

State of Minnesota

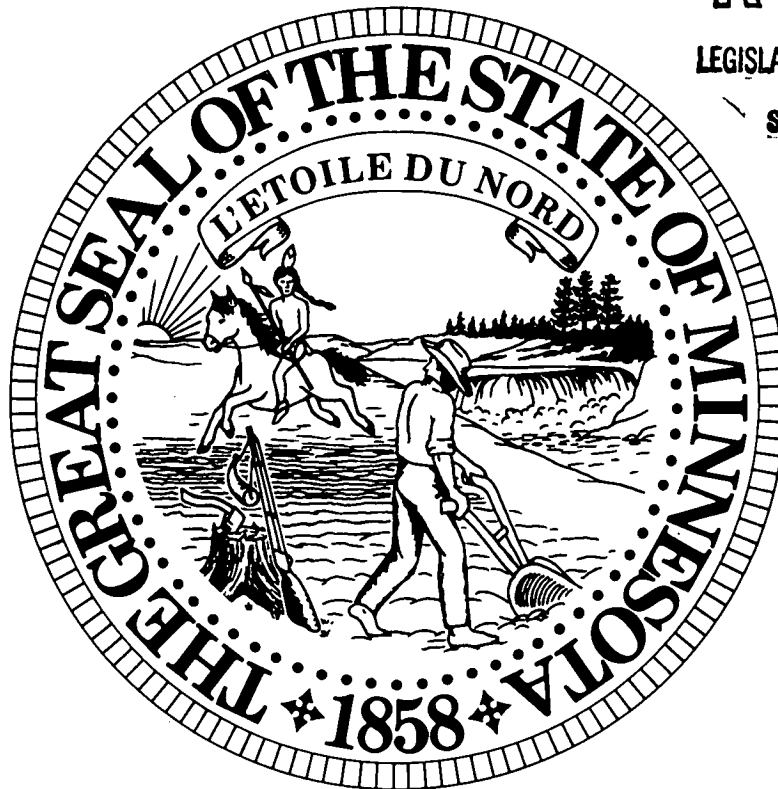
STATE REGISTER

Department of Administration—Documents Division

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State Register

Judicial Notice Shall Be Taken of Material Published in the State Register

The *State Register* is the official publication of the State of Minnesota, containing executive orders of the governor, proposed and adopted rules of state agencies, official notices to the public, state and non-state public contracts, grants, supreme court and tax court decisions, and a monthly calendar of cases to be heard by the state supreme court.

Printing Schedule and Submission Deadlines

Vol. 13 Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices	Issue Date
1	Monday 20 June	Monday 27 June	Monday 4 July
2	Monday 27 June	Friday 1 July	Monday 11 July
3	Friday 1 July	Monday 11 July	Monday 18 July
4	Monday 11 July	Monday 18 July	Monday 25 July

*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

**Notices of public hearings on proposed rules and notices of intent to adopt rules without a public hearing are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the State Register editorial offices, 504 Rice Street, St. Paul, Minnesota 55103, (612) 296-4273.

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Subscribers who do not receive a copy of an issue should notify the *State Register* Circulation Manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

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For Legislative News

Publications containing news and information from the Minnesota Senate and House of Representatives are available free to concerned citizens and the news media. To be placed on the mailing list, write or call the offices listed below:

SENATE

Briefly-Preview—Senate news and committee calendar; published weekly during legislative sessions.

Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

Contact: Senate Public Information Office
Room 231 State Capitol, St. Paul, MN 55155
(612) 296-0504

HOUSE

Session Weekly—House committees, committee assignments of individual representatives; news on committee meetings and action. House action and bill introductions

This Week—weekly interim bulletin of the House.

Session Summary—Summarizes all bills that both the Minnesota House of Representatives and Minnesota Senate passed during their regular and special sessions.

Contact: House Information Office
Room 175 State Office Building, St. Paul, MN 55155
(612) 296-2146

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Minnesota Rules: Amendments and Additions

NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 75 state agencies have the authority to issue rules. Each agency is assigned specific *Minnesota Rule* chapter numbers. Every odd-numbered year the *Minnesota Rules* are published. This is a ten-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Proposed and adopted emergency rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

If an agency seeks outside opinion before issuing new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION in the *Official Notices* section of the *State Register*. When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*; only the changes made since their publication as **Proposed Rules**. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*; the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-652-9747 and ask for "Documents."

Accountancy Board

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 .4100; .4201; .4301; .4400; .4500; .4510; .4531; .4540;
 .4550; .4560; .4570; .4600; .4610; .4620; .4630; .4640;
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 .5151; .5160; .5171; .5180; .5190; .5200; .5220; .5230;
 .5300; .5310; .5330; .5340; .5361; .5370; .5380; .5401;
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Proposed Rules

Pursuant to Minn. Stat. of 1982, §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Education

Proposed Permanent Rules Relating to School Buses

Notice of Intent to Adopt a Rule Without a Public Hearing

Notice is hereby given that the State Board of Education intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statute* 169.45.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, section 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Len Nachman
Department of Education
942 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Len Nachman upon request.

The State Board of Education estimates that there will be no cost to small business or to local school districts in the state in order to implement the proposed rule.

The following rules have been repealed: 3520.0500, 3520.0700, 3520.0800, 3520.0900, 3520.1100, 3520.1700, 3520.1900, 3520.2000, 3520.2100; 3520.2200, 3520.2300, 3520.3800, 3520.4000, 3520.4200, 3520.4210, 3520.4220, 3520.4230, 3520.4240, 3520.4250, 3520.4260, 3520.4300, 3520.4520, 3520.4530, 3520.4580, 3520.4660, 3520.4690, 3520.4700, 3520.4710, 3520.4730,

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Proposed Rules

3520.4740, 3520.4760, 3520.4770, 3520.4800, 3520.4810, 3520.4820, 3520.4830, 3520.4860, 3520.4870, 3520.4920, 3520.4940, 3520.4950, 3520.4960, 3520.4970, 3520.4990, 3520.5020, 3520.5100, 3520.5110, 3520.5130, 3520.5140, 3520.5150, 3520.5170, 3520.5210, 3520.5320, 3520.5350, 3520.5360, 3520.5400, 3520.5410, 3520.5420, 3520.5430, 3520.5440, 3520.5460, 3520.5470, 3520.5480, 3520.5530, 3520.5540, 3520.5550, 3520.5610 and 3520.5800.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit a written request to Len Nachman.

Dated: 17 June 1988

Ruth E. Randall, Secretary
State Board of Education

Rules as Proposed

3520.0200 APPLICATION AND CLAIM FOR TRANSPORTATION AID.

Subpart 1. **Deadline.** A district making application for aid for transportation or board and lodging under Minnesota Statutes, sections ~~124.222 and~~ 124.223 and 124.225 shall report to the State Department of Education and all claims submitted shall be postmarked not later than ~~July 31~~ August 15 after the close of the school term for which aid is claimed in order to qualify for final payment at the regular time.

Subp. 2. **Frequency of reports.** For each fiscal year ending June 30, each district shall file a report pursuant to subpart 1. This report and the year-end reports required in subpart 1 shall provide the pupil counts on which the ~~following September, December, and March~~ payments of 30 percent aid will be paid.

3520.0300 AID LIMITATION.

Transportation aid will be paid for the transportation of each eligible resident pupil for one round trip per day to the classified school attended. ~~Transportation aid for any eligible pupils will be granted on the authority of only one clause of Minnesota Statutes, section 124.223, clauses (1), (2), (4), and (5).~~

3520.0400 ELIGIBLE PUPILS, RESIDENT PUPILS TRANSPORTATION DATA REPORTING REQUIREMENTS.

Resident pupils:

A. Subpart 1. Regular category. Any An elementary or secondary pupil for which a school district is entitled to transportation aid under the provisions of Minnesota Statutes, sections 124.223 and 124.32, subdivision 6. Each eligible pupil transported pursuant to Minnesota Statutes, section 124.223, clause (1), to be included for transportation aid, shall reside a walking distance of one mile or more from the school building attended or which could be attended, but in the case of a nonpublic school only to the extent permitted by Minnesota Statutes, sections 123.76 to 123.79 with respect to nonpublic school pupils, clauses (1) and (2), must be transported 20 or more days to be eligible for state aid. A kindergarten pupil attending full-day, every-other day classes must be transported ten or more days to be eligible for state aid. A district shall report annual mileage for regular category transportation.

B. Any secondary pupil or an area vocational-technical school pupil, who is a resident of a district not maintaining a secondary school or area vocational-technical school or vocational classes and is transported to a district having a classified secondary or area vocational-technical school or vocational classes at the expense of the resident district.

C. Any pupil transported to and from an instructional community-based employment station which is part of an approved occupational experience secondary vocational program, subject to such budget limitations as are imposed by current legislation.

D. Any pupil enrolled on a shared time basis in an educational program approved by the commissioner, for which transportation is provided from one educational facility to another within the district, subject to such budget limitations as are imposed by current legislation.

Subp. 2. Other authorized categories. A district that transports pupils under Minnesota Statutes, sections 123.223, clauses (1) and (3) to (10), and 275.125, subdivision 5d, must report the number of pupils transported. Annual mileage must be reported only when separate routes are set up to provide this transportation.

Subp. 3. Other unauthorized categories. A district that transports pupils in categories that are not authorized for transportation aid must furnish information on students transported and mileage as requested on the annual transportation report.

Subp. 4. Other transportation data. A district shall furnish information on vehicle ownership, fuel consumption, and other data as requested on the annual transportation report.

Subp. 5. Duplication of pupil counts. A district must not report a pupil in more than one to-and-from-school category. These categories are: regular, handicapped, secondary one-to-two-miles, traffic hazards, and ineligible.

3520.1000 TRANSPORTATION AND BOARD AND LODGING CONTRACTS.

The school board shall enter into written contracts for the transportation ~~and/or~~ and board and lodging of its resident pupils ~~and such contracts shall be approved by the commissioner of education within ten days after the written contract is negotiated.~~ (See part 3525.1200)

3520.1200 COMMISSIONER'S RULES, TRANSPORTATION CONTRACTS.

The board of any school district ~~contracting~~ may contract with another district, private contract hauler, or parent for the transportation of its resident pupils ~~shall submit its written contract(s) in duplicate to the commissioner of education within ten days after the written contract is negotiated;~~ but not later than the first day of the school period for which the contract is made.

Transportation contracts ~~shall~~ should include at least the following specific items:

- A. the correct names of the contracting parties;
- B. date the contract begins and date the contract ends;
- C. kind of transportation equipment to be used;
- D. total amount to be paid during the school year or base per pupil rate;
- E. when and how payments are to be made;
- F. minimum number of pupils to be transported; and
- G. special terms to be mentioned:
 - (1) holidays, specific dates;
 - (2) vacations, beginning and ending dates;
 - (3) conditions governing bus route changes;
 - (4) how new and additional pupils will be provided for;
 - (5) how extracurricular and other special trips are to be provided and paid for;
 - (6) how adjustments and refunds are to be handled;
 - (7) kinds and amounts of insurance to be carried and special coverage;
 - (8) a statement that the local board shall approve any and all school bus routes, drivers, and alternate drivers; and
 - (9) how contracts may be terminated.

3520.1800 TRANSPORTATION OF NONRESIDENT PUPILS.

~~Each~~ A school district ~~wishing to~~ may transport nonresident pupils on district-owned and -operated buses ~~and or~~ or on privately owned and operated buses contracted for by the school board of the district ~~shall make written application to the State Board of Education for permission to do so. Permission to transport nonresident pupils may be granted to school districts by the State Board of Education provided:~~

~~A. that.~~ The equipment is must not be required for the transportation of resident pupils ~~and that.~~ There is must be available seating space in the bus ~~to accommodate for~~ for the nonresident pupils; ~~and.~~

~~B. that~~ The routes ~~are~~ must be within the area of the secondary school to be served and ~~are~~ must be approved by the State Board of Education.

**RULES, OPERATION OF SCHOOL BUSES AND PUPIL
TRANSPORTATION SAFETY EDUCATION PROGRAM****3520.2400 OPERATION OF TYPE I AND TYPE II SCHOOL BUSES ~~CARRYING MORE THAN 16 PUPIL PASSENGERS.~~**

Subpart 1. **Application of rules.** The operating rules ~~stated~~ in parts 3520.2400 to 3520.2900 shall govern the operation of Type I and Type II school buses used for the transportation of school children when owned and operated by a school district or privately owned and operated under a contract with a school district.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Proposed Rules

Subp. 2. **Transportation of pupils.** Only pupils assigned to the school bus by the school board or designated administrative officer of the school district shall be transported at district expense.

Pupils are not to be evicted from the bus along the route for a breach of discipline. All breaches of discipline shall be reported by the bus driver to the administrative officer.

The entrance door shall be closed at all times when transporting pupils and the bus is in motion.

All buses shall load and unload in the right lane of the roadway, at ~~pupil's~~ pupil stops on bus routes approved by the administrative officer. Loading or unloading in a designated turn lane or in a lane immediately adjacent to a designated turn lane is prohibited.

There shall be no pupils in the bus while the gas tank is being filled. On leaving the vehicle when pupils are in the bus, the driver shall stop the motor, remove the ignition key, set the brakes, and otherwise render the bus immobile.

The administrative officer shall see that no materials, including guns, loaded or unloaded; gasoline cans, empty or full; animals; or any other object of a dangerous or objectionable nature are transported in the school bus when children are being transported.

~~No school bus shall pull any trailer when children are being transported to or from school or on extracurricular trips.~~

Subp. 3. **Driving on school grounds.** Buses shall not be run backwards on the school grounds or at any other point if it can be avoided. If it is necessary to run a bus backwards, the driver ~~shall~~ should have ~~another responsible person act as a guard or flagman in back of the bus to keep other persons out of the path and to issue warnings to the drivers of approaching vehicles adequate visibility to determine if any moving vehicles are within 500 feet in either direction, when on roadways. When there is a pupil pick-up or unloading at a backing point, the driver shall always load before backing and unload after backing. No pupils should be outside the bus when it is backing.~~

Subp. 4. **In case of accidents.** In case of an accident or breakdown of the bus the driver shall not leave the bus but send two of the patrol or other responsible pupils to the nearest house to summon help.

Immediate reports of all accidents, however slight, involving the school bus shall be made by the driver to the administrative officer and to such other authorities as required by law, rule, or regulation. The driver shall prepare and keep all records and reports required by the administrative officer.

3520.3000 OPERATION OF TYPE III SCHOOL BUSES CARRYING 16 OR LESS PUPIL PASSENGERS. (INCLUDES AUTOMOBILES, STATION WAGONS, AND OTHER VEHICLES DESIGNED FOR CARRYING NINE OR LESS FEWER.)

Subpart 1. **Application.** The operating rules ~~stated~~ in parts 3520.3000 to 3520.3200 shall govern the operation of Type III school buses used for the transportation of school children when owned and operated by a school district or privately owned and operated under a contract with a school district.

Subp. 2. **Transportation of pupils.** Only pupils assigned to the vehicle by the school board or designated administrative officer of the school district shall be transported at district expense.

3520.3680 INCORPORATIONS BY REFERENCE.

Part or all of the documents and standards referred to in this part are incorporated by reference in chapter 3520. The documents are subject to frequent change and are conveniently available to the public through the Minitex interlibrary loan system. The latest edition available at the time the amendments to chapter 3520 are proposed is cited. Unless a later rulemaking by the Department of Education specifically restricts application of material incorporated by reference to a specific edition, later editions are incorporated by reference as they are published and made conveniently available to the public.

National Minimum Standards for School Buses and Operations, 1985 Revised Edition, National Safety Council, 444 North Michigan Avenue, Chicago, IL 60611.

SBMI School Bus Design Objectives, January 1985, School Bus Manufacturers Institute, 4907 Cordell Avenue, Bethesda, MD 20814.

Standard for Safety for Dry Chemical Fire Extinguishers ANSI-UL 299-1984, Approved March 2, 1984, American National Standard/Underwriter Laboratories, Inc., 333 Pfingsten Road, Northbrook, IL 60062.

School Bus Warning Lamps - SAE J887, May 1982, Society of Automotive Engineers Standards, 400 Commonwealth Drive, Warrendale, PA 15096.

Standard Method of Salt Spray (706) Testing - Designation B117-85, American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.

Windshield Defrosting Systems Test Procedure - Trucks, Buses, and Multipurpose Vehicles - SAE J381 and SAE J382, June 1984, Society of Automotive Engineers Standards.

Standard for the Storage and Handling of Liquefied Petroleum Gases NFPA58, 1986 Edition, National Fire Protection Association, Batterymarch Park, Quincy, MA 02269.

School Bus Stop Arm - Recommended Practice - SAE J1133, April 1984, Society of Automotive Engineers Standards.

Windshield Defrosting Systems Performance Guidelines - Trucks, Buses, and Multipurpose Vehicles - Recommended Practice

SAE J382, October 1984, Society of Automotive Engineers Standards.

Turn Signal Lamps for Use on Motor Vehicles Less Than 2032 MM in Overall Width - SAE J588, November 1984 and SAE J588I, Society of Automotive Engineers Standards.

Manual on Uniform Traffic Control Devices for Streets and Highways, 1987, Federal Highway Administration, 400 7th S.W., Washington, D.C. 20590.

United States Standard Alphabets for Highway Signs, Series B and Series D, Federal Highway Administration.

Federal Specification TT-C-520B, Coating Compound, Bituminous Solvent Type Underbody (for Motor Vehicles), General Services Administration, Specification and Consumer Information, Distribution Center, Washington Navy Yard, Building 197, Washington, D.C. 20407.

Product Standard PS 1-83, Construction and Industrial Plywood, United States Department of Commerce, National Bureau of Standards, Washington, D.C. 20234.

3520.3700 DESIGN OF SCHOOL TRANSPORTATION EQUIPMENT STANDARDS.

Subpart 1. **General.** The design and color of school buses, ~~and all other vehicles~~ used in the transportation of ~~public~~ school children to and from school or to and from school-related activities, whether owned and operated by a school or school district or privately owned and operated under a contract with a school or school district, shall ensure safe and economical transportation of pupils at all times and shall ~~reasonably~~ conform to the minimum standards for design of school buses as established by the State Board of Education and ~~as stated in the following rules~~ shall comply with applicable federal standards. These are minimum standards and may be exceeded if exceeding them does not conflict with federal standards, state laws, or rules.

Subp. 2. [See Repealer.]

Subp. 2a. Variances. The commissioner of the Department of Education, after consulting with the commissioner of the Department of Public Safety, may grant a variance to any of the standards to accommodate testing of new equipment related to school buses. The variance must not conflict with Minnesota Statutes, federal laws, or Federal Motor Vehicle Safety Standards.

A variance from the standards must be for the sole purpose of testing and evaluating for increased safety, efficiency, and economy of pupil transportation. The variance expires 12 months from the date of its granting by the commissioner unless the commissioner specifies an earlier expiration date.

The commissioner upon granting a variance must furnish the commissioner of the Department of Public Safety and the requesting operator with a written copy of the variance specifying the conditions imposed on the testing.

The commissioner shall also provide a copy of the variance in writing to all contract operators and school districts.

The commissioner may grant up to one 12-month extension on a variance.

Annually by June 30, the commissioner will review all variances for adoption into the minimum standards.

Subp. 3. [See Repealer.]

3520.3701 VEHICLE DESCRIPTIONS.

Subpart 1. Type I. A Type I school bus means a school bus of more than 10,000 pounds gross vehicle weight rating, designed for carrying more than ten persons. A Type I school bus may be either a conventional or forward control bus.

Subp. 2. Type II. A Type II school bus is a bus with a gross vehicle weight rating of 10,000 pounds or less, designed for carrying more than ten persons. It must be outwardly equipped and identified as a school bus. It need not comply with Type I standards unless specified in part 3520.5611.

Subp. 3. Type III. A Type III school bus is restricted to a passenger car, station wagon, van, or bus with a maximum manufacturer's rated seating capacity of ten persons including the driver, and with a gross vehicle weight rating of 10,000 pounds or less. A "gross vehicle weight rating" or "GVWR" means the value specified by the manufacturer as the loaded weight of a single vehicle. Actual gross vehicle weight must not exceed the manufacturer's gross vehicle weight rating.

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Proposed Rules

A Type III school bus must not in any way be outwardly equipped and identified as a school bus and must not operate as a Type I or Type II bus and need not conform to standards for Type I or Type II buses.

Subp. 4. Standards are for new buses. The minimum standards apply to new school buses purchased for use in Minnesota after the effective date of these standards. Buses complying with these standards when purchased new for use in Minnesota need not comply with standards established later except as specifically provided by law.

Subp. 5. Used buses. A used school bus purchased for use in Minnesota that has a current or expired Minnesota inspection sticker must conform to the Minnesota minimum standards in effect on the date the vehicle was purchased new. A used school bus that has never been inspected in Minnesota must conform to current Minnesota minimum standards.

Subp. 6. "MN" designation. School bus bodies manufactured after January 1, 1986, and used on the streets and highways in this state must bear the designation "MN" in the body identification number. The manufacturer of the school bus body certifies by the "MN" designation that the bus body has been manufactured to meet the minimum standards required of school bus bodies. A school bus body manufactured before January 1, 1986, that does not bear a current inspection sticker, must not be used on the streets and highways in the state unless its manufacturer recertifies that the school bus body meets the minimum standards required of school bus bodies by law. Recertification must be made on a form provided by the Minnesota Department of Public Safety.

Automobiles, station wagons, and vans manufactured in a single stage are exempt from the requirements of this subpart.

Subp. 7. Inspection. Pursuant to Minnesota Statutes, section 169.451, school bus inspection procedures that indicate specific criteria and tolerances for each standard must be promulgated by the state patrol.

Subp. 8. Interpretation. The commissioner of the department of education and the commissioner of the department of public safety shall confer on interpretations and clarifications of rules.

Subp. 9. Restructured defined. "Restructured" means a vehicle produced by a chassis manufacturer which is converted into a school bus by a second manufacturer and upon completion shall meet or exceed the static load test code for school bus body structure.

Subp. 10. No depreciation; exception. A new bus body may be remounted on a chassis that is not more than three years old. Permission must be obtained from the commissioner of education in coordination with the commissioner of public safety before the remounting is done. A used bus body must not be remounted on a new or used chassis.

3520.3801 TYPE I CHASSIS.

The standards in parts 3520.3900 to 3520.4761 apply to Type I bus chassis.

3520.3802 COMPLIANCE.

Compliance with these standards is the responsibility of the chassis manufacturer.

3520.3900 AIR CLEANER.

Bus shall be equipped with adequate oil bath or dry element type air cleaner mounted outside passenger compartment. The engine intake air cleaner shall be furnished and properly installed by the chassis manufacturer to meet engine specifications.

3520.4001 AXLES.

The front and rear axles, including the suspension assembly, must have a gross weight rating at ground at least equal to that portion of the load imposed by the chassis manufacturer's maximum gross vehicle weight rating.

3520.4100 BATTERY.

Subpart 1. General requirement. The storage battery, as established by the manufacturer's rating, shall must be of sufficient capacity to care for starting, lighting, signal devices, heating, and other electrical equipment in Minnesota. No bus shall be equipped with a battery system of less than 150 ampere hours at 12 volts, measured at 20-hour rate. (Negative ground system only.)

A. In a bus with a gas-powered chassis, the battery or batteries must provide a minimum of 800 cold cranking amperes.

B. In a bus with a diesel-powered chassis, the battery or batteries must provide a minimum of 1,070 cold cranking amperes.

Subp. 2. Option Options. The following battery systems are optional.

A. A battery system of providing at least 90 ampere hours 550 cold cranking amperes may be installed in the engine compartment and shall be if used only in combination with a generator or alternator of at least 120 amperes. (See chassis, part 3520.4610, subpart 2.)

B. A bus with a gross vehicle weight rating (GVWR) of more than 10,000 pounds, but not over 15,000 pounds GVWR may be equipped with a battery to provide a minimum of 475 cold cranking amperes (CCA) if used only in combination with an alternator of at least 80 amperes. This option does not apply to those buses with wheelchair lifts.

Subp. 3. **Mounting of battery.** When a battery is to be mounted outside of engine compartment, it may be temporarily mounted to chassis. ~~Body company will permanently mount battery on a sliding tray located so that center line of battery is 52 inches back of eowl. One piece, one gauge battery cables shall be rather than the standard installation provided by the chassis manufacturer, such cables to be at least 36 inches longer than normally required, to accommodate battery when located 52 inches to rear of eowl.~~ the battery must be temporarily mounted on the chassis frame by the chassis manufacturer. The final location of the battery and the appropriate cable lengths shall agree with the SBMI Design Objectives, January 1985 Edition.

Subp. 4. [See Repealer.]

3520.4201 BRAKES.

Subpart 1. Adequate to control, stop, and hold. A school bus must have brakes adequate to control the movement of, and to stop and hold the bus.

Subp. 2. Federal brake standards. A school bus must meet federal brake standards in effect at the time of manufacture and must include a service brake, a parking brake, and an emergency brake system.

Subp. 3. Emergency brake system. A school bus must have either:

- A. emergency features in the service brake system; or
- B. a system separate from the service brake system.

Subp. 4. Control. A control by which the driver applies the emergency brake system must be located so that the driver can readily operate it while being properly restrained by a seat belt assembly provided for the driver's use. The control for applying the emergency brake system may be combined with either the control for applying the service brake system or the control for applying the parking brake system. All three controls must not be combined.

Subp. 5. Interconnected systems. If the brake systems specified in subpart 2 are interconnected, they must be designed, constructed, and maintained so that if part of the operating mechanism of one or more of the systems fails, the vehicle will have operative brakes capable of performing as specified in Federal Motor Vehicle Safety Standard Number 105, Code of Federal Regulations, title 49, part 571.

Subp. 6. Brake tubing and hose. The brake tubing and brake hose must conform to Federal Motor Vehicle Safety Standard Number 106, Code of Federal Regulations, title 49, part 571.

Subp. 7. Brake lining. The brake lining on a school bus must be constructed and installed to avoid excessive fading and grabbing. The brake lining must be adequate in thickness, means of attachment, and physical characteristics to provide for safe and reliable stopping of the motor vehicle.

Subp. 8. Reservoirs required. A school bus using air or vacuum for braking must be equipped with reserve capacity or a reservoir sufficient to ensure a full service brake application with the engine stopped without depleting the air pressure or vacuum below 70 percent of that pressure or degree of vacuum indicated by the gauge immediately before the brake application is made. For purposes of this subpart, a full service brake application is made when the service brake pedal is pushed to the limit of its travel.

Subp. 9. Warning devices and gauges. A school bus must be equipped with a signal that provides a warning to the driver when a failure occurs in the vehicle's brake system.

A. Buses having service brakes activated by hydraulic fluid must be equipped with a warning signal that conforms to Federal Motor Vehicle Safety Standard Number 105, Code of Federal Regulations, title 49, part 571.

B. Buses having service brakes activated by air pressure must be equipped with warning devices that conform with Federal Motor Vehicle Safety Standard Number 121, Code of Federal Regulations, title 49, part 571.

C. Buses having service brakes activated by vacuum must be equipped with a device that provides a readily audible or visible continuous warning to the driver whenever the vacuum in the vehicle's supply reservoir is less than eight inches of mercury and with a vacuum gauge that indicates to the driver the vacuum in inches of mercury available for braking.

Subp. 10. Air or vacuum applied or assisted. A bus having a braking system in which hydraulically activated service brakes are applied or assisted by compressed air or vacuum must be equipped with both a warning signal that conforms to the requirements of subpart 9, item A and a warning device that conforms to the requirements of subpart 9, item B or C.

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Proposed Rules

3520.4301 FRONT BUMPER.

The front bumper must be furnished by the chassis manufacturer as part of the chassis. The front bumper must extend beyond the forwardmost part of the body, grille, hood, and fenders and must extend to the outer edges of the fenders at the bumper top line. The front bumper, except the breakaway bumper ends, must be of sufficient strength to permit pushing a vehicle of equal gross vehicle weight without permanent distortion to the bumper, bumper braces, chassis, or body.

3520.4400 CERTIFICATION.

The chassis manufacturer shall distributor or dealer, on request, must certify to the State Department of Education that their product meets minimum standard on the following items: axles; brakes; exhaust system noise level; horn; power and gradeability; springs; complete electrical system standards on items not covered by certification issued under the requirements of the National Traffic and Motor Vehicle Safety Act, United States Code, title 49, section 571.

3520.4500 CLUTCH.

All chassis of 48 to 60 pupil capacity having mechanical type transmission shall be equipped with clutch of 12-inch minimum diameter. Chassis of 66 and greater pupil capacity having mechanical type transmission shall be equipped with clutch of 13-inch minimum diameter or clutch of equivalent performance. Clutch torque capacity must be at least equal to engine torque output.

3520.4510 COLOR.

Subpart 1. and 2. [See Repealer.]

Subp. 3. New buses. (Manufactured after June 1, 1973. See Minnesota Statutes, section 169.44, subdivision 7.) The chassis including front bumper and wheels shall must be painted glossy black, color 17038; the hood and cowl shall must be painted National School Bus Glossy Yellow, color 13432, except that the hood shall may be either that color lusterless yellow or lusterless black, color 37038.

Subp. 4. Option on new buses Color options. Options: Items A to C list color options for specific parts of a school bus.

A. Front fenders may be painted glossy yellow or glossy black.

B. The following may be other than yellow or black: wheel rims; chassis grills; mirror backs, rims, and mounting brackets; reflector housings; window frames; accessories and other minor trim items. See body, part 3520.4900.

C. ~~The use of Silver, black, or yellow retroreflective material may be used on the front bumper for increased night visibility.~~

3520.4531 DRIVE SHAFT.

The drive shaft must be protected by adequate metal guard or guards to prevent it from whipping through the floor or dropping to the ground if broken.

3520.4540 ELECTRICAL SYSTEM.

Subpart 1. ~~Battery. Battery:~~ See chassis, part 3520.4100; and body, part 3520.4820.

Subp. 2. ~~Generator. Generator or alternator:~~ See chassis, part 3520.4610.

Subp. 3. ~~Lamp and signals. Lamp and signals:~~ See body, parts 3520.5200 to 3520.5230.

Subp. 4. ~~Wiring. Wiring:~~ See body, part 3520.5580.

Subp. 5. Electrical terminal. The chassis manufacturer shall must install a readily accessible electrical terminal so that the body and chassis electrical load can may be recorded through a chassis ammeter without dismantling or disassembling the chassis component. The chassis wiring system to the terminal shall must have a minimum of 100-ampere capacity. The chassis ammeter and wiring shall must be compatible with the generating capacity, and the ammeter shall must be capable of recording a continuous draw of 100 amperes.

Subp. 5a. Option. A voltmeter may be used in place of an ammeter.

Subp. 6. Wiring codes, colors, diagram. A complete and readable wiring diagram shall be furnished with each bus All wiring must use a standard color or number coding and each chassis must be delivered with a wiring diagram that coincides with the wiring of the chassis.

3520.4550 EXHAUST SYSTEM.

Subpart 1. General. The exhaust pipe muffler and tailpipe shall must be outside the bus body and attached to the chassis with adequate hangers of sufficient strength to maintain the position of the exhaust system under all normal operating conditions. The tailpipe shall must be constructed of seamless or electrically welded tubing of 16-gauge steel or its equivalent and shall must extend at least five inches beyond the chassis frame (but should not go beyond the rear bumper). See body, part 3520.5500. The size of the tailpipe shall must not be reduced after it leaves the muffler.

Subp. 2. Exception. The exhaust system on vehicles designed for the transportation of special education pupils may be routed to the left of the right frame rail to allow for the installation of a lift on the right side of the vehicle.

Subp. 3. Insulation. The exhaust system shall on a gas-powered chassis must be properly insulated from fuel tank and tank connections by a securely attached metal shield at any point where the exhaust system is within 12 inches or less from of the tank or tank connections. Noise level shall not exceed 125 sones as measured by Beranek-Armour ATA Equivalent Tone Method.

Subp. 4. Corrosion-resistant. The muffler shall must be constructed of corrosion-resistant material.

Subp. 5. Option; Type I school buses. Left side exhaust systems are allowed on Type I school buses but must conform to the following requirements:

A. The exhaust system pipe must be of nonflexible, one-piece pipe and be a minimum of 16 gauge steel or its equivalent. Diesel buses may use flex pipe on crossover pipes.

B. The exhaust system pipe must extend a minimum of 18 inches straight rearward from the muffler before a maximum bend of 45 degrees is made in the pipe. More than one bend may be made to attain a 45-degree maximum bend.

C. The exhaust system may extend to a maximum of one inch beyond the body skirt.

D. The end of the exhaust pipe must be cut smooth.

E. An exhaust system that has its exit point behind the rear wheels need not comply with the 45-degree bend requirement.

3520.4560 FENDERS, FRONT.

Subpart 1. General requirements. The total spread of the outer edges of the front fenders, measured at the fender line, shall must exceed the total spread of the front tires when the front wheels are in the straight ahead position. The front fenders shall must be properly braced and free from any body attachment.

Chassis sheet metal shall not extend beyond rear face of cowl.

Subp. 2. Exception for transit and metropolitan vehicles. The standard in subpart 1 does not apply to forward control buses.

3520.4570 FRAME.

The frame or its equivalent shall must be of such design as designed to correspond at least to standard practice for trucks of that have the same general load characteristics which and that are used for severe highway service. When frame side members are used they shall be of one-piece construction. If frame side members are extended, such extension shall be designed and furnished by chassis or body manufacturer with his guarantee, and installation shall be made by either chassis or body manufacturer and guaranteed by company making installation. Any person or secondary manufacturer that modifies the original chassis frame shall guarantee the performance of workmanship and materials resulting from the modification. Any frame modification must not be for the purpose of extending the wheelbase. Extensions of frame lengths are permissible only when such alterations are behind the rear hanger of the rear spring and shall not be for purpose of extending wheelbase or in front of the front spring hanger. Holes in top or bottom flanges of the frame side rail shall must not be permitted except as provided in the original chassis frame. There shall must be no welding to frame side rails except by chassis or body manufacturer as provided above. Welding for installation of the trailer hitch is permissible. Frame lengths shall be provided in accordance with School Bus Manufacturers Institute design objectives.

3520.4600 FUEL TANK.

Subpart 1. Capacity of 30 gallons. The fuel tank shall have or tanks having a minimum capacity of 30 gallons; must be made of 16-gauge terneplate or equivalent, and be mounted directly on right side of chassis frame entirely outside body provided by the chassis manufacturer.

Flexible gasoline- and oil-proof connection shall be provided at engine end of fuel feed line.

Tank shall be equipped with adequate baffles.

Engine supply line shall be taken from top of tank.

Drain plug of at least one-fourth inch diameter shall be located in center of bottom of tank.

Fill-pipe cap shall be of such design as to minimize spillage of fuel when bus turns corners in either direction. If venting of fuel tank is done other than through fill-pipe cap, cap shall be nonvented type. The fuel tank must be filled and vented to the outside of the body so that accidental fuel spillage will not drip or drain on any part of the exhaust system.

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Proposed Rules

The portion of the fuel system that is located to the rear of the engine compartment, except the filler tube, must not extend above the top of the chassis frame rail. The fuel lines must be mounted to obtain maximum possible protection from the chassis frame in conformance with Federal Motor Vehicle Safety Standard 301, Code of Federal Regulations, title 49, part 371.

The fuel filter with a replaceable element shall must be installed between the fuel tank and carburetor the engine.

The fuel tank, fittings, or lines shall not extend above top of chassis frame rail must meet the national standards that apply for the type of fuel used.

Subp. 2. to 5. [See Repealer.]

Subp. 6. Rear engine powered buses. In rear engine powered buses, the fuel system must have the fuel tank or tanks located ahead of the engine compartment.

Subp. 7. Fuel, liquefied petroleum, compressed and liquefied natural gas. Liquefied petroleum gas (LPG), or compressed or liquefied natural gas installations on school buses must meet National Fire Protection Association Standard Number 58 for "Installation of LP Gas Systems on Vehicles," as adopted by reference in the Minnesota Uniform Fire Code.

A school bus powered by liquefied petroleum or natural gas, or compressed liquefied natural gas must display markings as required by Minnesota Statutes, section 169.762 and parts 7510.4500 to 7510.4900.

3520.4610 GENERATOR OR ALTERNATOR.

Subpart 1. **Output requirement.** The generator or alternator (negative ground only) with rectifier shall must have an output of at least 100 amperes (in accordance with Society of Automotive Engineers rating) with a minimum charging of 30 amperes at the manufacturer's recommended engine idle speed (12-volt system) and shall must be ventilated and voltage-controlled and, if necessary, current-controlled. A matched dual belt drive shall must be used with the generator or alternator. A single belt, with longitudinal multigrooves, may be used in place of a dual belt drive. A heavy-duty full transistorized regulator with adjustable voltage shall must be supplied. A direct-drive generator or alternator may be used in place of a belt drive.

Subp. 2. **Option More output if small battery.** When a battery or batteries of less than 150 ampere hours 800 cold cranking amperes (CCA) is installed in the engine compartment, the generator or alternator shall must have an output of at least 120 amperes. (See chassis, part 3520.4100, subpart 2.)

Subp. 3. and 4. [See Repealer.]

Subp. 5. Option; some Type I buses. Type I buses with a gross vehicle weight rating of 15,000 pounds or less may be equipped with a single belt drive alternator.

3520.4620 GOVERNOR.

Subpart 1. **Permissible.** An engine governor is permissible and where if used shall must be set at the manufacturer's recommended maximum engine speed. When If it is desired to limit road speed, a road speed governor should be installed.

Subp. 2. **Exception for transit and metropolitan vehicles.** When If the engine is remotely located from the driver, the governor shall must be installed to limit engine speed to maximum revolutions per minute recommended by the engine manufacturer, or a tachometer shall must be installed so engine speed may be known to the driver.

3520.4630 HEATING SYSTEM.

The chassis engine shall provide inlet and outlet holes in accessible locations for attachment of bus heating system water lines. Also see body, part 3520.5150 must have plugged openings for the purpose of supplying hot water for the bus heating system. The opening must be suitable for attaching a 3/4-inch pipe thread/hose connector. The engine must be capable of supplying water having a temperature of at least 170 degrees Fahrenheit at a flow rate of 50 pounds per minute at the return end of 30 feet of one inch inside diameter automotive hot water heater hose. See also School Bus Manufacturers Institute Standard Number 001-Standard Code for Testing and Rating Automotive Bus Hot Water Heating and Ventilating Equipment.

3520.4640 HORN.

Bus shall be equipped with dual horns of standard make, each horn capable of producing complex sound in band of audio frequencies between approximately 250 and 2,000 cycles per second and each having a total sound level of 110 decibels within these frequency limits when measured at point on axis of horn three feet from exit of horn.

Sound-level measurements shall be made with meter that complies with American Standard Z24.3-1944, or current revision thereof, as promulgated by American Standards Association, Inc. Measurement shall be made with meter set to flat response (C weighting network).

Sound-level measurements shall be made with horn or horns installed on bus. There shall be no reflecting walls or obstacles other than ground and vehicle closer than 100 feet from horn during sound-level measurement. The bus must be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 200 feet.

3520.4650 INSTRUMENTS AND INSTRUMENT PANEL.

Subpart 1. Requirements. The chassis shall must be equipped with following the instruments and gauges (listed in this part. Lights in lieu place of gauges are not acceptable): permitted unless indicated.

A. Speedometer.

B. Odometer ~~which that~~ will give accrued mileage ~~including tenths of miles.~~

C. An ammeter shall be, vane or shunt type, with graduated charge and discharge, ~~both.~~ The ammeter and its wiring ~~to~~ must be compatible with the generating capacities and capable of handling a continuous current draw of 100 amperes. A voltmeter may be used in place of an ammeter.

D. ~~Voltmeter with graduated scale (optional item).~~

~~E.~~ Oil-pressure gauge.

~~F.~~ E. Water-temperature gauge.

~~G.~~ F. Fuel gauge.

~~H.~~ G. Upper-beam headlamp indicator. A light indicator is permitted.

H. Brake indicator (vacuum or air). A light indicator in place of a gauge is permitted on a vehicle equipped with an hydraulic-over-hydraulic brake system.

I. Air pressure or vacuum gauge, where air or vacuum brakes are used, and audible or visible low-pressure indicator to warn driver if air pressure in air-brake system falls below 600 pounds per square inch. See chassis, parts 3520.4200 to 3520.4230; 3520.4240 to 3520.4260.

J. Tachometer (optional) Turn signal indicator lights.

Subp. 2. Accessibility, mounting, illumination. All instruments shall must be easily accessible for maintenance and repair.

All instruments and gauges shall must be mounted on the instrument panel ~~in such manner so~~ that each is clearly visible to the driver in a normal driving position. The instrument panel shall must have lamps of sufficient candlepower to illuminate all instruments and gauges and the shift selector indicator for the automatic transmission.

3520.4670 OPENINGS.

All openings in the floorboard or the firewall between the chassis and the passenger-carrying compartments, such as for gearshift lever and auxiliary brake lever, shall must be sealed ~~unless they are~~ altered by the body manufacturer. See parts 3520.4980 and 3520.4990.

3520.4680 PASSENGER LOAD FOR NEW BUSES MANUFACTURED AFTER JANUARY 1, 1975.

Subpart 1. Gross vehicle weight, defined. Average actual GVW (gross vehicle weight) (GVW) is the sum of average actual chassis weight, plus average body weight, plus 150 pounds for driver's weight, plus total seated pupil weight (based on 120 pounds per pupil).

Recommended chassis manufacturer's rated GVW (gross vehicle weight) is weight assigned to complete vehicle. (Weights assigned for each pupil capacity classification are shown in table for next topic. Power and gradeability.)

Manufacturer's gross vehicle weight rating shall be furnished in duplicate (unless more copies are requested by State Department of Education) by manufacturer to the State Department of Education. State Department of Education shall, in turn, transmit such rating to each other state agency responsible for development or enforcement of state standards for school buses.

Subp. 2. Gross vehicle weight (GVW) limit. The actual gross vehicle weight (GVW) must not be more than the chassis manufacturer's gross vehicle weight rating (GVWR) for the chassis.

3520.4701 SHOCK ABSORBERS.

A school bus must be equipped with front and rear double acting shock absorbers compatible with the manufacturer's rated axle capacity at each wheel location.

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Proposed Rules

3520.4711 SPRINGS.

Capacity of springs or suspension assemblies must be commensurate with the chassis manufacturer's gross vehicle weight rating. If rear springs are used on a chassis of 15,000 pounds and over, they must be of the progressive type.

3520.4720 STEERING GEAR.

The steering gear shall must be approved by the chassis manufacturer and designed to assure safe and accurate performance when the vehicle is operated with maximum load and at maximum speed. The steering mechanism shall must provide for easy adjustment for lost motion. No Changes shall not approved by the chassis manufacturer must not be made in the steering apparatus which are not approved by chassis manufacturer. There shall must be a clearance of at least three inches between the steering wheel and the cowl, instrument panel, windshield, or any other surface. Power steering is permissible if approved by chassis manufacturer. The steering system must be designed to provide for means for lubrication of all wear-points, if wear-points are not permanently lubricated. Power steering is required and must be of the integral type with integral valves.

3520.4731 TIRES AND RIMS.

Tires and rims of proper size and tires with a load rating commensurate with the chassis manufacturer's gross vehicle weight rating must be provided.

Dual rear tires must be provided on Type I school buses.

Tires of different size or ply rating may be used except that all tires on an axle must be the same size. Radial and bias tires must not be used on the same axle. If a spare tire is carried, it must be suitably mounted in an accessible location outside the passenger compartment.

3520.4741 TRANSMISSION.

An automatic transmission is permissible.

If a manual transmission is used, second gear and higher gears must be synchronized except if to do so would be incompatible with engine power. A minimum of three forward speeds and one reverse speed must be provided. The bus transmission shifting pattern must be permanently displayed in the driver's full view.

3520.4750 UNDERCOATING AND/OR RUSTPROOFING.

Unless fenders are constructed of a noncorrosion material, the chassis manufacturer shall must coat undersides of front fenders with fire-resistant asphalt base, rubber base, and/or rustproofing, or other undercoating material, applied by spray method, in order to seal, to deaden sound, to insulate, and to prevent oxidation. See also, body, part 3520.5510 a compound to prevent rust. The compound must meet or exceed Federal Specifications TT-C-520B using modified test procedures as defined under "Undercoating" of body standards.

3520.4761 WEIGHT DISTRIBUTION.

Weight distribution of a fully loaded bus on a level surface must not exceed the manufacturer's front gross axle weight rating and rear gross axle weight rating.

3520.4801 TYPE I BODY.

The standards in parts 3520.4811 to 3520.5580 apply to Type I bus bodies.

3520.4811 AISLE.

Minimum clearance of all aisles, including the aisle or passageway between seats leading to the emergency door, must be 12 inches. See part 3520.5010, subpart 2. Aisle supports of seat backs must be slanted away from the aisle sufficiently to give aisle clearance of 15 inches at the top of the seat backs.

3520.4831 BODY SIZES.

**WATCH YOUR WEIGHT
RECOMMENDED BODY - CHASSIS SIZES FOR MINNESOTA SCHOOL BUSES**

PASSENGER CAPACITY	WHEELBASE	Items to specify to get proper minimum gross vehicle weights.					GVWR ²
		FRONT AXLE	REAR AXLE	TIRE SIZE	FRONT GEAR ¹	REAR GEAR ¹	
29	151"	5000# Gas 7500# Diesel*	15000#	8.25 x 20 10 ply	5000# 7500#	14200#	19200# 21700#
35	151-170"	5000# Gas 7500# Diesel*	15000#	8.25 x 20 10 ply	5000# 7500#	14200#	19200# 21700#
41 ³	189-193"	7000# Gas 7500# Diesel*	15000#	8.25 x 20 10 ply	7000# 7500#	14200#	21200# 21700#
47 ³	189-193"	6000# Gas 7500# Diesel*	15000#	8.25 x 20 10 ply	6000# 7500#	14200#	20200# 21700#
53	216-218"	7000# Gas 8000# Diesel*	15000#	8.25 x 20 12 ply	7000# 8000#	15000#	22000# 23000#
59	235-237"	7000# Gas 8000# Diesel*	17000#	9.00 x 20 10 ply	7000# 8000#	16160#	23160# 24160#
65	254-255"	7500# Gas 8000# Diesel*	17500#	9.00 x 20 12 ply	7500# 8000#	17500#	25000# 25500#
71	274-276"	9000# Gas 9000# Diesel*	19000#	9.00 x 20 14 ply	9000#	19000#	28000#
77	274-276"	9000# Gas 9000# Diesel*	20000#	9.00 x 20 14 ply	9000#	20000#	29000#

* Applies to diesel engines larger than 6.9 liter such as 8.2 and 9 liter and larger.
¹ GAWR (Gross Axle Weight Rating) means the weight carrying capacity of the lightest components of the front or rear axle assembly including axle, tires, wheels, springs, frame, etc.
² GVWR (Gross Vehicle Weight Rating) means the total maximum carrying capacity of a bus including body weight; chassis weight, passengers, and fuel. Specify Front GAWR—Rear GAWR and Total GVWR in your bid, using the above chart to properly distributed loaded weights.
³ The shorter 41 passenger body puts more weight on the front axle than the longer 47 passenger.

A. The above recommendations are designed to allow bidding of various body - chassis combinations and staying within federal weight tolerances.

B. Stock bus bids. Due to the fact that the body - chassis dealers know the exact weight of their units built for stock, axles and tire sizes may be less than those listed above and still be within the federal weight tolerances.

C. The following items add considerable weight and may require heavier axles or longer chassis and body: diesel engines; air brakes; luggage compartments; even size bodies such as 54-60-66 passenger. Uneven sizes as 53-59-65 as listed above are recommended over even sizes as they do not require a wasted nine inch space behind the rear seat.

3520.4840 BOOK RACKS.

Subpart 1. Permitted. Book racks or shelves of any type are prohibited on interior of bus body permitted only in buses with 72-inch or more headroom.

Subp. 2. Location. If book racks are permitted, they must be located above the side windows and must not extend forward of the foremost point of the front seat, across or above the emergency door and must not exceed 16 inches in width.

Book racks must have only padded, rounded edges on all surfaces exposed to school bus occupants. Padding must be at least one inch thick. There must be an upward extending edge on the aisle side of the rack that extends half the distance to the ceiling of the bus from the bottom of the rack. A minimum of two racks must have full height dividers above every seat to prevent any book or object from sliding front and back. Each rack must be padded on the aisle side.

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Proposed Rules

3520.4850 BUMPER.

Subpart 1. ~~Chassis Front.~~ See part 3520.4300, subpart 1, 3520.4301.

Subp. 2. [See Repealer.]

Subp. 3. **Rear.** Rear bumper shall must be of pressed steel channel at least 3/16 inch thick and eight inches wide (high) and be of sufficient strength to permit being pushed by another vehicle without permanent distortion to bumper, bumper braces, chassis, or body. ~~The center point of such bumper shall be not more than 20, nor less than 14 inches from ground when the vehicle is unloaded (Minnesota Statutes, section 169.73).~~ It shall must be wrapped around back corners of the bus. It shall must extend forward at least 12 inches, measured from rearmost point of body at the floor line. ~~The bumper shall must be attached to the chassis frame in such manner so that it may be easily removed, shall must be so braced as to develop full strength of bumper section from rear or side impact, and shall must be so attached as to prevent hitching of rides. The rear bumper shall must extend beyond rearmost part of body surface, excluding lights,~~ at least one inch, measured at floor line.

Subp. 4. [See Repealer.]

3520.4900 COLOR.

Subpart 1. to 5. [See Repealer.]

Subp. 6. **New buses manufactured after June 1, 1973 Body.** See Minnesota Statutes, section 169.44, subdivision 7. The body including the hood and the cowl shall must be painted National School Bus Glossy Yellow, color 13432, ~~except that the hood shall be either that color or lusterless black, color 37038.~~

A. Rub rails: a minimum of three shall must be black.

B. Rear bumper, rubber rear fenders (if used), and lettering shall must be black.

C. The belt line may be yellow with black lettering or may be black with yellow lettering. Yellow or black reflectorization may be used.

~~See part 3520.5160 and Minnesota Statutes, section 169.44, subdivision 3.~~

Subp. 7. **Option Options.** The following color options may be used.

~~Belt line may be yellow with black lettering or may be black with yellow lettering. See part 3520.5160 and Minnesota Statutes, section 169.44, subdivision 3.~~

A. The front fenders may be painted glossy yellow or glossy black.

B. The hood may be lusterless yellow or black.

C. The following may be other than yellow or black: wheel rims; chassis grills; mirror backs, rims, and mounting brackets; reflector housings; window frames; accessories and other minor trim items. See part 3520.4510.

D. The use of yellow or red reflective material may be used on the rear bumper for increased night visibility.

Subp. 8 to 10. [See Repealer.]

3520.4910 CONSTRUCTION.

Construction shall must be of prime commercial quality steel or other metal or other material with strength at least equivalent to all-steel as certified by the bus body manufacturer and must conform to Federal Motor Vehicle Safety Standard Number 220, Code of Federal Regulations, title 49, part 571. ~~All such construction materials shall be fire-resistant. Construction shall provide reasonably dustproof and watertight unit.~~

3520.4930 FLOOR CONSTRUCTION.

Subpart 1. Requirements. The floor shall must be of prime commercial quality steel or other metal of at least 14-gauge ~~or other metal and such.~~ The metal floor shall must be covered with plywood. The plywood shall must be five-ply, at least five-eighths inch thick and it shall must equal or exceed properties of exterior-type ~~Douglas fir~~ softwood plywood, grade C-C C-D, as specified in product standard PS 1-83 issued by U.S. the United States Department of Commerce. The floor shall must be level from front to back and from side to side except in wheel housing, toeboard, and driver's seat platform areas.

Subp. 2. Option. The underside of the metal floor may be undercoated with polyurethane floor insulation, foamed in place. The polyurethane floor insulation must be combustible resistant. This option does not replace the plywood required in subpart 1.

3520.4980 OPENINGS.

All openings between chassis and passenger-carrying compartment made due to alterations by body manufacturer must be sealed. ~~See part 3520.4670.~~

3520.5000 DEFROSTERS.

Defrosters and two ~~all metal defroster~~ auxiliary fans with metal blades and adequate guards shall be of sufficient capacity to keep the windshield, window to left of driver, and glass in entrance door clear of fog, frost, and snow. This may be done by taking the heat directly from an approved heater or auxiliary heaters. Defrosters must conform to Society of Automotive Engineers Standards J-381 and 382.

3520.5010 DOORS.

Subpart 1. **Service door.** The service door shall must be power or manually operated, under control of the driver, and so designed as to afford easy release and prevent accidental opening. ~~When hand lever is used, no parts shall come together so as to shear or crush fingers.~~

The service door shall must be located on the right side of the bus opposite the driver and within his the driver's direct view.

The service door shall must have a minimum horizontal opening of 24 inches and a minimum vertical opening of 68 inches.

The service door shall must be of split type, sedan type, or jackknife type. If a split type door is used the front section shall must open outward.

The lower as well as upper glass panels shall must be of approved safety glass. See part 3520.5550 3520.5551. The bottom of the lower glass panel shall must not be more than 42 35 inches from bottom of the door ground when the bus is unloaded. The top of the upper glass panel shall must not be more than six inches from the top of the door.

The vertical closing edges shall must be equipped with flexible material to protect children's fingers.

There shall be no door to the left of the driver in the front half of the bus. ~~(This shall not be interpreted to conflict with subpart 2.)~~

Subp. 2. **Emergency door and emergency window.** An emergency door shall must be located in the center of the rear end of the bus or in the rear half of the left side of the bus.

The emergency door shall must have a minimum horizontal opening of 24 inches and a minimum vertical opening of 48 inches measured from floor level.

The emergency door shall must be hinged on the right side if it is in the rear end of the bus and on the front side if it is on the left side of the bus. The door shall must open outward and shall must be labeled inside to indicate how it operates.

Upper portion of All the glass in the emergency door shall must be equipped with approved safety glass. The exposed area of which shall the safety glass must be not less than 400 square inches. See part 3520.5550 3520.5551.

There shall must be no steps leading to the emergency door.

No A seat or other object shall must not be so placed in the bus to restrict any part of the passageway leading to either rear or left side the emergency door to an opening smaller than a rectangle of 12 inches in width and 48 inches in height, measured from floor level.

The words "EMERGENCY DOOR" or "EMERGENCY EXIT" both inside and outside in letters at least two inches high, shall must be placed at the top of or directly above upper window on the emergency door or on the door in the metal panel above the top glass. New buses purchased after September 1, 1973, words "EMERGENCY EXIT" may be substituted.

If the emergency door is located on the left side of the bus, it must conform to Federal Motor Vehicle Safety Standard Number 217, Code of Federal Regulations, title 49, part 571, and the window at the rear shall must be designed as an emergency exit and shall must be no smaller than 16 inches in height and 54 inches in width on buses 80 inches or more in width; it shall must be no smaller than 16 inches in height and 49 inches in width on buses less than 80 inches in width. The window shall must be hinged from the top and devised and operated to ensure against an accidental closing in an emergency.

The emergency window in the rear must be equipped with a latch or latches on the inside connected with an electrical buzzer located in the driver's compartment that will go off when the latch is being released.

The emergency window must also be equipped on the outside with a nondetachable fastening device designed to prevent hitching-to, but to permit opening from the outside.

Paneling is required to cover the space between the top of the rear divan seat and the inside surface of emergency window at rear.

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Proposed Rules

The words "EMERGENCY EXIT" in letters at least two inches high shall ~~shall~~ must be placed directly above the emergency window on the inside and directly below ~~it~~ the window on the outside.

The emergency door and emergency window shall ~~shall~~ must be designed to be opened from the inside and the outside of the bus and shall ~~must~~ be equipped with a fastening device ~~which that~~ that may be quickly released but is designed to offer protection against accidental release. ~~Control~~ The opening of the emergency door and window must not be controllable from the driver's seat ~~shall not~~ be permitted. ~~Provision~~ The providing for opening from the outside shall must consist of a nondetachable device ~~so~~ designed as to prevent hitching-to but to permit opening when necessary.

The emergency door shall ~~shall~~ must be equipped with a slide-bar cam-operated lock. The slide bar shall ~~shall~~ must have a minimum stroke of one inch. The emergency door lock shall ~~shall~~ must be equipped with a suitable electric plunger type switch connected with a buzzer located in the driver's compartment. The switch shall ~~shall~~ must be enclosed in a metal case, and the wires leading from the switch shall ~~must~~ be concealed in the bus body. The switch shall ~~shall~~ must be ~~so~~ installed so that the plunger contacts the farthest edge of the slide bar ~~in such manner that any so that any~~ movement of the slide bar will immediately close closes the circuit on the switch and ~~activate~~ sets off the buzzer.

The emergency door lock shall ~~shall~~ must be equipped with an interior handle that extends approximately to the center of the emergency door. ~~It~~ The handle shall lift up to release the lock.

~~Emergency window in rear shall be equipped with latch or latches on inside connected with electrical buzzer located in driver's area that will actuate when latch is being released.~~

~~It shall also be equipped on outside with nondetachable fastening device so designed as to prevent hitching-to, but permit opening from the outside~~ The service door and the emergency door (side or rear) may be equipped with vandal locks if the locks comply with Federal Motor Vehicle Safety Standard Number 217, Code of Federal Regulations, title 49, part 571.

3520.5111 FIRE EXTINGUISHER.

A minimum of one 2-1/2 pound dry chemical type fire extinguisher, with not less than a 10-B-C rating, is required. It must be approved by Underwriters Laboratories, Inc. or an equivalent testing laboratory.

The extinguisher must be mounted in a bracket, located in the driver's compartment and readily accessible to the driver and passengers. A pressure indicator is required and must be easily read without removing the extinguisher from its mounted position.

3520.5120 FIRST AID KIT.

The bus shall must carry a removable Grade A metal, or other material of equal strength, dust-proof first aid kit, mounted in full view or in a labeled accessible place in the driver's compartment.

Required The first aid kit must have the following units and required packages per unit first aid kit is to have:

- A. ten units for ~~Type H and Type III~~ Type H and Type III vehicles of 16 or less capacity;
- B. 24 units for ~~Type I~~ Type I buses with passenger capacity in excess of 16 and up to and including 42 passengers; or
- C. 36 units for ~~Type I~~ Type I buses of passenger capacity in excess of 42.
- D. The table of required items and packages for items A to C:

Unit Size	Item	Required Packages		
		10 Unit	24 Unit	36 Unit
1	Compress Bandage, 4 inch	2	6	8
1	Compress Bandage, 2 inch	1	3	7
1	Adhesive Compress, 1 inch	2	2	4
1	Triangular Bandage, 40 inch with 2 safety pins	1	2	4
1	Gauze Bandage, 4 inch	-	2	4
1	Absorbant Gauze Compress	-	2	2
1	Gauze Compress, 24 by 72 inches	1	2	2
1	Padded Tongue Blades	1	1	1
2	Adhesive Tape, 1 inch by 2-1/2 yards	+ 2	+ 2	+ 2
1	Wire Splint	-	2	2

3520.5141 FLOOR COVERING.

The floor in the underseat area, including the tops of wheel housings, driver's compartment, and toeboard, must be covered with rubber floor covering or its equivalent having a minimum overall thickness of 0.125 inch.

The floor covering in the aisle must be of aisle-type rubber or its equivalent, nonskid, wear-resistant, and ribbed. Minimum overall thickness must be 0.187 inch measured from top of ribs.

The floor covering must be permanently bonded to the floor and must not crack if subjected to sudden change in temperature. Bonding or adhesive material must be waterproof and must be of a type recommended by the manufacturer of the floor covering material. All seams must be sealed with waterproof sealer.

3520.5151 HEATERS.

Heaters must be of the hot water or combustion type. If the heater is of the hot water type, the heater system must be equipped with a shutoff valve readily accessible to the driver. If only one heater is used, it must be of fresh air or combination fresh air and recirculating type. If more than one heater is used, the additional heaters may be of recirculating type. Each heater motor must be two speed.

All heaters installed by body manufacturers must bear a name plate that must indicate the heater rating in accordance with SBMI Code 001. The plate must be attached by the heater manufacturer. The attachment certifies that the heater performance is as shown on the plate.

All combustion-type heaters must be approved by the Federal Highway Administration, Motor Carrier Safety Regulations, Code of Federal Regulations, title 49, part 393.77.

If combustion-type heaters are used, they must be installed on new buses by body manufacturers and on buses now in operation by authorized dealers or by authorized garages.

Heaters must be capable of maintaining an inside temperature of 50 degrees Fahrenheit at average minimum January temperatures as established by the United States Department of Commerce, Weather Bureau, for the area in which the heater is required.

Heater lines inside the passenger compartment must be guarded to prevent accidental contact by the driver or passengers.

3520.5160 IDENTIFICATION.

Subpart 1. Requirements. The body shall must bear the words "SCHOOL BUS" in black letters at least eight inches high on both front and rear of the body or on signs attached signs thereto. The lettering shall must be placed as high as possible without impairment of its visibility. The lettering shall must conform to "Series B" of Standard Alphabets for Highway Signs.

Only signs and lettering approved by state law or rule, limited to name of owner or operator and any number necessary for identification shall home post office address, city, or town may appear on the sides of the bus, in accordance with Minnesota Statutes, section 221.031, subdivision 6. See Minnesota Statutes, section 169.44, subdivision 3 Any number or symbol necessary for identification may also appear on the sides of the bus.

Subp. 2. Options. Symbols or letters may be used on the outside of the bus for student identification. The manufacturer's name or logo may appear on the roof line. A manufacturer's nameplate may be placed on the side of the bus near the entrance door and on the rear.

3520.5171 INSIDE HEIGHT.

Inside body height must provide 72 inches of headroom, measured from the metal floor to the center line of the metal roof.

3520.5180 INSULATION.

Ceiling and walls shall must be insulated with proper material to deaden sound and to reduce vibrations to a minimum, and shall must be insulated to a minimum of one-inch fiberglass and installed in such a manner so that the insulation does not compact or sag. Thermal insulation shall must be of fire-resistant material of a type approved by Underwriter's Laboratories, Inc.

3520.5190 INTERIOR.

Subpart 1. Projections. The interior of the bus shall must be free of all unnecessary projections likely to cause injury. This standard requires Ceilings and walls must have an inner lining on ceilings and walls. Ceilings over aisle shall be free of all projections

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Proposed Rules

If the ceiling is constructed so as to contain lapped joints, the forward panel must be lapped by the rear panel and exposed edges must be beaded, hemmed, flanged, or otherwise treated to minimize sharp edges.

Subp. 2. **Speakers.** Interior speakers except in the driver's compartment must not protrude more than one-half inch. A two-way speaker in the driver's compartment need not be flush mounted.

Subp. 3. **Flammability.** Flammability standards of interior materials covered by Federal Motor Vehicle Safety Standard Number 302, Code of Federal Regulations, title 49, part 571 must be met.

3520.5200 LAMPS AND SIGNALS FOR NEW BUSES ONLY.

Subpart 1. **Factory installation Compliance required.** Factory Installation of an eight-lamp alternately flashing warning signal system manufactured after the effective date of these rules shall must comply with the following this part.

Subp. 2. **Installation.** All lamps on the exterior of the vehicle shall must conform with and be installed as required by Federal Motor Vehicle Safety Standard Number 108; Minnesota Statutes, sections 169.49 to 169.70; and current Minnesota approved motor vehicle equipment (Department of Public Safety), Code of Federal Regulations, title 49, part 571.

Subp. 3. **Interior lamps.** Interior lamps shall that adequately illuminate the aisle and the step well must be provided which adequately illuminate aisle and step well.

Subp. 4. **Red and amber signal lamps.** School bus alternately flashing signal lamps mounted at same horizontal level, intended to identify vehicle as school bus and to inform other users of highway that such vehicle is about to stop or is stopped on roadway to take on or discharge school children. Each school bus shall must be equipped with a system consisting of four red signal lamps designed to conform to SAE Standard J887. "School Bus Red Signal Lamps," and four amber signal lamps designed to that standard, except for color, and except that their candlepower shall must be at least 2-1/2 times that specified for red signal lamps. Both red and amber signal lamps shall must be installed in accordance with SAE Standard, J887, except that each amber signal lamp shall must be located near each red signal lamp, at the same level, but closer to the vertical centerline of the bus.

Subp. 4a. **Wiring, flashing.** The system shall must be wired so that the amber signal lamps are activated only by hand operation, and if activated, are automatically deactivated and red signal lamps are automatically activated when the bus entrance door is opened. Right and left signal lamps shall must flash alternately. Each signal lamp shall must flash not less than 60 nor more than 120 flashes per minute. The "on" period shall must be long enough to permit bulb filament to come up to full brightness. No A brake-operated switch shall be is not permitted.

There shall must be a red pilot lamp which shall must go on when the respective amber or red systems are actuated. The pilot shall must either go out or flash at an altered rate in the event the system is not functioning normally.

Subp. 5. [See Repeater.]

Subp. 6. **Control box for signal lamps.** The signal lamp system shall must include a separate closed control box. The box shall must be constructed as small as practical, easily demounted or partially disassembled to provide simple access for maintenance purposes. The switches and red pilot lamp shall must be located in conformance with the following diagram.

	MOMENTARY	RED	MASTER	Entrance
Driver	PUSH:	PILOT	SWITCH	Door
Side	ACTIVATING	LAMP		
	SWITCH			

CONTROL BOX PANEL

The control box shall must be securely mounted to the right of the steering wheel, in the near proximity of the entrance door control, within easy unobstructed reach of the driver. Switches and pilot lamp shall must be readily visible to the driver. The activating switch may be self-illuminated (glow type). Buses equipped with an eight-lamp system prior to the effective date of these rules shall be exempt from subparts 4, last paragraph; 5; and 6 Other warning devices or lamp controls must not be placed near the light lamp control.

Subp. 7. **System and stop arm.** The signal lamp system and stop arm shall must operate as follows:

The stop signal arm shall must be of an automatic type. It shall must automatically extend and retract in conjunction with the alternately flashing red lights and shall must be activated and deactivated by the entrance door switch.

With the master switch on, and the entrance door closed, depress hand switch. The red pilot lamp and amber signals shall will go on.

Open the entrance door. The pilot lamp and amber signal lamps shall will go off, and the pilot lamp and red signal lamps shall will go on. The stop arm shall will automatically extend.

Close the entrance door. The red pilot and signal lamps shall will go off and the stop arm shall will automatically retract.

Open the entrance door without depressing the hand switch. The red pilot lamp and red signal lamps ~~shall~~ will go on. The stop arm ~~shall~~ will automatically extend.

With the master switch off, depressing the hand switch ~~shall~~ will not actuate the amber signal system, nor will opening the entrance door actuate the red signal system and stop arm.

Subp. 8. **Installation requirements.** Each alternately flashing signal lamp ~~shall~~ must be mounted with its axis substantially parallel to the longitudinal axis of the vehicle.

Front and rear alternately flashing signal lamps ~~shall~~ must be spaced as far apart laterally as practicable.

Alternately flashing signal lamps ~~shall~~ must be mounted at the front on the same horizontal center line and above the windshield, and at the rear on the same horizontal center line so that the lower edge of the lens is not lower than the top line of the side window.

The vertical and lateral vision of the front and rear alternately flashing warning lamps ~~shall~~ must not be obstructed by any part of the body or lamp-house insofar as standard bus body construction ~~will permit~~ permits.

The area around the lens of each alternately flashing signal lamp and extending outward approximately three inches ~~shall~~ must be painted black. In installations where there is no flat vertical portion of body immediately surrounding entire lens of lamp, circular or square band of black approximately three inches wide, immediately below and to both sides of lens, ~~shall~~ must be painted on body or roof area against which signal lamp is seen (from distance of 500 feet along axis of vehicle).

A separate fuse or circuit breaker, adequate to prevent damage to the system in the event of a dead short, ~~shall~~ must be provided between the power source and the master switch.

All wiring ~~from alternately flashing signal lamps to the door switch~~ shall be at least ten-gauge. All other wire shall must be a minimum of 14-gauge.

Subp. 9. **Options.** School buses may be equipped with the following safety equipment devices.

A. A driver-activated student control warning system to assist students in crossing roadways. The system must contain one high-intensity flashing red signal, an audible warning signal, and one high-intensity steady amber proceed-with-caution signal lamp. Red and amber signal lamps must be at least four inches in diameter and no larger than 4-1/2 inches in diameter.

The control system unit must be installed in a vertical position, with the red signal on the top and the amber signal on the bottom.

(1) One control system unit must be mounted on the left side of the bus next to the driver and one unit must be mounted on the right side just ahead of the entrance door. The units must be wired to be activated and deactivated in conjunction with the eight-lamp and stop arm, and to be controlled by the entrance door switch.

(2) Amber walk lamps of the units must be on a separate on/off switch controlled by the driver, but deactivated when the entrance door is closed.

B. The use of a crossing guard gate mounted on the front bumper to put students in view of the bus driver.

C. The use of an external public address system to assist students in crossing roadways.

D. The use of a roof mounted white double flash strobe light described in Minnesota Statutes, section 169.64, subdivision 7.

E. The use of electronic sensing devices.

3520.5220 TURN SIGNAL LAMPS AND STOP LAMPS.

Subpart 1. **Turn signal lamps.** The school bus shall be equipped with Class A must have turn signal lamps that indicators of an automatic type. The bus body must be equipped with amber or red rear turn signal lamps that are at least seven inches in diameter and meet current specifications of the Society of Automotive Engineers (SAE J588). These signals The turn signal lamps must be independent units and shall be equipped with four-way connected to the chassis hazard warning switch to cause simultaneous flashing of turn signal lamps when needed as a vehicular traffic hazard warning. The turn signal lamps must be placed as wide apart as practical and their center line must be approximately eight inches below the rear windows.

Subp. 2. **Stop lamps.** The school bus must be equipped with red stop lamps. If round, the stop lamps must be seven inches in diameter. If the stop lamps are a shape other than round, they must have a minimum 38 square inches of illuminated area. The stop lamps must be mounted on the rear of the bus just inside the turn signals, at the same height.

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Proposed Rules

The brake lights must be wired to combine stop and tail lights.

Subp. 3. Federal Motor Vehicle Safety Standard Number 108. All lamps on the exterior of the vehicle must conform with and be installed as required by Federal Motor Vehicle Safety Standard Number 108, Code of Federal Regulations, title 49, part 571.

3520.5230 FLAGS AND FLARES WARNING DEVICES.

Subpart 1. Required. The school bus shall carry at all times at least three red, yellow, or orange flags not less than 12 inches square and means for mounting for use in warning traffic in event of breakdown on the highway.

Bus shall carry at least three red electric lanterns or at least three emergency reflectors, to be displayed according to state law in event of breakdown on the highway.

Fuses may also be used (not required). Liquid burning "pot type" flares not allowed.

Mounted reflectors: see Minnesota Statutes, sections 169.50 and 169.75 must contain at least three reflectorized triangle road warning devices mounted in an accessible place in the driver's compartment. The mounting location is optional.

Subp. 2. Prohibited equipment. The school bus must not be equipped with liquid burning "pot type" flares or fuses.

3520.5300 METAL TREATMENT.

Subpart 1. General requirements. All ferrous metal less than 12-gauge that is used in the construction of the bus body shall must be zinc or aluminum coated, mill applied. ~~Included are such items as if it is used in~~ structural members, inside and outside panels, floor panels, and floor sills; ~~excluded are. The metal need not be zinc or aluminum coated, mill applied if it is used in~~ door handles, grab handles, stanchions, interior decorative parts, and other interior plated parts.

Subp. 1a. Painted parts. In addition to the requirement in subpart 1, all metal parts that will to be painted shall must be (in addition to these requirements) chemically cleaned, etched, zinc-phosphate-coated, and zinc-chromate or epoxy-primed or conditioned by an equivalent process.

Subp. 1b. Particular attention. In providing for these requirements complying with subparts 1 and 2, particular attention shall must be given to lapped surfaces, welded connections of structural members, cut edges, punches or drilled hole areas in sheet metal, closed or box sections, unvented or undrained areas, and surfaces subjected to abrasion during vehicle operation.

Subp. 2. [See Repealer.]

Subp. 3. Test standard. As evidence that the requirements of subparts 1, 1a, and 1b have been met, samples of materials and sections used in the construction of the bus body, when subjected to a 1000-hour salt spray test as provided for in the latest revision of ASTM designation; B-117 "Standard Method of Salt Spray (Fog) Testing" must not lose more than ten percent of material by weight.

3520.5310 MIRRORS.

Subpart 1. Required equipment. The interior clear view mirror shall must be at least 6 by 30 inches overall to afford good view of pupils and roadway to rear. If not metal-backed and framed, the mirror shall must be of laminated plate safety glass. It shall must have rounded corners and protected edges.

Two exterior clear-view, rearview mirrors shall must be provided, one to the left and one to the right of the driver. The area of each mirror shall must be not less than 50 70 square inches overall. Each mirror shall must be firmly supported and adjustable to give the driver a clear view past the left rear and right rear of the bus.

Option: Subp. 2. Optional equipment. Small convex mirrors may be used in conjunction with ~~above~~ the equipment required under subpart 1.

Subp. 3. Required convex mirrors. Four exterior convex mirror mirrors at least 7-1/2 inches in diameter shall must be located either as follows: two on the left ~~or~~ and two on the right side of the bus in such a manner that the seated driver may observe, through its their use, areas to front or side of bus where direct observation, as prescribed in Federal Motor Vehicle Safety Standard Number 17, Code of Federal Regulations, title 49, part 571, is not possible. The mirrors must comply with Federal Motor Vehicle Safety Standard Number 111, Code of Federal Regulations, title 49, part 571.

Transit-type buses must have at least three mirrors, two crossover mirrors, one in each corner, and one rearview mirror on the right side.

Subp. 4. Optional equipment. Elliptical or hemispherical mirrors may be substituted for the equipment required in subpart 3 on a one-for-one basis if indirect visibility requirements are met.

3520.5330 OVERALL LENGTH.

The overall length of a school bus shall must not exceed 40 feet.

3520.5340 OVERALL WIDTH.

The overall width of a school bus shall, excluding mirror brackets and stop arm, must not exceed 96 inches.

3520.5361 RUB RAILS.

There must be one rub rail located on each side of the bus approximately at seat level. The rub rail must extend from the rear side of the entrance door completely around the bus body (except for the emergency door) to the point of curvature near the outside cowl on the left side.

There must be one rub rail located approximately at the floor line which must cover the same longitudinal area as the upper rub rail, except at the wheel housings, and must extend only to the radii of the right and left rear corners.

For buses using a rear luggage or rear engine compartment, the rub rails need not extend around rear corners.

There must be a rub rail at the base of the skirt of the bus.

All rub rails must be attached at each body post and all other upright structural members.

All rub rails must be four inches or more in width, must be of 16-gauge steel, and must be constructed in corrugated or ribbed fashion.

All rub rails must be applied outside the body or outside the body posts.

Pressed-in or snap-on rails do not satisfy this requirement.

3520.5370 SANDERS.

~~Where required or~~ Sanders are not required equipment, but if used, sanders shall must:

- A. be of hopper cartridge-valve type;
- B. have a metal hopper with all interior surfaces treated to prevent condensation of moisture;
- C. be of at least 100-pound (grit) capacity;
- D. have a cover on the filler opening of the hopper, ~~which that~~ screws into place, sealing the unit airtight;
- E. have discharge tubes extending to the front of each rear wheel under the fender;
- F. have no-clogging discharge tubes with slush-proof, nonfreezing rubber nozzles;
- G. be operated by an electric switch with a telltale light mounted on the instrument panel;
- H. be exclusively driver controlled; and
- I. have a gauge to indicate the hoppers need refilling when they are down to one-quarter full.

3520.5380 SEAT BELT FOR DRIVER.

A seat belt for the driver shall must be provided. The belt to and mounting must comply with current specifications and recommended practices of Society of Automotive Engineers except that belt shall be fastened to bus floor immediately behind driver's seat when adjusted to rearmost position. Retractable seat belt to stop at seat level Federal Motor Vehicle Safety Standard Numbers 207 to 210, Code of Federal Regulations, title 49, part 571. Each belt section must be booted so as to keep the buckle and latch off the floor and within easy reach of the driver. The belt must be anchored or guided at the seat frame so as to prevent the driver from sliding sideways under the belt.

3520.5401 SEATS AND CRASH BARRIERS.

The school bus seats must be based on 13-inch rump room for each passenger. All seats must face forward, except that variations may be made to accommodate handicapped students. Seats, seat back cushions, and crash barriers must be covered with a material having 42-ounce finished weight, 54 inches width, and finished vinyl coating of 1.06 broken twill, or other material with equal tensile strength, tear strength, seam strength, adhesion strength, resistance to abrasion, resistance to cold, and flex separation. All seats and crash barriers must conform to Federal Motor Vehicle Safety Standard Number 222, Code of Federal Regulations, title 49, part 571.

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Proposed Rules

3520.5450 STEPS.

Subpart 1. **General requirements.** The first step at the service door shall must be not less than 12 inches and not more than 17 1/2 inches from the ground, based on standard chassis specifications.

The service door entrance may be equipped with two-step or three-step step-well. Risers in each case shall must be approximately equal. When plywood floor is used on steel, differential may be increased by thickness of plywood used.

Steps shall must be enclosed to prevent accumulation of ice and snow.

Steps shall must not protrude beyond side body line.

Grab handle not less than ten inches in length shall must be provided in unobstructed location inside doorway.

Surface of steps shall be of nonskid material.

Subp. 2. [See Repealer.]

Subp. 3. Step treads. All steps, including the floor line platform area, must be covered with 3/16-inch rubber floor covering or other material equal in wear resistance and abrasion resistance to top grade rubber.

The metal back of the tread must be a minimum of 24-gauge cold roll steel and must be permanently bonded to ribbed rubber. The grooves in the grooved design must run at a 90-degree angle to long dimension of the step tread.

The 3/16-inch ribbed step tread must have a 1-1/2 inch white nosing as an integral piece without any joint.

The rubber portion for the step treads must have the following characteristics:

A. special compounding for good abrasion resistance and a high coefficient of friction;

B. flexibility to be bent around a 1/2-inch mandrel both at 130 degrees Fahrenheit and 20 degrees Fahrenheit without breaking, cracking, or crazing; and

C. show a durometer hardness of 85 to 95.

3520.5461 STIRRUP STEPS.

There must be at least one folding stirrup step or recessed foothold and suitably located handles on each side of the front of the body for easy accessibility for cleaning the windshield and lamps except when the windshield and lamps are easily accessible from the ground. Steps are permitted in or on the front bumper, in place of the stirrup steps, if the windshield and lamps are easily accessible for cleaning from that position.

3520.5471 STOP SIGNAL ARM.

Subpart 1. **The stop signal arm.** The stop signal arm must be installed on the left side of the bus and must be octagonal in shape. It must meet the applicable requirements of the Society of Automotive Engineers J1133. The stop signal arm must be of an automatic type. See part 3520.5200.

It shall display a stop signal on both sides, the word "STOP" in white or silver-white letters at least one-third the height of the signal, and have a red background.

The stop arm must be equipped with two alternately flashing double faced (front and rear) red warning signals and must be activated and deactivated by the entrance door switch. The sign need not be reflectorized.

Subp. 2. **The stop signal.** The stop signal must be of the shape, size, legend, and colors specified by the "Manual on Uniform Traffic Control Devices for Streets and Highways," Federal Highway Administration.

The stop signal may be 18 or 24 inches in height.

3520.5481 STORAGE COMPARTMENT.

Subpart 1. **Location, cover.** If tools, tire chains, or tow chains are carried on the bus, a container of adequate strength and capacity must be provided for them. The storage container may be located inside or outside the passenger compartment. If inside, it must have a cover capable of being securely latched and must be fastened to the floor convenient to either the service or emergency door. A seat cushion must not be used as the cover.

Subp. 2. **Option.** In place of the container required in subpart 1, an overhead storage compartment may be placed in the front of the cab for storage of emergency equipment and labeled as the location of this equipment. It must be properly secured.

3520.5490 SUNSHIELD.

An interior, adjustable transparent sunshield not less than 6 by 30 inches in size shall with a finished edge must be installed above windshield, driver's side, with mounting of double bracketed type in a position convenient for use by the driver.

3520.5500 TAILPIPE.

Subpart 1. Tailpipe. The tailpipe shall ~~not~~ must extend to the body perimeter and must extend no more than one-half inch beyond the rear bumper. See part 3520.4550.

Subp. 2. Trailer hitch. The trailer hitch, if used, must be of a flush mounted type and must not extend beyond the rear bumper when not in use.

3520.5510 UNDERCOATING AND RUSTPROOFING.

Subpart 1. Required. The entire underside of the bus body, including floor members sections, cross members, and below floor line side panels below floor level shall be coated with fire-resistant, asphalt base, rubber base, or other undercoating material, applied by spray method, in order to seal, to deaden sound, to insulate, and to prevent oxidation. Undercoating shall be applied after assembly of the body has been completed, must be coated with a rust-proofing compound for which the compound manufacturer has issued notarized certification of compliance to the bus body builder that the compound meets or exceeds all performance requirements of Federal Specification TT-C-520a using modified test procedures for the following requirements:

A. salt spray resistance - pass test modified to five percent salt and 1,000 hours;

B. abrasion resistance - pass; and

C. fire resistance - pass.

Subp. 2. Modified test procedures. Test panels are to be prepared in accordance with Federal Specification TT-C-520a paragraph 4 6.12 with a modified procedure requiring that tests be made on a 48-hour air cured film at thickness recommended by the compound manufacturer.

The undercoating compound must be applied with suitable airless or conventional spray equipment to recommended film thickness and must show no evidence of voids in cured film.

3520.5520 VENTILATION.

Subpart 1. General requirement. The body shall ~~must~~ be equipped with a suitable, controlled ventilating system of sufficient capacity to maintain proper quantity of air under operating conditions without opening of windows except in extremely warm weather.

If static-type exhaust roof ventilators are desired, they shall ~~must~~ be installed in a low-pressure area of the roof panel.

Subp. 2. Exception for small vehicles Option. Standard does not apply to small vehicles not manufactured specifically as school buses. In addition to the ventilation equipment required in subpart 1, the body may be equipped with multi-position roof ventilators of sufficient number and capacity to maintain proper quantity of air under normal operating conditions without opening of windows except in extremely warm weather.

Subp. 3. Exhaust vent. Roof ventilators may include a leak resistance static-type exhaust vent as an integral part of the design.

Subp. 4. Rear roof ventilator. The rear roof ventilator must not be installed beyond the rear axle.

Roof ventilators may also include auxiliary release handles to permit operation as emergency exits in compliance with Federal Motor Vehicle Safety Standard Number 217, Code of Federal Regulations, title 49, part 571.

Exit release handles, if used, must be equipped with an electric plunger-type switch connected with a buzzer located in the driver's compartment to indicate when the exit is opened.

3520.5531 WHEEL HOUSING.

Wheel house openings must allow for easy tire removal and service.

Wheel housings must be attached to floor sheets so as to prevent any dust, water, or fumes from entering the body.

The wheel housing must be constructed of 16-gauge steel or other material of equal strength.

The inside height of the wheel housings above floor line must not exceed 12 inches.

Wheel housings must provide clearance for dual installation and use of tire chains on dual drive wheels.

No part of a raised wheel housing may extend into the emergency door opening.

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Proposed Rules

3520.5551 WINDSHIELD AND WINDOWS.

Subpart 1. **Glazing.** Laminated or tempered glass is permitted in all side windows. Windshield, entrance, and rear emergency exit doors must be of approved safety glass and be federally approved and marked as provided in Minnesota Statutes, section 169.74.

Subp. 2. **Tint.** The windshield may be of uniform tint throughout or may have a horizontal gradient band starting slightly above the line of the driver's vision and gradually decreasing in light transmission to 20 percent or less at the top of the windshield.

Subp. 3. **Side and rear windows.** The first two sections of the side windows, rear door, and rear windows must be of clear glass. The use of approved tinted glass is permitted on other side windows.

Each full side window must provide an unobstructed emergency opening at least nine inches high and 22 inches wide, obtained by lowering of the window.

3520.5560 WINDSHIELD WASHERS.

A windshield washers shall washer system must be optional but, where required, they shall conform to body manufacturer's recommendations as to type and size for bus on which they are to be used provided.

3520.5570 WINDSHIELD WIPERS.

Bus shall be equipped with two positive-action variable-speed, heavy duty bus type, windshield wipers of air or electric type. Wiper blades shall be at least 14 inches long and shall be of the replaceable blade type. A windshield wiping system, two-speed or more, must be provided.

The wipers must be operated by one or more air or electric motors of sufficient power to operate wipers. If one motor is used, the wipers must work in tandem to give full sweep of the windshield.

3520.5580 WIRING.

Subpart 1. **Standard.** All wiring shall must conform to the current standards of the Society of Automotive Engineers.

Subp. 2. **Circuits.** Wiring shall must be arranged in at least eight regular circuits, as follows: head, tail, stop (brake), and instrument panel lamps; clearance lamps; dome and step-well lamps; starter motor; ignition and emergency door signal; turn signal lamps; alternately flashing red signal lamps; and horn.

Any of the ~~subpart 2 combination~~ circuits may be subdivided into additional independent circuits.

~~Whenever~~ If heaters and defrosters are used, at least one additional circuit shall must be installed.

~~When~~ If installed, all other electrical functions shall must be provided with independent and properly protected circuits.

Each body circuit shall must be individually color coded and by number or letter on a diagram of the circuits shall. The diagrams must be attached to the body in a readily accessible location, preferably on cover of fuse panel furnished with the bus body.

~~A separate fuse or circuit breaker shall be provided for each circuit except starter motor and ignition circuits. The fuse panel shall be located next to the circuit switch panel and color coded.~~

~~All wires within body shall be insulated and protected by covering of fibrous loom or approved equal which will protect them from external damage and minimize dangers from short circuits. Whenever wires pass through body members, additional protection in the form of appropriate type of insert shall be provided.~~

Subp. 2a. **Additional requirements.** If wires pass through metal openings, they must be protected by a grommet.

Wires not enclosed within the body shall must be fastened securely at intervals of not more than 24 than 18 inches. All joints shall must be soldered or joined by equally effective connectors.

The entire electrical system of the body must be designed for the same voltage as the chassis on which the body is mounted.

All wiring must have an amperage capacity equal to or exceeding the designed load. All wiring splices are to be done at an accessible location and noted as splices on the wiring diagram.

The body power wire must be attached to the special terminal on the chassis.

Subp. 3. [See Repealer.]

3520.5600 TYPE II SCHOOL BUSES.

~~Type II buses carrying 16 or less pupil passengers shall be painted National School Bus Glossy Yellow, identified as a school bus, equipped with eight-lamp warning system and stop signal arm, and shall operate as a Type I bus. See Type I, Operating Rules, parts 3520.2400 to 3520.2900.~~

~~Type II vehicles are restricted in size and shall not exceed 16 passengers (rated manufacturer's capacity).~~

Proposed Rules

Automobiles, station wagons, and other vehicles designed for carrying nine or less pupil passengers are Type III buses, and their use is prohibited as a Type I or Type II bus. The standards in part 3520.5611 apply to Type II school buses.

3520.5611 EQUIPMENT.

Subpart 1. Standards. All related equipment provided on Type II school buses must comply with Type I school bus equipment standards except as specified in this part.

Subp. 2. Age of bus. Type II buses have no maximum age limit and may continue to transport school children as long as the bus passes inspection.

Subp. 3. Alternator. The alternator must be a minimum of 60 amperes (12 volts). When the bus is equipped with a power lift, at least an 80-ampere alternator is required.

Subp. 4. Battery. The battery must provide a minimum of 475 cold cranking amperes (CCA).

Subp. 5. Bumpers. Bumpers must meet manufacturer's standards.

Subp. 6. Color. The color must comply with Type I school bus equipment standards except that only two rub rails must be painted black.

Subp. 7. Defrosters. Defrosters of sufficient capacity to clear the windshield, window to the left of the driver, and glass in the entrance door of condensation, ice, and snow must be provided. Defrosters must conform to Society of Automotive Engineers Standards J-381 and 382. Auxiliary fans with metal blades and adequate guards may be used.

Subp. 8. Door. The entrance door must be under the control of the driver, and designed to afford easy release and prevent accidental opening. The door opening must provide a minimum opening area of 1,200 square inches.

Subp. 9. Emergency door. The emergency door must comply with Type I school bus equipment standards except that the emergency door may be a double door.

Subp. 10. Exhaust system. The exhaust system must meet the manufacturer's standard and is not required to extend out the rear. It must have an exit point behind the rear wheels. The exhaust system on a gas-powered chassis must be properly insulated from fuel tank connections by a securely attached metal shield at any point where it is 12 inches or less from tank or tank connections.

Subp. 11. First aid kit. The bus must carry a removable Grade A metal, or other material of equal strength, dust-proof first aid kit, mounted in full view or in a labeled accessible place in the driver's compartment. Required units and required packages per unit first aid kit is to include: ten units for Type II vehicles of 16 or less capacity; and 24 units for Type II buses with passenger capacity in excess of 16.

Subp. 12. Floor. The floor must be of prime commercial quality steel or other metal and must be covered with a minimum one-half inch thick exterior type plywood.

Subp. 13. Fuel tanks. Tank size and location may be manufacturer's standard and must conform with Federal Motor Vehicle Safety Standard Number 301, Code of Federal Regulations, title 49, part 571.

Subp. 14. Glazing. Laminated or tempered glass is permitted in all side windows except that windshield, entrance, and rear emergency exit doors must be of approved safety glass and be federally approved and marked.

The use of approved tinted glass is permitted.

Subp. 15. Headroom. The bus must provide at least a minimum 62-inch headroom, measured from metal floor to center line of metal roof.

Subp. 16. Heater. The heater must comply with Type I school bus minimum standards except that the opening for supplying hot water must be suitable for attaching a pipe thread/hose connector. The heater shut-off valve does not have to be located in the driver's compartment.

Subp. 17. Lamps and signals. An eight-lamp alternately flashing warning signal system must be installed and operate in conformance with Type I buses.

All lamps on the exterior of the vehicle must conform with and be installed as required by Federal Motor Vehicle Safety Standard Number 108, Code of Federal Regulations, title 49, part 571.

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Proposed Rules

Subp. 18. Metal treatment. Type II school buses do not have to comply with Type I school bus equipment standards for metal treatment.

Subp. 19. Mirrors. The mirrors must comply with Type I school bus equipment standards except that the interior clear view mirror must only be at least six inches by 16 inches overall.

The area of each exterior clear view mirror must be not less than 50 square inches overall.

Subp. 20. Rub rails. There must be one rub rail located on each side of the bus approximately at seat level which must extend from the rear side of the entrance door to the rear corner of the bus body.

There must be one rub rail located approximately at the floor line which must cover the same longitudinal area as the upper rub rail, except at the wheel housings, and must extend to the right and left rear corners.

All rub rails must be attached in conformance with federal standards.

All rub rails must be four inches or more in width, must be of 16-gauge steel, and must be constructed in corrugated or ribbed fashion.

Pressed-in or snap-on rails do not satisfy this requirement.

Additional rub rails may be used.

Subp. 21. Seat belt; driver. The bus must have a seat belt and shoulder harness for the driver that comply with Federal Motor Vehicle Safety Standard Numbers 208, 209, and 210, Code of Federal Regulations, title 49, part 571.

Subp. 22. Seats and barriers. School bus seating provided must be based on 13-inch rump room for each passenger. All seats must face forward, except variations may be made to accommodate handicapped students. Seats and seat back cushions must be covered with a material having 42-ounce finished weight, 54 inches width, and finished vinyl coating of 1.06 broken twill, or other material with equal tensile strength, tear strength, seam strength, adhesion strength, resistance to abrasion, resistance to cold, and flex separation. All seats and seat belts must conform to Federal Motor Vehicle Safety Standard Number 222, Code of Federal Regulations, title 49, part 571.

A school bus of 10,000 pounds gross vehicle weight or less must be equipped with a barrier or padded stanchion on the right side forward of the foremost seat.

Subp. 23. Shock absorbers. Type II school buses must be equipped with front and rear shock absorbers that comply with manufacturer's standard.

Subp. 24. Steps. The step or steps must comply with Type I school bus equipment standards except that Type II school buses with cab doors do not have to have the step or steps enclosed. The first step at the service door must not be less than ten inches and not more than 18 inches from the ground.

Subp. 25. Sunshield. Type II school buses do not have to comply with Type I school bus equipment standards for sunshields. A standard manufacturer's sunshield must be provided for the driver.

Subp. 26. Undercoating. Type II buses, except for the heat shield area, must be undercoated.

Subp. 27. Ventilation. If any ventilation is provided, it must comply with Type I school bus equipment standards.

Subp. 28. Wheel housing. The wheel housing must meet the manufacturer's standard.

Subp. 29. Wheels. Type II school buses may be equipped with either single or dual rear wheels.

Subp. 30. Windows. The windows must comply with Type I school bus equipment standards except that all windows may have approved tinted glass.

3520.5700 TYPE III SCHOOL BUSES.

Type III buses carrying 16 or less pupil passengers (including automobiles, station wagons, and other vehicles designed for carrying nine or less), shall not be painted school bus color, bear the words "SCHOOL BUS," have the eight-lamp warning system or stop signal arm, and shall not operate as a Type I or Type II bus. See Type III buses, parts 3520.3000 to 3520.3200.

Type III vehicles are restricted in size and shall not exceed 16 passengers (rated manufacturer's capacity) The standards in part 3520.5710 apply to Type III school buses.

3520.5710 EQUIPMENT.

Subpart 1. Standards. All related equipment provided on the vehicle must comply with federal motor vehicle safety standards where applicable. If no federal standard applies, equipment must be manufacturer's standard.

Subp. 1a. Age of the bus vehicle. No Type III vehicle used to transport school children shall be more than ten years old. Every Type III vehicle shall comply with the requirements for Type II buses, parts 3520.5600 and 3520.5610, except for the following

Vehicles ten years or older must not be used as Type III vehicles to transport school children, except those vehicles that are manufactured to meet the structural requirements of Federal Motor Vehicle Safety Standard 222, Code of Federal Regulations, title 49, part 571, for Type II school buses.

Subp. 2. **Color.** ~~Shall~~ Vehicles must be painted a color other than National School Bus Glossy Yellow or Minnesota Golden Orange.

Exception: Vehicles purchased prior to the effective date of this rule.

Subp. 2a. **Fire extinguisher.** A minimum of one 2-1/2 pound dry chemical type fire extinguisher, with not less than a 10-B-C rating, is required. It must be approved by Underwriters Laboratories, Inc. or an equivalent testing laboratory.

The extinguisher must be mounted in a bracket, and must be located in the driver's compartment and be readily accessible to the driver and passengers. A pressure indicator is required and must be easily read without removing the extinguisher from its mounted position.

Subp. 2b. **First aid kit.** A minimum of a ten unit first aid kit is required. The bus must have a removable, moisture- and dust-proof first aid kit mounted in an accessible place within the driver's compartment and must be marked to indicate its location.

Subp. 3. **Identification.** ~~Shall~~ The vehicle must not have the words, "School Bus" in any location on the exterior of the vehicle, or in any interior location visible to a motorist.

~~Shall~~ The vehicle must display to the rear of the vehicle a this sign: "VEHICLE STOPS AT RR CROSSINGS."

The lettering (except for "AT," which may be one inch smaller) shall must be a minimum two-inch "Series D" as specified in Standard Alphabets for Highway Signs as specified by the Federal Highway Administration. The printing must be in a color giving a marked contrast with that of the part of the vehicle on which it is placed.

The sign shall must have provisions for being covered, or be of a removable or fold down type.

Subp. 4. **Lamps and signals.** Installation and use of the eight-lamp warning system is prohibited.

All lamps on the exterior of the vehicle shall must conform with and be installed as required by Federal Motor Vehicle Safety Standard 108, Code of Federal Regulations, title 49, part 571.

Subp. 5. **Stop signal arm.** Installation and use of a stop signal arm is prohibited.

Subp. 6. **Mirrors.** The interior clear rearview mirror must afford a good view of pupils and roadway to the rear.

Two exterior clear rearview mirrors must be provided, one to the left and one to the right of the driver.

Each mirror must be firmly supported and adjustable to give the driver clear view past the left rear and the right rear of the bus.

Subp. 7. **Warning device.** A Type III bus must contain at least three red reflectorized triangle road warning devices. Fuses may also be used. Liquid burning "pot type" flares are not allowed.

Subp. 8. **Emergency doors.** The doors on Type III buses must remain unlocked when carrying passengers.

Subp. 9. **Option.** Passenger cars and station wagons may carry fire extinguisher, first aid kit, and warning triangles in the trunk or trunk area of the vehicle, if a label in the driver and front passenger area clearly indicates the location of these items.

3520.5900 CONSTRUCTION OF VEHICLES FOR CHILDREN WITH MOBILITY PROBLEMS.

Subpart 1. **Standards.** The standards in this part apply to vehicles constructed to transport children with mobility problems so severe as to prohibit them from using the regular service door entrance. Vehicles constructed for transporting these children must meet all federal and Minnesota school bus construction standards.

Subp. 2. **Alteration of vehicle.** The interior of the vehicle may be altered if all seats and barriers, component parts, anchorages, wheelchair securement devices, and placement of seats and barriers and wheelchair securement devices comply with federal standards as of the date of manufacture. All equipment must be supplied by the original component equipment manufacturer or authorized dealer, be installed according to the original equipment manufacturer's specification, and must meet state specifications. Alterations that remove all wheelchair securement devices that return the vehicle to conventional passenger seating must also make the power lift and special service door inoperable.

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Proposed Rules

Subp. 3. Power lift or ramp. A school bus purchased specifically or partially for the transportation of these children must be equipped with a power lift or ramp located on the right side of the bus body.

Subp. 4. Seating capacity. A statement of the actual seating capacity, excluding wheelchairs, following the modification of a vehicle, must be placed above the windshield on the interior of the body.

Subp. 5. Special service opening. An enclosed service opening must be located on the right side of the body. The door opening must be not less than 38 inches wide and 52 inches high.

Subp. 6. Reinforcement. Door posts, headers, and all floor sections around the special opening must be reinforced to provide strength and support equal to adjacent side wall and floor construction of an unaltered model.

Subp. 7. Drip mold. A drip mold must be installed above the opening so as to effectively channel the water away from the entrance.

Subp. 8. Header pad. A header pad, at least three inches wide, extending the width of the special service door, must be placed above the opening on the inside of the bus or on the lift if it has a top cross bar.

Subp. 9. Special service door enclosure. The lift may be enclosed by either one or two doors. All doors must open outwardly.

Subp. 10. Two-panel door. If the door is made of two panels, the standards in this subpart apply.

A. The forward panel must be provided with an overlapping flange to close the space where the door panels meet, and a weather seal must be provided around the doors or opening to eliminate water leakage or heat loss.

B. Each door must have a safety glass window, set in rubber and aligned with the lower line of the adjacent sash. The window must be, as nearly as practical, of the same size as other bus windows.

C. Each door panel must open outwardly and a positive fastening device must be installed to hold the doors in an open position.

Subp. 11. One-piece construction door. If the door is made of one-piece construction, the standards in this subpart apply.

A. The door must open outwardly and a positive fastening device must be installed to securely hold the door in an open position.

B. The door must be equipped with a slide-bar, cam-operated type locking device.

C. Weather stripping must be installed around the entire door or opening to eliminate water leakage or heat loss.

D. The door must have a safety glass window, set in rubber and aligned with the lower line of the adjacent sash. The window must be, as nearly as practical, of the same size as other bus windows.

Subp. 12. Door equipment. The door must be equipped with a device that actuates a flashing visible signal, located in the driver's compartment, when the door is not securely closed, and the emergency brake is not on. An audible signal must not be used.

Subp. 13. Door construction. All doors must be constructed to meet the standards in law, in strength and materials for other school bus doors.

Subp. 14. Power lift. The power lift must be of at least a 750 pound capacity rating and capable of lifting the wheelchair, occupant, and attendant.

Subp. 15. Power lift controls. All power lift controls must be portable and conveniently located on the inside of the bus lift door. A master cut-off switch must be located in the driver's compartment.

Subp. 16. Power lift platform. The power lift platform must be covered with skid-resistant material or be so designed so as to prevent slipping. The lift platform must be constructed to permit vision through that portion of the platform covering the window of the special service door when the platform is in the "up" position. The power lift must be designed so that the lift does not operate unless the special service door is opened.

Subp. 17. Ramp. A self-adjusting ramp made of steel or equivalent material, if needed, must be attached to the lift platform or to the bus and be of sufficient length to minimize the incline. The ramp must be equipped with skid-resistant surface. The ramp must be in a secured position while the bus is in motion. The ramp must be of sufficient width on the surface to accommodate a standard wheelchair.

Subp. 18. Barriers. A padded crash barrier meeting federal manufacturing requirements for school bus seats and crash barriers must be properly installed between the special service door and passenger seats to the rear of the door.

In vehicles of 10,000 pounds gross vehicle weight rating and less, padded stanchions may be used.

Subp. 19. Elevator-type lift. In the event that an elevator-type lift is used with the body floor section serving as lift platform, both the forward and rear sides of the platform must be protected with crash barriers extending from the wall of the body toward

the aisle. A covered chain must be fastened to the rear barrier adjacent to the lift platform, and must extend across the platform opening and attach with hook and eye to the forward barrier adjacent to the lift platform.

Subp. 20. Wheelchair securement devices. Wheelchair securement devices must be as provided by Minnesota Statutes, section 299A.11.

Subp. 21. Special student restraining devices. Special restraining devices such as shoulder harnesses, lap belts, and chest restraint systems may be installed to the seats if the devices do not require the alteration in any form of the seat, seat cushion, framework, or related seat components. The restraints must be for the sole purpose of restraining handicapped students.

Subp. 22. Seats. All seats and related components shall comply with applicable federal standards on date of manufacture. Seat frames may be equipped by the school bus body manufacturer with rings or other devices to which passenger restraint systems may be attached if seat anchorages can handle the increased load demands that may occur.

3520.5910 MOTOR COACH USED FOR SCHOOL ACTIVITIES.

Subpart 1. Definitions. A motor coach owned by a school district or an area vocational technical institute is a bus that has been designed or used for intercity transit or charter service. The motor coach must have a capacity of 20 or more persons.

A motor coach used for school activities must comply with this part and must have been acquired before March 26, 1986.

A school activity is any activity involving students under the sponsorship of a school district.

Subp. 2. Standards. Equipment standards for motor coaches must conform to the Federal Motor Carrier Safety Regulations, Code of Federal Regulations, title 49.

Relevant standards are in chapter III, subpart D, sections 393.61, 393.62, and 393.63; subpart E, section 393.67; subpart G, sections 393.78, 393.79, 393.80, 393.81, 393.82, 393.83, 393.84, 393.89, 393.90, 393.91, 393.92, and 393.93; and subpart H, section 393.95.

Subp. 3. Identification. Motor coaches must not be outwardly equipped and identified as a school bus and must be identified as provided in Minnesota Statutes, section 168.012.

Subp. 4. Inspection. Motor coaches must be inspected annually by the Minnesota State Patrol using vehicle standards for motor carriers in Minnesota Statutes, section 221.031, subdivision 1.

Subp. 5. Certification. Upon passing an annual inspection, a motor coach will be issued a motor carrier safety sticker.

3520.5920 OPERATION OF MOTOR COACHES USED FOR SCHOOL ACTIVITIES.

Subpart 1. Comply with this part. A driver of a motor coach used for school activities must have the qualifications referred to in subpart 2 and follow the rules referred to in subpart 3.

Subp. 2. Driver qualifications. The driver of a motor coach operating within Minnesota must have a minimum Class B driver license with a school bus endorsement.

Subp. 3. Driving rules. The driver must comply with the rules for driving of motor coaches in chapter III, part 392 of the Federal Motor Carrier Safety Regulations, Code of Federal Regulations, title 49.

Subp. 4. Operation. A motor coach must not be used for activities that are eligible for state transportation aid.

A motor coach must not be leased to another entity.

REPEALER. Minnesota Rules, parts 3520.0500; 3520.0700; 3520.0800; 3520.0900; 3520.1100; 3520.1700; 3520.1900; 3520.2000; 3520.2100; 3520.2200; 3520.2300; 3520.3700, subparts 2 and 3; 3520.3800; 3520.4000; 3520.4100, subpart 4; 3520.4200; 3520.4210; 3520.4220; 3520.4230; 3520.4240; 3520.4250; 3520.4260; 3520.4300; 3520.4510, subparts 1 and 2; 3520.4520; 3520.4530; 3520.4580; 3520.4600, subparts 2, 3, 4, and 5; 3520.4610, subparts 3 and 4; 3520.4660; 3520.4690; 3520.4700; 3520.4710; 3520.4730; 3520.4740; 3520.4760; 3520.4770; 3520.4800; 3520.4810; 3520.4820; 3520.4830; 3520.4850, subparts 2 and 4; 3520.4860; 3520.4870; 3520.4900, subparts 1, 2, 3, 4, 5, 8, 9, and 10; 3520.4920; 3520.4940; 3520.4950; 3520.4960; 3520.4970; 3520.4990; 3520.5020; 3520.5100; 3520.5110; 3520.5130; 3520.5140; 3520.5150; 3520.5170; 3520.5200, subpart 5; 3520.5210; 3520.5300, subpart 2; 3520.5320; 3520.5350; 3520.5360; 3520.5400; 3520.5410; 3520.5420; 3520.5430; 3520.5440; 3520.5450, subpart 2; 3520.5460; 3520.5470; 3520.5480; 3520.5530; 3520.5540; 3520.5550; 3520.5580, subpart 3; 3520.5610; and 3520.5800 are repealed.

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Proposed Rules

Workers' Compensation Court of Appeals

Proposed Permanent Rules Relating to Procedure

Notice of Intent to Adopt Amendments without a Public Hearing

Notice is hereby given that the Workers' Compensation Court of Appeals intends to adopt the above captioned amendments without a public hearing pursuant to the authority of *Minnesota Statutes* § 175A.07, subd. 4 (1986). The Court has determined that the proposed adoption of these amendments will be noncontroversial in nature and has elected to follow the procedures for adopting rules without a public hearing set forth in *Minnesota Statutes* §§ 14.21-14.28 (1986).

Persons or groups interested in these amendments shall have 30 days to submit comments in support of or in opposition to the proposed amendments or any part or subpart of the proposed amendments. Comments are encouraged. Each comment should identify the portion of the proposed amendments addressed, the reason for the comment, and any change proposed. The proposed amendments may be modified if the modifications are supported by the data and views submitted to the Court and do not result in a substantial change in the proposed language.

A public hearing will be held if 25 or more persons submit written requests for a public hearing on the proposed amendments within the 30-day comment period, unless a sufficient number withdraw their request in writing. If a public hearing is required, the Court will proceed according to the provisions of *Minnesota Statutes* §§ 14.131-14.20 (1986). Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed amendment addressed, the reason for the request, and any change proposed.

Comments or written requests for a public hearing should be submitted to:

Patricia J. Arnold
Workers' Compensation Court of Appeals
775 Amhoist Tower
345 St. Peter Street
St. Paul, Minnesota 55102
Telephone (612) 297-1618

The amendments eliminate ambiguities in the court's existing procedural rules, incorporate statutory modifications, and streamline procedures. They govern all aspects of practice before the court including requirements for initiation of appeals, motions, intervention, hearings and filing of briefs.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed amendments, identifies the data and information relied upon to support the proposed amendments and assesses the impact of the proposed amendments on small business and on local public bodies has been prepared and is available upon request at the above address.

Upon adoption of the final amendments without a public hearing, the final amendments as adopted and all required supporting documents will be delivered to the Attorney General. The amendments will then be reviewed by the Attorney General as to legality and form as it relates to legality, including the issues of substantial change, the Court's authority to adopt the amendments and the existence of a rational basis for the need for and reasonableness of the proposed amendments. Persons who wish to be notified of the submission of this material to the Attorney General, including modifications to the amendments as originally proposed, should submit a written request to the above address.

A copy of the proposed amendments follows this notice. One free copy of the proposed amendments may be obtained at the above address or by calling (612) 296-6526.

Dated: 21 June 1988

Paul V. Rieke, Chief Judge
Workers' Compensation Court of Appeals

Rules as Proposed

9800.0100 DEFINITIONS.

Subpart 1. and 2. [Unchanged.]

Subp. 3. **Appellant.** "Appellant" means all parties the first party filing notices a notice of appeal, including cross-appellants.

Subp. 3a. Cross appellant. "Cross appellant" means any party filing a notice of appeal after the appellant.

Subp. 4. to 7. [Unchanged.]

Subp. 8. Motion pictures. "Motion pictures" includes video tapes.

9800.0300 PREPARATION AND FORM OF LEGAL DOCUMENTS.

Pleadings, briefs, and other legal documents filed with the court shall be printed or typewritten, double spaced, and shall use only one side of the paper. All material shall be submitted on 8-1/2 by 11-inch paper.

9800.0400 TEMPORARY ORDERS.

Petitions for temporary orders filed with the court must conform to Minnesota Statutes, section 176.191 and part 1415.2300.

9800.0500 CONTINUANCES OF HEARINGS ORAL ARGUMENTS.

Subpart 1. **Continuances.** A continuance of ~~any hearing~~ an oral argument shall be granted only upon a showing of good cause. A request for a continuance must be made within five days of the filing of notice of hearing oral argument. The court shall consider later requests only upon a showing that an earlier request could not have been made.

9800.0510 NONAPPEARANCE OF COUNSEL.

If counsel for a party fails to appear to present argument, the court may hear argument on behalf of a party whose counsel is present, and the case will be decided on the briefs and argument heard. If no counsel appear for any party, the case will be decided on the briefs unless the court shall otherwise order.

9800.0900 BRIEFS ON APPEAL.

Subpart 1. **Filing of brief of appellant where a transcript is required.** ~~The appellant~~ Appellants and cross appellants shall file a written brief, which shall address only issues raised in ~~the that party's~~ notice of appeal, within 30 days after the court receives the transcript. Issues raised in the notice of appeal but not addressed in the brief shall be deemed waived and will not be decided by the court. The failure of any appellant or cross appellant to timely file a brief under this part may result in dismissal of that party's appeal under part 9800.1710.

The brief shall be accompanied by an affidavit stating that service of a copy of the brief has been made by the appellant upon all other parties to the action. The original brief and four copies shall be filed with the court in cases where a hearing is to be held. Only the original shall be filed where the hearing is waived by all parties.

Subp. 2. **Filing of brief of appellant where no transcript of the proceedings is required.** Where no transcript of the proceedings is required, ~~the appellant~~ appellants and cross appellants shall file a written brief, which shall address only issues raised in ~~the that party's~~ notice of appeal, within 30 days after the filing of the notice of appeal. Issues raised in the notice of appeal but not addressed in the brief shall be deemed waived and will not be decided by the court. The failure of any appellant or cross appellant to timely file a brief under this part may result in dismissal of that party's appeal under part 9800.1710.

The brief shall be accompanied by an affidavit stating that service of a copy of the brief has been made by the appellant upon all other parties to the action. The original and four copies shall be filed with the court in cases where ~~a hearing~~ an oral argument is to be held. Only the original shall be filed where the hearing oral argument is waived by all parties.

Subp. 3. **Filing of brief of respondent.** ~~The brief of respondent~~ All respondents' briefs shall be filed with the court within ~~20~~ 25 days after the filing of the appellant's or cross appellant's brief. The respondent's brief shall address only issues raised in the brief of the appellant or cross appellant and must be accompanied by an affidavit stating that service has been made upon all other parties to the action. The original and four copies shall be filed with the court in cases where ~~a hearing~~ an oral argument is to be held. Only the original brief shall be filed where a hearing an oral argument is waived by all parties.

Subp. 4. [See Repealer.]

Subp. 5. **Reply briefs.** Reply briefs shall be filed within ten days after the filing of the respondent's brief. They shall address only issues addressed in the respondent's brief. The original and four copies shall be filed with proof of service upon all other parties when ~~a hearing~~ an oral argument is to be held. Only the original brief shall be filed when ~~a hearing~~ an oral argument is waived by all parties.

Subp. 6. [Unchanged.]

9800.1000 HEARINGS ORAL ARGUMENTS ON APPEAL.

Subpart 1. **Time limits Criteria considered in granting oral argument.** ~~A hearing shall be scheduled unless it is waived by all parties as prescribed by part 9800.1600, subpart 2-~~ The court, in its discretion, may grant the parties permission to participate in oral argument. Factors considered in determining whether to grant oral argument include:

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Proposed Rules

A. whether the request for oral argument was timely under part 9800.1600, subpart 3;

B. whether the resolution of the appealed issues would establish legal precedent; and

C. whether oral argument would significantly aid the court in deciding the issues on appeal.

Each party shall be allotted 15 minutes to make its presentation to the court, including the showing of motion pictures, unless otherwise authorized by the court.

Subp. 2. **Motion pictures.** Any party desiring to show motion pictures at the hearing oral argument must so inform the court and all other parties in writing within 30 days after the transcript is received by the court. This notice shall indicate the length of time necessary for viewing. The party shall furnish the necessary projection equipment on the day of the hearing. The court shall on its own motion require the showing of motion pictures when necessary for a full and fair adjudication of a case. ~~The party in possession of the motion pictures or the party who offered them into evidence shall provide projection equipment.~~

9800.1100 APPLICATION TO SET AWARD ASIDE AND GRANT A NEW HEARING.

An application to set an award aside and grant a new hearing shall be verified and accompanied by supporting affidavits or medical reports. The application shall be filed with the court and accompanied by proof of service on all parties to any award to which the application applies.

Responses and other pleadings shall be served upon all parties and filed with the court within five 20 days after the filing of an application.

The court shall grant the application if it determines that cause exists pursuant to Minnesota Statutes, section 176.461. Applications shall be scheduled for hearing.

9800.1400 APPLICATIONS, PETITIONS, AND MOTIONS.

Subpart 1. [Unchanged.]

Subp. 2. **Procedures for filing. Motions** All requests for relief under this part shall be in writing, verified, accompanied by appropriate documentation, state the relief sought, the basis therefor, and be accompanied by an affidavit of service upon all other parties to the action. ~~No motions shall~~ All requests for relief must be considered if served and filed within no later than five working days of before the time set for hearing oral argument, if any.

Subp. 3. **Responses.** All other parties shall have five working days after the filing of a ~~motion~~ request for relief within which to file a response in writing.

Subp. 4. [Unchanged.]

Subp. 5. **Hearings** Oral argument not permitted. ~~Hearings~~ Oral argument on applications, petitions, or motions shall not be permitted except upon order of the court.

9800.1500 PETITION FOR INTERVENTION.

Subpart 1. **Scope.** ~~Persons shall~~ A petition to intervene may be permitted to intervene granted in accordance with the requirements of Minnesota Statutes, section 176.361, subdivision 1. After a petition to intervene is granted, the intervenor must appear at all scheduled hearings of the court relating to the claim unless a written stipulation signed by all parties has been filed with the court which settles all issues relating to the intervention.

Subp. 2. and 3. [Unchanged.]

9800.1600 COMMENCEMENT OF APPEALS.

Subpart 1. **Filing notice of appeal.** An appeal is initiated by filing a notice of appeal containing the information required by Minnesota Statutes, section 176.421, subdivision 3. The notice must be filed within 30 days of the filing of the decision being appealed. A respondent may cross appeal within the same 30-day period or within 15 days after service of the notice of appeal on that respondent, whichever is later.

A. When an appeal from a decision of a compensation judge is authorized by Minnesota Statutes, section 176.421, subdivision 4, the notice must be filed with the office within 30 days of the filing of the decision being appealed.

B. When an appeal is taken from a decision of the rehabilitation review panel under Minnesota Statutes, section 176.102 or from a decision of the medical services review board under Minnesota Statutes, section 176.103, the notice must be filed with the Office of Public Affairs at the Department of Labor and Industry within 30 days of the filing of the decision being appealed.

C. When an appeal from the decision of the commissioner is authorized by Minnesota Statutes, section 176.442, the notice must be filed with the division within 30 days of the filing of the decision being appealed.

Subp. 1a. Preparation of transcript. A written transcript of the record shall be prepared when required by Minnesota Statutes, section 176.421, subdivision 3, unless otherwise ordered by the court. An application for an order under this subpart shall conform to the requirements of part 9800.1400.

Subp. 2. **Notification of receipt of transcript.** The court shall notify the parties of the date that the transcript was received. This notification letter shall also inquire whether the:

A. parties desire a ~~hearing~~; an oral argument and if so, whether parties prefer a ~~hearing~~ oral argument before the entire court or a three member panel.

B. ~~Issues in the matter on appeal are also pending before the workers' compensation court, medical services review board, or rehabilitation review panel to enable the court to consolidate the entire case.~~

Parties must file a response to the notification letter within ten days after the court files the notification. Failure to file a timely response shall be considered a waiver of oral argument.

9800.1710 DISMISSAL.

If any appellant or cross appellant fails to timely file a brief as required by part 9800.0900, any party may move this court for dismissal of the appeal. If the appellant or cross appellant is in default for more than 30 days and no party has moved for dismissal, the court shall summarily order the dismissal of the appeal or cross appeal without notice, subject to a motion to reinstate.

A motion to reinstate the appeal or cross appeal will be granted only if the appellant or cross appellant can show good cause for failing to timely file a brief, that the appeal or cross appeal is meritorious, and that reinstatement would not substantially prejudice the rights of any other party.

9800.1720 SUBMISSION WHEN A MEMBER OF THE COURT IS NOT PRESENT.

Except in exigent circumstances, the oral argument shall be heard before the full panel to which the case has been assigned or before the entire court if the matter is of exceptional importance. When any member of the court is not present at oral argument, the case shall be deemed submitted to that member on the record and briefs. When there is a change of court personnel or a recusal, cases shall be deemed submitted to the new member, or to any other member of the court, as necessary to complete a panel, on the record and briefs.

9800.1800 SUSPENSION OF RULES.

Upon a clear showing of extraordinary circumstances not contemplated by parts 9800.0100 to ~~9800.1700~~ 9800.1720, the court may, upon petition of a party or upon its own petition five days after serving notice on the parties, suspend any requirements of parts 9800.0100 to ~~9800.1700~~ 9800.1720. Rules implementing requirements imposed by law shall not be suspended even upon a clear showing of extraordinary circumstances.

REPEALER. Minnesota Rules, parts 9800.0500, subpart 2; 9800.0600; 9800.0900, subpart 4; and 9800.1300, are repealed.

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Adopted Rules

The adoption of a rule becomes effective after the requirements of Minn. Stat. § 14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. § 14.33 and upon the approval of the Revisor of Statutes as specified in § 14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under § 14.18.

Department of Agriculture

Adopted Permanent Rules Relating to Retail Food Store Sanitation

The rule proposed and published at *State Register*, Volume 12, Number 38, pages 2082-2101, March 21, 1988 (12 S.R. 2082) is adopted with the following modifications:

Rules as Adopted

1547.0002 DEFINITIONS.

Subp. 20. **Sanitization.** "Sanitization" means effective bactericidal treatment of clean food contact surfaces of utensils and equipment by a an approved process that provides enough accumulative heat or concentration of chemicals for enough time to reduce the bacterial count that is effective in destroying microorganisms, including pathogens, to a safe level on cleaned food contact surfaces of utensils and equipment without adversely affecting the product or the safety of the consumer.

Department of Natural Resources

Adopted Permanent Rules Relating to Mississippi River Land Use Acreages

The rules proposed and published at *State Register*, Volume 12, Number 40, pages 2201-2203, April 4, 1988 (12 S.R. 2201) are adopted as proposed.

Minnesota Racing Commission

Adopted Permanent Rules Relating to Horse Racing

The rules proposed and published at *State Register*, Volume 12, Number 40, pages 2208-2211, April 4, 1988 (12 S.R. 2208) are adopted as proposed.

Department of Transportation

Adopted Permanent Rules Relating to Motor Carrier Safety

The rules proposed and published at *State Register*, Volume 12, Number 36, pages 1952-1968, March 7, 1988 (12 S.R. 1952) are adopted with the following modifications:

Rules as Adopted

8850.6900 DEFINITIONS.

Subp. 8. **Employ.** "Employ" means to require, to use, or to permit a person to drive a motor vehicle in furtherance of the carrier's business, whether or not the carrier owns the vehicle.

8850.7100 INTRASTATE DRIVER QUALIFICATIONS; FEDERAL RULES.

Subpart 1. **Incorporations by reference.** Code of Federal Regulations, title 49, subtitle B, chapter III, subchapter B, sections 391.5; 391.11, paragraphs (a) and (b)(2) to (b)(12); 391.15 to 391.45; 391.51, paragraphs (a) to (e) and (h); 391.61; 391.63; and 391.65; and appendices C and D, and E as revised through October 1, 1986 1987, and amendments to sections 391.11, paragraph (b); 391.21, paragraph (b); 391.27; and appendices D and E, found at Federal Register, volume 52, pages 20589 and 20590, are incorporated by reference except for certain cross-references in Code of Federal Regulations, title 49, sections 391.11 to 391.65 listed in subpart 2.

Subp. 3. **Age requirement.** Drivers of vehicles subject to Minnesota Statutes, section 221.033, must be at least 21 years of age, except as provided in that section. Drivers of vehicles engaged in intrastate transportation and subject to driver qualification rules under Minnesota Statutes, section 221.031, must be at least 18 years of age.

8850.7200 INTRASTATE DRIVER QUALIFICATIONS; WAIVER FOR PHYSICAL DEFECTS.

A person who is not physically qualified to drive under Code of Federal Regulations, title 49, section 391.41, paragraph (b)(1) or (b)(2), as amended through October 1, ~~1986~~ 1987, and who is otherwise qualified to drive a motor vehicle, may drive a motor vehicle if the commissioner grants a waiver to that person under parts 8850.7200 to 8850.7675. Parts 8850.7200 to 8850.7700 apply only to drivers providing intrastate transportation.

8850.7350 DOCUMENTS ACCOMPANYING WAIVER APPLICATION.

The letter of application for a waiver under part 8850.7200 must be accompanied by:

A. A copy of the results of the medical examination performed according to Code of Federal Regulations, title 49, section 391.43, as amended through October 1, ~~1986~~ 1987.

B. A copy of the medical certificate completed according to Code of Federal Regulations, title 49, section 391.43, paragraph (e), as amended through October 1, ~~1986~~ 1987.

C. A medical evaluation summary completed by either a board-qualified or board-certified physiatrist (doctor of physical medicine) or orthopedic surgeon. The coapplicant carrier or the driver applicant shall provide the physiatrist or orthopedic surgeon with a description of the job tasks the driver applicant will be required to perform.

(1) The medical evaluation summary for a driver applicant disqualified under Code of Federal Regulations, title 49, section 391.41, paragraph (b)(1), as amended through October 1, ~~1986~~ 1987, must include:

(2) The medical evaluation summary for a driver applicant disqualified under Code of Federal Regulations, title 49, section 391.41, paragraph (b)(2), as amended through October 1, ~~1986~~ 1987, must include:

E. A copy of the driver applicant's road test administered by the carrier coapplicant and the certificate issued under Code of Federal Regulations, title 49, section 391.31, paragraphs (b) to (g), as amended through October 1, ~~1986~~ 1987. A driver applicant is responsible for having a road test administered by a carrier or a person competent to administer the test and evaluate its results.

F. A copy of the driver applicant's application for employment completed according to Code of Federal Regulations, title 49, section 391.21, as revised through October 1, ~~1986~~, ~~amended at Federal Register, volume 52, page 20589~~ 1987. A driver applicant is responsible for submitting a copy of the employment application for the last commercial driving position held by the applicant. If not previously employed as a commercial driver, the driver applicant must so state.

8850.7550 EXTENT OF WAIVER.

The commissioner may deny the application for waiver under part 8850.7200 or may grant it totally or in part and may issue the waiver subject to terms, conditions, and limitations ~~deemed consistent with the public interest that protect the traveling public~~. A waiver is valid for a period not longer than two years from the date of issue and may be renewed 30 days before the expiration date.

The commissioner shall grant or deny the waiver in writing within 30 days from the date that the required information has been submitted.

A denial of the waiver must state the reason for the denial.

8850.7600 WAIVER RENEWAL APPLICATION; REQUIRED INFORMATION.

The application to renew a waiver granted under part 8850.7200 must be submitted to the commissioner. It must contain:

L. a medical evaluation summary according to part 8850.7350, item C, if an unstable medical condition exists. Handicapped conditions classified under Code of Federal Regulations, title 49, section 391.41, paragraph (b)(1), as amended through October 1, ~~1986~~ 1987, are considered unstable. A board-certified physiatrist (doctor of physical medicine) or orthopedic surgeon shall determine whether a condition described in Code of Federal Regulations, title 49, part 391.41, paragraph (b)(2), as amended through October 1, ~~1986~~ 1987, is medically stable.

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Adopted Rules

8850.7900 INTRASTATE TRANSPORTATION; MOTOR VEHICLE SAFETY; FEDERAL RULES.

Code of Federal Regulations, title 49, sections 392.3 to 392.25; 392.30, paragraph (b); and 392.31 to 392.69, as revised through October 1, 1986; and amendments to section 392.5, found at Federal Register, volume 52, page 27204 1987, are incorporated by reference.

8850.8200 INTRASTATE TRANSPORTATION; EQUIPMENT; FEDERAL RULES.

Subpart 1. **Incorporations by reference.** Code of Federal Regulations, title 49, sections 393.9 to 393.106, as revised through October 1, 1986; and amendments to those sections found at Federal Register, volume 52, pages 2803 and 2804 1987, are incorporated by reference.

8850.8800 INTRASTATE TRANSPORTATION; NOTIFICATION AND REPORTING OF ACCIDENTS.

Subp. 3. **Accident report form; incorporations.** Accidents resulting in death, requiring medical attention away from the scene, or causing property damage totaling \$4,400 or more, must be reported to the Minnesota Department of Transportation, Office of Motor Carrier Safety and Compliance. A written report of the accident must be filed at the Office of Motor Carrier Safety and Compliance within 30 days after the accident. The report must be filed on the form required by the United States Department of Transportation described in Code of Federal Regulations, title 49, section 394.9, paragraph (a), as revised through October 1, 1986 1987, which is incorporated by reference. The form must be completed as required by Code of Federal Regulations, title 49, section 394.20, as revised through October 1, 1986 1987, which is incorporated by reference.

8850.8900 INTRASTATE TRANSPORTATION; HOURS OF DRIVER SERVICE; FEDERAL RULES.

Subpart 1. **Incorporations by reference.** Code of Federal Regulations, title 49, sections 395.2; 395.3, paragraphs (a) to (c); 395.7; 395.8, paragraphs (a) to (k)(1), (k)(3), and (l)(1); and 395.10 to 395.12, as revised through October 1, 1986 1987; and amendments to sections 395.2, 395.3, and 395.8 found at Federal Register, volume 52, pages 41721 and 41722, are incorporated by reference except for the cross-reference to paragraph (e) in section 395.3, paragraph (a). The cross-reference to paragraph (e) in section 395.3, paragraph (a), is not incorporated by reference.

8850.9000 INTRASTATE TRANSPORTATION; INSPECTION, REPAIR, AND MAINTENANCE; FEDERAL RULES.

Code of Federal Regulations, title 49, sections 396.3 to 396.7, 396.11, 396.13, and 396.15, as revised through October 1, 1986 1987, are incorporated by reference.

8850.9050 HAZARDOUS MATERIALS; DRIVING AND PARKING; FEDERAL RULES.

Subp. 2. **Incorporation by reference.** Code of Federal Regulations, title 49, sections 397.5 to 397.19, as revised through October 1, 1986 1987, are incorporated by reference.

8855.0400 CERTIFICATE OF INSURANCE; BOND; FEDERAL FORMS.

An insurance company that provides insurance against public liability and property damage for a motor carrier operating under a permit or certificate or for an interstate carrier shall cover all motor vehicles used in the motor carrier's operations whether specifically described in the policy or not. The insurance company shall file with the commissioner either a certificate of insurance naming each motor carrier insured on form E, "Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance," as described in Code of Federal Regulations, title 49, part 1023, as amended through October 1, 1986 1987, which is incorporated by reference, or the forms prescribed in part 8855.0800.

In lieu of an insurance certificate, a bond may be filed on form G, "Uniform Motor Carrier Bodily Injury and Property Damage Liability Surety Bond," as described in Code of Federal Regulations, title 49, part 1023, as amended through October 1, 1986 1987, which is incorporated by reference.

8855.0410 FINANCIAL RESPONSIBILITY FOR REGULAR ROUTE COMMON CARRIERS OF PASSENGERS AND CHARTER CARRIERS.

A regular route common carrier of passengers or a charter carrier must obtain or cause to be obtained the following minimum amount of coverage against public liability:

8855.0450 FINANCIAL RESPONSIBILITY FOR MOTOR CARRIERS OF PROPERTY.

Subpart 1. **Amount required.** Motor carriers of property operating under a certificate or permit issued by the board shall obtain or cause to be obtained coverage against public liability in the following amounts:

Subp. 2. **Exception.** Motor carriers of property that transport hazardous waste, hazardous substances, or hazardous materials in the quantities described in Code of Federal Regulations, title 49, section 387.7, shall obtain or cause to be obtained minimum coverage against public liability as required in that section.

8855.0500 CARGO SECURITY.

Subpart 1. **Insurance or bond required.** Each petroleum carrier and each regular route common carrier of freight shall obtain or cause to be obtained cargo insurance or bond in the amount of \$5,000 and shall have its insurer file a cargo certificate of insurance or bond with the commissioner.

Subp. 2. **Federal forms, incorporations by reference.** Each insurance company insuring cargo shall file a cargo certificate of insurance, form H, "Uniform Motor Cargo Certificate of Insurance," described in Code of Federal Regulations, title 49, part 1023, as amended through October 1, ~~1986~~ 1987, or a cargo bond on form J, described in Code of Federal Regulations, title 49, part 1023, as amended through October 1, ~~1986~~ 1987, which are both incorporated by reference.

8855.0700 CANCELLATION OF INSURANCE; FEDERAL FORMS.

A certificate of insurance or bond for public liability and a certificate of insurance or bond for cargo security may be canceled.

The insurer shall cancel certificates of insurance for public liability or cargo insurance by filing with the commissioner a form K, "Uniform Notice of Cancellation of Motor Carrier Insurance Policies," described in Code of Federal Regulations, title 49, part 1023, as amended through October 1, ~~1986~~ 1987, which is incorporated by reference.

The insurer shall cancel surety bonds for public liability or cargo insurance by filing with the commissioner a form L, "Uniform Notice of Cancellation of Motor Carrier Surety Bonds," described in Code of Federal Regulations, title 49, part 1023, as amended through October 1, ~~1986~~ 1987, which is incorporated by reference.

A cancellation notice takes effect 30 days from the day the notice is received by the commissioner.

8855.0800 AGGREGATION OF INSURANCE.

When insurance is provided by more than one insurer to aggregate coverage required under Minnesota Statutes, chapter 221, each insurer shall file form BMC 91X described in Code of Federal Regulations, title 49, section 1043.7, paragraph (a)(3), as amended through October 1, ~~1986~~ 1987, which is incorporated by reference.

Official Notices

Pursuant to the provisions of Minnesota Statutes § 14.10, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

Department of Commerce**Correction to Surplus Insurance Lines List of Unavailable Coverages**

The notice appearing on pages 2791-2794 of the *State Register* Vol. 12 #52, June 27, 1988 was inadvertently assigned a bulletin number. Please disregard the number it was assigned. It should not be construed as a bulletin.

Department of Health**Notice of Completed Application and Notice of and Order for Hearing In the Matter of the License Application of Bemidji Ambulance Service, Inc.**

PLEASE TAKE NOTICE that the Commissioner of Health (hereinafter "Commissioner") has received a completed application for Advanced Life Support Services from Bemidji Ambulance Service, Inc., 512 Kay Avenue, Bemidji, Minnesota 56601.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Official Notices

IT IS HEREBY ORDERED AND NOTICE IS HEREBY GIVEN that, pursuant to *Minnesota Statutes* §§ 14.57 to 14.69 (1986) and 144.802 (Supp. 1987), a public hearing will be held on 8 August 1988, at Bemidji City Hall, Council Chambers, 401 America, Bemidji, Minnesota at 7:00 P.M. If you have an interest in this matter you are hereby urged to attend the public hearing. Failure to do so may prejudice your rights in this and any subsequent proceedings in this matter.

1. The purpose of the hearing is to determine whether the application for licensure as a advanced life support transportation service should be granted to Bemidji Ambulance Service, Inc., based upon the criteria set out at *Minnesota Statutes*, § 144.802, subd. 3(g) (Supp. 1987).

2. This proceeding has been initiated pursuant to and will be controlled in all aspects by *Minnesota Statutes* §§ 144.801 to 144.8093 (1986 and Supp. 1987), *Minnesota Statutes* §§ 14.57 to 14.69 (1986), and Rules for Contested Cases of the Office of Administrative Hearings, *Minnesota Rules* pts. 1400.5100-1400.8402 (1987). Copies of the rules and statutes may be obtained for a fee from the Department of Administration, Public Documents Division, 117 University Avenue, St. Paul, Minnesota 55155, telephone: (612) 297-3000.

3. Howard L. Kaibel, Jr., Office of Administrative Hearings, 500 Flour Exchange, 310 Fourth Avenue South, Minneapolis, Minnesota 55415, Telephone: (612) 341-7608, will preside as administrative law judge at the hearing, and will make a written recommendation on this application. After the hearing, the record and the administrative law judge's recommendation will be forwarded to the Commissioner to make the final determination in this matter.

4. Any person wishing to intervene as a party must submit a petition to do so under *Minnesota Rules* pt. 14400.6200 (1987) on or before July 25, 1988. This petition must be submitted to the administrative law judge and shall be served upon all existing parties and the Commissioner. The petition must show how the contested case affects the petitioner's legal rights, duties or privileges and shall state the grounds and purposes for which intervention is sought and indicate petitioner's statutory right to intervene if one exists.

5. In addition to or in place of participating at the hearing any person may also submit written recommendations for the disposition of the application. These recommendations must be mailed to the administrative law judge on or before 3 August 1988.

6. Any subpoena needed to compel the attendance of witnesses or the production of documents may be obtained pursuant to *Minnesota Rules* pt. 1400.7000 (1987).

7. At the hearing the applicant will present its evidence showing that a license should be granted and then all persons will be given an opportunity to cross-examine witnesses, to be heard orally, to present witnesses, and to submit written data or statements. All persons are encouraged to participate in the hearing and are requested to bring to the hearing all documents, records, and witnesses needed to support their position. It is not necessary to intervene as a party in order to participate in the hearing.

8. Please be advised that if non public data is admitted into evidence it may become public data unless an objection is made and relief is requested under *Minnesota Statutes* § 14.60, subd. 2 (1986).

9. You are hereby informed that you may choose to be represented by an attorney in these proceedings, may represent yourself, or be represented by a person of your choice if not otherwise prohibited as the unauthorized practice of law.

10. A notice of Appearance must be filed with the administrative law judge identified above within 20 days following receipt of the Notice by any person intending to appear at the hearing as a party.

11. In accordance with the provisions of *Minnesota Statutes* § 14.61 (1986), the final decision of the Commissioner of Health in this proceeding will not be made until the Report of the Administrative Law Judge has been made available to the parties in the proceeding for at least 10 days. Any party adversely affected by the Report of the Administrative Law Judge has the right to file exceptions and present arguments to the Commissioner. Any exceptions or arguments must be submitted in writing and filed with the Commissioner of Health, 717 Delaware Street Southeast, Minneapolis, Minnesota 55440, within 10 days of the receipt of the Administrative Law Judge's Report.

Department of Health

Outside Opinion Sought Concerning a Proposed Rule Relating to the Local Public Health Act

Notice is hereby given that the Minnesota Department of Health is seeking information or opinions from sources outside the department in preparing a new administrative rule to replace *Minnesota Rules*, Parts 4700.0100 to 4700.1800, governing the administration of the Community Health Services subsidy. This rule is authorized by *Minnesota Statutes*, section 145A.12.

The Minnesota Department of Health has developed a draft rule for comment and has scheduled a series of public forums to solicit information and comments on both the Draft Rules Relating to the Local Public Health Act (CHS Rules) and on the Draft

Guide for Community Emergency Medical Care. Except for the West Central/Northwest District forum (see times below), the meetings will be held from 1:00-6:00 PM; 1:00-4:00 PM will be on the Draft Rules and 4:00-6:00 PM will be on the Draft Guide for Community Emergency Medical Care. The public forum schedule as follows:

Central District	July 12—St. Cloud City Hall Conference Room 1 Fourth and Division St. Cloud
Southwest District	July 13—Redwood Inn on East Highway 19, Redwood Falls
South Central and Southeast District	July 14—Steele County Community Center on Elm Street Steele County Fairgrounds Owatonna
West Central District and Northwest District	July 18—Time: 10:00 AM-3:00 PM Pembina Lounge & Supper Club Highway 59 Mahnomon
Northeast District	July 19—Government Service Center Room 608 & 609 Duluth
Metro District	July 20—State Office Building, Room 500 North, 100 Constitution Avenue, St. Paul (Across street from State Capitol)

If you would like a copy of the draft rule, you may contact:

Wayne Carlson, Director
Community Development Section
Community Health Services Division
Minnesota Department of Health
717 Delaware Street S.E.
P.O. Box 9441
Minneapolis, MN 55440

All interested or affected persons are invited to submit statements of information in writing or to comment orally either at the public forums or to contact Mr. Carlson at the above address. All statements of information or comments will be accepted until August 1, 1988. *Only written material received by the Department shall become part of the rule record.*

Minnesota Board of Medical Examiners

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rule Governing Fee-Splitting by Physicians

Notice is hereby given that the Minnesota Board of Medical Examiners is seeking information or opinions from sources outside the agency in preparing to propose the adoption of the rule governing fee-splitting by physicians. The adoption of the rule is authorized by *Minnesota Statutes*, section 147.01 Subdivision 3, which permits the agency to adopt rules as may be found necessary to carry out the purposes of Chapter 147.

The Minnesota Board of Medical Examiners requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally.

Written statements should be addressed to:

Minnesota Board of Medical Examiners
2700 University Avenue W. #106
St. Paul, MN 55114-1080

Official Notices

Oral statements will be received during regular business hours over the telephone at 612-642-0538 and in person at the above address.

Any written material received by the Minnesota Board of Medical Examiners shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 23 June 1988

H. Leonard Boche,
Executive Director

Office of the Secretary of State

Notice of Vacancies in Multi-Member State Agencies

Notice is hereby given to the public that vacancies have occurred in multi-member state agencies, pursuant to *Minnesota Statutes* 15.0597, subdivision 4. Application forms may be obtained at the Office of the Secretary of State, 180 State Office Building, St. Paul, MN 55155-1299; (612) 296-2805. Specific information about these vacancies may be obtained from the agencies listed below. The application deadline is July 26, 1988.

Consumer Advisory Council on Vocational Rehabilitation

5 members, one to be 60 years or older; majority of members on council to be vocational rehabilitation recipients or consumer/advocacy representatives. See description of agency.

Metropolitan Airports Commission

2 members, must reside in appropriate MAC precinct.

State Curriculum Advisory Committee

3 members, residing in Education Cooperation Service Unit regions 3, 9, and 11. Must be former or current member of local curriculum advisory committee and a parent, teacher, school administrator, or member of a local Board of Education.

Medical Services Review Board

1 public member.

Subcommittee on Children's Mental Health

Eighteen members to include: 1 member of children's mental health advocacy group, 2 social service agency representatives, 1 child/adolescent psychiatrist, 1 member who has worked with emotionally disturbed juvenile status offenders, 1 educator of emotionally disturbed children, 3 service providers: preadolescent, adolescent, hospital based; 3 people experienced with needs of emotionally disturbed children in Indian, Black, Southeast Asian or Hispanic communities, 3 parents of children with mental, emotional, or behavioral illness, 1 past or present consumer of adolescent mental health services, 2 county commissioners knowledgeable about children's mental health issues.

Community Education Advisory Task Force

1 member from eighth congressional district involved in youth development activities or activities related to community education. 3 members to represent government and professions relating to community education and youth development activities, functions, and school administrative jurisdictions.

Consumer Advisory Council on Vocational Rehabilitation

390 N. Robert, 5th Floor, St. Paul 55101. 612-296-1822.

Minnesota Statutes 129A.02

APPOINTING AUTHORITY: Commissioner of Jobs and Training. COMPENSATION: \$35 per diem.

The council advises the assistant commissioner of vocational rehabilitation on policy matters relating to vocational rehabilitation services. Nine members include representatives of business, labor, education, medicine, private rehabilitation industry, and six public members. At least five members are handicapped persons. Bi-monthly meetings.

Metropolitan Airports Commission

6040 28th Ave. S., Mpls 55450. 612-726-1892.

Minnesota Statutes 473.603

APPOINTING AUTHORITY: Governor. COMPENSATION: \$50 per diem.

The commission promotes air transportation locally, nationally, and internationally by developing the Twin Cities as an aviation center. Eleven members include the chair and eight members appointed by the governor who must reside in precincts determined

by the governor. The chair serves at the pleasure of the governor. The mayors of Mpls and St. Paul, or designees, are ex-officio members. The chair receives \$16,000 per year plus expenses. Monthly meetings. Members must file with the Ethical Practices Board.

State Curriculum Advisory Committee

718 Capitol Square Bldg., St. Paul 55101. 612-296-8132.

Minnesota Statutes 126.67

APPOINTING AUTHORITY: Commissioner of Education. COMPENSATION: None.

The committee advises the state board and dept. of education on the planning, evaluation, and reporting process. Eleven members include nine members, one appointed from each educational cooperative service unit and two at-large members.

Medical Services Review Board

Dept. of Labor and Industry, Office of Public Affairs, 444 Lafayette Rd., St. Paul 55101. 612-296-8946.

Minnesota Statutes 176.103

APPOINTING AUTHORITY: Commissioner of Labor and Industry. COMPENSATION: \$35 per diem plus expenses.

The board advises on medical matters relating to workers compensation and hears appeals under chapter 14. Members include two chiropractic members, one hospital administration member, six physician members, one employee member, one employer member, and one public member plus eight alternates. The commissioner or his designee serves as an ex-officio member. Members must file with the Ethical Practices Board.

Subcommittee on Children's Mental Health

444 Lafayette Rd., St. Paul 55155. 612-296-4497.

Laws of 1988 Chapter 689

APPOINTING AUTHORITY: Chairman, State Advisory Council on Mental Health. COMPENSATION: None.

The subcommittee must make recommendations to the advisory council on policies, law, regulations, and services relating to children's mental health. Members to include: commissioner or designee of commerce, corrections, education, health, human services. 1 member children's mental health advocacy group, 3 service providers: preadolescent, adolescent, hospital based; parents of emotionally disturbed children, consumer of adolescent mental health services, educators of emotionally disturbed children, people who worked with emotionally disturbed minority children, or with emotionally disturbed juvenile status offenders, social service representatives, county commissioners, advisory council members. Meeting schedule not determined.

Community Education Advisory Task Force

991 Capitol Square Bldg., 550 Cedar St., St. Paul 55101. 612-296-8311.

Minnesota Statutes 121.87

APPOINTING AUTHORITY: Board of Education. COMPENSATION: Reimbursed for expenses.

The task force promotes the goals of community education and expands educational, recreation and social opportunities through the maximum use of public facilities and community resources throughout Minnesota.

Fifteen members include at least one member from each congressional district and members who represent government and professions most closely related to community education and youth development activities, functions and school administration jurisdictions.

Office of Social Work and Mental Health Boards

Board of Marriage and Family Therapy Meeting Schedule

Regular Board Meetings: Every third Friday of the Month

1988	
July	15
August	19
September	16
October	21
November	18
December	16

Time: 9:30 a.m.-3:00 p.m.

Official Notices

Place: COLONIAL PARK OFFICE BUILDING
Room 225 Conference Room
2700 University Avenue W., #225
St. Paul, Minnesota 55114
(612) 643-2580 (612) 643-2586

Office of Social Work and Mental Health Boards Board of Unlicensed Mental Health Providers Meeting Schedule

Regular Board Meetings: Every Second Friday of the Month

1988		1989	
June	10	January	13
July	8	February	10
August	12	March	10
September	9	April	14
October	14	May	12
November	11	June	9
December	9	July	14

Time: 1:00 p.m.-4:00 p.m.

Place: COLONIAL PARK OFFICE BUILDING
Room 225 Conference Room*
2700 University Avenue W.
St. Paul, Minnesota 55114
(612) 643-2580

*Meetings held in Ground Floor Conference Room, Colonial Park Office Building, 2700 University Avenue West, St. Paul until planned Conference Room in the Office of Social Work and Mental Health Boards is ready for occupancy.

State Contracts and Advertised Bids

Pursuant to the provisions of Minn. Stat. § 14.10, an agency must make reasonable effort to publicize the availability of any services contract or professional and technical services contract which has an estimated cost of over \$2,000.

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal. Certain quasi-state agencies are exempted from some of the provisions of this statute.

Commodities contracts with an estimated value of \$15,000 or more are listed under the Procurement Division, Department of Administration. All bids are open for 7-10 days before bidding deadline. For bid specifics, time lines, and other general information, contact the appropriate buyers whose initials appear in parentheses next to the commodity for bid, by calling (612) 296-6152.

Department of Administration: Materials Management Division

Contracts and Requisitions Open for Bid

Call 296-2600 for information on a specific bid, or to request a specific bid. Contact listed buyer.

Commodity: Energy management system
Contact: Pat Anderson 612-296-3777
Bid due date at 2pm: June 25
Agency: Transportation
Deliver to: Detroit Lakes
Requisition #: 79400 02852

Commodity: Purchase of Canon NP 7550 copier
Contact: Teresa Ryan 612-296-7556
Bid due date at 2pm: June 28
Agency: Natural Resources
Deliver to: Brainerd
Requisition #: 29003 02000

Commodity: Office furniture & seating
Contact: Ann Wefald 612-296-2546
Bid due date at 2pm: June 28
Agency: Various
Deliver to: Various
Requisition #: Price Contract

State Contracts and Advertised Bids

Commodity: A complete line of fasteners: bolts, nuts, washers, screws, etc.
Contact: Ed Shank 612-296-3770
Bid due date at 2pm: June 28
Agency: Various
Deliver to: Various
Requisition #: Price Contract

Commodity: Preliminary breath test screening devices
Contact: Donnalee Kutchera 612-296-3776
Bid due date at 2pm: June 29
Agency: Various
Deliver to: Various
Requisition #: Price Contract

Commodity: Polyethylene bags
Contact: Ann Wefald 612-296-2546
Bid due date at 2pm: June 29
Agency: Various
Deliver to: Various
Requisition #: Price Contract

Commodity: Outdoor fixtures
Contact: Pat Anderson 612-296-1053
Bid due date at 2pm: June 29
Agency: Southwest State University
Deliver to: Marshall
Requisition #: 26175 09222

Commodity: Ash tray litter recepticals
Contact: Doug Thompson 612-296-3775
Bid due date at 2pm: June 30
Agency: Plant Management
Deliver to: St. Paul
Requisition #: 02307 91207

Commodity: Rental of Xerox 1090 copier
Contact: Teresa Ryan 612-296-7556
Bid due date at 2pm: June 30
Agency: Transportation
Deliver to: St. Paul
Requisition #: 79000 90426

Commodity: Energy management system
Contact: Pat Anderson 612-296-3777
Date opens: July 6
Agency: DOT—Transportation Department
Deliver to: Detroit Lakes
Requisition #: 79400 02852

Commodity: Tennis court resurfacing
Contact: Pat Anderson 612-296-3777
Date opens: July 8
Agency: Rochester Community College
Deliver to: Rochester
Requisition #: 27000 50251

Commodity: Outdoor fixtures
Contact: Pat Anderson 612-296-3777
Date opens: July 8
Agency: Southwest State University
Deliver to: Marshall
Requisition #: 26175 09222

Commodity: Minor remodeling
Contact: Pat Anderson 612-296-3777
Date opens: July 8
Agency: MN Pollution Control Agency
Deliver to: Duluth
Requisition #: 32400 17604

Commodity: First aid kits & supplies
Contact: Cherie Ackerman 612-296-3776
Bid due date at 2pm: July 12
Agency: Various
Deliver to: Various
Requisition #: Price Contract

Commodity: Volume purchase plan for medical oxygen
Contact: Donnalee Kutchera 612-296-3776
Bid due date at 2pm: July 12
Agency: Various
Deliver to: Various
Requisition #: Price Contract

Commodity: Photographic infrared printing—rebid
Contact: Don Olson 612-296-3771
Bid due date at 2pm: July 12
Agency: DNR Forestry
Deliver to: Various
Requisition #: Price Contract

Commodity: Food service equipment & supplies
Contact: Ann Wefald 612-296-2546
Bid due date at 2pm: July 12
Agency: Various
Deliver to: Various
Requisition #: Price Contract

Commodity: NCS sentry 3000 scanner
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: July 11
Agency: Jobs & Training
Deliver to: St. Paul
Requisition #: 21200 18704

Commodity: Duplicating supplies—misc.
Contact: Ann Wefald 612-296-2546
Date opens: July 13
Agency: Central Stores
Deliver to: St. Paul
Requisition #: Price Contract

Contract Awards—Materials Management Division

Item: Relay contactor electrical
Req.#: 02307 81360.01
Awarded to: Honeywell Inc., Minneapolis, MN
Awarded amount: \$56,000.00
Awarded date: June 23, 1988

Item: Video equipment & systems
Req.#: 07600 49162 01
Awarded to: Motorola Inc., Eden Prairie, MN
Awarded amount: \$26,244.00
Awarded date: June 23, 1988

Item: Radio comm eqpt: mobile/portable
Req.#: 07500 49161 01
Awarded to: General Electric Co., Minneapolis, MN
Awarded amount: \$15,190.40
Awarded date: June 23, 1988

State Contracts and Advertised Bids

Item: Auto HD truck & van
Req.#: 07500 49152 01
Awarded to: Road rescue, St. Paul, MN
Awarded amount: \$79,875.00
Awarded date: June 23, 1988

Item: Computer equipment
Req.#: 26073 20401 01
Awarded to: Prodata Computer Systems,
St. Cloud, MN
Awarded amount: \$159,323.04
Awarded date: June 23, 1988

Item: Service other purchased
Req.#: 27151 47685 01
Awarded to: Vaughn Communications,
Minneapolis, MN
Awarded amount: \$15,162.00
Awarded date: June 23, 1988

Item: Camera still picture
Req.#: 29000 50190 01
Awarded to: Marsh Dan Drug Store, St.
Cloud, MN
Awarded amount: \$26,082.00
Awarded date: June 23, 1988

Item: Photocopy & copy machine
expense
Req.#: 79000 90283 01
Awarded to: Xerox Corporation, Edina,
MN
Awarded amount: \$108,000.00
Awarded date: June 23, 1988

Item: Furniture office
Req.#: 10000 03225 01
Awarded to: Metro Systems Furniture,
Eden Prairie, MN
Awarded amount: \$23,486.25
Awarded date: June 24, 1988

Item: Radio comm eqpt: mobile/
portable
Req.#: 29000 50043 01
Awarded to: General Electric Co.,
Minneapolis, MN
Awarded amount: \$79,390.00
Awarded date: June 24, 1988

Item: Truck
Req.#: 29000 49407 01
Awarded to: Superior Ford,
Minneapolis, MN
Awarded amount: \$30,422.00
Awarded date: June 24, 1988

Item: Earth moving excavating
equipment
Req.#: 79382 01397 01
Awarded to: Sweeney Bros Tractor Inc.,
Burnsville, MN
Awarded amount: \$17,956.00
Awarded date: June 24, 1988

Item: Photocopy & copy machine
expense
Req.#: 06000 07007 01
Awarded to: Xerox Corporation, Edina,
MN
Awarded amount: \$49,999.80
Awarded date: June 27, 1988

Item: Computer equipment
Req.#: 29002 15286 01
Awarded to: Compuadd Corporation,
Austin, TX
Awarded amount: \$81,954.00
Awarded date: June 27, 1988

Item: Photocopy & copy machine
expense
Req.#: 02520 92029 01
Awarded to: Xerox Corporation, Edina,
MN
Awarded amount: \$35,069.64
Awarded date: June 28, 1988

Item: Photocopy & copy machine
expense
Req.#: 02520 92030 01
Awarded to: Xerox Corporation, Edina,
MN
Awarded amount: \$48,384.00
Awarded date: June 28, 1988

Item: Maintenance contract equipment
only
Req.#: 26074 12301 01
Awarded to: Cramer Building Service,
Minneapolis, MN
Awarded amount: \$16,667.00
Awarded date: June 28, 1988

Item: Athletic & sporting equipment
Req.#: 27153 20111 01
Awarded to: The Fitness Store,
Bloomington, MN
Awarded amount: \$28,255.00
Awarded date: June 28, 1988

Item: Maintenance contract other
Req.#: 55201 07380 01
Awarded to: Xerox Corporation, Edina,
MN
Awarded amount: \$15,246.00
Awarded date: June 28, 1988

Item: Tractor wheeled industrial
Req.#: 79382 01383 01
Awarded to: Matejcek Implement Co.,
Faribault, MN
Awarded amount: \$15,562.00
Awarded date: June 28, 1988

Item: School supplies
Req.#: 36000 11205 02
Awarded to: Scantron—Bloomington,
MN
Awarded amount: \$42,420.00
Awarded date: June 29, 1988

Department of Administration: Printing & Mailing Services

Printing vendors for the following printing contracts must review contract specifications in printing buyers office at 117 University Avenue, Room 134-B, St. Paul, MN.

Commodity: Student handbook, 750, 28pp + cover, 5½" × 8½" saddle stitch, type to set
Contact: Printing Buyer's Office
Bids are due: July 7
Agency: Willmar Community College
Deliver to: Willmar
Requisition #: 8160

Commodity: North Star Newspaper, 3000 sheets 16½" × 23", nine times, camera ready
Contact: Printing Buyer's Office
Bids are due: July 7
Agency: North Hennepin Community College
Deliver to: Brooklyn Park
Requisition #: 8163

Commodity: Key punch cards, 60M, 10M each pink, green, yellow, orange, blue, plain
Contact: Printing Buyer's Office
Bids are due: July 6
Agency: Teachers Retirement Association
Deliver to: St. Paul
Requisition #: 5368

Commodity: TODAY magazine, tabloid 4 issues, 50M per issue, 11½" × 16", camera ready, 20 pp., 60 halftones per issue
Contact: Printing Buyer's Office
Bid due date at 2pm: July 13
Agency: State University
Deliver to: Mankato
Requisition #: 8164

Contract Awards—Printing & Mailing Services

Item: Teacher ed student survey
Req.#: 7596
Awarded to: Georgene Bergstrom Company, Minneapolis
Awarded amount: \$900.00
Awarded date: June 15

Item: Fall 1988 tabloid
Req.#: 7763
Awarded to: House of Print, Madelia
Awarded amount: \$4,359.42
Awarded date: June 20

Item: State telephone directory 1988
Req.#: 5198
Awarded to: House of Print, Madelia
Awarded amount: \$18,865.48
Awarded date: June 23

Item: Brochure: "Investing in the Future"
Req.#: 7835
Awarded to: Bolger Publications, Minneapolis
Awarded amount: \$10,299.00
Awarded date: June 27

Item: Brochure: "The World is Your Marketplace"
Req.#: 7836
Awarded to: Bolger Publications, Minneapolis
Awarded amount: \$4,456.00
Awarded date: June 27

Item: Record container label
Req.#: 7503
Awarded to: Custom Business Forms
Awarded amount: \$395.55
Awarded date: June 17

Item: Return envelopes
Req.#: 7822
Awarded to: Heinrich Envelope Corporation, Minneapolis
Awarded amount: \$939.60
Awarded date: June 23

Item: Normandale class schedules
Req.#: 7936
Awarded to: House of Print, Madelia
Awarded amount: \$40,091.22
Awarded date: June 28

Item: College Catalog
Req.#: 7940
Awarded to: Viking Press, Eden Prairie
Awarded amount: \$16,957.00
Awarded date: June 27

Item: Withholding instruction books
Req.#: 7950
Awarded to: House of Print, Madelia
Awarded amount: \$1,750.00
Awarded date: June 22

Item: 7 separate invoices on MA
Req.#: 7879
Awarded to: Moore Business Forms, Bloomington
Awarded amount: \$110,820.00
Awarded date: June 28

Item: Traffic accident report
Req.#: 7954
Awarded to: Moore Business Forms, Bloomington
Awarded amount: \$12,958.00
Awarded date: June 27

Department of Agriculture

Plant Industry Division

Request for Proposal for Consultant for Advertising Campaign

The Plant Industry Division, Department of Agriculture, is seeking a consultant to provide advertising services under contract to develop and implement, upon review and approval of the department, an advertising campaign to promote Minnesota certified seed potatoes and thus increase the demand and sales of same through advertising, promotion, and public relations throughout the country. This responsibility of the Department of Agriculture is delegated by *Minnesota Statutes*, 21.122.

"This Request for proposal does not obligate the state to complete the project and the state reserves the right to cancel the solicitation if it is considered to be in its best interest."

I. Scope of Project:

To reach prospective buyers and users of Minnesota Certified seed potatoes through the printed media, direct mail brochures, and/or public relations.

II. Objectives:

Increase sales and distribution of Minnesota certified seed potatoes throughout the U.S.A.

III. Project Tasks:

1. Prepare preliminary plans for advertising, promotion and public relations.
2. Prepare schedules for advertising insertions and other related figures.
3. Assess the results following the insertions of advertisements in publications for appearance, date, position, size, and mechanical reproduction.
4. Design direct mail campaign and advertising materials to be sent by the Department of Agriculture to grower and broker users of Minnesota Certified Seed Potatoes.

Responder may propose additional tasks or activities if they will substantially improve the results of the project.

IV. Department Contracts:

Prospective responders who have any questions regarding this request for proposal may call or write:

Richard T. Zink, Ph.D., Supervisor, Seed Potato Certification
Minnesota Department of Agriculture
University of Minnesota-Crookston
12 Hill Hall
Crookston, MN 56716
Phone No. (218) 281-6976

Voices of the Loon

Its voice severs the bonds to the world of cities, traffic, crowds, lights and noise. The lyrical magic of the loon, sometimes hauntingly eerie, makes the skin tingle, and the hair on the back of the neck stand on edge, awakening a primitive response. Its solitary wail turns the shadowy wilderness into a mysterious path into eternity.

Voices of the Loon, cassette tape, includes introduction and loon call identification, chorus from a distant lake, tremolo duet, wail duet, border confrontation, wails with morning songbird chorus, tremolos while running, wails during a thunderstorm, and coyotes calling with loons. Code #19-73, \$12.00.

The Loon: Voice of the Wilderness, hardbound with color plates and illustrations, 143 pages. Code #19-54, \$15.95.

Loon Calendar 1988, beautiful photographs and scenes. Code #15-40, \$6.95.

Loon Lapel Pin. Code #15-30, \$2.49.

Loon Windsock, 56 inches long in full color. Code #15-29, \$19.95.

Loon Nature Print, full-color poster 16" x 22", Code #15-18, \$3.00.

Loon with baby—poster, 16" x 20". Code #15-48d. \$3.00.



TO ORDER: Send to Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155. (612) 297-3000, or toll-free in Minnesota: 1-800-652-9747 and ask for "DOCUMENTS." Please include 6% sales tax, and \$1.50 postage and handling. Prepayment required. Please include daytime phone. VISA/MasterCard orders accepted over phone.

Publication editors: As a public service, please reprint this ad in your publication, either as is, reduced, or redesigned to suit your format.

Other Department personnel are not allowed to discuss the project with responders before the submitted or proposal deadline.

V. Submission of Proposals:

All proposals must be sent to and received by:

Richard T. Zink, Ph.D., Supervisor, Seed Potato Certification
Minnesota Department of Agriculture
University of Minnesota-Crookston
12 Hill Hall
Crookston, MN 56716

Not later than 4:30 P.M., August 1, 1988.

"Late Proposals will not be accepted." Responder shall submit 2 copies of the proposal. Proposals are to be sealed in mailing envelopes or packages with the responders name and address clearly written on the outside. Each copy of the proposal must be signed by the authorized member of the firm. Prices and terms of the proposal as stated must be valid for the length of the project.

VI. Project Costs:

The Department has estimated that the cost of this project shall not exceed \$25,000.00 for professional services and expenses including advertisement placement.

VII. Project Completion Date:

The project will be completed by June 30, 1989.

VIII. Proposal Contents:

The following will be considered minimum contents of the proposal:

1. A restatement of the objectives, goals and tasks to show or demonstrate the responder's view of the nature of the project.
2. Identify and describe the advertising services to be provided by the responder.
3. Outline the responder's background and experience with particular emphasis on local, state, and federal government work. Identify personnel to conduct the project and outline their training and work experience. No change in personnel assigned to the project will be permitted without the approval of the State Project Director/Manager.
4. Responder will prepare a detailed cost and work plan which will identify the major tasks to be accomplished and be used as a scheduling and managing tool as well as the basis for invoicing.
5. Identify the level of the Department's participation in the project as well as any other services to be provided by the Department.

IX. Evaluation:

All proposals received by the deadline will be evaluated by representative of the Department of Agriculture. Factors upon which proposals will be judged include, but are not limited to the following:

1. Expressed understanding of project objectives.
2. Project work plan.
3. Project cost detail.
4. Qualification of both company and personnel. Experience of project personnel will be given greater weight than that of the firm.

Evaluation and selection will be completed by August 15, 1988. Results will be sent immediately by mail to all responders.

Department of Agriculture

Marketing Division

Notice of Request for Proposal for a Feasibility Study of Amaranth and Pilot Amaranth Processing Plant

The Minnesota Department of Agriculture is seeking proposals from qualified firms or individuals to study the feasibility of the production, marketing and processing of amaranth, and the construction of an amaranth pilot processing plant.

As a part of the contract, a report must be prepared and submitted to the State Legislature by December 1, 1989.

There has been appropriated \$125,000 to be matched on the basis of \$1 of nonstate money for each \$2 of appropriated money.

State Contracts and Advertised Bids

The cost of this contract may not exceed this total amount. The contract period will extend to December 31, 1989. All proposals must be received by the department by 4:30 p.m., July 29, 1988. The Request for Proposals may be obtained by contacting:

Ralph Groschen
Director of Marketing
Minnesota Department of Agriculture
90 West Plato Blvd.
St. Paul, MN 55107
(612) 297-2223

Department of Agriculture

Division of Program and Management Support

Request for Proposal for Contract to Study the Marketing of Minnesota's Agriculture Products

The Minnesota Department of Agriculture is seeking proposals from qualified firms or individuals to investigate and report on the use of state agriculture products within the state and opportunities for expanded markets within Minnesota for state agriculture products. The investigation must include franchised food chain and restaurant establishments selling prepared food. The report must be completed by January 16, 1989.

The final report is expected to analyze and recommend ways to increase the market share for Minnesota producers of the food consumed in this state. The study should include as many food commodities and categories as is practical.

This contract may not exceed \$35,000. All proposals must be received by the department by 4:30 p.m., August 1, 1988. The Request for Proposal may be obtained by contacting:

Gerald Heil, Director
Division of Program Management and Support
MN Department of Agriculture
90 West Plato Boulevard
St. Paul, MN 55107
(612) 296-1486

Department of Agriculture

Marketing Division

Request for Proposals for Contract Services for "Ethanol Answer Man" Project

Notice is hereby given that the Department of Agriculture intends to engage the services of a contractor as an ethanol field representative to provide professional and technical services for education and promotion of ethanol-blended fuels.

The contractor shall be expected to provide own transportation vehicle and travel extensively throughout Minnesota. Duties include: conducting small meetings and seminars; working with and providing advice to different groups of people including auto-technicians, vo-tech and high school students, farmers and business companies/organizations; writing press releases; being available for and soliciting interview time on radio and TV; providing advance advertising and public relations for other Minnesota Ethanol Commission activities; and distributing pamphlets, brochures and other promotional materials. The contract begins July 1, 1988 and ends June 30, 1989. A cost breakdown should be included in the proposal. Responses must be received by July 15, 1988. Direct inquiries to:

Kay Kruse, Projects Administrator
Marketing Division, Department of Agriculture
90 West Plato Blvd., St. Paul, MN 55107
(612) 297-4654

Department of Agriculture

Marketing Division

Notice of Request for Proposal to Establish a Pilot Plant for a Protein Xanthophyll Alfalfa Extraction Process and Test for Markets

The Minnesota Department of Agriculture is seeking proposals from qualified firms or individuals to establish a pilot processing plant for protein xanthophyll alfalfa extraction and test for markets.

There has been appropriated \$300,000, to be matched on the basis of \$2 of nonstate money (or in-kind contributions) for each \$1 of appropriated money. The cost of this project may not exceed this total amount. The contract period will extend to December 31, 1989. All proposals must be received by the department by 4:30 p.m., July 29, 1988. The Request for Proposals may be obtained by contacting:

Ralph Groschen
Director of Marketing
Minnesota Department of Agriculture
90 West Plato Blvd.
St. Paul, MN 55107
(612) 297-2223

State Designer Selection Board

Request for Proposal for Project at the University of Minnesota-Minneapolis

To Registered Professionals in Minnesota:

The State Designer Selection Board has been requested to select designer for a **project at the University of Minnesota**. Design firms who wish to be considered for this project should submit proposals on or before **4:00 P.M., July 26, 1988**, to George Iwan, Executive Secretary, State Designer Selection Board, Room G-10, Administration Building, St. Paul, Minnesota 55155-1495.

The proposal must conform to the following:

1. Six copies of the proposal will be required.
2. All data must be on 8½" × 11" sheets, soft bound.
3. The cover sheet of the proposal must be clearly labeled with the project number, as listed in number 8 below, together with the designer's firm name, address, telephone number and the name of the contact person.

4. Mandatory Proposal contents in sequence:

- a) Identity of firm and an indication of its legal status, i.e. corporation, partnership, etc. If the response is from a joint venture, this information must be provided for firms comprising the joint venture.
- b) Names of the persons who would be directly responsible for the major elements of the work, including consultants, together with brief descriptions of their qualifications. If desired, identify roles that such persons played in projects which are relevant to the project at hand.
- c) A commitment to enter the work promptly, if selected, by engaging the consultants, and assigning the persons named 4b above along with adequate staff to meet the requirements of work.
- d) A list of State and University of Minnesota current and past commissions under contract or awarded to the prime firm(s) submitting this proposal during the three (3) years immediately preceding the date of this request for proposal. The prime firm(s) shall **list and total** all fees associated with these projects whether or not the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid directly to engineers or other specialty consultants employed on the projects listed pursuant to the above.
- e) A section containing graphic material (photos, plans, drawings, etc.) as evidence of the firm's qualification for the work. The graphic material must be identified. It must be work in which the personnel listed in "c" have had significant participation and their roles must be clearly described. It must be noted if the personnel named were, at the time of the work, employed by other than their present firms.

State Contracts and Advertised Bids

The proposal shall consist of no more than twenty (20) faces. **Proposals not conforming to the parameters set forth in this request will be disqualified and discarded without further examination.**

5. Statutory Proposal Requirements:

In accordance with the provisions of *Minnesota Statutes*, 1981 Supplement, Section 363.073; for all contracts estimated to be in excess of \$50,000.00, all responders having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the Commissioner of Human Rights before a proposal may be accepted.

The proposal will not be accepted unless it includes one of the following:

- a) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or
- b) A statement certifying that firm has a current certificate of compliance issued by the Commissioner of Human Rights; or
- c) A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months; or
- d) A statement certifying that the firm has an application pending for a certificate of compliance.

6. In accordance with the provision of *Minnesota Statutes*, 16B.19, Subdivision 6, at least 10% of the amount of any contract in excess of \$200,000.00 must be subcontracted to certified small businesses owned and operated by S/E/D persons as defined by *Minnesota Statutes* 645.445. Alternatively, the requirement may be met by purchasing materials or supplies from S/E/D businesses. Any combination of subcontracting and purchasing that meets the 10% requirements is acceptable. If there are no S/E/D persons able to perform subcontracting or provide supplies and materials, other small businesses as defined are to be utilized instead of small businesses owned and operated by S/E/D persons.

7. Design firms wishing to have their proposals returned after the Board's review must follow one of the following procedures:

8. PROJECT—16-88

Electrical Engineering Building Renovation
University of Minnesota—Minneapolis

The University of Minnesota is planning to renovate the Electrical Engineering Building located on the East Bank of the Minneapolis campus. The building was constructed in 1924 and a fourth floor addition was constructed in 1964. The building contains 83,600 gsf. The building has been used by the Electrical Engineering Department which will move into new facilities later this year. Upon completion of this renovation, the building will be used primarily by the Mechanical Engineering Department. The building will be predominately (62%) laboratory space. The balance of the space will be utilized for offices, conference rooms, student commons, and a shop.

The construction budget is approximately \$11.5 million. In addition to the renovation required to meet programmatic needs, the building will need to be updated to meet present day codes and building systems will have to be upgraded to current standards.

Questions concerning this project may be referred to Clinton Hewitt at (612) 625-7355.

Damon Farber, Chairman
State Designer Selection Board

Department of Health

Request for Proposals for the Evaluation of Forms and Procedures Used in Processing Patient Information

The Minnesota Department of Health wants to hire a contractor to evaluate the forms and procedures its Services for Children with Handicaps (SCH) Program uses in processing information flowing into and out of its Central Office. The program provides for the identification, diagnosis and treatment of children with handicapping conditions caused by birth defects, congenital cardiac lesions, hereditary disease, or chronic diseases such as diabetes, cystic fibrosis or cancer. SCH field clinics are conducted and arrangements are made for diagnostic and treatment services at physician offices and medical centers. There are three major processing tracks:

1. Treatment—for patients applying and eligible for treatment
2. Evaluations—for patients applying and eligible for diagnostic evaluations
3. Clinics—for patients invited to and attending an SCH clinic

Patient information is primarily stored in two locations: a computerized medical record system and hard copy record.

Scope of Project:

The contractor will be required to complete the following tasks:

1. Develop process flow charts depicting steps in each of the three above mentioned processing tracks. These flow charts are to encompass all activities relating to each of the three tracks. e.g. 1) treatment—actions or steps taken from the point of intake through application, eligibility determination, authorization, payment; 2) clinics—steps taken from time patient is invited to clinic through application, clinic attendance, transcription of clinic visit, and billing.
2. Review and evaluate forms used in obtaining information needed for each of the three main tracks.
3. Meet with key staff to develop a good understanding of the procedures and reasons for steps within each track.
4. Survey a sample of parents to identify problems they have with SCH's forms and letters.
5. Gather indepth information on district staff's need to collect, store and retrieve information.
6. Identify patient information stored in both the computerized medical record system and the hard copy record and recommend deletions as appropriate.
7. Prepare a final product recommending: 1) the elimination, integration and/or revision of procedures to result in the most efficient, effective, and economical processing of patient related information; and 2) the best method for meeting district staff's informational needs. The product should include revised process flow charts showing recommended changes and a written document describing changes, their impact on SCH, its patients and providers, and an estimate of time to be saved by implementing the recommendations.

Project Start and Completion Dates:

The project will begin on August 24, 1988. The final report will be due on January 15, 1989.

Project Cost:

It is anticipated that the cost of this project will not exceed \$47,500.00 for professional services and expenses.

Proposals must be received by the Department of Health by 4:30 p.m. on Wednesday, August 3, 1988. A copy of this request for proposal is available upon request. Inquiries, requests, and proposals should be directed to:

Alpha Adkins, Section Chief
Services for Children with Handicaps
Minnesota Department of Health
717 Delaware Street S.E.
Minneapolis, MN 55440
Telephone: (612) 623-5165

Minnesota Department of Health

Maternal and Child Health Division

Notice of Request for Proposals of Technical Services Contract

Services for Children with Handicaps (SCH) aims to improve the health of Minnesota children and youth with diabetes by assuring the availability of contemporary diabetes health care throughout the state. Therefore, SCH is requesting proposals from organizations providing both health care and educational services. The overall purpose of the contract is to provide continuing educational programs in the health care management of children and youth with diabetes.

The contractor's duties shall be to provide a nurse practitioner, nutritionist, psychologist and an endocrinologist, skilled in the understanding and clinical management of juvenile diabetes mellitus. This team will provide a diabetes continuing education program for physicians, health professionals, and families of children with diabetes in six (6) regions of the state. These programs shall include the following, at minimum:

1. A list of objectives for each of the programs.
2. A discussion of standards of care for Type I and Type II diabetes.
3. A discussion of current diabetes management practices, including the importance of accuracy and quality with diabetes control measures, e.g., blood glucose monitoring.
4. A description of patient and health care providers responsibilities in diabetes management.

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5. A discussion of the psychosocial impact of chronic disease on patients and their families.
6. A description of current diabetes research findings and their application to the clinical management of diabetes.
7. An update on the resources available to assist primary care physicians with the health care of children and youth with diabetes.
8. The provision of appropriate written educational materials for program participants.
9. The provision of the following Continuing Education Credits: Registered Dietitian Clock Hours, Registered Nurse Contact Hours, and Physician's AMA Continuing Education Category I.

The contractor will be required to provide the state a report which shall include at least the following for each of the six regions.

1. Information showing the extent to which the program objectives were met.
2. The number of participants at each program broken out by professional discipline and family member.
3. Participants' evaluation of each program broken out by professional discipline and family member.

The report shall also include an overall summary of evaluations and accomplishments as well as recommendations for further improvement of diabetes health care for Minnesota children and youth.

The total obligation of the state for all compensation and reimbursements to contractor shall not exceed fourteen thousand five hundred twenty-three dollars (\$14,523.00).

Proposals shall be submitted to Alpha Adkins, Section Chief, Services for Children with Handicaps, 717 Delaware Street S.E., P.O. Box 9441, Minneapolis, Minnesota, 55440, three weeks following publication of this request. The contract period shall extend from August 15 through June 30, 1989.

Department of Human Services

Health Care and Residential Programs

Notice of Availability of Contract for Consultant on Medical Assistance Covered Services for Children With Handicaps Provided in the School Setting

The Department of Human Services requires the services of a consultant experienced in the field of provision of health care services to children with handicaps in the school setting. The consultant is sought by the department to recommend a plan for the identification and reimbursement of those health services (such as nursing, physical and occupational therapy, speech pathology, audiology and psychological services) which are covered by Medical Assistance and which are appropriate for Medical Assistance reimbursement.

Consultant's experience and background will consist of shown experience in the following areas:

1. Knowledge of the array of health services currently provided by school districts to children with handicaps.
2. Involvement with the delivery, or the administration of the delivery, of health services to children with handicaps by school districts.
3. General knowledge about third party payment mechanisms such as Medical Assistance.

COST ESTIMATE: The estimate fee for the consultant's services is approximately \$135.00 per day for a contract not to exceed \$10,000.00. Individuals desiring consideration should submit a resume of their experience before July 20, 1988. This is not a request for proposals. Consultant shall be selected on the basis of past experience and knowledge of the project requirements. Consultants based in the State of Minnesota shall be given first consideration. Additional information on the project may be obtained by contacting:

Kathleen Cota
Health Care and Residential Programs
Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3853
Telephone: 612/296-9939

Department of Human Services

Moose Lake Regional Treatment Center

Notice of Request for Proposal for Physical Therapy Services

Notice is hereby given that the Moose Lake Regional Treatment Center, Mental Health Bureau, Department of Human Services, is seeking the service listed below for the period July 1, 1988 through June 30, 1989. These services are to be performed as requested by the Administration of the Moose Lake Regional Treatment Center.

Physical therapy services performed by a Registered Physical Therapist. Services include consultation, evaluation, direct therapy inservice, and program writing as needed. The estimated amount of contract is \$12,480.00.

Responses to the above services must be received by July 30, 1988.

Direct inquiries to:

Frank R. Milczark
Chief Executive Officer
Moose Lake Regional Treatment Center
1000 Lakeshore Drive
Moose Lake, MN 55767
(218) 485-4411 Ext. 242

Department of Jobs and Training

Request for Proposals for Operation of Dislocated Worker Program

In accordance with *Laws of 1979*, Chapter 336, the Minnesota Department of Jobs and Training, State Job Training Office, is requesting proposals from qualified bidders to operate dislocated worker programs in the State of Minnesota. Approximately \$2,000,000 will be available for dislocated worker programs to operate for Federal Program Year 1988 (July 1, 1988 to June 30, 1989).

Request for Proposal Application is available upon request. Inquiries and requests should be directed to:

Edward Retka
State Job Training Office
690 American Center Building
150 East Kellogg Boulevard
St. Paul, MN 55101
Phone: (612) 296-7918

Proposals will be accepted on a continuous basis through June 30, 1989.

Legislative Commission on Waste Management

Request for Proposals to Provide Technical Assistance for Development of a Regulatory Program for Solid Waste Disposal Fees in Minnesota

Introduction: The Legislative Commission on Waste Management (LCWM) hereby requests proposals from qualified firms to provide technical assistance in the development of a regulatory program to ensure just and reasonable disposal fees at solid waste disposal facilities in Minnesota.

In the 1988 Legislative session, the 1980 Minnesota Waste Management Act was amended to require the LCWM to

“... study current fee structures at disposal facilities in the state for the purpose of recommending to the Legislature a regulatory program to ensure just and reasonable fees. The recommendation must include identification of an appropriate entity to impose fee regulation, a structure for fee regulation, standards to be used in regulating fees, and procedures to be followed to regulate fees. The Commission's recommendation must be finalized no later than December 31, 1988.” MN Laws 1988, Chapter 685, Section 22, subdivision 3.

To meet this legislative requirement in the short time allowed, the LCWM intends to follow the attached work plan. Under this

State Contracts and Advertised Bids

approach, significant emphasis will be placed on the preparation of a comprehensive background report. This background report will then serve as the basis for discussions by a task force representing diverse but related interests. The task force will meet about four times and discussions will focus on the effects of various regulatory options relative to the issues raised in the legislation.

For the purposes of this project, a solid waste disposal facility includes a waste facility for garbage/refuse, ash or construction debris permitted by the Minnesota Pollution Control Agency that is designed or operated for the purpose of disposing of waste on or in the land.

Project Description: The Contractor will be required to provide technical consulting expertise to the LCWM. It is expected that the Contractor will be required to provide support in the following areas, including the work products as specified:

- Identify and compile necessary data for fee structure study including, but not limited to, tipping fees at disposal facilities and financial information indicating costs and revenues;
- Submit a written report to the LCWM which contains an analysis/evaluation of the data for fee structures at solid waste disposal facilities in Minnesota. This report should include, at a minimum, a description of the market structure and extent of competitiveness that exists now and is likely to exist in the future, and an identification/explanation of past trends and expected future trends. Anticipated changes in fee structures resulting from implementation of the financial assurance portions of the statewide solid waste rules currently being proposed by the Minnesota Pollution Control Agency should be considered as part of this report. See *State Register*, Volume 12, pages 1889-1917. This will be incorporated into the background report mentioned above and is due to the LCWM by September 26, 1988;
- Review and provide written comments to the LCWM on draft of background report described above by September 26, 1988;
- Identify and evaluate options for the regulation of disposal fees; including types of regulatory structures, identification of appropriate entities to impose fee regulation, and standards and procedures to regulate fees. This is due to the LCWM, in written report form, by September 26, 1988.
- Assist in structuring the task force meeting agendas regarding regulatory options and their implications, in order to maximize productive discussions within minimum time available;
- Compile/synthesize comments and ideas from task force discussions and submit a written summary to the LCWM by December 12, 1988;
- Submit a final report to the LCWM which contains objective, viable recommendations for a regulatory program to ensure just and reasonable fees as required in the law. This is due in final report form by December 12, 1988;
- Testify/present findings to the LCWM.

Qualifications of the Firm: The firm selected to participate in this project should have expertise and demonstrated experience in cost and financial analysis, rate determination and regulation. Experience in waste related issues and public policy is desirable. That experience should preferably include consulting work in developing such programs. The firm must also demonstrate that it has the staff and technical support readily available to participate in meetings, hearings and other consultations on an as-needed basis.

Qualifications of the Staff: The consulting firm must demonstrate that the staff assigned to the project have appropriate credentials. The proposal must include pertinent information regarding those employees who will be assigned to support the project, describe their anticipated roles, and describe their particular relevant experience.

Timeline: The law requires the LCWM recommendations to be finalized by December 31, 1988. To meet that deadline the following time line is anticipated:

June 30, 1988	Distribute RFPs
July 29, 1988	RFP submission deadline
August 12, 1988	Contract awarded
September 26, 1988	Analysis of fee structures and comments on draft background report due to LCWM
October, 1988	Task force meetings
December 12, 1988	Contractor's task force summary and final recommendations due to LCWM

Funding Available: Approximately eighteen thousand dollars (\$18,000) may be available to support this project. The LCWM reserves the right to limit the amount awarded, to modify the scope of the project with the selected firm, or not to award any contract.

Proposal Contents: In order to be considered, a firm's bid proposal must include the following:

- A description of the approach and process the firm would follow in executing the responsibilities of the project;
- A description of the qualifications of the firm and assigned staff, as described above;

- A cost-of-service description indicating how the firm would charge for providing consulting services. If needed, the firm may submit component charges based on the types of consulting support needed as described in the Proposal Description. The cost of service must be expressed in a dollar per hour format;
- A summary page indicating the firm's name, address, amount of bid; and name, address and phone number of the designated contact for the contract.

Criteria for Evaluation: Bid proposals will be evaluated based on the qualifications of the firm and staff assigned to this project, the approach, level of detail and completeness of the work plan proposed, the project cost, and the ability to work with the Commission and its staff.

Contract Manager: The manager for this contract is:

Kim Austrian, Director
Legislative Commission on Waste Management
Room 85, State Office Building
St. Paul, MN 55155
(612) 297-3604

All questions, clarifications, correspondence or other communications should be through the contract manager. Once the contract is executed, all agreements and assignment of tasks will occur with the explicit approval of the contract manager or the LCWM chair. All invoices will be submitted to the manager for approval.

Deadline: An original and four copies of the proposal must be received in the office of the contract manager by 4:30 PM, Friday, July 29, 1988. Late submissions will not be considered.

Dated: 27 June 1988

LCWM Fee Regulation Study—Work Plan and Outline

I. Background Report

A. Structure of the waste disposal industry in MN

1. Historical overview—laws, policies, etc.
2. Ownership and distribution of landfills
3. Size, permitted capacity
4. Fee structure
 - a. Tipping fees, tax rates, contracts, etc.
 - b. costs/revenues

5. Trends

B. Other states' laws and experiences w/solid waste regulation

1. List states w/regulation and description of system.
2. History—factors leading to each state's regulatory decisions
3. Pros and cons in each state
4. Related lawsuits, legal cases, etc.

C. Types of regulatory systems

1. Historical overview of regulation
2. Examples in other industries
3. Pros and cons
4. Trends

II. Task Force—to respond to background report and various regulatory options

- A. Review and comment on background report**
- B. Discuss options for regulating disposal fees**

III. Final Report—to include

- A. Introduction—discussion of scope and approach**

State Contracts and Advertised Bids

- B. Final background report—incl. fee structure study
- C. Recommendations for a regulatory program to ensure just and reasonable fees
- D. Identification of further needs/issues

Department of Natural Resources

Notice of Availability of Contract for Technical Assistance Services

The Minnesota Department of Natural Resources, Division of Forestry desires to retain one contractor to provide technical Forestry assistance to non-industrial private forest landowners in Olmsted County.

The contractor's duties shall include promotion of state and federal Forestry cost-share programs, preparation of multiple-use forest management plans, providing timber stand improvement and reforestation recommendations, and assisting landowners with utilization and marketing of their hardwood resources. The contractor will be asked to provide monthly accomplishment reports to the Department.

Contract terms include: 1) Effective dates from July 1, 1988 to December 31, 1989; 2) Compensation for up to 85 hours per month plus mileage expenses. Total contract compensation will range between \$10,000 and \$18,000 depending on contractor's experience.

Please submit qualifications by 4:30 p.m., July 15, 1988 to:

Robert Tomlinson
DNR—Division of Forestry
Box 44, 500 Lafayette Road
St. Paul, MN 55155-4044
(612) 296-5970

Non-State Public Contracts

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector.

It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

Sherburne County

Request for Proposal for Assistance in Review and Re-writing of Comprehensive Land Use Plan and Zoning Ordinance

Sherburne County is seeking an individual or company to assist with a review and with the re-writing of its Comprehensive Land Use Plan and Zoning Ordinance for unincorporated areas of the County. The County began a Land Use Study in 1965, which culminated with the adoption of the Comprehensive Plan and County Land Use Zoning Ordinance in 1971. The Comprehensive Plan and Zoning Ordinance currently in effect date from that time.

Sherburne County is one of the fastest growing areas in Minnesota, with significant development pressure from the Minneapolis/St. Paul Metropolitan Area to the south east, and from St. Cloud, on the northwest corner of the County. Sherburne County also is a very productive agricultural area, which brings the inevitable conflict between the competing interests. This conflict makes it necessary that the County take a new look at the changes which have taken place since 1971, determine the goals and direction of the County for the next ten years, and finally to establish policies to reach those goals. The result will be an updated and effective Comprehensive Land Use Plan and Zoning Ordinance.

A copy of the current Comprehensive Land Use Plan and Zoning Ordinance is available for your review at the Zoning Office.

Proposals must be submitted to the following address:

Ann Oster, Administrative Assistant
Sherburne County Administration Building
327 King Avenue
Elk River, MN 55330
(612) 441-1441

Twelve copies of the proposal must be submitted no later than 5:00 P.M., July 29, 1988. Responses will be reviewed by the Sherburne County Planning Commission, Sherburne County Board of Commissioners, and Staff.

No financial obligation shall be incurred by Sherburne County for any costs incurred by individuals or companies in the preparation of their proposal. Sherburne County reserves the right to reject any and all proposals, and is not required to choose the lowest cost proposal.

Responses will be evaluated according to the following criteria:

1. Qualifications
2. References
3. Compatibility of work plan to County needs
4. Total costs

The proposal should be structured in four parts:

- I. Statement of qualifications
- II. Proposed program for review, and if necessary, re-drafting of the comprehensive plan
- III. Proposed program for changing zoning ordinance to comply with new comprehensive plan
- IV. Total costs

I. Qualifications

A. Organization and Staff Qualifications—This section of the proposal must contain at least the following information:

1. Name and telephone number of the person designated as the contact person for the proposal.
2. A brief description of the firm's capabilities, history, and organizational structure.
3. Resumes of individuals who would carry out the proposed program.
4. Documentation which shows the proposer's experience in the areas of land use planning and agricultural land preservation.
5. References from previous related work experience.

II. Proposed Program for Review and Re-drafting of Comprehensive Plan

A. Proposed work plan explaining the type and scope of information necessary, including the implications of ground water supply and contamination, to analyze the changes which have taken place in the County since 1971.

B. Proposed work plan for providing assistance to the County in review and proposing changes in the Comprehensive Plan.

C. Time frame for the proposed work plan, including public input.

III. Proposal for Re-drafting and Approval of Necessary Changes in the Zoning Ordinance

A. Proposed work plan for providing assistance to the County in review and proposing changes in the Zoning Ordinance.

B. Time frame for the proposed work plan, including public input.

IV. Total Costs

A. Cost estimates of:

1. Comprehensive Plan research, drafting, and public meetings.
2. Ordinance research, drafting, and public meetings.
3. Identification of miscellaneous expenses—estimated costs

B. Hourly rates of individuals identified, as well as the number of hours to be worked by each identified individual.

The County would like to provide in-kind services when ever possible to reduce our costs. We would be able to supply an intern from St. Cloud State to assist with research. We would also be able to supply clerical support during periods of reduced work load in the Zoning Office.

State Grants

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grant funds available through any agency or branch of state government. Although some grant programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself.

Agencies are encouraged to publish grant notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Department of Agriculture

Solicitation of Grant Proposals for Sustainable Agriculture Demonstrations

Grant proposals are solicited from farmers, educational institutions and non-profit organizations for on-farm demonstrations of sustainable agricultural practices. The deadline for grant applications is October 1, 1988. To receive a grant application form, or for further information, contact:

Energy and Sustainable Agriculture Program
Minnesota Department of Agriculture
90 West Plato Blvd.
St. Paul, MN 55107
(612) 296-7686

Department of Jobs and Training

Availability of the Fiscal Year 1989 Community Services Block Grant Plan for Public Review

Notice is hereby given that the State Plan for the use and distribution of the Fiscal Year 1989 Community Services Block Grant is available for public review.

This plan will be available for review at the local offices of Community Services Block Grantees: Community Action Agencies, Indian Reservation Governments, and the Minnesota Migrant Council.

A single copy of the plan may be obtained by contacting:

Valerie Jerich, Director
MN Department of Jobs and Training
Economic Opportunity Office
690 American Center Building
150 East Kellogg Boulevard
St. Paul, MN 55101

Comments on this plan should be made in writing to the above address by August 15, 1988.

Supreme Court Decisions

Decisions Filed 1 July 1988

C5-87-826 *Richard Alan Johnson v. American Family Mutual Insurance Company, Appellant. Court of Appeals.*

When an arbitration panel interprets the Minnesota no-fault insurance statutes, it exceeds the scope of its powers, and its decision is therefore reviewable *de novo* by the courts.

An injured insured's damages must exceed the combined liability insurance limits of all tortfeasors before underinsured motorist benefits are available from his own insurer.

Affirmed in part and reversed in part. Amdahl, C.J.

C9-87-1672 *In the Matter of the Welfare of: C.K. and K.K. Hennepin County.*

In a proceeding to terminate the parental rights of natural parents to their minor children following an extended history of child abuse, neglect and foster care, the juvenile court, in making its disposition pursuant to *Minn. Stat.* § 260.191 (1986), must substan-

tiate its conclusions with appropriate factual findings to permit an appellate court on review to determine whether the disposition ordered is clearly erroneous.

We remand for further findings. Kelley, J.

Dissenting, Wahl, J. and Coyne, J.

C1-87-645 DeVee Thiele, f.k.a. DeVee Moore v. Robert T. Stich, petitioner, Appellant. Court of Appeals.

The court of appeals erroneously considered plaintiff's new argument that her legal malpractice action accrued six years after the allegedly negligent act; the issue was neither preserved for appeal nor decidable on the record.

Service of process was ineffective to timely commence the action when the summons and complaint were left with a receptionist at defendant's place of work.

Reversed. Popovich, J.

Orders

C6-87-2150 In Re Petition for Disciplinary Action against Robert A. Olson, an Attorney at Law of the State of Minnesota. Supreme Court.

Suspended. Amdahl, C.J.

CX-87-2216 In Re Petition for Disciplinary Action against John M. Andrew, an Attorney at Law of the State of Minnesota. Supreme Court.

Temporarily suspended. Amdahl, C.J.

Press Release

Minnesota Judge Bruce R. Douglas selected as 1988 Toll Fellow.

Announcements

Environmental Quality Board (EQB): The EQB staff will hold a public forum to discuss the EQB's proposed amendments to its rules governing the Environmental Review Program (EIS) on Monday 11 July 1988 from 2pm to 5pm at 301 Centennial Office Bldg., 658 Cedar Street, St. Paul. Metered parking is available on the street and in the building's east parking ramp. The building is handicapped accessible. Comments are due June 27 for the following projects at the regional governing unit listed: *Shady Oak Shores*, City of Lakeville; *MSI West Arlberg Bog Peat Mining Project*, DNR; *Elm Lake Restoration Project*, DNR; *Ole Miss Marina*, Red Wing Port Authority; *Warroad Housing Project*, City of Warroad; *Apple Valley Apartments*, City of Apple Valley; *Maple Shores First Addition*, Pine County; *Parkridge Woods*, City of Savage; and the *Senaca Wastewater Treatment Facility*, MPCA. Scoping EAWs (Environmental Assessment Worksheets) are scheduled on the following projects: *Minneapolis West Business Center Project* comment period ends July 30 with a public meeting scheduled July 11 at 4pm at the St. Louis Park Offices, 5005 Minnetonka Blvd.; and the *Interstate 35W Reconstruction Project*—Washington Avenue South to I-35E comment period ends August 8 with public meetings scheduled July 13 at 7pm at Sabathani Community Center Auditorium, 310 East 38th St., Mpls; July 20 at 7pm at Oak Grove Intermediate School, 1300 West 106th St., Bloomington; and July 27 at 7pm at Richfield Senior High School, 7001 Harriet Avenue South, Richfield.

State & University Employees Donate \$75,000: Minnesota's 41 emergency food centers, serving 600 distribution sites, will be better stocked in August and September, due to a gift from Open Your Heart to the Hungry and Homeless (OHHH), an organization to support state food shelves and shelters that is funded by state and University of Minnesota employees. OHHH has donated \$75,000 to process wheat into pasta for the late summer food commodity distribution which also will include butter and a third food product, yet to be determined. So far, approximately \$344,000 has been collected by the organization and \$292,000 has been distributed in direct aid to the state's food and shelter programs.

White Papers on Volunteerism: "Must reading" for volunteer and community leaders is a collection of white papers covering the 1987 Public Hearings on Volunteerism, sponsored by the Minnesota Office on Volunteer Services (MOVS). The hearings were held in the metro area, Bemidji, Rochester, and Virginia, MN and deal with: 1) the economics of volunteering, 2) special volunteer populations, 3) youth community service, 4) models of volunteer recognition. Copies of the

Announcements

report cost \$14.75, plus tax and are available from the Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155. Ask for 10-17 if ordering over the phone (612) 297-3000 or toll-free in Minnesota 1-800-652-9747. Add \$1.50 for postage and handling if ordering through the mail. Tapes are available from the MOVS Resource Collection library on loan by calling (612) 296-4731 or writing MOVS at 500 Rice Street, St. Paul, MN 55155.

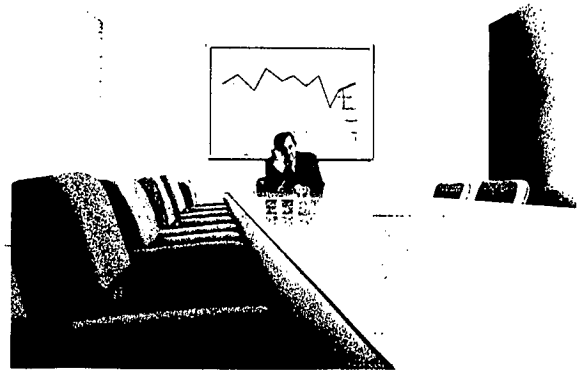
Boat Buyers Licensing Responsibilities: The Minnesota Department of Natural Resources (DNR) is warning boat buyers that registration (licensing) of the watercraft is their own responsibility. "Some boat dealers offer to license the craft for the buyer, usually for a fee," said Margaret Winkel, DNR License Bureau administrator. "That fee can range from a few dollars as to much as \$143," she noted. The license fee to register a pleasure watercraft, up to and including 19 foot boats, is \$12 for three years, unchanged since 1981. For canoes and other non-motorized watercraft, including sailboards (windsurfers) and paddle boats, the fee is seven dollars. (An additional fifty cent fee is authorized by law for boats licensed through deputy registrars.) "If the buyer is paying any more, it is going to the dealer, not the DNR," Winkel added. Boats may be licensed at any deputy registrar of motor vehicles (where you license your car), or at the DNR License Bureau in St. Paul. When licensing a boat for the first time, you need to know its length, manufacturer, type of hull material, type of propulsion, model, year, and serial or hull identification number. "When applying for a license at a deputy registrar, you will receive a temporary permit that allows you to operate the boat until your license comes in the mail," Winkel noted. "If you don't have the temporary permit, despite what anyone may tell you, you can not legally operate your boat. The sales receipt is not sufficient." Winkel also said that if the buyer wishes to obtain the license number and decal immediately, it can be purchased over the counter at the DNR License Bureau at 500 Lafayette Road in St. Paul. For more boat licensing information, buyers may contact the DNR License Bureau by calling (612) 296-2316 or toll-free (800) 652-9747 (ask for the DNR).

DNR Announces 1988 Crow Season: The Department of Natural Resources (DNR) announced that the crow season established by the 1988 Minnesota Legislature will start on July 1 and continue through November 1, 1988. Residents and non-residents will be allowed to take crows without limit with shotguns not larger than 10 gauge, bow and arrow, and .22 caliber rifles and handguns using rimfire short, long or long rifle ammunition. Crow may be taken without a small game license. Recorded or electronically amplified calls are permitted. Shooting hours are one-half hour before sunrise to sunset daily during the four-month season. The state wildlife management areas and federal waterfowl production areas are open to crow hunting unless otherwise closed. State game refuges that were open to small game hunting last fall will also be open. Crows may not be taken on refuges closed to waterfowl hunting. According to federal law, crows causing damage to ornamental shade trees, agricultural crops, livestock or wildlife may be taken anytime during the year. However, crow nests and their eggs can not be disturbed. For more information, contact: Tim Bremicker, Wildlife Resource Manager (612) 296-3344.

Special Metro Goose Hunt Permit Deadline July 15: Goose hunters are reminded that they have until the July 15 deadline to mail or deliver an application for a permit for the special metropolitan goose hunt. "We are receiving requests for permits by postcards and letters. These will not be processed," said Roger Johnson, Regional Wildlife Supervisor. "Applications must be submitted on the proper form entitled '1988 Metropolitan Canada Goose Hunt Permit Application' and mailed or delivered to the address provided on the card." The free permit is required of anyone hunting geese in the Metropolitan Canada Goose Zone that is open for the special September 1-10 and late December seasons. Applications for the permits are available from most license vendors, wildlife field offices and county auditors. "Much of the hunting will be on private land and landowners' permission must be obtained," Johnson said. "People without a place to hunt ahead of time should not attempt to hunt because finding a location will be difficult." For more information, contact: Roger Johnson, Metro Wildlife Supervisor (612) 296-5200.

Business and NonProfit Corporation Act

Laws governing establishment and conduct of for-profit and non-profit businesses and corporations. Covers incorporation, bylaws, mergers, dissolution, franchises, and definitions. Laws in effect on January 1, 1985. Contains Minnesota Statutes Chapters 80B, 302A, and 317. Paperbound, 102 papers, Code # 2-87, \$10.00.



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Woodworking for Wildlife

Woodworking for Wildlife, delightfully written and carefully illustrated with a variety of game bird and mammal box designs. Includes important information on the placement of nests in proper habitat areas and maintenance requirements. Diagrams, 48 pp. Code #9-14, \$3.95.

Help Minnesota's Wildlife, feed the birds and give to the Nongame Wildlife Checkoff on your Minnesota Tax Forms. Poster. 22" x 17", full color. Code #9-2, \$4.00.

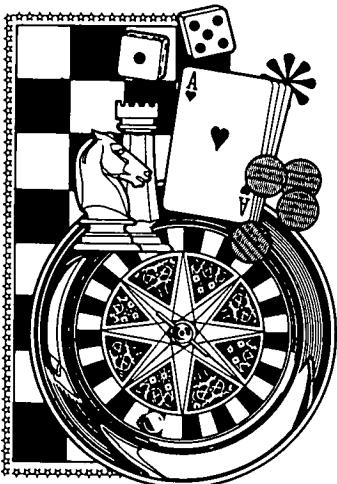
Fifty Birds of Town and City, describes the activities and habitats of these birds commonly seen today through full color paintings, Hardbound. 50 pp. Code #16-23, \$7.50.

Mammals of Minnesota, discusses wild mammals that inhabit Minnesota today, or in the recent past. Tells how to identify them, their distribution in the state, and their natural history. U of M Press, 1977, illustrated, index, bibliography, paperbound, 290 pp. Code #19-35; \$15.95.

Bird Portraits in Color, a total of 295 species of birds are depicted through magnificent illustrations, reproduced in seven-color lithography, accompanied by authoritative information about birds' activities, habitats, songs, and other characteristics, U of M Press, 1980, index, 92 color plates, hardbound. Code #19-41, \$12.95.

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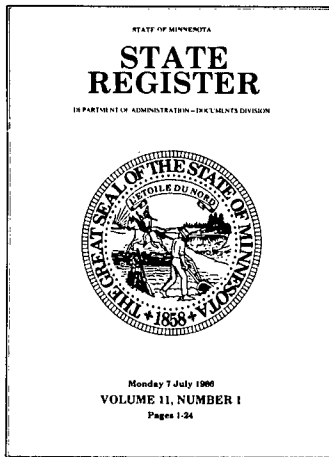
Charitable Gambling Directory

A complete listing in alphabetical order of organizations licensed for charitable gambling in the state. Includes the name, address, zip code and name of contact person. 64 pages. Code #1-11. \$20.00.

CHARITABLE GAMBLING RULES, governing the conduct of charitable gambling events like bingo. Code #3-3, \$5.00.

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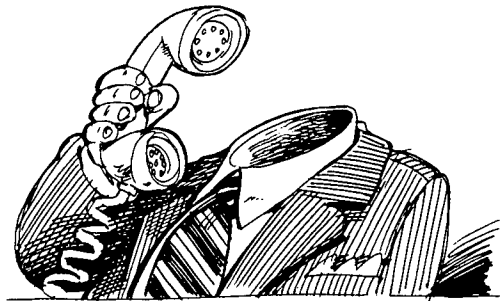
An annual subscription is \$130 and a 13-week trial subscription is \$40. MasterCard/VISA orders can be taken over the phone, otherwise prepayment is required. Send your orders to the Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155.

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1987 & 1988 State of Minnesota Telephone Directory. Get a direct line to the persons you want to speak to. Contains names, numbers, and agencies in the executive, legislative and judicial branches of state government. Four sections give listings alphabetically name, agency, Minnesota region, plus an index for cross referencing. Over 250 pages, paperback, 8½"x11". Code #1-87. \$10.95

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Department of Commerce Regulated Profession Publications

Banking Laws 1986. Complete text of state law governing banks, trust companies and other financial institutions. Code #2-76 \$29.95

Business and Nonprofit Corporation Act 1987. Laws governing establishment and conduct of for-profit and non-profit corporations in Minnesota. Chapters 80B, 302A, 317. Code #2-87 \$10.00

Fair Labor Standards Act 1987. Minimum wage and overtime compensation standards for employers. Chapter 177. Code #2-75 \$5.00

Insurance Laws 1987. A compendium of laws applicable to the insurance business. Includes chapters on company and individual agents licensing requirements. Code #2-1, \$20.00

Insuring Rules 1987. Essential licensing information for businesses and agents. Includes standards on policies, practices, marketing and continuing education. Code #3-1 \$15.00

Notary Public Laws 1987. Statutory requirements regarding the oath of office, necessary bond, and taking of depositions. Includes an explanation of the term of the office and procedures for removal from office. Code #2-13 \$4.00

Real Estate Laws 1987. Complete and up-to-date extract from the 1986 Minnesota Statutes. Code #2-92 \$6.00

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Securities Rules 1987. Subjects include standards of conduct, equity securities, investment companies and more. Chapter 2875. Code #3-5 \$13.00

Banking Rules 1987. New rules are expected in early fall '87. Call then for more information. Code #3-81, \$6.00

Uniform Commercial Code 1986. Chapter 336. U.S. laws governing trade, including contracts, title, payment, warranties, performance and liability. Code #2-2 \$10.00

Mailing Lists. All kinds available. A catalog will be available in late summer '87. Call to receive a copy. (612) 297-2552 or 296-0930.

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Pheasants in Minnesota, focusing exclusively on the ringneck pheasant, this DNR booklet tells of this popular game bird's origin, introduction and development in Minnesota. Through many full-color photos the book shows the pheasant in various settings, tells how to maintain wildlife habitat and explains the wise management of the hunt. A great gift for each member of your hunting party, or as a memento to a special Minnesota hunting vacation. Quantity discounts available. Code #9-13, \$5.95.

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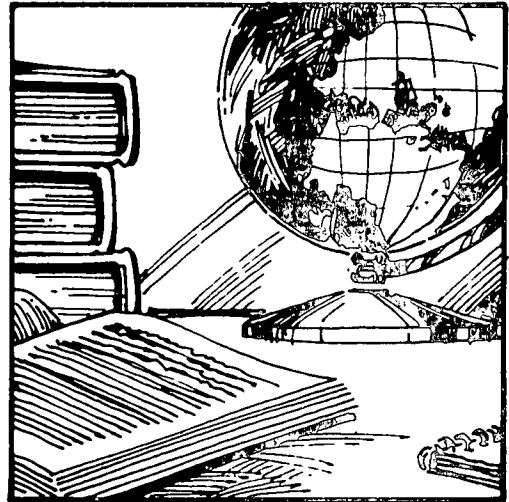
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Get Smart with these Education Resources

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Education Directory 1987-88. All the elementary and secondary schools in the state. Includes Minnesota school districts, superintendents, boards, principals, district addresses, phone numbers and enrollment figures. Code #1-93, \$6.00 plus tax.

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Public Employment Labor Relations Act 1987. The collective bargaining rights and responsibilities of public employers and public employees. Details employees' right to organize and the legislature's authority. Code #2-90, \$5.00 plus tax.

Public Sector Labor Relations in Minnesota. A practical resource and training guide analyzing public sector labor relations in Minnesota. A special emphasis on contract administration, grievance handling and the arbitration process. 286 pages, paperbound. Code #10-51, \$12.50.

Minnesota Guidebook to State Agency Services 1987-1990. A treasure of helpful, useful, and interesting information about Minnesota state government. This important resource guides you through applications, fees, licenses, reports, history and travel highlights. Describes agencies in detail, giving addresses, phones and contact people. Code #1-4, \$15.00 plus tax.



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Securities Laws, 1987. Governs the activities of broker/dealers, agents and investment advisors. *Minnesota Statutes* Chapter 80A. Code #2-12, \$6.00 plus tax.

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Minnesota Guidebook to State Agency Services, 1987-1990. Packed with information to help you, this 640-page resource guides you through license requirements, forms, fees, reports, services, grants, and more. Its listing of addresses, phones, and agency descriptions cut red tape for easy and fast service from state agencies. Code #1-4, \$15.00 plus tax.



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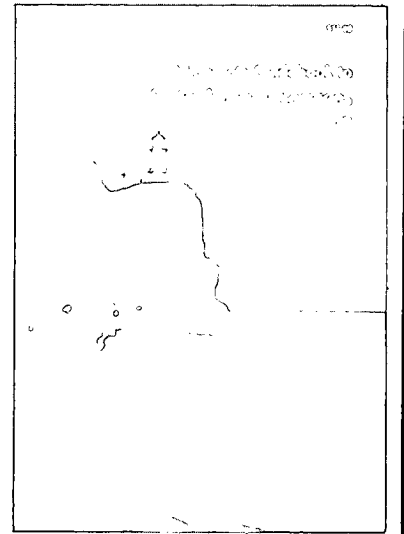
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Considered one of the finest resources to Minnesota's state agencies, this valuable and useful book is a treasure awaiting your discovery.

Packed with information to help you, its 640 pages guide you through license requirements, forms, fees, reports, services, grants, hotlines, maps, history, travel highlights and more. Its listing of addresses, phones, and agency descriptions cuts red tape so you get easy and fast service.

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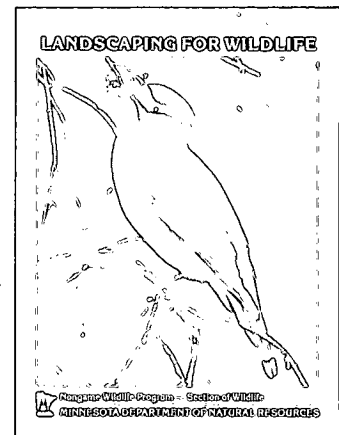
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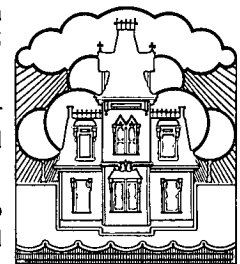
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Minnesota: national leader in education

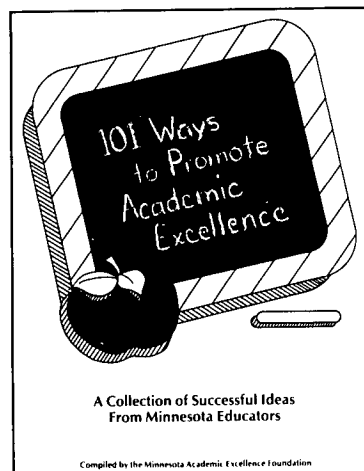
101 Ways to Promote Academic Excellence

A collection of nuts-and-bolts methods educators have successfully used to foster academic achievement. These are techniques that directly help students, can be replicated easily, are cost-effective, and that work in meeting public education's great challenge: helping every single child learn. Code #5-1, \$4.50.

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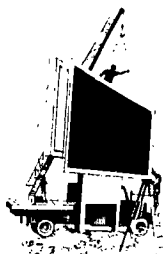
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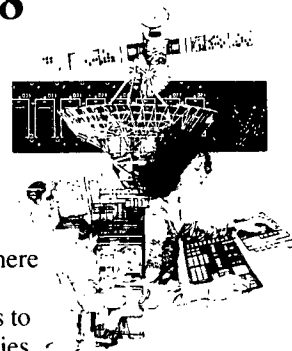


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REVISED: There are more than 7,000 changes to the 7,068 entries.



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Woodworking for Wildlife. Carefully illustrated with a variety of game bird and mammal box designs, including maintenance requirements and important tips on placement of nests in proper habitat areas. 47 pages with diagrams. Stock #9-14, \$3.95 plus tax. See "Special Set Offer" below.

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