. Federal Specification L–S–300C is available from the General Services Administration, Business Service Center, Chicago, Illinois 60604.

C. The size and shape of SMV and alternate SMV emblems must comply with parts 7440.9920 and 7440.9930, respectively.

Subp. 3. **Exposure.** The fluorescent, dull black, and reflective material must show no appreciable discoloration, cracking, crazing, blistering, loss of durable bond, or dimensional change after exposure to the sun at an angle of 45 degrees to horizontal and facing south per ASTM Standard D1014, Method of Conducting Exterior Exposure Tests of Paints on Steel, for a test period of 12 months in southern Florida.

Subp. 4. **Backing material.** The backing material for portable SMV emblems must be 0.040 inch minimum thickness aluminum sheet, 0.08 inch or 2.0 millimeter minimum thickness rigid acrylonitrile butadiene styrene (ABS) plastic, 22 gauge (0.030 inch or 0.8 millimeter) minimum thickness mill-galvanized or coated sheet steel, or other material of equal strength, with the application surface clean and free of oil, grease, etc., so as to be receptive to a durable bond of the fluorescent and reflective materials. The backing material must be free of burrs and corners must be slightly rounded.

Subp. 5. **Reports.** The manufacturer of SMV emblems shall supply certified test reports showing compliance with the design standards and specifications upon request by the commissioner of public safety.

Statutory Authority: *MS s 169.522 subd 1*

History: *11 SR 957*

7440.0500 STANDARDS AND SPECIFICATIONS FOR MOUNTING.

Subpart 1. **Location.** The SMV emblem or alternative SMV emblem must be mounted point up, as shown in part 7440.9920 in a plane perpendicular to the direction of travel. It must be placed centrally at the rear of the vehicle, unobscured, and two to six feet above the ground measured to the lower edge of the emblem.

Subp. 2. **Attachment.** The SMV emblem or alternate SMV emblem may be permanently attached to the vehicle or equipment when practical. Unless the SMV emblem or alternate SMV emblem is attached directly and permanently to the vehicle, it must be mounted by using devices designed to hold the emblem in the position and location specified in subpart 1. The SMV emblem mounting device referred to in Minnesota Statutes, section 169.522 must be the socket specified in the ASAE Standard S277 current at the time of manufacture or assembly of the SMV emblem or alternate SMV emblem.

Subp. 3. **Limitations.** The emblem shall not replace any other lamps, lights, reflectors, or warning devices required by law or rule and is not to be used as a clearance marker for wide equipment.

Statutory Authority: *MS s 169.522 subd 1*

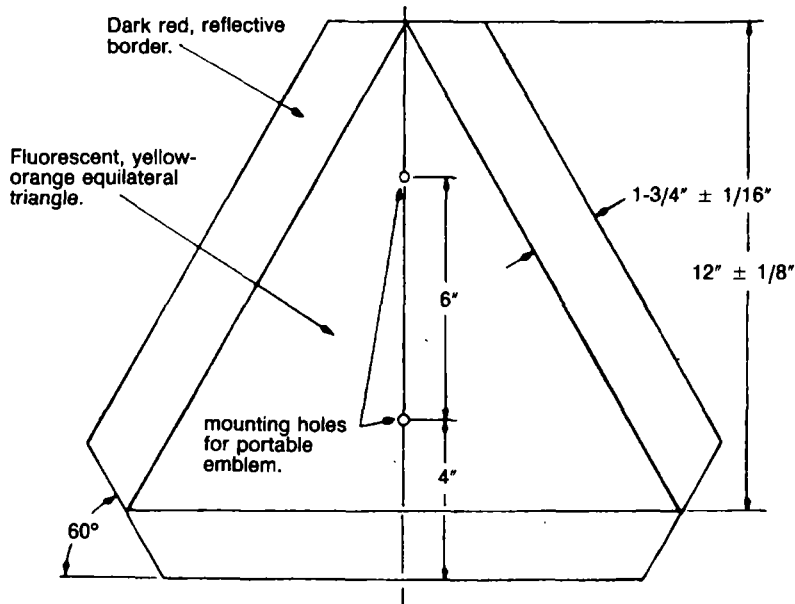
History: *11 SR 957*

7440.9910 [Repealed, 11 SR 957]

7440.9915 [Repealed, 11 SR 957]

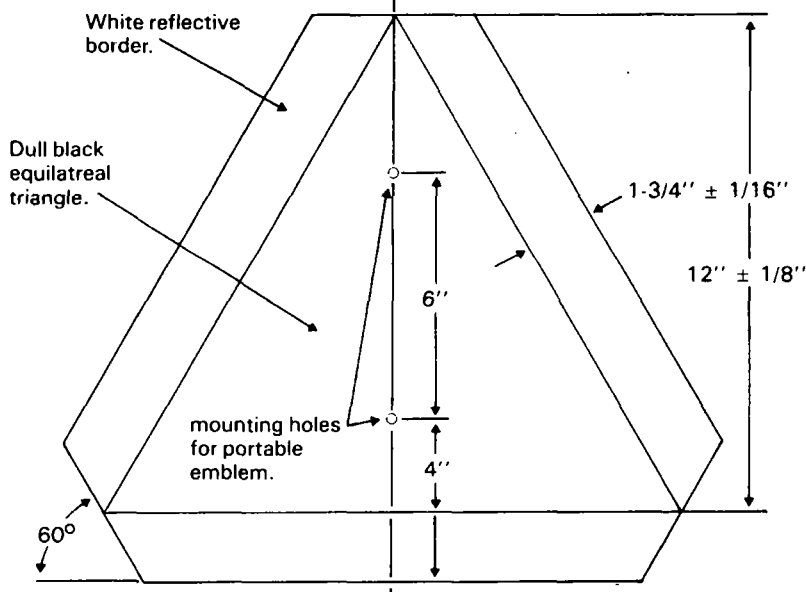
TABLES, FORMS, AND EXHIBITS

7440.9920 SMV EMBLEM.



Statutory Authority: *MS s 169.522 subd 1*

7440.9930 ALTERNATE SMV EMBLEM.



Statutory Authority: *MS s 169.522 subd 1*

History: *11 SR 957*