

CHAPTER 169

HIGHWAY TRAFFIC REGULATION

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NOTE: For Commissioner of Highway's power on rule making for snowmobiles, see Chapter 84.

169.01 DEFINITIONS. Subdivision 1. **Terms.** For the purposes of this chapter, the terms defined in this section shall have the meanings ascribed to them.

Subd. 2. **Vehicle.** "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except

devices moved by human power or used exclusively upon stationary rails or tracks.

Subd. 3. **Motor vehicle.** "Motor vehicle" means every vehicle which is self-propelled and not deriving its power from overhead wires.

Subd. 4. **Motorcycle.** "Motorcycle" means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including motor scooters and bicycles with motor attached, but excluding a tractor.

Subd. 5. **Authorized emergency vehicle.** "Authorized emergency vehicle" means any of the following vehicles when equipped and identified according to law: (1) A vehicle of a fire department; (2) a publicly owned police vehicle or a privately owned vehicle used by a police officer for police work under agreement, express or implied, with the local authority to which he is responsible; (3) an ambulance, whether publicly or privately owned; (4) an emergency vehicle of a municipal department or a public service corporation; (5) any volunteer rescue squad operating pursuant to Chapter 53, Laws 1959.

Subd. 6. **School bus.** "School bus" means every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated for compensation for the transportation of children to or from school.

Subd. 7. **Truck-tractor.** "Truck-tractor" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Subd. 8. **Farm tractor.** "Farm tractor" means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing-machines, and other implements of husbandry.

Subd. 9. **Road tractor.** "Road tractor" means every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

Subd. 10. **Trailer.** "Trailer" means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

Subd. 11. **Semi-trailer.** "Semi-trailer" means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

Subd. 12. **Pneumatic tire.** "Pneumatic tire" means every tire in which compressed air is designed to support the load.

Subd. 13. **Solid tire.** "Solid tire" means every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

Subd. 14. **Metal tire.** "Metal tire" means every tire the surface of which in contact with the highway is wholly or partly of metal or other hard non-resilient material.

Subd. 15. **Railroad.** "Railroad" means a carrier of persons or property upon cars, other than street cars, operated upon stationary rails.

Subd. 16. **Railroad train.** "Railroad train" means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except street cars.

Subd. 17. [Repealed, 1961 c 561 s 17]

Subd. 18. **Trackless trolley car.** "Trackless trolley car" means every vehicle which is propelled by electric power obtained from overhead trolley wires but not operated on rails.

Subd. 19. **Explosives.** "Explosives" means any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructible effects on contiguous objects or of destroying life or limb.

Subd. 20. **Flammable liquid.** "Flammable liquid" means any liquid which has a flash point of 70 degrees Fahrenheit, or less, as determined by a tagliabue or equivalent closed cup test device.

Subd. 21. **Commissioner.** "Commissioner" means the commissioner of highways of this state, acting directly or through his duly authorized officers and agents.

Subd. 22. **Department.** "Department" means the department of highways of this state, acting directly or through its duly authorized officers and agents.

Subd. 23. **Person.** "Person" means every natural person, firm, copartnership, association, or corporation.

Subd. 24. **Pedestrian.** "Pedestrian" means any person afoot.

Subd. 25. **Driver.** "Driver" means every person who drives or is in actual physical control of a vehicle.

Subd. 26. **Owner.** "Owner" means a person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this chapter.

Subd. 27. **Police officer.** "Police officer" means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

Subd. 28. **Local authorities.** "Local authorities" means every county, municipal, and other local board or body having authority to adopt local police regulations under the constitution and laws of this state, and the Regents of the University of Minnesota, with reference to property owned, leased, or occupied, by the Regents of the University of Minnesota, or the University of Minnesota.

Subd. 29. **Street or highway.** "Street or highway" means the entire width between boundary lines of any way or place when any part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular traffic.

Subd. 30. **Private road or driveway.** "Private road or driveway" means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

Subd. 31. **Roadway.** "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel. In the event a highway includes two or more separate roadways the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.

Subd. 32. **One-way roadway.** "One-way roadway" means a street or roadway designated and sign-posted for one-way traffic and on which all vehicles are required to move in one indicated direction.

Subd. 33. **Sidewalk.** "Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

Subd. 34. **Laned highway.** "Laned highway" means a highway the roadway of which is divided into two or more clearly marked lanes for vehicular traffic.

Subd. 35. **Through highway.** "Through highway" means every highway or portion thereof at the entrances to which vehicular traffic from intersecting highways is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this chapter.

Subd. 36. **Intersection.** "Intersection" means (a) the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another, at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(b) Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

Subd. 37. **Crosswalk.** "Crosswalk" means (1) that portion of a roadway ordinarily included with the prolongation or connection of the lateral lines of sidewalks at intersections; (2) any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Subd. 38. **Safety zone.** "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected

or is so marked or indicated by adequate signs as to be plainly visible at all times set apart as a safety zone.

Subd. 39. **Business district.** "Business district" means the territory contiguous to and including a highway when 50 percent or more of the frontage thereon for a distance of 300 feet or more is occupied by buildings in use for business.

Subd. 40. **Residence district.** "Residence district" means the territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of 300 feet or more is in the main improved with residences or residences and buildings in use for business.

Subd. 41. **Official traffic control devices.** "Official traffic control devices" means all signs, signals, markings, and devices not inconsistent with this chapter placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

Subd. 42. **Traffic control signal.** "Traffic control signal" means any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

Subd. 43. **Railroad sign or signal.** "Railroad sign or signal" means any sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

Subd. 44. **Traffic.** "Traffic" means pedestrians, ridden or herded animals, vehicles, street cars, and other conveyances, either singly or together, while using any highway for purposes of travel.

Subd. 45. **Right of way.** "Right of way" means the privilege of the immediate use of highway.

Subd. 46. **Gross weight.** "Gross weight" means the unloaded weight of a vehicle or the unloaded weight of a truck-tractor and semi-trailer combination, plus the weight of the load.

Subd. 47. **Custom service vehicles.** "Custom service vehicles" means all vehicles used as well-drilling machine, wood-sawing machine, cement mixer, rock crusher, road grader, ditch digger, or elevating grader, and similar service equipment.

Subd. 48. **Motor vehicle dealer.** "Motor vehicle dealer" means any person engaged in the business of manufacturing or selling new and unused motor vehicles, or used motor vehicles, or both, having an established place of business for the sale, trade, and display of such motor vehicles, and having in his possession motor vehicles for the purpose of sale or trade.

Subd. 49. **Truck.** "Truck" means every motor vehicle designed, used or maintained primarily for the transportation of property.

Subd. 50. **Bus.** "Bus" means every motor vehicle designed for carrying more than ten passengers and used for the transportation of persons, and every motor vehicle other than a taxicab designed and used for the transportation of persons for compensation.

Subd. 51. **Bicycle.** "Bicycle" means every device propelled by human power upon which any person may ride, having two tandem wheels either of which is over 20 inches in diameter, and including any device generally recognized as a bicycle though equipped with two front or rear wheels.

Subd. 52. **Wrecker.** "Wrecker" means a motor vehicle having a gross vehicle weight of 8,000 pounds or more, equipped with a crane and winch and further equipped to control the movement of the towed vehicle.

Subd. 53. **Bug deflector.** "Bug deflector" means a non-illuminated, transparent device attached to the hood of a motor vehicle so as to deflect the air stream.

Subd. 54. **Controlled access highway.** "Controlled access highway" means, in Chapter 169, every highway, street, or roadway in respect to which the right of access of the owners or occupants of abutting lands and other persons has been acquired and to which the owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

Subd. 55. **Implement of husbandry.** "Implement of husbandry" means every vehicle designed and adapted exclusively for agricultural, horticultural, or livestock-raising operations or for lifting or carrying an implement of husbandry and in either case not subject to registration if used upon the highways.

Subd. 56. **Stand or standing.** "Stand or standing" means the halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

Subd. 57. **Stop.** "Stop" means complete cessation from movement.

Subd. 58. **Stopping.** "Stopping" means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

Subd. 59. **Urban district.** "Urban district" means the territory contiguous to and including any street which is built up with structures devoted to business, industry, or dwelling houses situated at intervals of less than 100 feet for a distance of a quarter of a mile or more.

[1937 c 464 s 1; Ex1937 c 38 s 1; 1939 c 430 s 1; 1947 c 204 s 1; 1947 c 428 s 1-4; 1949 c 90 s 1; 1949 c 247 s 1; 1951 c 114 s 1; 1951 c 331 s 1; 1953 c 289 s 1; 1953 c 303 s 1; 1955 c 536 s 1; 1959 c 521 s 1; 1961 c 42 s 1; 1963 c 357 s 1] (2720-151)

169.02 SCOPE. Subdivision 1. The provisions of this chapter relating to the operation of vehicles refer exclusively to the operation of vehicles upon highways, and upon highways, streets, private roads, and roadways situated on property owned, leased, or occupied by the Regents of the University of Minnesota, or the University of Minnesota, except:

(1) Where a different place is specifically referred to in a given section;

(2) The provisions of sections 169.09 to 169.13 shall apply upon highways and elsewhere throughout the state.

Subd. 2. It is unlawful and, unless otherwise declared in this chapter with respect to particular offenses, it is a misdemeanor, for any person to do any act forbidden or fail to perform any act required in this chapter.

Subd. 3. No person shall wilfully fail or refuse to comply with any lawful order or direction of any peace officer invested by law with authority to direct, control, or regulate traffic.

[1937 c 464 s 2, 3, 4; 1947 c 204 s 2] (2720-152, 2720-153, 2720-154)

169.03 APPLICATION. The provisions of this chapter applicable to the drivers of vehicles upon the highways shall apply to the drivers of all vehicles owned or operated by the United States, this state, or any county, city, town, district, or any other political subdivision of the state, subject to such specific exemptions as are set forth in this chapter with reference to authorized emergency vehicles.

The driver of any authorized emergency vehicle, when responding to an emergency call, upon approaching a red or stop signal or any stop sign shall slow down as necessary for safety, but may proceed cautiously past such red or stop sign or signal after sounding siren and displaying red lights.

The driver of any authorized emergency vehicle, when responding to any emergency call, may enter against the run of traffic on any one-way street, or highway where there is authorized division of traffic, to facilitate traveling to the area in which an emergency has been reported; and the provisions of this section shall not affect any cause of action arising prior to its passage.

No driver of any authorized emergency vehicle shall assume any special privilege under this chapter except when such vehicle is operated in response to any emergency call or in the immediate pursuit of an actual or suspected violator of the law.

The provisions of this chapter shall not apply to persons, teams, motor vehicles, and other equipment while actually engaged in work upon the roadway of a highway, but shall apply to such persons and vehicles when traveling to or from such work.

Streetcars and trackless trolley cars, except where otherwise specifically provided, shall be governed by the same rules and regulations as provided in this chapter for vehicles and motor vehicles, only insofar as such regulations apply to speed, stopped at through streets and railroad tracks, and obeying signals of traffic-control devices and rights of way, driving under the influence of drugs or intoxicating liquor, careless driving, and the stopping at the scene of an accident and giving the information as required by this chapter, and following vehicles too closely, and shall be entitled to the same rights and benefits of this chapter, as to warning, turning and stopping signals and rights of way, as any vehicles or motor vehicle in the streets and highways of this state.

Every person riding a bicycle or an animal or driving any animal drawing a vehicle upon a roadway shall be subject to the provisions of this chapter applicable to the driver of a vehicle, except those provisions which by their nature can have no application.

The provisions of this chapter shall be applicable and uniform throughout this state and in all political subdivisions and municipalities therein, and no local authority shall enact or enforce any rule or regulation in conflict with the provisions of this chapter unless expressly authorized herein. Local authorities may adopt traffic regulations which are not in conflict with the provisions of this chapter; provided, that when any local ordinance regulating traffic covers the same subject for which a penalty is provided for in this chapter, then the penalty provided for violation of said local ordinance shall be identical with the penalty provided for in this chapter for the same offense.

[1937 c 464 s 5, 6, 7; 1945 c 383 s 1; 1949 c 521; 1957 c 130 s 1; 1959 c 66 s 1] (2720-155, 2720-156, 2720-157)

169.04 LOCAL AUTHORITIES. The provisions of this chapter shall not be deemed to prevent local authorities, with respect to streets and highways under their jurisdiction, and with the consent of the commissioner, with respect to state trunk highways, within the corporate limits of a municipality, or within the limits of a town in a county in this state now having or which may hereafter have, a population of 500,000 or more, and a land area of not more than 600 square miles, and within the reasonable exercise of the police power from:

- (1) Regulating the standing or parking of vehicles;
- (2) Regulating traffic by means of police officers or traffic-control signals;
- (3) Regulating or prohibiting processions or assemblages on the highways;
- (4) Designating particular highways as one-way roadways and requiring that all vehicles, except emergency vehicles, when on an emergency run, thereon be moved in one specific direction;
- (5) Designating any highway as a through highway and requiring that all vehicles stop before entering or crossing the same, or designating any intersection as a stop intersection, and requiring all vehicles to stop at one or more entrances to such intersections;

- (6) Restricting the use of highways as authorized in sections 169.80 to 169.88.

No ordinance or regulation enacted under clause (4), (5), or (6) shall be effective until signs giving notice of such local traffic regulations are posted upon and kept posted upon or at the entrance to the highway or part thereof affected as may be most appropriate. No ordinance or regulation enacted under clause (3) or any other provision of law shall prohibit the use of motorcycles utilizing flashing red lights for the purpose of escorting funeral processions, oversize buildings, heavy equipment, parades or similar processions or assemblages on the highways.

[1937 c 464 s 8; 1939 c 359; 1957 c 130 s 2; 1969 c 429 s 1] (2720-158)

169.05 PRIVATE ROADWAYS. Nothing in this chapter shall be construed to prevent the owner of real property used by the public for purposes of vehicular travel by permission of the owner and not as a matter of right, from prohibiting such use, or from requiring other or different or additional conditions than those specified in this chapter, or otherwise regulating such use as may seem best to such owner.

[1937 c 464 s 9] (2720-159)

169.06 SIGNS, SIGNALS, MARKINGS. Subdivision 1. **Uniform system.** The commissioner shall adopt a manual and specifications for a uniform system of traffic-control devices consistent with the provisions of this chapter for use upon highways within this state. Such uniform system shall correlate with and so far as possible conform to the system then current as approved by the American Association of State Highway Officials. The adoption of the manual and specifications by the commissioner as herein provided is specifically exempted from the provisions and requirements of Minnesota Statutes, Sections 15.0411 to 15.0422 and acts amendatory thereto.

Subd. 2. **Placement and maintenance on trunk highways.** The commissioner shall place and maintain such traffic-control devices, conforming to the manual and specifications, upon all state trunk highways as he shall deem necessary to indicate and to carry out the provisions of this chapter or to regulate, warn, or guide traffic. The commissioner may construct and maintain signs at the entrance of each city, village, or borough, which sign shall have placed thereon the name of the city, vil-

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lage, or borough and the population thereof. The commissioner may construct and maintain other directional signs upon the trunk highways and such signs shall be uniform. The commissioner may authorize variations from the manual and specifications for the purpose of investigation and research into the use and development of traffic control devices. When such authorized variation pertains to the regulation of traffic, notice of the intended regulatory purpose shall be published in a qualified newspaper of general circulation in the area where the research is being conducted.

No other authority shall place or maintain any traffic controlled device upon any highway under the jurisdiction of the commissioner except by the latter's permission.

Subd. 3. Placement and maintenance by local authorities. Local authorities in their respective jurisdictions shall place and maintain such traffic-control devices upon highways under their jurisdiction as they may deem necessary to indicate and to carry out the provisions of this chapter or local traffic ordinances, or to regulate, warn, or guide traffic. All such traffic-control devices hereafter erected shall conform to the state manual and specifications.

Subd. 4. Obedience to and required traffic-control devices. (a) The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the provisions of this chapter, unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this chapter.

(b) No provision of this chapter for which official traffic-control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that official traffic-control devices are required, such section shall be effective even though no devices are erected or in place.

(c) Whenever official traffic-control devices are placed in position approximately conforming to the requirements of this chapter, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

(d) Any official traffic-control device placed pursuant to the provisions of this chapter and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this chapter, unless the contrary shall be established by competent evidence.

Subd. 5. Traffic-control signals. Whenever traffic is controlled by traffic-control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors Green, Red, and Yellow shall be used, except for special pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(a) Green indication—

(1) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection or adjacent crosswalk at the time such signal is exhibited.

(2) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right of way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(3) Unless otherwise directed by a pedestrian-control signal as provided in subdivision 6, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(b) Steady yellow indication—

(1) Vehicular traffic facing a circular yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection, except for the continued movement allowed by any green arrow indication simultaneously exhibited.

(2) Pedestrians facing a circular yellow signal, unless otherwise directed by

a pedestrian-control signal as provided in subdivision 6, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

(3) Vehicular traffic facing a steady yellow arrow signal is thereby warned that the protected vehicular movement permitted by the corresponding prior green arrow indication is being terminated.

(c) Steady red indication—

(1) Vehicular traffic facing a circular red signal alone shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection and shall remain standing until a green indication is shown, except as follows: the driver of a vehicle which is stopped as close as practicable at the entrance to the crosswalk on the near side of the intersection or, if none, then at the entrance to the intersection in obedience to a red or stop signal, and with the intention of making a right turn may make such right turn, after stopping, if an official sign has been erected permitting such movement, but shall yield the right of way to pedestrians and other traffic lawfully proceeding through the intersection.

(2) Unless otherwise directed by a pedestrian-control signal as provided in subdivision 6, pedestrians facing a steady red signal alone shall not enter the roadway.

(3) Vehicular traffic facing a steady red arrow signal, with the intention of making a movement indicated by the arrow, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection and shall remain standing until a permissive signal indication is displayed.

(d) In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section are applicable except those which can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

(e) When a traffic-control signal indication or indications placed to control a certain movement or lane are so identified by placing a sign near the indication or indications, no other traffic-control signal indication or indications within the intersection shall control vehicular traffic for such movement or lane.

Subd. 6. Pedestrian-control signals. Whenever special pedestrian-control signals exhibiting the words "Walk" or "Don't Walk" are in place such signals shall indicate as follows:

(a) "Walk"—flashing or steady—Pedestrians facing such signals may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.

(b) "Don't Walk"—flashing or steady—No pedestrian shall start to cross the roadway in the direction of such signals, but any pedestrian who has partially completed his crossing on the "Walk" signal shall proceed to a sidewalk or safety island while the "Don't Walk" signal is showing.

Subd. 7. Flashing signals. When flashing red or yellow signals are used they shall require obedience by vehicular traffic as follows:

(1) When a circular red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

(2) When a red arrow lens is illuminated with rapid intermittent flashes drivers of vehicles with the intention of making a movement indicated by the arrow shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

(3) When a circular yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past the signals only with caution.

(4) When a yellow arrow indication is illuminated with rapid intermittent flashes, drivers of vehicles with the intention of making a movement indicated by

the arrow may proceed through the intersection or past the signals only with caution.

Subd. 8. **Lane-direction-control signals.** When lane-direction-control signals are placed over individual lanes of a street or highway, vehicular traffic may travel in lanes as follows:

(a) Vehicular traffic facing a green arrow indication is permitted to drive in the lane over which the arrow signal is located.

(b) Vehicular traffic facing a red "X" indication shall not drive in the lane over which the signal is located.

(c) Vehicular traffic facing a steady yellow "X" indication is thereby warned that use of the lane over which the signal is located is being terminated, or that a red "X" indication will be exhibited immediately thereafter when vehicular traffic shall not drive in the lane.

(d) Vehicular traffic facing a yellow "X" indication illuminated with rapid intermittent flashes is permitted to use a lane over which the signal is located for a left turn or for a passing maneuver, using proper caution.

[1937 c 464 s 10, 11, 12, 13, 14, 15; 1939 c 413; 1941 c 419; 1947 c 428 s 5, 6; 1955 c 325 s 1; 1957 c 369 s 1; 1961 c 31 s 1; 1963 c 357 s 2-4; 1965 c 31 s 1; 1965 c 51 s 23; 1965 c 133 s 1; 1969 c 876 s 1-6] (2720-160, 2720-161, 2720-162, 2720-163, 2720-164, 2720-165)

169.07 UNAUTHORIZED SIGNS. No person shall place, maintain, or display upon or in view of any highway any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal, and no person shall place or maintain, nor shall any public authority permit, upon any highway any traffic sign or signal bearing thereon any commercial advertising. This shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.

Every such prohibited sign, signal, or marking is hereby declared to be a public nuisance, and the authority having jurisdiction over the highways is hereby empowered to remove the same, or cause it to be removed, without notice.

[1937 c 464 s 16] (2720-166)

169.073 RED LIGHTS FORBIDDEN. No person or corporation shall place, maintain or display any red light or red sign, signal, or lighting device or maintain the same in view of any highway or any line of railroad on or over which trains are operated in such a way as to interfere with the effectiveness or efficiency of any highway traffic-control device or signals or devices used in the operation of a railroad. Upon written notice from the commissioner of highways such person or corporation maintaining or owning or displaying said prohibited light shall promptly remove the same, or change the color thereof to some other color than red. Where such prohibited light or sign interferes with the effectiveness or efficiency of the signals or devices used in the operation of a railroad, the railroad and warehouse commission shall have authority to cause the removal of the same and the commission shall have authority to issue notices and orders for such removal. The commission shall proceed as provided in sections 216.13, 216.14, 216.15, 216.16, and 216.17, with a right of appeal to the aggrieved party as provided in section 216.25.

It shall be a misdemeanor for any person or corporation to maintain or display any such light after written notice thereof from the commissioner of highways or the railroad and warehouse commission that such light constitutes a traffic hazard and has ordered the removal thereof.

[1943 c 141; 1961 c 560 s 15]

169.08 UNLAWFUL TO ALTER, DEFACE, OR REMOVE SIGNS. No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down, or remove any official traffic-control device or any railroad sign or signal or any inscription, shield, or insignia thereon, or any other part thereof.

[1937 c 464 s 17] (2720-167)

169.09 ACCIDENTS. Subdivision 1. **Driver to stop.** The driver of any vehicle involved in an accident resulting in injury to or death of any person shall immediately stop the vehicle at the scene of the accident, or as close thereto as possible, but shall then return to and in every event, shall remain at, the scene of the accident

until he has fulfilled the requirements of this chapter as to the giving of information. The stop shall be made without unnecessarily obstructing traffic.

Any person failing to stop or to comply with these requirements under such circumstances shall, upon conviction, be punished by imprisonment for not less than ten, nor more than 90, days, or by a fine of not less than \$10, nor more than \$100.

Subd. 2. Driver to stop. The driver of any vehicle involved in an accident to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident, or as close thereto as possible, but shall forthwith return to, and in every event shall remain at, the scene of the accident until he has fulfilled the requirements of this chapter as to the giving of information. Every such stop shall be made without obstructing traffic more than is necessary. Any person failing to stop or to comply with these requirements under such circumstances shall be guilty of a misdemeanor.

Subd. 3. Driver to give information. The driver of any vehicle involved in an accident resulting in injury to or death of any person, or damage to any vehicle which is driven or attended by any person, shall stop and give his name, address, and the registration number of the vehicle he is driving, and shall, upon request and if available, exhibit his driver's or chauffeur's license to the person struck or the driver or occupant of or person attending any vehicle collided with, and shall render reasonable assistance to any person injured in such accident.

Subd. 4. Collision with unattended vehicle. The driver of any vehicle which collides with and damages any vehicle which is unattended shall immediately stop and either locate and notify the driver or owner of the vehicle of the name and address of the driver and owner of the vehicle striking the unattended vehicle, shall report the same to a police officer, or shall leave in a conspicuous place in the vehicle struck a written notice giving the name and address of the driver and of the owner of the vehicle doing the striking.

Subd. 5. Notify owner of damaged property. The driver of any vehicle involved in an accident resulting only in damage to fixtures legally upon or adjacent to a highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of his name and address and of the registration number of the vehicle he is driving and shall, upon request and if available, exhibit his driver's or chauffeur's license, and make report of such accident when and as required by the provisions of this chapter.

Subd. 6. Notify police of personal injury. The driver of a vehicle involved in an accident resulting in injury to or death of any person shall, after compliance with the provisions of this section, by the quickest means of communication, give notice of such accident to the local police department, if the accident occurs within a municipality, or to a state highway patrol officer if the accident occurs on a trunk highway, or to the office of the sheriff of the county.

Subd. 7. Accident report to commissioner. The driver of a vehicle involved in an accident resulting in injury to or death of any person or total property damage to an apparent extent of \$100 or more, shall promptly forward a written report of the accident to the commissioner. If, in the opinion of the commissioner, the original report of any driver of a vehicle involved in an accident of which report must be made as provided in this section is insufficient he may require the driver to file supplementary reports.

Subd. 8. Officers to report accident to the commissioner. Every law enforcement officer who, in the regular course of duty, investigates a motor vehicle accident of which report must be made as required in this section, either at the time of and at the scene of the accident or thereafter by interviewing participants or witnesses, shall, within 24 hours after completing such investigation, forward a written report of such accident to the commissioner.

Subd. 9. Accident report forms. The department shall prepare, and upon request supply to police departments, coroners, sheriffs, garages and other suitable agencies or individuals, forms for accident reports required hereunder, appropriate with respect to the persons required to make such reports and the purposes to be served. The written reports to be made by persons involved in accidents and by investigating officers shall call for sufficiently detailed information to disclose with reference to a traffic accident the causes, conditions then existing, and the persons and vehicles involved.

Subd. 10. Use of form required. Every accident report required to be made in

writing shall be made on the appropriate form approved by the department and contain all of the information required therein unless not available.

Subd. 11. Coroner to report death. Every coroner or other official performing like functions shall report in writing to the department the death of any person within his jurisdiction as the result of an accident involving a motor vehicle and the circumstances of such accident. Such report shall be made within five days after such death.

In the case of drivers killed in motor vehicle accidents and of the death of pedestrians 16 years of age or older, who die within four hours after accident, the coroner or other official performing like functions shall examine the body and shall make such tests as are necessary to determine the presence and percentage concentration of alcohol, and drugs if feasible, in the blood of the victim. This information shall be included in each report submitted pursuant to the provisions of this subdivision and shall be tabulated on a monthly basis by the department. This information may be used only for statistical purposes which do not reveal the identity of the deceased.

Subd. 12. Garages to report. The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been struck by any bullet shall immediately report to the local police or sheriff and to the commissioner within 24 hours after such motor vehicle is received, giving the engine number, registration number and the name and address of the owner or operator of such vehicle.

Subd. 13. Accident reports confidential. All required accident reports and supplemental reports shall be without prejudice to the individual so reporting and shall be for the confidential use of the department for accident prevention purposes, except that the department or any law enforcement department of any municipality or county in this state shall, upon written request of any person involved in an accident or upon written request of the representative of his estate, his surviving spouse, or one or more of his surviving next of kin, or a trustee appointed pursuant to Minnesota Statutes, Section 573.02, disclose to such requester, his legal counsel or a representative of his insurer any information contained therein except the parties' version of the accident as set out in the written report filed by such parties. No such report shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the department shall furnish upon the demand of any person who has, or claims to have, made such a report, or, upon demand of any court, a certificate showing that a specified accident report has or has not been made to the department solely to prove a compliance or a failure to comply with the requirements that such report be made to the department. Disclosing any information contained in any accident report, except as provided herein, is unlawful and a misdemeanor.

Nothing herein shall be construed to prevent any person who has made a report pursuant to this chapter from testifying in any trial, civil or criminal, arising out of an accident, as to facts within his knowledge. It is intended by this subdivision to render privileged the reports required but it is not intended to prohibit proof of the facts to which such reports relate. Legally qualified newspaper publications shall upon request to a law enforcement agency be given an oral statement covering only the time and place of the accident, the names and addresses of the parties involved, and a general statement as to how the accident happened without attempting to fix liability upon anyone, but said legally qualified newspaper publications shall not be given access to the hereinbefore mentioned confidential reports, nor shall any such statements or information so orally given be used as evidence in any court proceeding, but shall merely be used for the purpose of a proper publication of the news.

[1937 c 464 s 18, 19, 20, 21, 22, 23; 1939 c 430 s 2, 3; 1941 c 439; 1943 c 548 s 1; 1945 c 207 s 1; 1947 c 428 s 7, 8, 9, 10; 1947 c 114 s 1; 1959 c 679 s 1; 1963 c 280 s 1; 1963 c 634 s 1; 1965 c 815 s 1; Ex1967 c 3 s 1] (2720-168, 2720-169, 2720-170, 2720-171, 2720-172, 2720-173)

169.10 STATISTICAL INFORMATION. The department shall tabulate and may analyze all accident reports and shall publish annually or at more frequent intervals statistical information based thereon as to the number and circumstances of traffic accidents.

[1937 c 464 s 24] (2720-174)

169.11 CRIMINAL NEGLIGENCE. The commissioner of public safety shall revoke the driver's license, and shall revoke the chauffeur's license, of any person

convicted of the crime of criminal negligence in the operation of a vehicle resulting in the death of a human being.

[1937 c 464 s 25; 1963 c 753 art 2 s 1; 1969 c 1129 art 1 s 15, 18] (2720-175)

169.12 [Repealed, 1957 c 297 s 2]

169.121 MOTOR VEHICLE DRIVERS UNDER INFLUENCE OF DRUGS OR ALCOHOLIC BEVERAGES. Subdivision 1. It shall be unlawful and punishable as provided in this section for any of the following persons to drive, operate or be in actual physical control of any vehicle within this state:

(a) A person who is under the influence of an alcoholic beverage or narcotic drug;

(b) A person who is an habitual user of narcotic drugs;

(c) A person who is under the influence of a combination of any two or more of the elements named in subsections (a) and (b) hereof.

The provisions of this subdivision apply, but are not limited in application, to any person who drives, operates, or who is in actual physical control of any vehicle in the manner prohibited by this subdivision upon the ice of any lake, stream, or river, including but not limited to the ice of any boundary water.

Subd. 2. Upon the trial of any prosecution arising out of acts alleged to have been committed by any person arrested for driving, operating, or in actual physical control of a motor vehicle while under the influence of an alcohol beverage, the court may admit evidence of the amount of alcohol in the person's blood taken voluntarily or pursuant to section 169.123 as shown by a medical or chemical analysis of his blood, or of his breath or urine if the person arrested elected to take such test in lieu thereof.

For the purposes of this subdivision:

(a) evidence that there was at the time 0.05 percent or less by weight of alcohol in the person's blood is prima facie evidence that such person was not under the influence of an alcoholic beverage;

(b) evidence that there was at the time more than 0.05 percent and less than 0.10 percent by weight of alcohol in the person's blood is relevant evidence but it is not to be given prima facie effect in indicating whether or not the person was under the influence of an alcoholic beverage;

(c) evidence that there was at the time 0.10 percent or more by weight of alcohol in the person's blood may be admitted as prima facie evidence that the person was under the influence of an alcoholic beverage.

The foregoing provisions shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether or not such person was under the influence of an alcoholic beverage, but the refusal to permit the taking of specimens for such chemical analysis shall not be admissible in evidence. In the event of a breath or urine test, the percentages above shall be increased by 10 percent.

For the purposes of this section, an "alcoholic beverage" means any liquid containing more than one-half of one percent of alcohol by volume.

Subd. 3. Every person who is convicted of a violation of this section shall be punishable by imprisonment of not less than ten days nor more than 90 days, or by a fine of not less than \$10 nor more than \$100, and his driver's license shall be revoked for not less than 30 days, except that every person who is convicted of a violation of this section, when such violation is found to be the proximate cause of grievous bodily injury or death to another person, shall be punished by imprisonment for not less than 60 days nor more than 90 days, and his driver's license shall be revoked for not less than 90 days.

Subd. 4. Every person who is convicted of a violation of this section within three years of any previous conviction under this section shall be punished by imprisonment for not less than ten days nor more than 90 days, and his driver's license shall be revoked for not less than 90 days.

Subd. 5. Whenever a person is charged with a violation of this section within three years of a previous conviction hereunder, and he shall forfeit his bail, it shall be the duty of the prosecuting officer to immediately apply to the court for a bench warrant, and thereupon the court shall forthwith issue a warrant for the arrest of the accused.

Subd. 6. The court may stay imposition or execution of any sentence authorized by subdivision 3 or 4 upon a medical recommendation and on the condition that the convicted person submit to medical treatment in a suitable public or private in-

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stitution. A stay of imposition or execution shall be in the manner provided in section 609.135.

[1957 c 297 s 1; 1961 c 454 s 9; 1967 c 283 s 1; 1967 c 569 s 1; 1969 c 744 s 1]

169.122 OPEN BOTTLE LAW; PENALTY. Subdivision 1. No person shall drink or consume intoxicating liquors or nonintoxicating malt liquors in any motor vehicle when such vehicle is upon a public highway.

Subd. 2. No person shall have in his possession on his person while in a private motor vehicle upon a public highway, any bottle or receptacle containing intoxicating liquor or nonintoxicating malt liquor which has been opened, or the seal broken, or the contents of which have been partially removed.

Subd. 3. It shall be unlawful for the owner of any private motor vehicle or the driver, if the owner be not then present in the motor vehicle, to keep or allow to be kept in a motor vehicle when such vehicle is upon the public highway any bottle or receptacle containing intoxicating liquors or nonintoxicating malt liquors which has been opened, or the seal broken, or the contents of which have been partially removed except when such bottle or receptacle shall be kept in the trunk of the motor vehicle when such vehicle is equipped with a trunk, or kept in some other area of the vehicle not normally occupied by the driver or passengers, if the motor vehicle is not equipped with a trunk. A utility compartment or glove compartment shall be deemed to be within the area occupied by the driver and passengers.

Subd. 4. Whoever violates the provisions of subdivisions 1 to 3 is guilty of a misdemeanor.

[1959 c 255 s 1-4]

169.123 CHEMICAL TESTS FOR INTOXICATION. Subdivision 1. **Peace officer defined.** For purposes of Laws 1961, Chapter 454, the term peace officer means a state highway patrol officer or full time police officer of any municipality or county having satisfactorily completed a prescribed course of instruction in a school for instruction of persons in law enforcement conducted by the university of Minnesota or a similar course considered equivalent by the commissioner of public safety.

Subd. 2. **Implied consent; conditions; election as to type of test.** Any person who drives or operates a motor vehicle upon the public highways of this state shall be deemed to have given consent subject to the provisions of Laws 1961, Chapter 454, to a chemical test of his blood, breath, or urine for the purpose of determining the alcoholic content of his blood. The test shall be administered at the direction of a peace officer, when (1) the officer has reasonable and probable grounds to believe that a person was driving or operating a motor vehicle while said person was under the influence of an alcoholic beverage, and (2) the said person has been lawfully placed under arrest for alleged commission of the said described offense in violation of Minnesota Statutes, Section 169.121, or an ordinance in conformity therewith. No action shall be taken hereunder against the said person unless the two enumerated conditions existed at the time the officer requested the chemical test specimen. Any person may decline to take a direct blood test and elect to take either a breath, or urine test, whichever is available, in lieu thereof, and either a breath or urine test shall be made available to the arrested person who makes such an election. No action shall be taken against the person for declining to take a direct blood test unless either a breath, or urine test was available. At the time the peace officer requests such chemical test specimen, he shall inform the arrested person that his right to drive may be revoked or denied if he refuses to permit the test and that he has the right to have additional tests made by a person of his own choosing.

Subd. 3. **Manner of making test; additional tests.** Only a physician, or a medical technician, or registered nurse acting at the request of a peace officer may withdraw blood for the purpose of determining the alcoholic content therein. This limitation shall not apply to the taking of a breath, or urine specimen. The person tested shall have the right to a physician, or a medical technician, or registered nurse of his own choosing administer a chemical test or tests in addition to any administered at the direction of a peace officer; provided, that the additional test specimen on behalf of said person be obtained at the place where such person is in custody and at no expense to the state. Said person shall have the right to immediately communicate with his attorney, doctor or any other person in order to secure a physician, medical technician or registered nurse, for the purpose of administering such additional test or tests; but this shall in no way delay the ad-

ministering of the test at the direction of the peace officer. The failure or inability to obtain an additional test or tests by a person shall not preclude the admission in evidence of the test taken at the direction of a peace officer unless the additional test was prevented or denied by the peace officer. Upon the request of the person who is tested, full information concerning the test or tests taken at the direction of the peace officer shall be made available to him. The physician, medical technician or registered nurse drawing blood at the request of a peace officer for the purpose of determining alcoholic content shall in no manner be liable in any civil or criminal action except for negligence in drawing the blood. The person administering such test at the request and direction of such peace officer shall be fully trained in the administration and interpretation of such tests pursuant to standards promulgated by rule by the commissioner of public safety.

Subd. 4. Refusal to permit test; revocation of license. If a person under arrest refuses to permit chemical testing, none shall be given, but the commissioner of public safety, upon the receipt of a certificate of the peace officer that he had reasonable and probable grounds to believe the arrested person had been driving or operating a motor vehicle upon the public highways while under the influence of an alcoholic beverage, and that the person had refused to permit the test, shall revoke his license or permit to drive and any nonresident operating privilege for a period of six months. If the person is a resident without a license or permit to operate a motor vehicle in this state, the commissioner of public safety shall deny to the person the issuance of a license or permit for a period of six months after the date of the alleged violation, subject to review as hereinafter provided.

Subd. 5. Notice of revocation or determination to deny; request for hearing. No revocation under subdivision 4 shall be made until the commissioner of public safety notifies the person by certified or registered mail of the intention to revoke and allows said person a 20 day period after the date of receiving said notice to request of the commissioner of public safety, in writing, a hearing as herein provided. If no request is filed within the 20 day period the commissioner of public safety may then issue an order of revocation. However if a request for hearing is filed, no revocation hereunder shall be made until final judicial determination resulting in an adverse decision to said person.

Subd. 6. Hearing. The hearing shall be before a municipal judge, or probate judge if no municipal judge is available, learned in the law, in the county where the arrest occurred, unless there is agreement that the hearing may be held in some other county. The hearing shall be recorded and proceed as in a criminal matter, without the right of trial by jury, and its scope shall cover the issues of whether the peace officer had reasonable and probable grounds to believe the person was driving or operating a motor vehicle while under the influence of an alcoholic beverage; whether the person was lawfully placed under arrest; whether he refused to permit the test, and if he refused whether he had reasonable grounds for refusing to permit the test; and whether at the time of request for the test the peace officer informed the said person that his right to drive might be revoked or denied if he refused to permit the test and of his right to have additional tests made by a person of his own choosing. The municipal court shall order either that the revocation or denial be rescinded or sustained and refer such order to the commissioner of public safety for his further action.

Subd. 7. Review by district court. If the revocation or denial is sustained, the person whose license or permit to drive, or nonresident operating privilege has been revoked or denied, may within 20 days after notice of the determination by the commissioner of public safety file a petition for a hearing of the matter in the district court in the county where the hearing pursuant to subdivision 6 was held unless there is agreement that the hearing may be held in some other county. The petition shall be filed with the clerk of the said court together with proof of service of a copy thereof on the commissioner of public safety. It shall be the duty of the court to set the matter for hearing on a day certain with reasonable notice thereof to the parties. The matter shall be heard de novo with a right of trial by jury.

Subd. 8. Notice of action to other states. When it has been finally determined that a nonresident's privilege to operate a motor vehicle in this state has been revoked or denied, the commissioner of public safety shall give information in writing of the action taken to the official in charge of traffic control or public safety of the state of the person's residence and of any state in which he has a license.

[1961 c 454 s 1-8; 1967 c 284 s 1-6; 1969 c 620 s 1; 1969 c 742 s 1; 1969 c 1129 art 1 s 18]

NOTE: The amendments by Laws 1967, Chapter 284, Subdivisions 3, and 5 to 8, apply only to cases in which the refusal or alleged refusal to permit chemical testing occurs on or after May 4, 1967. All other cases shall be governed by the law in effect on the date of such refusal or alleged refusal.

169.13 RECKLESS OR CARELESS DRIVING. Subdivision 1. Any person who drives any vehicle in such a manner as to indicate either a wilful or a wanton disregard for the safety of persons or property is guilty of reckless driving and such reckless driving is a misdemeanor.

Subd. 2. Any person convicted of reckless driving shall be punished upon a first conviction by imprisonment for not less than ten days or by a fine of not less than \$10 and, upon a second or subsequent conviction, by imprisonment for not less than 30 days or by a fine of not less than \$25.

Subd. 3. No person shall operate or halt any vehicle upon any street or highway carelessly or heedlessly in disregard of the rights or the safety of others, or in a manner so as to endanger, or be likely to endanger, any person or property.

Subd. 4. **Application.** The provisions of this section apply, but are not limited in application, to any person who drives any vehicle in the manner prohibited by this section upon the ice of any lake, stream, or river, including but not limited to the ice of any boundary water.

[1937 c 464 s 27; 1939 c 430 s 5; 1947 c 428 s 11; 1967 c 569 s 2] (2720-177)

169.131 MINOR UNDER 17 NOT TO DRIVE MOTOR VEHICLE BETWEEN CERTAIN HOURS. Any juvenile under the age of 17 is prohibited from driving a motor vehicle upon any public highway between the hours of 12:00 Midnight and 5:00 A.M., unless accompanied by an adult or in the case of an emergency.

[1957 c 542 s 1]

169.132 VIOLATIONS. Upon violation of section 169.131 the court may recommend to the commissioner of public safety or to the licensing authority of another state a suspension of the juvenile's driver's license not to exceed 30 days on the first violation, 60 days on the second violation, and upon a subsequent violation the court may recommend a revocation of the license until the juvenile reaches the age of 17. Upon such recommendation, but not otherwise, the commissioner of public safety shall suspend or revoke the license without hearing. After his 17th birthday, such juvenile may again apply for a driver's license.

[1957 c 542 s 2; 1969 c 842 s 1; 1969 c 1129 art 1 s 18]

169.14 SPEED RESTRICTIONS. Subdivision 1. **Basic rule.** No person shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event speed shall be so restricted as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

Subd. 2. **Speed limits.** Where no special hazard exists the following speeds shall be lawful, but any speeds in excess of such limits shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful; except that the speed limit within any municipality shall be a maximum limit and any speed in excess thereof shall be unlawful:

- (1) 30 miles per hour in an urban district;
- (2) 65 miles per hour in other locations during the daytime;
- (3) 55 miles per hour in such other locations during the nighttime.

"Daytime" means from a half hour before sunrise to a half hour after sunset, except at any time when due to weather or other conditions there is not sufficient light to render clearly discernible persons and vehicles at a distance of 500 feet. "Nighttime" means at any other hour or at any time when due to weather or other conditions there is not sufficient light to render clearly discernible persons and vehicles at a distance of 500 feet.

Subd. 3. **Reduced speed required.** The driver of any vehicle shall, consistent with the requirements, drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or highway conditions.

Subd. 4. **Establishment of zones by commissioner.** When the commissioner determines upon the basis of an engineering and traffic investigation that any speed set forth in this section is greater or less than is reasonable or safe under the conditions found to exist on any trunk highway or upon any part thereof, he may erect appropriate signs designating a reasonable and safe speed limit

thereat, which speed limit shall be effective when such signs are erected. Any speeds in excess of such limits shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful; except that any speed limit within any municipality shall be a maximum limit and any speed in excess thereof shall be unlawful. Whenever the commissioner determines upon that basis that a part of the trunk highway system outside a municipality should be a zone of maximum speed limit, he may establish that part as such a zone by erecting appropriate signs showing the beginning and end of the zone, designating a reasonable and safe speed therefor, which may be different than the speed set forth in this section, and that it is a zone of maximum speed limit. The speed so designated by him within any such zone shall be a maximum speed limit, and speed in excess of such limit shall be unlawful. He may in the same manner from time to time alter the boundary of such a zone and the speed limit therein or eliminate such zone.

Subd. 5. Zoning within local areas. When local authorities believe that the existing speed limit upon any street or highway, or part thereof, within their respective jurisdictions and not a part of the trunk highway system is greater or less than is reasonable or safe under existing conditions, they may request the commissioner to authorize, upon the basis of an engineering and traffic investigation, the erection of appropriate signs designating what speed is reasonable and safe, and the commissioner may authorize the erection of appropriate signs designating a reasonable and safe speed limit thereat, which speed limit shall be effective when such signs are erected. Any speeds in excess of these speed limits shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful; except that any speed limit within any municipality shall be a maximum limit and any speed in excess thereof shall be unlawful. Alteration of speed limits on streets and highways shall be made only upon authority of the commissioner.

Subd. 6. Summons to specify speed. In every charge of violation of any speed regulation in this chapter the complaint, also the summons or notice to appear, shall specify the speed at which the defendant is alleged to have driven, also the speed limit applicable within the district or at the location.

Subd. 7. Burden of proof. The provisions of this chapter declaring speed limitation shall not be construed to relieve the plaintiff in any civil action from the burden of proving negligence on the part of the defendant as the proximate cause of an accident.

Subd. 8. Minimum speeds. Where the commissioner determines upon the basis of an engineering and traffic investigation that a speed at least as great as, or in excess of, a specified and determined minimum is necessary to the reasonable and safe use of any trunk highway or portion thereof, he may erect appropriate signs specifying the minimum speed on such highway or portion thereof. The minimum speed shall be effective when such signs are erected. Any speeds less than the posted minimum speeds shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful.

Subd. 9. Standards of evidence. In any prosecution in which the rate of speed of a motor vehicle is relevant, evidence of the speed of a motor vehicle as indicated on the speedometer thereof shall be admissible on a showing that a vehicle is regularly used in traffic law enforcement and that the speedometer thereon is regularly and routinely tested for accuracy and a record of the results of said tests kept on file by the agency having control of said vehicle. Evidence as to the speed indicated on said speedometer shall be prima facie evidence that the said vehicle was, at the time said reading was observed, traveling at the rate of speed so indicated; subject to correction by the amount of error, if any, shown to exist by the test made closest in time to the time of said reading.

Records of speedometer tests kept in the regular course of operations of any law enforcement agency shall be admissible without further foundation, as to the results of said tests. Such records shall be available to the defendant upon demand. Nothing herein shall be construed to preclude or interfere with the cross examination or impeachment of evidence of rate of speed as indicated by speedometer readings, pursuant to the rules of evidence.

[1937 c 464 s 28; 1939 c 430 s 6; 1947 c 428 s 12, 13; 1955 c 802 s 1, 2; 1957 c 580 s 1; 1963 c 843 s 1-4; 1969 c 623 s 1] (2720-178)

169.15 IMPEDING TRAFFIC. No person shall drive a motor vehicle at such

a slow speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law.

Police officers are hereby authorized to enforce this provision by directions to drivers, and, in the event of apparent wilful disobedience of this provision and refusal to comply with direction of an officer in accordance herewith, the continued slow operation by a driver shall be a misdemeanor.

[1937 c 464 s 29] (2720-179)

169.16 SPEED ON BRIDGES. No person shall drive a vehicle over any bridge or other elevated structure constituting a part of a highway at a speed which is greater than the maximum speed which can be maintained with safety to such bridge or structure, when such structure is sign-posted as provided in this section.

The commissioner, upon request from any local authority, shall, or, upon his own initiative, may, conduct an investigation of any bridge or other elevated structure constituting a part of a highway, and if he shall thereupon find that such structure cannot with safety to itself withstand vehicles traveling at the speed otherwise permissible under this chapter, the commissioner shall determine and declare the maximum speed of vehicles which such structure can withstand and cause or permit suitable signs stating such maximum speed to be erected and maintained at a distance of 100 feet before each end of such structure.

Upon the trial of any person charged with a violation of this section, proof of the determination of the maximum speed by the commissioner and the existence of the signs shall constitute conclusive evidence of the maximum speed which can be maintained with safety to such bridge or structure.

[1937 c 464 s 30] (2720-180)

169.17 EMERGENCY VEHICLES. The speed limitations set forth in sections 169.14 to 169.17 do not apply to authorized emergency vehicles when responding to emergency calls, but the drivers thereof shall sound audible signal by siren and display at least one lighted red light to the front. This provision does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of persons using the street, nor does it protect the driver of an authorized emergency vehicle from the consequence of a reckless disregard of the safety of others.

[1937 c 464 s 31; 1947 c 428 s 14] (2720-181)

169.18 DRIVING RULES. Subdivision 1. **Keep to the right.** Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

- (1) When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;
- (2) When the right half of a roadway is closed to traffic while under construction or repair;
- (3) Upon a roadway divided into three marked lanes for traffic under the rules applicable thereon; or
- (4) Upon a roadway designated and sign-posted for one-way traffic as a one-way roadway.

Subd. 2. **Meeting.** Drivers of vehicles proceeding in opposite directions, shall pass each other to the right, and upon roadways having width for not more than one line of traffic in each direction each driver shall give to the other at least one-half of the main traveled portion of the roadway, as nearly as possible.

Subd. 3. **Passing.** The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to the limitations, exceptions, and special rules hereinafter stated:

- (1) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle;
- (2) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible warning, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle;

Subd. 4. **Passing on right.** The driver of a vehicle may overtake and pass upon the right of another vehicle only upon the following conditions:

- (a) When the vehicle overtaken is making or about to make a left turn;
- (b) Upon a street or highway with unobstructed pavement not occupied by

parked vehicles of sufficient width for two or more lines of moving vehicles in each direction;

(c) Upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles;

(d) The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the roadway.

Subd. 5. Driving left of roadway center. (a) No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to the right-hand side of the roadway before coming within 100 feet of any vehicle approaching from the opposite direction;

(b) Except on a one-way roadway, no vehicle shall, in overtaking and passing another vehicle or at any other time, be driven to the left half of the roadway under the following conditions:

(1) When approaching the crest of a grade or upon a curve in the highway where the driver's view along the highway is obstructed within a distance of 700 feet;

(2) When approaching within 100 feet of any underpass or tunnel;

(3) Where official signs are in place prohibiting passing, or a distinctive center line is marked, which distinctive line also so prohibits passing, as declared in the manual of traffic-control devices adopted by the commissioner.

Subd. 6. One-way traffic. (a) Upon a roadway designated and sign-posted for one-way traffic as a one-way roadway, a vehicle shall be driven only in the direction designated;

(b) A vehicle passing around a rotary traffic island shall be driven only to the right of such island.

Subd. 7. Laned highways. When any roadway has been divided into two or more clearly marked lanes for traffic, the following rules, in addition to all others consistent herewith, shall apply:

(a) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety;

(b) Upon a roadway which is not a one-way roadway and which is divided into three lanes, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding, and is signposted to give notice of such allocation. The left lane of a three-lane roadway which is not a one-way roadway shall not be used for overtaking and passing another vehicle;

(c) Official signs may be erected directing slow-moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction, and drivers of vehicles shall obey the directions of every such sign.

Subd. 8. Following vehicle too closely. (a) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the conditions of the highway.

(b) The driver of any motor vehicle drawing another vehicle, or the driver of any motor truck, when traveling upon a roadway outside of a business or residence district, shall not follow within 500 feet of another vehicle. The provisions of this clause shall not be construed to prevent overtaking and passing nor shall the same apply upon any lane specially designated for use by motor trucks.

Subd. 9. Divided highways; crossovers. Whenever any highway has been divided into two or more roadways by leaving an intervening space or by a physical barrier or clearly indicated dividing section so constructed as to impede vehicular traffic, every vehicle shall be driven only upon the righthand roadway unless di-

rected or permitted to use another roadway by official traffic-control devices or police officers. No vehicle shall be driven over, across, or within any such dividing space, barrier section, except through an opening in such physical barrier, or dividing section or space or at a crossover or intersection established by public authority.

Subd. 10. Slow moving vehicles. Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction, or when preparing for a left turn at an intersection or into a private road or driveway, or when a specific lane is designated and posted for a specific type of traffic.

[1937 c 464 s 32, 33, 34, 35, 36, 37, 38, 39; 1939 c 430 s 7; 1947 c 428 s 15; 1951 c 363 s 1; 1959 c 521 s 2; 1963 c 357 s 5; 1963 c 627 s 1] (2720-182, 2720-183, 2720-184, 2720-185, 2720-186, 2720-187, 2720-188, 2720-189)

169.19 TURNING AND STARTING. Subdivision 1. **Turning at intersection.** The driver of a vehicle intending to turn at an intersection shall do so as follows:

(1) Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway;

(2) Approach for a left turn on other than one-way roadways shall be made in that portion of the right half of the roadway nearest the center line thereof, and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection;

(3) Approach for a left turn from a two-way roadway into a one-way roadway shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection;

(4) A left turn from a one-way roadway into a two-way roadway shall be made from the left hand lane and by passing to the right of the center line of the roadway being entered upon leaving the intersection;

(5) Where both streets or roadways are one way, both the approach for a left turn and a left turn shall be made as close as practicable to the left-hand curb or edge of the roadway;

(6) Local authorities in their respective jurisdictions may cause markers, buttons, or signs to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this section be traveled by vehicles turning at an intersection, and when markers, buttons, or signs are so placed no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons, or signs.

Subd. 2. U-turns. No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within 1,000 feet.

Subd. 3. Starting parked car. No person shall start a vehicle which is stopped, standing, or parked unless and until such movement can be made with reasonable safety.

Subd. 4. Change of course. No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required in this section, or turn a vehicle to enter a private road or driveway or otherwise turn a vehicle from a direct course or move right or left upon a highway unless and until the movement can be made with reasonable safety, and then only after giving a clearly audible warning by sounding the horn if any pedestrian may be affected by the movement or after giving an appropriate signal in the manner hereinafter provided in the event any other vehicle may be affected by the movement.

Subd. 5. Signal to turn. A signal of intention to turn right or left shall be given continuously during not less than the last 100 feet traveled by the vehicle before turning.

Subd. 6. Signal to stop. No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear unless there is a good and sufficient reason for not being able to do so.

Subd. 7. **Signaling methods.** The signals herein required shall be given either by means of the hand and arm or by a signal lamp or signal device of a type approved by the commissioner, but when a vehicle is so constructed or loaded that a hand and arm signal would not be visible in normal sunlight, and at night both to the front and rear of such vehicle, then the signals must be given by such a lamp or device.

Subd. 8. **Hand signals.** When the signal is given by means of the hand and arm the driver shall indicate his intention to start, stop, or turn by extending the hand and arm from and beyond the left side of the vehicle in the following manner and these signals shall indicate as follows:

- (1) Left turn.—Hand and arm extended horizontally.
- (2) Right turn.—Hand and arm extended upward.
- (3) Stop or decrease speed.—Hand and arm extended downward.

[1937 c 464 s 40, 41, 42, 43, 44, 45; 1939 c 430 s 8; 1947 c 428 s 16; 1959 c 521 s 3] (2720-190, 2720-191, 2720-192, 2720-193, 2720-194, 2720-195)

169.20 RIGHT OF WAY. Subdivision 1. **Approaching uncontrolled intersection.** When two vehicles enter an uncontrolled intersection from different highways at approximately the same time the driver of the vehicle on the left shall yield the right of way to the vehicle on the right.

The driver of any vehicle traveling at an unlawful speed shall forfeit any right of way which he might otherwise have hereunder.

The foregoing rules are modified at through highways, and otherwise as hereinafter stated in this section.

Subd. 2. **Left turns.** The driver of a vehicle intending to turn to the left within an intersection or into an alley, private road, or driveway shall yield the right of way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard.

Subd. 3. **Through highway; stop sign.** The driver of a vehicle shall stop as required by this chapter at the entrance to a through highway and shall yield the right of way to other vehicles which have entered the intersection from the through highway or which are approaching so closely on the through highway as to constitute an immediate hazard, but the driver having so yielded may proceed, and the drivers of all other vehicles approaching the intersection on the through highway shall yield the right of way to the vehicles so proceeding into or across the through highway.

The driver of a vehicle shall likewise stop in obedience to a stop sign, as required herein, at an intersection where a stop sign is erected at one or more entrances thereto although not a part of a through highway, and shall proceed cautiously, yielding to vehicles not so obliged to stop which are within the intersection or approaching so closely as to constitute an immediate hazard, but may then proceed.

Subd. 4. **Entering highway from private driveway.** The driver of a vehicle entering or crossing a highway from a private road or driveway shall yield the right of way to all vehicles approaching on such highway.

Subd. 5. **Emergency vehicle.** Upon the immediate approach of an authorized emergency vehicle equipped with at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle and, except where otherwise not required by law, when the driver is giving audible signal by siren, the driver of each other vehicle shall yield the right of way and shall immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the highway clear of any intersection, and shall stop and remain in this position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer. The driver of an authorized emergency vehicle escorting the movement of a vehicle or load which is oversize or overweight need not sound an audible signal by siren but shall exhibit the light required by this paragraph. The driver of each other vehicle then shall yield the right of way, as required by this paragraph, to the emergency vehicle escorting the vehicle or load which is oversize or overweight.

Upon the approach of an authorized emergency vehicle the motorman of each street car and the operator of each trackless trolley car shall immediately stop such car clear of any intersection and keep it in this position and keep the doors and gates of the street car or trackless trolley car closed until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

This subdivision shall not operate to relieve the driver of an authorized emer-

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gency vehicle from the duty to drive with due regard for the safety of persons using the highways.

Subd. 6. **Funeral procession.** When any funeral procession identifies itself by using regular lights on all cars and by keeping all cars in close formation, the driver of every other vehicle, except an emergency vehicle, shall yield the right of way.

[1937 c 464 s 46, 47, 48, 49, 50, 51; 1939 c 430 s 9; 1947 c 428 s 17; 1955 c 595 s 1; 1965 c 423 s 1; 1967 c 268 s 1] (2720-196, 2720-197, 2720-198, 2720-199, 2720-200, 2720-201)

169.201 YIELD SIGN. The driver of a vehicle approaching a YIELD sign shall slow to a speed that is reasonable for conditions of traffic and visibility, and stop if necessary, and yield the right of way to any pedestrian legally crossing the roadway on which he is driving, and to all vehicles on the intersecting street or highway which are so close as to constitute an immediate hazard.

[1955 c 606 s 1; 1959 c 521 s 4; 1961 c 65 s 1]

169.202 BLIND PERSONS CARRYING WHITE CANES. Subdivision 1. **Limitation on carrying.** It shall be unlawful for any person to carry a white painted cane unless said person is a blind person.

Subd. 2. **Blind persons have right of way.** Any person operating a motor vehicle in this state shall bring such motor vehicle to a stop and give the right of way at any intersection of any street, avenue, alley or other public highway to a blind person carrying a white painted cane when such blind person enters said intersection by holding out his white cane with the arm extended.

Subd. 3. **Violation and penalty.** Any person violating any provision of this section shall be guilty of a misdemeanor.

[1945 c 369 s 1, 2, 3; 1949 c 391 s 1, 2, 3]

169.21 PEDESTRIANS. Subdivision 1. **Obey traffic-control signals.** Pedestrians shall be subject to traffic-control signals at intersections as heretofore declared in this chapter, but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in sections 169.21 and 169.22.

Subd. 2. **Rights in absence of signals.** Where traffic-control signals are not in place or in operation the driver of a vehicle shall yield the right of way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield. This provision shall not apply under the conditions as otherwise provided in this subdivision.

When any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

It is unlawful for any person to drive a motor vehicle through a column of school children crossing a street or highway or past a member of a school safety patrol, while the member of the school safety patrol is directing the movement of children across a street or highway and while the school safety patrol member is holding his official signal in the stop position.

Subd. 3. **Crossing between intersections.** Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the roadway.

Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all vehicles upon the roadway.

Between adjacent intersections at which traffic-control signals are in operation pedestrians shall not cross at any place except in a marked crosswalk.

Notwithstanding the provisions of this section every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and give warning by sounding the horn when necessary and exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway.

Subd. 4. **Use right half of crosswalks.** Pedestrians shall move when practicable upon the right half of crosswalks.

Subd. 5. **Walk on left side of roadway.** Pedestrians when walking along a roadway shall walk near the left side of the roadway giving way to oncoming

traffic. Where sidewalks are provided and usable it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

[1937 c 464 s 52, 53, 54, 55, 57; 1939 c 430 s 10; 1947 c 428 s 18] (2720-202, 2720-203, 2720-204, 2720-205, 2720-207)

169.22 HITCHHIKING. No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any private vehicle.

[1937 c 464 s 56] (2720-206)

169.221 BICYCLES. Subdivision 1. **Traffic laws apply.** Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this chapter, except as to special regulations in this chapter and except as to those provisions of this chapter which by their nature can have no application.

Subd. 2. **Manner and number riding.** (a) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

(b) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

Subd. 3. **Hitching rides.** No person riding upon any bicycle, coaster, roller skates, sled, or toy vehicle shall attach the same or himself to any street car or vehicle upon a roadway.

Subd. 4. **Where to ride.** (a) Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(b) Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

(c) Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

(d) No person shall ride a bicycle upon a sidewalk within a business district.

Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right of way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

Subd. 5. **Carrying articles.** No person operating a bicycle shall carry any package, bundle, or article which prevents the driver from keeping at least one hand upon the handle bars.

Subd. 6. **Lighting and brake equipment.** (a) Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type approved by the department which is visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.

(b) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

Subd. 7. **Sale with reflectors.** On or after July 1, 1959, it shall be unlawful for any person to sell or offer for sale any new bicycle unless it is equipped with such reflectors as are prescribed by subdivision 6.

[1947 c 428 s 20; 1959 c 215 s 2]

169.23 [Repealed, 1965 c 45 s 73]

169.24 [Repealed, 1961 c 561 s 17]

169.25 SAFETY ZONE. No vehicle shall at any time be driven through a safety zone.

[1937 c 464 s 60] (2720-210)

169.26 SPECIAL STOPS AT RAILROADS. When any person driving a vehicle approaches a railroad grade crossing and a clearly visible electric or mechanical signal device gives warning of the immediate approach of a train, the driver of such vehicle shall stop not less than ten feet from the nearest track of such railroad and shall not proceed until he can do so safely.

The driver of a vehicle shall stop and remain standing and not traverse such a grade crossing when the crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a train.

[1937 c 464 s 61] (2720-211)

169.27 RAILROAD STOP-CROSSINGS. The railroad and warehouse commis-

sion is hereby authorized to designate particularly dangerous highway grade crossings of railroads and to order stop signs thereat. When such stop signs are erected the driver of any vehicle shall stop within 50 feet, but not less than ten feet, from the nearest track of such grade crossing, and shall proceed only upon exercising due care.

[1937 c 464 s 62] (2720-212)

NOTE: See also Sections 219.20 and 219.22.

169.28 CERTAIN VEHICLES TO STOP AT RAILROADS. The driver of any motor vehicle carrying passengers for hire, or of any school bus whether carrying passengers or not, or of any vehicle carrying explosive substances or flammable liquids, or liquid gas under pressure as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop such vehicle not less than ten feet from the nearest rail of such railroad and while so stopped shall listen and look in both directions along such track for any approaching train, and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until he can do so safely.

No stop need be made at any such crossing where a police officer or a traffic-control signal directs traffic to proceed.

This section shall not apply at street railway grade crossings within a business or residence district.

A school bus shall not be flagged across railroad grade crossings except at such railroad grade crossings as the local school administrative officer may designate.

[1937 c 464 s 63; Ex1937 c 38 s 1; 1961 c 29 s 1; 1969 c 146 s 2] (2720-213)

NOTE: See also Section 219.21.

169.29 CROSSING RAILROAD TRACKS WITH CERTAIN EQUIPMENT. No person shall operate or move any caterpillar tractor, steam shovel, derrick, roller, or any equipment or structure having a normal operating speed of six or less miles per hour or a vertical body or load clearance of less than nine inches above the level surface of a roadway upon or across any tracks at a railroad grade crossing without first complying with this section.

Before making any such crossing the person operating or moving any such vehicle or equipment shall first stop the same not less than ten, nor more than 50, feet from the nearest rail of such railway, and while so stopped shall listen and look in both directions along such track for any approaching train and for signals indicating the approach of a train, and shall not proceed until the crossing can be made safely.

No such crossing shall be made when warning is given by automatic signal or crossing gates or a flagman or otherwise of the immediate approach of a railroad train or car.

[1937 c 464 s 64] (2720-214)

NOTE: See also Section 219.21.

169.30 DESIGNATION OF THROUGH HIGHWAYS. The commissioner, with reference to state trunk highways, and local authorities, with reference to other highways under their jurisdiction, may designate through highways by erecting stop signs or yield signs at entrances thereto or may designate any intersection as a stop or yield intersection by erecting like signs at one or more entrances to such intersection; provided, that local authorities, with the consent of the commissioner, may designate through highway or stop or yield intersections on state trunk highways.

Every driver of a vehicle shall stop at a stop sign or at a clearly marked stop line before entering the intersection, except when directed to proceed by a police officer or traffic-control signal.

[1937 c 464 s 65; 1939 c 430 s 11; 1961 c 16 s 1] (2720-215)

169.305 CONTROLLED ACCESS REGULATIONS AND PENALTIES. Subdivision 1. (a) No person shall drive a vehicle onto or from any controlled access roadway except at such entrances and exits as are established by public authority.

(b) When special crossovers between the main roadways of a controlled access highway are provided for emergency vehicles or maintenance equipment and such crossovers are signed to prohibit "U" turns, it shall be unlawful for any vehicle, except an emergency vehicle or maintenance equipment, to use such crossover.

(c) The commissioner of highways may by order, and any public authority may by ordinance, with respect to any controlled access roadway under their juris-

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dictions prohibit the use of any such roadway by pedestrians, bicycles, or other nonmotorized traffic, or by any person operating any vehicle.

(d) The commissioner of highways or the public authority adopting any such prohibitory regulations shall erect and maintain official signs on the controlled access roadway on which such regulations are applicable and when so erected no person shall disobey the restrictions stated on such signs.

Subd. 2. Any person violating the provisions of subdivision 1 or any order or ordinance promulgated or enacted by the commissioner of highways or a public authority pursuant thereto is guilty of a misdemeanor.

[1959 c 439 s 1; 1961 c 72 s 1]

169.31 STOP AT SIDEWALKS. The driver of a vehicle within a business or residence district emerging from an alley, driveway, or building shall stop such vehicle immediately prior to driving onto a sidewalk or into the sidewalk area extending across any alleyway or private driveway.

[1937 c 464 s 66] (2720-216)

169.32 STOPPING, STANDING, AND PARKING. Upon any highway outside of a business or residence district no person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the paved or improved or main traveled part of the highway when it is practical to stop, park, or so leave such vehicle off such part of said highway, but in every event a clear and unobstructed width of at least 20 feet of such part of the highway opposite such standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicle be available from a distance of 200 feet in each direction upon such highway.

This section shall not apply to the driver of any vehicle which is disabled while on the paved or improved or main traveled portion of a highway in such a manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.

This section shall not apply to the driver of a school bus stopped for the purpose of receiving or discharging any school child or school children provided the school bus is equipped and identified as provided in section 169.44 and is displaying the flashing red lamps and stop arm required therein.

[1937 c 464 s 67; 1969 c 146 s 3] (2720-217)

169.33 POLICE MAY MOVE CARS. When any police officer finds a vehicle standing upon a highway in violation of any of the provisions of section 169.32, such officer is hereby authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the paved or improved or main traveled part of such highway.

When any police officer finds a vehicle unattended upon any street or highway or upon any bridge or causeway or in any tunnel where such vehicle constitutes an obstruction to traffic, such officer is hereby authorized to provide for the removal of such vehicle and remove the same to the nearest convenient garage or other place of safety.

[1937 c 464 s 68; 1939 c 430 s 12] (2720-218)

169.34 PROHIBITIONS; STOPPING, PARKING. No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

- (1) On a sidewalk;
- (2) In front of a public or private driveway;
- (3) Within an intersection;
- (4) Within ten feet of a fire hydrant;
- (5) On a crosswalk;
- (6) Within 20 feet of a crosswalk at an intersection;
- (7) Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway;
- (8) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
- (9) Within 50 feet of the nearest rail of a railroad crossing;

(10) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance when properly sign-posted;

(11) Alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic;

(12) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

(13) Upon any bridge or other elevated structure upon a highway or within a highway tunnel, except as otherwise provided by ordinance;

(14) At any place where official signs prohibit stopping.

No person shall move a vehicle not owned by such person into any prohibited area or away from a curb such distance as is unlawful.

No person shall, for camping purposes, leave or park a house trailer on or within the limits of any highway or on any highway right of way, except where signs are erected designating the place as a camp site.

No person shall stop or park a vehicle on a street or highway when directed or ordered to proceed by any peace officer invested by law with authority to direct, control, or regulate traffic.

[1937 c 464 s 69; *Ex*1937 c 38 s 1; 1939 c 430 s 13] (2720-219)

169.345 PARKING PRIVILEGES FOR PHYSICALLY HANDICAPPED. Subdivision 1. **Scope of privilege.** Any physically handicapped person who displays prominently upon the automobile parked by him or under his direction and for his use, the distinguishing certificate or insignia specified in this section shall be entitled to courtesy in the parking of such automobile and be relieved of any liability with respect to parking except as provided in Minnesota Statutes, Sections 169.32 and 169.34; provided that any municipal governing body may, by ordinance, prohibit parking on any street or highway for the purpose of creating a fire lane, or to provide for the accommodation of heavy traffic during morning and afternoon rush hours and the privileges extended to such handicapped persons shall not apply on streets or highways where and at such time parking is prohibited.

Subd. 2. Definition of physically handicapped. Physically handicapped as employed herein shall include any person who has sustained an amputation or permanent material disability of either or both arms or legs, or who has been otherwise permanently disabled in any manner rendering it difficult and burdensome for him to walk.

Subd. 3. Identifying certificate. The motor vehicles division in the department of public safety shall issue without charge a special identifying certificate or insignia for a marked motor vehicle to any physically handicapped applicant upon submission by the applicant of a certificate by a qualified physician to the division that he is a physically handicapped person within the meaning of subdivision 2.

The commissioner of public safety shall determine the form, size and promulgate rules and regulations governing their issuance and use necessary to carry out the provisions of this section.

Subd. 4. Revocation, penalty. If the police of the state or any city, or other local government shall find that such certificate or insignia is being improperly used, they may report to the motor vehicles division in the department of public safety any such violation and the commissioner of public safety may, in his discretion, remove the privilege.

Any person who is not physically handicapped and who exercises the privilege granted a physically handicapped person under subdivision 1 is guilty of a misdemeanor.

Subd. 5. [Repealed, 1967 c 389 s 2]

[1965 c 844 s 1-5; 1967 c 389 s 1; 1969 c 1129 art 1 s 15]

169.35 PARKING. Subdivision 1. **Parallel to curb.** Except where angle parking is permitted by local ordinance, each vehicle stopped or parked upon a two-way roadway where there is an adjacent curb shall be so stopped or parked with the right-hand wheels of the vehicle parallel with and within 12 inches of the right-hand

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curb, provided, that such exception shall only apply to a state trunk highway after approval by the commissioner.

Subd. 2. **Where no curb.** Upon streets and highways not having a curb each vehicle stopped or parked shall be stopped or parked parallel with and to the right of the paved or improved or main traveled part of the street or highway.

Subd. 3. **One-way roadway.** Local authorities with respect to streets and highways under their jurisdiction and with the consent of the commissioner with respect to state trunk highways may by ordinance permit parking of vehicles with the left hand wheels adjacent to and within 12 inches of the left hand curb of a one-way roadway.

[1937 c 464 s 70; Ex1937 c 38 s 1; 1939 c 430 s 14; 1947 c 428 s 21] (2720-220)

169.36 BRAKES TO BE SET. No person driving or in charge of a motor vehicle shall permit it to stand unattended without effectively setting the brake thereon and turning the front wheels to the curb or side of the highway.

[1937 c 464 s 71] (2720-221)

169.37 OBSTRUCTING VIEW OF DRIVER. No person shall drive a vehicle when it is so loaded, or when there are in the front seat such number of persons, exceeding three, as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

No passenger in a vehicle or street car shall ride in such position as to interfere with the driver's or motorman's view ahead or to the sides, or to interfere with his control over the driving mechanism of the vehicle or street car.

[1937 c 464 s 72] (2720-222)

169.38 DRIVING IN ROUGH TERRAIN. The driver of a motor vehicle traveling through defiles or canyons or on mountain highways shall hold such motor vehicle under control and as near the right-hand edge of the highway as reasonably possible, and, upon approaching any curve where the view is obstructed within a distance of 200 feet along the highway, shall give audible warning with the horn of such motor vehicle.

[1937 c 464 s 73] (2720-223)

169.39 COASTING. The driver of any motor vehicle when traveling upon a down grade shall not coast with the gears of such vehicle in neutral.

The driver of a commercial motor vehicle when traveling upon a down grade shall not coast with the clutch disengaged.

[1937 c 464 s 74] (2720-224)

169.40 FIRE APPARATUS; FIRE STATIONS. Subdivision 1. The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet, or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

Subd. 2. No person shall drive a vehicle within 50 feet of the driveway entrance to any fire station while fire apparatus is being driven into the fire station unless he is on official business.

[1937 c 464 s 75; 1967 c 281 s 1] (2720-225)

169.41 CROSSING FIRE HOSE. No street car or vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, private driveway, or street car track, to be used at any fire or alarm of fire, without the consent of the fire department official in command.

[1937 c 464 s 76] (2720-226)

169.42 REFUSE UPON HIGHWAYS OR ADJACENT LANDS; DROPPING OBJECTS ON VEHICLES. Subdivision 1. No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans, or any other substance likely to injure any person, animal or vehicle upon such highway or upon any public or privately owned land adjacent thereto without the owner's consent.

Any person who drops, or permits to be dropped or thrown, upon any highway any destructive or injurious material shall immediately remove the same or cause it to be removed.

Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.

No person shall drop or hurl any destructive or injurious material or object at or upon any motor vehicle upon any highway or the occupants thereof.

Subd. 2. Anyone violating the provisions of this section shall be guilty of a misdemeanor.

[1937 c 464 s 77; 1951 c 663 s 1, 2; 1967 c 104 s 1] (2720-227)

169.43 SWINGING GATES. No truck shall be operated on any highway with gate, loading rack, or partition carried in any manner on any part of the exterior of the truck, unless the top and bottom of such gate, loading rack or partition is securely attached to the truck, so as to prevent swinging or becoming loose—except that no such gate, loading rack or partition shall be carried on the left side of the truck.

No truck shall be driven or parked on any highway with tail-gate or tail-board hanging down or projecting from the vehicle except while such vehicle is being loaded or unloaded, and except when a load on the tail-board renders impossible the closing of the tail-board.

[1937 c 464 s 78, 79; 1947 c 428 s 22; 1949 c 263] (2720-228, 2720-229)

169.44 SCHOOL BUSES; STOP SIGNALS; CONDUCT OF OTHER VEHICLES.

Subdivision 1. **Meeting or overtaking buses; stop signals; stopping.** The driver of a vehicle upon a street or highway, upon meeting or overtaking from front or rear any school bus which has stopped on the street or highway for the purpose of receiving or discharging any school child or children, shall stop the vehicle not less than 20 feet from the bus when the bus is stopped and is displaying an extended stop arm and flashing red signals and shall remain stopped until the school bus driver retracts the stop signal arm and extinguishes the flashing red signals. Every school bus with a seating capacity in excess of 12 persons shall be equipped with a stop signal arm which shall be used only when the school bus is stopped on a street or highway for the purpose of receiving or discharging any school child or children and flashing red signals of a type, and actuated in a manner, approved by the state board of education and commissioner of highways, which shall be used when preparing to stop and while stopped on a street or highway for the purpose of receiving or discharging any school child or children.

Vehicles district owned or under contract having a seating capacity of 12 or fewer persons transporting school children to or from school when operating outside of an incorporated municipality, shall be equipped front and rear with alternately flashing amber signals. The alternately flashing signals shall be used only when preparing to stop and while stopped on a street or highway for the purpose of receiving or discharging any school child or children. Such vehicle shall display signs front and rear plainly marked "school bus," such signs and signal lights to comply with standards set by the commissioner of highways.

Subd. 2. **Loading and unloading passengers; use of signals.** (a) Drivers of a school bus with a capacity of more than 12 persons shall actuate the flashing red signals of the bus at least 300 feet before stopping to load or unload a school child or children, when outside an incorporated municipality and 100 feet when operating within an incorporated municipality and shall not extinguish such lights until loading or unloading is completed and persons who must cross the highway are safely across.

(b) School bus drivers shall not actuate the flashing signals:

(1) in special school bus loading areas where the bus is entirely off the traveled portion of the road;

(2) in residence or business districts of cities, villages, and boroughs except when directed by the local school administrator; and

(3) when a school bus is being used on a highway for purposes other than the actual transportation of school children to or from school or a school approved activity, in which event the words "school bus" on the front and rear of the bus shall be removed or completely concealed.

(c) Where school children must cross the road before boarding or after being discharged from the bus, the driver of a school bus or a school bus patrol may su-

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pervise such crossings making use of the standard school patrol flag or signal as approved and prescribed by the commissioner of highways. When children are alighting from a school bus, and not crossing the road, the driver shall visually ascertain that alighting children shall be a safe distance from the bus before moving the bus.

(d) Vehicles having a seating capacity of 12 or fewer persons shall load or unload school children only from the right hand side of the vehicle except on a one way street.

Subd. 3. **Sign on bus.** This section shall be applicable only in the event the school bus shall bear upon the front and rear thereof a plainly visible sign containing the words "school bus" in letters not less than eight inches in height, which shall be removed or covered when the vehicle is not in use as a school bus.

Subd. 4. **Separated roadways.** Except as hereinafter provided, the driver of a vehicle upon a highway with separated roadways need not stop upon meeting or passing a school bus which is upon a different roadway. A separated roadway shall mean a road which is separated from a parallel road by a safety isle or safety zone.

Subd. 5. **Maximum speed.** The operator of the school bus shall not exceed the speed of 50 miles per hour on a regular school bus route.

Subd. 6. **Passenger capacity.** The number of pupils or other authorized passengers transported in or assigned to a school bus shall not be more than the number of pupils or passengers that can be seated and no person shall stand when the bus is in motion.

Subd. 7. **Color.** After July 1, 1970, any bus purchased for use in the state of Minnesota as a school bus with a seating capacity in excess of 12 persons shall be of a uniform color, Minnesota school bus golden orange.

Subd. 8. **Vehicles used as other than school buses.** A vehicle which is no longer used as a school bus shall not be operated on a public highway unless it is painted a color other than that required by law for school buses, and all school bus related equipment and printing shall be removed from said vehicles. Violation of this subdivision is a misdemeanor.

Subd. 9. **Seat belts.** New school buses purchased after July 1, 1969 shall be equipped with driver seat belts and seat belt assemblies of the type described in section 169.685, subdivision 3. All drivers shall be required to use these seat belts.

[1937 c 464 s 80; 1939 c 430 s 15; 1947 c 428 s 23; 1953 c 326 s 1; 1961 c 48 s 1; 1967 c 500 s 1; 1969 c 146 s 4-11] (2720-230)

169.45 SCHOOL BUSES. The state board of education shall adopt and enforce regulations not inconsistent with this chapter to govern the design, color, and operation of 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, and these regulations shall be made a part of any such contract by reference. Each school district, its officers and employees, and each person employed under such a contract is subject to these regulations.

[1937 c 464 s 81; 1947 c 428 s 24] (2720-231)

169.46 HITCHING BEHIND VEHICLES. No person shall hitch a toboggan, hand sled, bicycle, or other similar device onto any motor vehicle, street car or trackless trolley car while being used on a highway.

[1937 c 464 s 82] (2720-232)

169.47 UNSAFE EQUIPMENT. It is a misdemeanor for any person to drive or for the owner to cause or knowingly permit to be driven on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this chapter, or which is equipped in any manner in violation of this chapter, or for any person to do any act forbidden or fail to perform any act required under this chapter.

The provisions of this chapter with respect to equipment on vehicles shall not apply to implements of husbandry, road machinery, road rollers, or farm tractors, except as herein made applicable. For purposes of this section, a specialized vehicle resembling a low-slung two wheel trailer having a short bed or platform shall be

deemed to be an implement of husbandry when such vehicle is used exclusively to transport implements of husbandry, provided, however, that no such vehicle shall operate on the highway before sunrise or after sunset unless proper lighting is affixed to the implement being drawn.

[1937 c 464 s 83; 1939 c 430 s 16; 1969 c 256 s 1] (2720-233)

169.471 TELEVISION. No television screen shall be installed or used in any motor vehicle at any point forward of the back of the driver's seat, or which is visible to the driver while operating the motor vehicle. A violation of any of the provisions of this section is a misdemeanor.

[1949 c 78 s 1, 2]

169.48 VEHICLE LIGHTING. Every vehicle upon a highway within this state, at any time from a half hour after sunset to a half hour before sunrise and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead, shall display lighted lamps and illuminating devices, as hereinafter, respectively, required for different classes of vehicles, subject to exceptions with respect to parked vehicles, as hereinafter stated. In addition to the other requirements of this paragraph, every school bus transporting children upon a highway within this state, at any time from a half hour before sunrise to a half hour after sunset, shall display lighted lamps and illuminating devices as required by this paragraph, except that the operator shall use the lower most distribution of light specified in section 169.60 unless conditions warrant otherwise.

When requirement is hereinafter declared as to the distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, these provisions shall apply during the time stated in this section upon a straight level unlighted highway under normal atmospheric conditions unless a different time or condition is expressly stated and unless otherwise specified the location of lamps and devices shall refer to the centers of such lamps or devices.

[1937 c 464 s 84; 1967 c 218 s 1] (2720-234)

169.49 HEADLAMPS. Every motor vehicle, other than a motor-cycle, shall be equipped with at least two head lamps, with at least one on each side of the front of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in sections 169.47 to 169.79.

Every motor-cycle shall be equipped with at least one and not more than two head lamps, which shall comply with the requirements and limitations of sections 169.47 to 169.79.

[1937 c 464 s 85; 1957 c 754 s 1] (2720-235)

169.50 REAR LAMPS. Subdivision 1. **Requirements.** Every motor vehicle and every vehicle which is being drawn at the end of a train of vehicles shall be equipped with at least one tail lamp, exhibiting a red light plainly visible from a distance of 500 feet to the rear. And further, every such above-mentioned vehicle, other than a truck-tractor, registered in this state and manufactured or assembled after January 1, 1960, shall be equipped with at least two tail lamps mounted on the rear, on the same level and as widely spaced laterally as practicable, which, when lighted as herein required, shall comply with the provisions of this section.

Subd. 2. **License plates.** Either such rear lamp or separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate and render it legible from a distance of 50 feet to the rear. Any rear lamp or rear lamps, together with any separate lamp for illuminating the rear registration plate, shall be so wired as to be lighted whenever the head lamps or auxiliary driving lamps are lighted.

Subd. 3. **Reflectors.** On and after January 1, 1960, each new motor vehicle, trailer, or semitrailer, hereafter sold and each such vehicle hereafter operated on a highway, shall carry at the rear either as a part of the rear lamp, or separately, at least two reflectors. The reflectors shall be of a type approved by the commissioner and shall be mounted as close as is practicable to the extreme edges of the vehicle at a height not more than 60, nor less than 20 inches above the surface upon which the vehicle stands. Each such reflector shall be so designed and maintained as to be visible at night from all distances within 300 to 50 feet from the vehicle, except that on a commercial vehicle the reflectors shall be visible from all

distances within 500 to 50 feet from the vehicle, when directly in front of a motor vehicle displaying lawfully lighted headlamps.

[1937 c 464 s 86; 1947 c 428 s 25; 1953 c 201 s 1; 1957 c 754 s 2; 1959 c 215 s 1; 1959 c 521 s 6, 7] (2720-236)

169.51 CLEARANCE AND MARKER LAMPS. Every motor vehicle or motor-drawn vehicle designed or used for the transportation of property, or for the transportation of passengers for compensation, shall display lighted lamps, as required in this section.

Every such vehicle having a width, including load thereon, at any part in excess of 80 inches shall be equipped with four clearance lamps, two located on the front at opposite sides and not more than six inches from the extreme outer edge of the vehicle or load, displaying a white or amber light visible from a distance of 500 feet to the front of the vehicle, and two located on the rear on opposite sides not more than six inches from the extreme outer edge of the vehicle or load, displaying a red light visible from a distance of 500 feet to the rear of the vehicle. The front clearance lamps shall be located at a height of not less than 24 inches above the head lamp centers. The rear clearance lamps shall be in addition to the red rear lamp hereinbefore required.

Every such vehicle or combination of such vehicles which exceeds 30 feet in overall length shall be equipped with at least four side marker lamps, one on each side near the front and one on each side near the rear. Such lamps shall be at a height of not less than 24 inches above the surface upon which the vehicle stands. The lamps near the front shall display a white or amber light and lamps near the rear shall display a red light, each visible from a distance of 500 feet to the side of the vehicle on which it is located. If the clearance lamps on the right and left sides of the vehicle, as hereinbefore required, display lights visible from a distance of 500 feet at right angles to the right and left side, respectively, of the vehicle, they shall be deemed to meet the requirements as to marker lamps, provided an additional marker lamp, white or amber, is displayed approximately midway between the above specified marker lamps.

[1937 c 464 s 87] (2720-237)

169.52 PROJECTING LOADS; LIGHTS AND FLAGS. When the load upon any vehicle extends to the rear four feet or more beyond the bed or body of such vehicle there shall be displayed at the extreme rear end of the load, at the times when lighted lamps on vehicles are required in this chapter, a red light or lantern plainly visible from a distance of at least 500 feet to the sides and rear. The light or lantern required under this section shall be in addition to the rear light required upon every vehicle. At any time when no lights are required there shall be displayed at the extreme rear end of such load a red flag or cloth not less than 16 inches square.

[1937 c 464 s 88] (2720-238)

169.522 SLOW MOVING VEHICLES, SIGNS REQUIRED. Subdivision 1. All animal-drawn vehicles, implements of husbandry and other machinery, including all road construction machinery, which are designed for operation at a speed of 25 miles per hour or less shall display a triangular slow moving vehicle emblem except when being used in actual construction and maintenance work and traveling within the limits of a construction area which is marked in accordance with requirements of the manual of uniform traffic control devices, as set forth in section 169.06. Such emblem shall be mounted so as to be visible from a distance of not less than 500 feet to the rear. When a primary power unit towing an implement of husbandry or other machinery displays a slow moving vehicle emblem visible from a distance of 500 feet to the rear, it shall not be necessary to display a similar emblem on the secondary unit. The commissioner of highways shall adopt standards and specifications for the design and position of mounting the slow moving vehicle emblem. The standards and specifications for these emblems shall conform with those approved by the American society of agricultural engineers. A violation of this section shall not be admissible evidence in any civil cause of action arising prior to January 1, 1970.

Subd. 2. The use of this emblem shall be restricted to the slow moving vehicles specified in subdivision 1 and its use on any other type of vehicle or stationary object on the highway is prohibited.

Subd. 3. No person shall sell, lease, rent, or operate any slow moving vehicle, as defined in subdivision 1, except those units designed to be completely mounted

on a primary power unit, which is manufactured or assembled on or after July 1, 1967, unless such vehicle is equipped with a slow moving vehicle emblem mounting device as specified in subdivision 1. Provided however, no slow moving vehicle shall be operated without such slow moving vehicle emblem after January 1, 1968.

[1967 c 309 s 1]

169.53 LIGHTS FOR PARKED VEHICLES. When a vehicle is parked or stopped upon a highway or shoulder adjacent thereto during the times when lighted lamps on vehicles are required, it shall be equipped with one or more lamps which shall exhibit a white or amber light on the roadway side visible from a distance of 500 feet to the front of the vehicle and a red light visible from a distance of 500 feet to the rear, except that local authorities may provide by ordinance that no lights need be displayed upon a vehicle when stopped or parked in accordance with local parking regulations upon a highway where there is sufficient light to clearly reveal any person or object within a distance of 500 feet upon the highway. Any lighted head lamps upon a parked vehicle shall be depressed or dimmed.

[1937 c 464 s 89; 1947 c 428 s 26; 1959 c 96 s 1] (2720-239)

169.54 [Repealed, 1951 c 132 s 1]

169.55 LIGHTS ON ALL VEHICLES. Subdivision 1. At the times when lighted lamps on vehicles are required each vehicle including an animal-drawn vehicle and any vehicle specifically excepted in sections 169.47 to 169.79, with respect to equipment and not hereinbefore specifically required to be equipped with lamps, shall be equipped with one or more lighted lamps or lanterns projecting a white light visible from a distance of 500 feet to the front of the vehicle and with a lamp or lantern exhibiting a red light visible from a distance of 500 feet to the rear, except that reflectors meeting the maximum requirements of this chapter may be used in lieu of the lights required in this subdivision. It shall be unlawful to project a white light to the rear of any such vehicle while traveling on any street or highway, unless such vehicle is moving in reverse.

Subd. 2. At the times when lighted lamps on vehicles are required, (1) every farm tractor and self-propelled unit of farm equipment shall be equipped with at least one lamp displaying a white or amber light to the front, and at least one lamp displaying a red light to the rear; (2) every self-propelled unit of farm equipment shall also display two red reflectors, each at least 15 square inches in area, visible to the rear; (3) every combination of a self-propelled and towed unit of farm equipment shall be equipped with at least one lamp mounted to indicate as nearly as practicable the extreme left projection of the combination and displaying a white or amber light to the front and a red light to the rear; (4) the last unit of every combination of farm equipment shall display two red reflectors, each at least 15 square inches in area, visible to the rear.

The requirements of this subdivision apply to new farm tractors and equipment described herein on and after January 1, 1960; and to all such farm tractors and equipment on and after January 1, 1962.

[1937 c 464 s 91; 1947 c 428 s 27; 1949 c 574; 1959 c 410 s 1] (2720-241)

169.56 AUXILIARY LIGHTS. Subdivision 1. **Spot lights.** Any motor vehicle may be equipped with not to exceed two spot lamps and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the high intensity portion of the beam will be directed on the road surface to the left of the center of the vehicle, nor more than 100 feet ahead of the vehicle upon which such lamps are mounted.

Subd. 2. **Fog lights.** Any motor vehicle may be equipped with not to exceed two fog lamps mounted on the front at a height not less than 12 inches nor more than 30 inches above the level surface upon which the vehicle stands and so aimed that when the vehicle is not loaded none of the high-intensity portion of the light to the left of the center of the vehicle shall at a distance of 25 feet ahead project higher than a level of four inches below the level of the center of the lamp from which it comes. Lighted fog lamps meeting the above requirements may be used with lower headlamp beams as specified in section 169.60.

Subd. 3. **Auxiliary passing lights.** Any motor vehicle may be equipped with not to exceed two auxiliary passing lamps mounted on the front at a height of not less than 24 inches nor more than 42 inches above the level surface upon which the vehicle stands. The provisions of section 169.60 shall apply to any combination of headlamps and auxiliary passing lamps.

Subd. 4. **Auxiliary driving lights.** Any motor vehicle may be equipped with not to exceed two auxiliary driving lamps mounted on the front at a height not less than 16 inches nor more than 42 inches above the level surface upon which the vehicle stands. The provisions of section 169.60 shall apply to any combination of headlamps and auxiliary driving lamps.

[1937 c 464 s 92; 1945 c 207 s 2; 1959 c 521 s 5] (2720-242)

169.57 VEHICLE SIGNALS. Subdivision 1. **Stop lights.** (a) Any vehicle may be equipped and when required under this chapter, shall be equipped with at least two stop lamps on the rear which shall emit a red or yellow light and which shall be actuated upon application of the service (foot) brake and which may, but need not be, incorporated with the tail lamps and which shall be plainly visible and understandable from a distance of 100 feet to the rear during normal sunlight and at night.

(b) No person shall sell or offer for sale or operate on the highways any motor vehicle registered in this state and manufactured or assembled after January 1, 1960, unless it is equipped with at least two stop lamps meeting the requirements of this subdivision, except that a motorcycle, motor-driven cycle, or truck tractor manufactured or assembled after said date shall be equipped with at least one stop lamp meeting the requirements of this subdivision.

Subd. 2. **Turn signal.** (a) Any vehicle may be equipped, and when required under this chapter shall be equipped, with a lamp or lamps or mechanical signal device of such color as may be approved by the commissioner and capable of clearly indicating any intention to turn either to the right or to the left and shall be visible and understandable during both daytime and nighttime from a distance of 100 feet both to the front and rear.

(b) On or after July 1, 1949, it shall be unlawful for any person to sell or offer for sale any new motor vehicle, excepting motor-cycles, motor scooters, and bicycles with motor attached, unless it is equipped with turn signals meeting the requirements of this chapter.

Subd. 3. **Maintenance.** (a) When a vehicle is equipped with stop lamps or signal lamps, such lamps shall at all times be maintained in good working condition.

(b) No stop lamps or signal lamp shall project a glaring or dazzling light.

(c) All mechanical signal devices shall be self-illuminated when in use at the times when lighted lamps on vehicles are required.

[1937 c 464 s 93; 1945 c 207 s 3; 1947 c 428 s 28; 1949 c 90 s 2; 1959 c 521 s 8] (2720-243)

169.58 IDENTIFICATION LAMPS. Subdivision 1. Any vehicle or combination of vehicles having a width including load thereon at any part in excess of 80 inches or which exceeds 30 feet in over-all length may be equipped with identification lamps on the front displaying three amber or white lights and identification lamps on the rear displaying three red lights, and when so equipped the lights in each such group shall be evenly spaced not less than 6 nor more than 12 inches apart, along a horizontal line as near to the top of the vehicle as practicable, and these lights shall be visible from a distance of 500 feet to the front and rear, respectively, of the vehicle.

Subd. 2. Any motor vehicles operated by an active member of a volunteer fire department authorized by or contracting with any city, village, borough, town, or township in this state and upon obtaining a permit therefor from the commissioner of highways may be equipped with a lamp emitting a red light to the front of such vehicle. The lens of such lamp shall be not more than three inches in diameter. Such lamp shall be lighted only when the member of the volunteer fire department is responding to an emergency call in connection with his duties as a volunteer fireman. The commissioner of highways is hereby authorized to issue permits on applications of a member of a volunteer fire department properly certified to by the chief of said volunteer fire department, and it shall be the duty of the chiefs of all volunteer fire departments to notify the commissioner immediately upon the termination of such membership.

[1937 c 464 s 94; 1945 c 207 s 4; 1949 c 349] (2720-244)

169.59 WARNING LIGHTS. Subdivision 1. **Fender lights.** Any vehicle may be equipped with not more than two side cowl or fender lamps, one on each side which shall emit a white light without glare.

Subd. 2. **Runningboard lights.** Any vehicle may be equipped with not more

than one runningboard courtesy lamp on each side thereof, which shall emit a white or yellow light without glare.

Subd. 3. **Back-up lights.** Any vehicle may be equipped with not more than two back-up lamps, either separately or in combination with another lamp, except that no such back-up lamp shall be continuously lighted when the vehicle is in forward motion, nor shall it project a glaring light.

Subd. 4. **Flashing warning lights.** Any vehicle may be equipped with lamps which may be used for the purpose of warning the operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking, or passing, and when so equipped may display such warning in addition to any other warning signals required by this act. The lamps used to display such warnings to the front shall be mounted at the same level and as widely spaced laterally as practicable, and shall display simultaneous flashing white or amber lights, or any shade of color between white and amber. The lamps used to display such warnings to the rear shall be mounted at the same level and as widely spaced laterally as practicable, and shall show simultaneously flashing amber or red lights, or any shade of color between amber and red. These warning lights shall be visible from a distance of not less than 500 feet under normal atmospheric conditions at night.

[1937 c 464 s 95; 1959 c 521 s 9] (2720-245)

169.60 DISTRIBUTION OF LIGHT. Except as hereinafter provided, the head lamps, or the auxiliary driving lamps, or combinations thereof, on motor vehicles shall be so arranged that the driver may select at will between distributions of light projected to different elevations, subject to the following requirements and limitations:

(1) There shall be an uppermost distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least 350 feet ahead for all conditions of loading;

(2) There shall be a lowermost distribution of light, or composite beam, so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead; and on a straight level road under any condition of loading none of the high intensity portion of the beam shall be directed to strike the eyes of an approaching driver;

(3) All road lighting equipment manufactured and installed on and after January 1, 1938, shall be so arranged that when any beam is used which is not in conformity with clause (2), means shall be provided for indicating to the driver when such beams are being used.

[1937 c 464 s 96; Ex1937 c 38 s 1; 1955 c 53 s 1] (2720-246)

169.61 COMPOSITE BEAMS. When a motor vehicle is being operated on a highway or shoulder adjacent thereto during the times when lighted lamps on vehicles are required in this chapter, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations.

When the driver of a vehicle approaches a vehicle within 1000 feet, such driver shall use a distribution of light, or composite beam, so aimed that the glaring rays are not projected into the eyes of the oncoming driver.

When the driver of a vehicle follows another vehicle within 200 feet to the rear, except when engaged in the act of overtaking and passing, such driver shall use a distribution of light permissible under this chapter other than the uppermost distribution of light specified in section 169.60.

[1937 c 464 s 97; 1945 c 207 s 5; 1953 c 330 s 1; 1955 c 52 s 1] (2720-247)

169.62 CERTAIN LIGHTS PERMITTED ON CERTAIN MOTOR VEHICLES. Head lamps arranged to provide a single distribution of light not supplemented by auxiliary driving lamps shall be permitted on motor vehicles manufactured and sold prior to January 1, 1938, in lieu of multiple-beam road lighting equipment herein specified if the single distribution of light complies with the following requirements and limitations:

(1) The head lamps shall be so aimed that when the vehicle is fully loaded none of the high intensity portion of the lamp beam rises above a horizontal plane passing through the head lamp centers parallel to the level surface upon which the vehicle stands, and in no case higher than 42 inches above the level on which the vehicle stands at a distance of 75 and more feet ahead;

(2) The intensity shall be sufficient to reveal persons and vehicles at a distance of at least 200 feet.

[1937 c 464 s 98] (2720-248)

169.63 NUMBER OF LAMPS. At all times when lighted lamps on vehicles are required in this chapter, at least two lighted head lamps shall be displayed, one on each side at the front of every motor vehicle, other than a motor-cycle; provided, that under adverse weather conditions two lighted auxiliary lamps, one on each side at the front of the vehicle, may be used in lieu of two lighted head lamps, except when such vehicle is parked subject to the regulations governing lights on parked vehicles.

When a motor vehicle equipped with head lamps, as herein required, is also equipped with any auxiliary lamps, spot lamps or any other lamps on the front thereof projecting a beam of intensity greater than 300-candle power, not more than a total of four of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway.

The maximum beam candle power from any combination of lamps used at any time for road lighting shall not exceed that authorized by the commissioner.

[1937 c 464 s 99; 1939 c 430 s 18] (2720-249)

169.64 PROHIBITED LIGHTS. Subdivision 1. **Bright lights.** Any lighted lamp or illuminating device upon a motor vehicle, other than a head lamp, a spot lamp, or an auxiliary driving lamp, which projects a beam of light of an intensity greater than 300-candle power, shall be so directed that no part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than 75 feet from the vehicle.

Subd. 2. **Colored lights.** Unless otherwise authorized by the commissioner, no vehicle shall be equipped, nor shall any person drive or move any vehicle or equipment upon any highway with any lamp or device displaying a red light or any colored light other than those required or permitted in this chapter.

Subd. 3. **Flashing lights.** Flashing lights are prohibited, except on an authorized emergency vehicle, school bus, road maintenance equipment or on any vehicle as a means of indicating a right or left turn, or the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing.

Subd. 4. **Blue lights.** Blue lights are prohibited on all vehicles except road maintenance equipment operated by or under contract to the state or a political subdivision thereof.

Subd. 5. **Flashing red light on wrecker.** A device displaying a flashing or intermittent red light of a type approved by the commissioner of highways for that purpose, and in accordance with section 169.64, may be used on a wrecker while engaged in emergency service at the scene of an accident. Such flashing red light shall not be displayed when traveling upon the highway or at any time other than at the scene of an accident.

[1937 c 464 s 100; 1947 c 428 s 29; 1949 c 90 s 3; 1953 c 103 s 1; 1959 c 521 s 10] (2720-250)

169.65 SPECIFICATIONS FOR LIGHTING DEVICES. The commissioner is hereby authorized and required to adopt and enforce standard specifications as to the amount, color and direction of light to be emitted or reflected by lighting devices and as to the general construction and mounting on the vehicle for compliance with the requirements and limitations of this chapter.

No person shall have for sale, sell, or offer for sale for use upon or as a part of the equipment of a vehicle, trailer or semi-trailer, or use upon any such vehicle, any head lamp, auxiliary driving lamp, rear lamp, signal lamp, spot lamp, clearance lamp, marker lamp or reflector, or parts of any of the foregoing, unless of a type which has been submitted to the commissioner and approved by him.

No person shall have for sale, sell, or offer for sale for use upon or as a part of the equipment of a vehicle, trailer or semi-trailer, or bicycle any lamp or device mentioned in this section, which has been approved by the commissioner unless such lamp or device bears thereon the trade-mark or name and model designation all permanently marked under which it is approved so as to be legible when installed.

No person shall use upon any vehicle, trailer or semi-trailer or bicycle any lamps mentioned in this section unless such lamps are equipped with bulbs of a type approved by the commissioner, having a rated candle power, and are mounted and adjusted as to focus and aim in accordance with instructions of the commissioner.

The commissioner is hereby authorized to approve or disapprove lighting devices.

The commissioner is hereby required to approve or disapprove any lighting device, of a type on which approval is specifically required in this chapter, within a reasonable time after such device has been submitted.

The commissioner is further authorized to set up a procedure which shall be followed when any device is submitted for approval.

The commissioner is authorized to set and collect a reasonable fee for the testing and approval of all types of devices upon which approval is required in this chapter. Such fee may be sufficient in amount to reimburse the department for all costs connected with such test and approval.

The commissioner, upon approving any such lamp or device, shall issue to the applicant a certificate of approval, together with any instructions determined by him.

The commissioner shall publish lists of all lamps and devices by name and type which have been approved by him, together with instructions as to the permissible candlepower rating of the bulbs which he has determined for use therein and such other instructions as to adjustment as he may deem necessary. No person shall sell for use or use on any vehicle any reconverted lamp or any device redesigned for a use other than for which it was originally approved unless authorized by the commissioner.

[1937 c 464 s 101, 102, 103; 1945 c 207 s 6] (2720-251, 2720-252, 2720-253)

169.66 HEARINGS ON SPECIFICATIONS. When the commissioner has reason to believe that an approved device which is being sold commercially does not comply with the requirements of this chapter, he may, after giving 30 days' previous notice to the person holding the certificate of approval for such device in this state, conduct a hearing upon the question of compliance of the approved device. After the hearing the commissioner shall determine whether the approved device meets the requirements of this chapter. If it does not meet the requirements of this chapter, he shall give notice to the person holding the certificate of approval for such device in this state.

If, at the expiration of 90 days after such notice, the person holding the certificate of approval for such device has failed to satisfy the commissioner that the approved device as thereafter to be sold meets the requirements of this chapter, the commissioner shall suspend or revoke the approval issued therefor until or unless such device is resubmitted to and retested by an authorized testing agency and is found to meet the requirements of this chapter, and may require that all such devices sold since the notification following the hearing be replaced with devices that do comply with the requirements of this chapter. The commissioner may at the time of the retest purchase in the open market and submit to the testing agency one or more sets of such approved devices, and if such device upon such retest fails to meet the requirements of this chapter, the commissioner may refuse to renew the certificate of approval of such device.

[1937 c 464 s 104] (2720-254)

169.67 BRAKES. Subdivision 1. **Motor vehicles.** Every motor vehicle, other than a motor-cycle, when operated upon a highway, shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two wheels.

Subd. 2. **Motor-cycles and bicycles.** Every motor-cycle, and bicycle with motor attached, when operated upon a highway, shall be equipped with at least one brake, which may be operated by hand or foot.

Subd. 3. **Trailers, semi-trailers, tank trailers.** Every trailer, semi-trailer, or other vehicle of a gross weight of 1,500 pounds or more, when drawn or pulled upon a highway, shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle, and so designed as to be applied by the driver of a towing motor vehicle from its cab, except (a) trailers owned by farmers when transporting agricultural products produced on the owner's farm or supplies back to the farm of the owner of the trailer, (b) custom service vehicles drawn by motor vehicles equipped with brakes capable of stopping both vehicles within the distance required by law for vehicles with four-wheel brakes, (c) trailers or semi-trailers when used by retail dealers delivering implements of hus-

bandry, (d) tank trailers not exceeding 8,500 pounds gross weight used solely for transporting liquid fertilizer or gaseous fertilizer under pressure, or distributor trailers not exceeding 8,500 pounds gross weight used solely for transporting and distributing dry fertilizer, when hauled by a truck capable of stopping with loaded trailer attached in the distance specified by subdivision 5 for vehicles equipped with four-wheel brakes, providing the gross weight of such trailer or semi-trailer other than those described in clause (d) when drawn by a pleasure vehicle shall not exceed 3,000 pounds, or when drawn by a truck or tractor shall not exceed 6,000 pounds, and except disabled vehicles towed to a place of repair.

Subd. 4. Service brakes on all wheels; exceptions. Every new motor vehicle, trailer, or semi-trailer, sold in this state and operated upon the highways shall be equipped with service brakes upon all wheels of every such vehicle, except that any motorcycle, any semi-trailer of less than 1,500 pounds gross weight, a third wheel, of a swivel type, on a house trailer, a temporary auxiliary axle attached to a motor vehicle during the period of road restrictions for the purpose of relieving weight of another axle, when the temporary auxiliary axle and the axle to be relieved do not exceed the combined gross weight of 18,000 pounds, and the vehicle to which such temporary axle is attached meets the brake requirements of this section, need not be equipped with brakes; and except, further, that brakes are not required on the front wheels of vehicles having three or more axles or upon more than one wheel of a motorcycle provided the brakes on the other wheels are adequate to stop the vehicle in accordance with the braking performance requirements of subdivision 5.

Subd. 5. Performance standards. Every motor vehicle or combination of vehicles, at all times and under all conditions of loading, upon application of the service (foot) brake, shall be capable of (a) developing a braking force that is not less than the percentage of its gross weight tabulated herein for its classification, (b) decelerating in a stop from not more than 20 miles per hour at not less than the feet per second per second tabulated herein for its classification, and (c) stopping from a speed of 20 miles per hour in not more than the distance tabulated herein for its classification, such distance to be measured from the point at which movement of the service brake pedal or control begins. Tests for deceleration and stopping distance shall be made on a substantially level (not to exceed plus or minus one per cent grade), dry, smooth, hard surface that is free from loose material.

Deceleration Table

1 Classification of Vehicles and Combinations	2 Braking Force as a Percentage of Gross Vehicle or Combination Weight	3 Deceleration in Feet Per Second Per Second	4 Brake System Application and Braking Distance in Feet
Passenger vehicles, not including buses	52.8%	17	25
Single-unit vehicles with a manufacturer's gross vehicle weight rating of less than 10,000 pounds	43.5%	14	30
Single-unit, 2-axle vehicles with a manufacturer's gross vehicle weight rating of 10,000 or more pounds, and buses not having a manufacturer's gross vehicle weight rating	43.5%	14	40
All other vehicles and combinations with a manufacturer's gross vehicle weight rating of 10,000 or more pounds.....	43.5%	14	50

All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle.

[1937 c 464 s 105, 106; Ex1937 c 38 s 2; 1939 c 430 s 19; 1945 c 207 s 7; 1953 c 423 s 1; 1955 c 452 s 1; 1959 c 277 s 1; 1961 c 89 s 1; 1963 c 747 s 1; 1967 c 272 s 1] (2720-255, 2720-256)

MINNESOTA STATUTES 1969

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HIGHWAY TRAFFIC REGULATION 169.71

169.672 BRAKE FLUID; COMMISSIONER'S APPROVAL REQUIRED. From and after July 1, 1953, no person shall have for sale, sell or offer for sale for use in motor vehicle brake systems in this state any hydraulic brake fluid unless of a type and brand approved by the commissioner of highways. Any person violating the provisions of this section shall be guilty of a misdemeanor.

[1953 c 302 s 1]

169.68 HORNS. Every motor vehicle when operated upon a highway shall 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, but no horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle. The driver of a motor vehicle shall, when reasonably necessary to insure safe operation, give audible warning with his horn, but shall not otherwise use such horn when upon a highway.

No vehicle shall be equipped with, nor shall any person use upon a vehicle, any siren, whistle, or bell, except as otherwise permitted in this section. It is permissible, but not required, that any commercial vehicle be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as an ordinary warning signal. All authorized emergency vehicles shall be equipped with a siren capable of emitting sound audible under normal conditions from a distance of not less than 500 feet and of a type approved by the department, but such siren shall not be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which latter events the driver of such vehicle shall sound the siren when necessary to warn pedestrians and other drivers of the approach thereof.

[1937 c 464 s 107] (2720-257)

169.685 SEAT BELTS. Subdivision 1. After January 1, 1964, all new motor vehicles, not exempt from Minnesota license fees, other than a bus, school bus, motorcycle, farm tractor, road tractor, and truck, sold or offered for sale or registered in Minnesota shall be equipped to permit the installation of seat belts in the front seat thereof.

Subd. 2. Within 30 days after the registration of such motor vehicle, it shall be equipped with seat belts installed for use in the left front and right front seats thereof.

Subd. 3. The specifications and requirements for seat belts or seat belt assemblies shall conform with the minimum standards for seat belts or seat belt assemblies heretofore adopted by the society of automotive engineers and in effect on January 1, 1963.

Subd. 4. Proof of the use or failure to use seat belts, or proof of the installation or failure of installation of seat belts shall not be admissible in evidence in any litigation involving personal injuries or property damage resulting from the use or operation of any motor vehicle.

[1963 c 93 s 1]

169.69 MUFFLERS. Every motor vehicle shall at all times be equipped with a muffler in good working order which blends the exhaust noise into the overall vehicle noise and is in constant operation to prevent excessive or unusual noise, and no person shall use a muffler cutout, by-pass, or similar device upon a motor vehicle on a street or highway. The exhaust system shall not emit or produce a sharp popping or crackling sound. Every motor vehicle shall at all times be equipped with such parts and equipment so arranged and kept in such state of repair as to prevent carbon monoxide gas from entering the interior of the vehicle.

No person shall have for sale, sell or offer for sale or use on any motor vehicle any muffler that fails to comply with the specifications as required by the commissioner of highways.

[1937 c 464 s 108; 1939 c 430 s 20; 1953 c 306 s 1] (2720-258)

169.70 REAR VIEW MIRRORS. Every motor vehicle which is so constructed, loaded or connected with another vehicle as to obstruct the driver's view to the rear thereof from the driver's position shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of such vehicle.

[1937 c 464 s 109] (2720-259)

169.71 WINDSHIELDS. Subdivision 1. No person shall drive or operate any motor vehicle with a windshield cracked or discolored to an extent to limit or

obstruct proper vision, or with any objects suspended between the driver and the windshield, other than sun visors and rear vision mirrors, or with any sign, poster, or other nontransparent material upon the front windshield, sidewings, side or rear windows of such vehicle, other than a certificate or other paper required to be so displayed by law, or authorized by the state director of civil defense, or the commissioner of highways.

Subd. 2. The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle.

Subd. 3. No person shall drive any motor vehicle with the windshield or front side windows covered with steam or frost to such an extent as to prevent proper vision.

[1937 c 464 s 110; 1939 c 430 s 21; 1947 c 428 s 30; 1953 c 745 s 4; 1959 c 174 s 1; 1959 c 521 s 11; 1961 c 34 s 1] (2720-260)

169.72 SURFACE OF TIRES; TIRES WITH METAL STUDS. Every solid rubber tire on a vehicle shall have rubber on its entire traction surface at least one inch thick above the edge of the flange of the entire periphery.

No person shall operate or move on any highway any motor vehicle, trailer, or semitrailer, having any metal tire in contact with the roadway, except in case of emergency.

Except as provided in this section no tire on a vehicle moved on a highway shall have on its periphery any block, stud, flange, cleat, or spike or any other protuberances of any material other than rubber which projects beyond the tread of the traction surface of the tire. It shall be permissible to use any of the following on highways: Farm machinery with tires having protuberances which will not injure the highway; tire chains of reasonable proportions upon any vehicle when required for safety because of snow, ice, or other conditions tending to cause a vehicle to skid; and in the years 1965 through 1971 between the dates of October 15 of one year and May 1 of the following year, pneumatic tires with metal type studs not exceeding $\frac{5}{16}$ of an inch in diameter inclusive of the stud casing with an average protrusion beyond the tread surface of not more than $\frac{7}{64}$ of an inch, and in which the number of studs in a tire shall not exceed two percent of the total net contact area.

The commissioner and local authorities in their respective jurisdictions may, in their discretion, issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of such movable tracks or farm tractors or other farm machinery, the operation of which upon a highway would otherwise be prohibited under this chapter.

The commissioner of highways is directed to conduct an in-depth study of the damage, if any, caused to the public roadways of this state which results from the use of metal tire studs, salt de-icing materials, and other materials of a chemical or physical nature used upon said highways. Further, the commissioner is directed to evaluate whether or not changes in asphalts, concrete aggregates, or other highway surface materials could be made to reduce the damage, if any, caused by metal tire studs and de-icing materials. The commissioner shall evaluate the effects, if any, that discontinuing the use of studded tires will have on highway safety. The commissioner is directed to conduct the study herein prescribed and to report his findings to the 1971 session of the state legislature.

[1937 c 464 s 111; 1965 c 168 s 1; 1967 c 13 s 1; 1969 c 245 s 1] (2720-261)

169.73 BUMPERS, SAFEGUARDS. All motor vehicles shall be equipped with front and rear bumpers or with front bumpers and with rear reflectors, as herein provided, and all trailers and semi-trailers weighing more than 1,500 pounds shall be equipped with rear bumpers or with rear reflectors, as herein provided. Such bumpers shall be securely attached to the frame thereof, and shall extend beyond the extreme front and rear points, respectively, of such vehicles. The center point of such bumpers shall be not more than 20, nor less than 14, inches from the ground when the vehicle is unloaded, provided that two rigid cross-bars may be attached to any bumper to extend it so that it will reach into a point within the required height from the ground. All trucks and trailers manufactured and sold after July 1, 1955, having a rear platform or tailboard more than 20 inches above the ground, except public utility trailers used for hauling reels of cable or wire, pole trucks, dump trucks, and farm trucks as defined in Minnesota Statutes, Section 168.011, Subdivision 17, and trucks and semi-trailers transporting logs, pulpwood

and other raw and unfinished forest products from the place of production to an assembly yard or rail head when such transportation constitutes the first haul thereof, are required when operating upon the highways of this state, to have rigid rear safeguards, so constructed as to prevent any part of another motor vehicle from penetrating the area immediately below such rear platform or tail-board, when such tail board is in a vertical position.

[1937 c 464 s 112; 1939 c 430 s 22; 1955 c 647 s 1] (2720-262)

169.733 WHEEL FLAPS ON TRUCKS AND TRAILERS. Every truck, trailer and semi-trailer, excepting pole trailers and rear-end dump trucks, shall be provided with wheel flaps or other suitable protection above and behind the rearmost wheels of the vehicle or combination of vehicles to prevent, as far as practicable, such wheels from throwing dirt, water, or other materials on the windshields of vehicles which follow. Such flaps or protectors shall have a ground clearance of not more than one-fifth of the horizontal distance from the center of the rearmost axle to the flap under any conditions of loading or operation of the motor vehicle and shall be at least as wide as the tires they are protecting.

If the motor vehicle is so designed and constructed that the above requirements are accomplished by means of body construction or other means of enclosure, then no such protectors or flaps shall be required.

If the rear wheels are not covered at the top by fenders, body or other parts of the vehicle, the flap or other protective means shall be extended at least to a point directly above the center of the rearmost axle.

Lamps or wiring shall not be attached to fender flaps.

[1951 c 640 s 1; 1953 c 619 s 1]

169.74 SAFETY GLASS. Subdivision 1. **Required.** No person shall sell any new motor vehicle, nor shall any new motor vehicle be registered thereafter unless the vehicle is equipped with safety glass wherever glass is used in doors, windows, and windshields.

Subd. 2. **Definition.** "Safety Glass" means any product composed of glass, or other material, as may be approved by the commissioner, as safety glass.

Subd. 3. **Replacements.** All glass replacement in doors, windows, and windshields or partitions of motor vehicles shall be made with materials meeting the requirements of this chapter for safety glass if glass is used therefor.

Subd. 4. **Other material prohibited.** No glazing material other than of a type meeting the requirements of this chapter shall be sold, offered for sale, offered for use, or used for installation in doors, windows or windshields of motor vehicles or of passenger-carrying trailers or semi-trailers.

Subd. 5. **Frostshields.** Nothing in this section shall be construed to include frostshields.

[1937 c 464 s 113; 1947 c 428 s 31] (2720-263)

169.743 BUG DEFLECTOR. Bug deflectors shall be permitted but not required on motor vehicles. No bug deflector shall be sold, offered for sale, or used which exceeds 50 square inches in area or which is composed of other than a non-illuminated, transparent material.

[1953 c 304 s 1]

169.75 FLARES AND FLAGS. Subdivision 1. **Three flares.** No person shall operate any passenger bus, motor truck or truck tractor or any motor vehicle towing a house trailer at any location upon an interstate highway or freeway or upon any other highway outside of a business or residence district at any time from a half hour after sunset to a half hour before sunrise, unless there shall be carried in such vehicle the following equipment except as otherwise provided in subdivision 2:

At least three flares, three red electric lanterns, or three portable red reflector devices; each of which shall be capable of being seen and distinguished at a distance of 500 feet under normal atmospheric conditions at nighttime.

Subd. 2. **Inflammables.** No person shall at any time operate a motor vehicle transporting inflammable liquids in bulk or compressed inflammable gases as cargo or part of cargo upon a highway unless it carries three electric lanterns or three portable reflector units to be used in lieu of flares and no open burning flares shall be carried on or placed adjacent to such vehicle.

Subd. 3. **Three flags.** No person shall operate any motor truck, truck tractor or passenger bus or any motor vehicle towing a house trailer at any location upon

any interstate highway or freeway or upon any other highway outside of a business or residence district unless there shall be carried in such vehicle at least three red, yellow or orange flags not less than 12 inches square which shall be displayed at any time from one-half hour before sunrise to one-half hour after sunset under circumstances which would require the use of warning lights at night and in the manner and position governing the use of warning lights as prescribed in subdivision 5.

Subd. 4. Approved type. Every flare, lantern, signal, or reflector required in this section shall be of a type approved by the commissioner.

Subd. 5. When used. When any motor truck, truck tractor or passenger bus or any motor vehicle towing a house trailer, or any vehicle towed by one of the foregoing motor vehicles, is disabled upon the roadway or shoulder at any location upon an interstate highway or freeway, or upon any other highway outside of a business or residence district during the period when lighted lamps must be displayed on vehicles and such motor vehicle cannot immediately be removed from the main traveled portion of the highway or from the shoulder, the driver or other person in charge of the vehicle shall promptly cause flares, lanterns, or other signals to be lighted and placed as warning lights upon the highway, one at the traffic side of the standing vehicle approximately ten feet rearward or forward thereof in the direction of greatest hazard to traffic, one at a distance of approximately 100 feet to the rear of the vehicle in the center of the lane occupied by such vehicle, and one at a distance of approximately 100 feet to the front of the vehicle in the center of the traffic lane occupied by such vehicle, except:

(a) If disablement of any vehicle occurs within 500 feet of a curve, crest of a hill or other obstruction to view, the driver or other person in charge shall so place the warning signal in that direction so as to offer ample warning to other users of the highway but in no case less than 100 feet nor more than 500 feet from the disabled vehicle;

(b) If disablement of the vehicle occurs upon the roadway or shoulder of any one way roadway of any highway, the driver shall place one warning signal at the traffic side of the vehicle not more than ten feet to the rear of the vehicle, one placed 100 feet to the rear of the vehicle in the center of the lane occupied by the standing vehicle, and one such signal at a distance of approximately 200 feet to the rear of the vehicle.

[1937 c 464 s 114; 1939 c 430 s 23; 1947 c 428 s 32; 1949 c 656; 1967 c 383 s 1-3] (2720-264)

169.751 DEFINITIONS. For the purposes of sections 169.751 to 169.754 the following words shall have the meaning ascribed to them in this section:

(a) "First aid equipment" shall mean equipment for the purpose of rendering first aid to sick or injured persons as prescribed by the state highway department for its highway patrol vehicles, such equipment to include materials for the application of splints to fractures.

(b) "Patrol motor vehicles" shall mean the highway patrol motor vehicles used in law enforcement of the state highway department, the county sheriffs, and the various city, village, town, and other local police departments.

[1953 c 651 s 1]

169.752 PATROL MOTOR VEHICLES, FIRST AID EQUIPMENT. Every patrol motor vehicle shall be equipped with and carry first aid equipment.

[1953 c 651 s 2]

169.753 LAW ENFORCEMENT OFFICERS, TRAINED TO USE FIRST AID EQUIPMENT. Law enforcement officers operating patrol motor vehicles shall be trained in the use and application of first aid equipment.

[1953 c 651 s 3]

169.754 APPROPRIATIONS AUTHORIZED. The various municipalities and political subdivisions of the State of Minnesota may for their fiscal years beginning after the enactment hereof appropriate such funds as are necessary for the purchase of first aid equipment for their patrol motor vehicles.

[1953 c 651 s 4]

169.755 HANDICAPPED DRIVERS, DISTRESS SIGNALS. Subdivision 1. Physically handicapped drivers of motor vehicles are authorized when getting into and out of such vehicles, or when in motor vehicle distress, to display a white flag of approximately seven and one half inches in width and thirteen inches in

length, with the letter "H" thereon in red color with an irregular one-half inch red border. Said flag shall be of reflective material so as to be readily discernible under darkened conditions and shall be issued under subdivision 2.

Subd. 2. The commissioner of public safety may, upon application and payment of a fee of \$1, issue to any physically handicapped person a distress flag as described in subdivision 1, and a card which shall be applicant's authority to use such flag. This card shall set forth the applicant's name, address, date of birth, physical apparatus, if any, needed to operate a motor vehicle, and other pertinent facts which the commissioner deems desirable. The card and flag issued to an applicant shall bear corresponding numbers. In the event of loss or destruction of such flag a replacement may be issued upon the payment of the sum of \$1 by the applicant. The commissioner of public safety shall maintain a list of those persons to whom distress flags and cards have been issued.

Subd. 3. Any person who is not physically handicapped who uses the above mentioned flag as a distress signal or for any other purpose or any other person who violates any provision of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished as provided by law.

Subd. 4. "Physically handicapped" as employed herein shall include any person who has sustained an amputation or material disability of either or both arms or of either or both legs, or who has been otherwise disabled in any manner rendering it difficult and burdensome for him to walk.

[1965 c 752 s 1-4; 1969 c 1129 art 1 s 4]

169.76 EXPLOSIVES. Any person operating any vehicle transporting any explosives as a cargo or part of a cargo upon a highway shall at all times comply with the provisions of this section. The vehicle shall be marked or placarded on each side and the rear with the word "Explosives" in letters not less than eight inches high, and shall be equipped with fire-extinguishers of a type and number approved by the commissioner, filled and ready for immediate use and placed at a convenient point on the vehicle so used.

The commissioner is hereby authorized and directed to promulgate such additional regulations governing the transportation of explosives and other dangerous articles by vehicles upon the highways as he shall deem advisable for the protection of the public.

[1937 c 464 s 115] (2720-265)

169.77 LAMP AND BRAKE ADJUSTING STATIONS. Subdivision 1. **Official stations.** The commissioner shall designate, furnish instructions to and supervise official stations for adjusting head lamps and auxiliary lamps and official stations for testing brakes to conform with the provisions of this chapter. The commissioner shall cause inspections to be made of such stations and shall revoke and require the surrender of the certificate issued to a station which he finds is not properly equipped or conducted. When head lamps and auxiliary lamps or brakes have been adjusted in conformity with the instructions issued by the commissioner a certificate of adjustment shall be issued to the driver of the motor vehicle on forms issued in duplicate by the commissioner showing date of issue, registration number of the motor vehicle, owner's name, make of vehicle, and official designation of the adjusting station.

Subd. 2. **Lamp station certificate.** The driver of any motor vehicle equipped with approved head lamps, auxiliary lamps, rear lamps, or signal lamps, who is arrested upon a charge that any of these lamps are improperly adjusted or are equipped with bulbs of a candlepower not approved for use therewith, shall be allowed 48 hours within which to bring the lamps into conformance with requirements of this chapter. It is a defense to any such charge that the person arrested produce in court or submit to the prosecuting attorney a certificate from an official adjusting station showing that within 48 hours after such arrest, the lamps have been made to conform with the requirements of this chapter.

[1937 c 464 s 116; 1945 c 428; 1947 c 428 s 33; 1955 c 333 s 1] (2720-266)

169.771 SPOT CHECKS OF MOTOR VEHICLES. Subdivision 1. The intent of this section is to establish a motor vehicle inspection program administered by the commissioner of public safety evidencing substantial compliance with the Federal Highway Safety Act.

Subd. 2. The commissioner of public safety is directed to accelerate spot check inspections for unsafe motor vehicles and motor vehicle equipment. Such inspections shall be conducted by the personnel of the state highway patrol.

Subd. 3. The commissioner may establish such reasonable rules and regulations as are necessary to carry out the provisions of this section, but all spot check inspections shall be held in such a manner that the motor vehicle operators, either private or commercial, shall not be unnecessarily inconvenienced either by extended detours, unnecessary delays, or any other unreasonable cause.

Subd. 4. Use of the highways and streets of this state shall constitute consent to spot check inspections as provided herein.

[1967 c 887 s 6 subd 1-4; 1969 c 1129 art 1 s 4]

169.78 MUNICIPAL INSPECTION STATIONS. Every municipality in the state shall have the power to acquire, erect, establish, equip, operate, and maintain motor vehicle testing stations, for the purpose of testing and inspecting motor vehicles using the public streets of any such municipality, and to finance and pay for the same out of the proceeds of the collection of fees charged for such inspection. Any municipality may pass, and by proper penalties enforce, ordinances for these purposes, and by such ordinances:

(1) Require the attendance of such motor vehicles at such testing station for the purpose of inspection, at such time as shall be deemed reasonable, after due notice thereof shall first have been given to the owner of such motor vehicle or his agent; provided, that any owner of five or more commercial vehicles having testing equipment and facilities meeting the requirements of the municipality may be exempted from the requirements of attendance at such testing station;

(2) Require the payment of inspection fees, but such fees shall not exceed the amount of 50 cents for any one inspection, or \$1 for any one year;

(3) Provide free inspections as often as the owner desires between compulsory inspection periods;

(4) Provide for the issuance of an inspection certificate and require the same to be displayed on the windshield of such motor vehicle in the lower right corner thereof, and in such manner as not to obstruct the driver's view;

(5) Prohibit the operation on the public streets of such municipality of any motor vehicle which shall not have been submitted for inspection within a reasonable time after notice of such required inspection shall have been given to the owner of such motor vehicle or his agent, or any motor vehicle which shall be found to be in a faulty or unsafe condition or in violation of any city ordinance or state law, and now having a proper inspection certificate properly displayed.

No such inspection shall be required of the owner of a vehicle who is not a resident of the municipality operating and maintaining the motor vehicle testing station.

In making such inspection or tests, no additional or different mechanical requirements than those provided by state law shall be imposed upon or against a motor vehicle or the owner thereof, or his agent, in order to entitle such vehicle to an inspection certificate, but no such certificate shall be issued or attached to any vehicle until and unless such vehicle shall, upon such inspection, be found to comply with the terms of the state law.

[1937 c 464 s 117] (2720-267)

169.79 VEHICLE REGISTRATION. No person shall operate, drive or park a motor vehicle on any highway unless such vehicle shall have been registered in accordance with the laws of this state and shall have the number plates for the current year only, as assigned to it by the registrar of motor vehicles, conspicuously displayed thereon in such manner that the view thereof shall not be obstructed. If the vehicle be a motorcycle, motor scooter, motorized bicycle, motorcycle sidecar, trailer, or semitrailer, one such plate shall be displayed on the rear thereof; if it be any other kind of motor vehicle, one such plate shall be displayed on the front and one on the rear thereof; securely fastened so as to prevent the same from swinging. It shall be the duty of the person driving the motor vehicle to keep the plate legible and unobstructed and free from grease, dust, or other blurring material so that the lettering thereon shall be plainly visible at all times.

[1937 c 464 s 118; 1961 c 622 s 1; 1967 c 464 s 2] (2720-268)

169.80 SIZE, WEIGHT, LOAD. Subdivision 1. **Limitations.** It is a misdemeanor for any person to drive or move, or for the owner to cause or knowingly permit to be driven or moved, on any highway any vehicle or vehicles of a size or weight exceeding the limitations stated in sections 169.80 to 169.88, or otherwise in violation of sections 169.80 to 169.88, and the maximum size and weight of vehicles herein specified shall be lawful throughout this state, and local authorities shall

have no power or authority to alter these limitations except as express authority may be granted in sections 169.80 to 169.88.

When all the axles of a vehicle or combination of vehicles are weighed separately the sum of the weights of the axles so weighed shall be evidence of the total gross weight of the vehicle or combination of vehicles so weighed.

When each of the axles of any group that contains two or more consecutive axles of a vehicle or combination of vehicles have been weighed separately the sum of the weights of the axles so weighed shall be evidence of the total gross weight on the group of axles so weighed.

When, in any group of three or more consecutive axles of a vehicle or combination of vehicles any axles have been weighed separately and two or more axles consecutive to each other in said group have been weighed together, the sum of the weights of the axles weighed separately and the axles weighed together shall be evidence of the total gross weight of the group of axles so weighed.

The provisions of sections 169.80 to 169.88 governing size, weight, and load shall not apply to fire apparatus, or to implements of husbandry temporarily moved upon a highway, or to loads of loose hay or corn stalks if transported by a horse-drawn vehicle or drawn by a farm tractor, or to a vehicle operated under the terms of a special permit issued as herein provided. For purposes of sections 169.80 to 169.88, a specialized vehicle resembling a low-slung two wheel trailer having a short bed or platform shall be deemed to be an implement of husbandry when such vehicle is used exclusively to transport implements of husbandry.

Subd. 2. Outside width. The total outside width of any vehicle or the load thereon shall not exceed eight feet except that the outside width of a farm tractor shall not exceed 12 feet, and except as otherwise provided in this section.

The total outside width of a trackless trolley car or passenger motor bus, operated exclusively in any city or village, or contiguous cities or villages, in this state, shall not exceed nine feet; provided a passenger motor bus, not exceeding eight and one-half feet in width, may operate beyond the foregoing areas and within 20 miles of the boundaries of a city of the first class. A passenger motor bus, not exceeding eight and one-half feet in width, may operate between the separated facilities of a college or university if part of the facilities are located within one of the foregoing areas and part are located outside but not more than five miles from the area.

The total outside width of loads of forest products when loaded crossways shall not exceed 100 inches, provided the load is securely bound with a chain attached to front and rear of the loading platform of the vehicle so as to hold the load securely in place.

Subd. 2a. The foregoing provisions of this section notwithstanding, an intercity bus operated under authority of the interstate commerce commission may be eight and one-half feet in width when operated on certain highways, designated by the commissioner for such operation. The commissioner, with respect to highways under his jurisdiction, may designate certain highways for the operation of such intercity buses upon the following conditions:

(a) Highways designated by the commissioner shall be limited to the national system of interstate and defense highways and 4-lane and 6-lane highways. Further, portions of the state trunk highway system may be designated for such operation for the purpose of directly connecting segments of the national system of interstate and defense highways and 4-lane and 6-lane highways; provided, however, that on 2-lane highways so designated for connection the traffic lane shall not be less than twelve feet in width.

(b) The commissioner is authorized to prescribe conditions for operation of such intercity buses when necessary to assure against undue damage to the road foundations, surfaces or structures.

No highways shall be so designated by the commissioner prior to a time when buses of such width are permitted on the national system of interstate and defense highways.

Subd. 3. Load on passenger vehicles. No passenger-type vehicle shall be operated on any highway with any load carried thereon extending beyond the line of the fenders on the left side of such vehicle nor extending more than six inches beyond the line of the fenders on the right side thereof.

[1937 c 464 s 119-121; Ex1937 c 45 s 1; 1939 c 23 s 1, 2; 1939 c 430 s 24; 1951 c 49 s 1; 1951 c 394 s 1; 1955 c 280 s 1; 1967 c 190 s 1; 1967 c 738 s 1; 1969 c 256 s 2; 1969 c 1054 s 1] (2720-269, 2720-271)

169.81 HEIGHT AND LENGTH LIMITATION. Subdivision 1. **Height.** No vehicle unladen or with load shall exceed a height of 13 feet six inches.

Subd. 2. **Length.** No vehicle unladen or with load shall exceed a length of 40 feet extreme overall dimensions, inclusive of front and rear bumpers, except that the governing body of any city or village is hereby authorized by ordinance to provide for the maximum length of any motor vehicle, or combination of motor vehicles, or the number of vehicles that may be fastened together, and which may be operated upon the streets or highways of such city; provided, that such ordinance shall not prescribe a length less than that permitted by state law. Any such motor vehicle operated in compliance with such ordinance on the streets or highways of such city shall not be deemed to be in violation of this chapter. A truck tractor and semitrailer shall be regarded as a combination of vehicles for the purpose of determining lawful length.

Subd. 3. **Length of combinations and semitrailers and trailers.** (a) No combination of vehicles coupled together unladen or with load, including truck trailers and semitrailers, shall consist of more than two units and no such combination of vehicles shall exceed a total length of 55 feet, provided that this limitation shall not apply to the transportation of telegraph poles, telephone poles, electric light and power poles, piling, or pole length pulpwood, and subject to the following further exceptions: Said length limitations shall not apply to (1) vehicles when transporting pipe, or other objects by a public utility when required for emergency or repair of public service facilities or when operated under special permits as provided in this subdivision, but in respect to night transportation every such vehicle and the load thereon shall be equipped with a sufficient number of clearance lamps and marker lamps on both sides and upon the extreme ends of any projecting load to clearly mark the dimensions of such load; (2) house trailers or mobile homes when coupled with a motor vehicle but such combination shall not exceed 55 feet in length. Provided further that two vehicles in transit by the drive-away method in saddle mount combinations may be drawn but such combinations may not exceed 55 feet in length. The state, as to state trunk highways, and any city, village, borough or town, as to roads or streets located therein, may issue permits authorizing the transportation of combinations of vehicles exceeding the limitations herein contained over highways, roads or streets within their boundaries.

(b) No single semitrailer or trailer shall have an overall length, inclusive of rear bumper, in excess of 40 feet, provided any semitrailer or trailer especially constructed and used to transport livestock or any unenclosed semitrailer or trailer especially constructed and used to transport boats or motor vehicles may exceed the length limitation set forth in this paragraph by not more than five feet. Any single semitrailer or trailer registered in this state which exceeded the length limitations set forth in this paragraph as of April 1, 1967, shall be entitled to a permit authorizing its operation within this state provided application therefor is made within 120 days from April 22, 1967. The state, as to state trunk highways, and any city, village, borough, or town, as to roads or streets located therein may issue such permits for highways, roads or streets within their jurisdictions.

Subd. 4. **Projecting loads.** The load upon any vehicle operated alone, or the load upon the front vehicle of a combination of vehicles, shall not extend more than three feet beyond the front wheels of such vehicle or the front bumper of such vehicle if it is equipped with such a bumper.

Subd. 5. **Manner of loading.** No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substances may be sprinkled on a roadway in cleaning or maintaining such roadway.

Subd. 6. [Repealed, 1967 c 215 s 2]

Subd. 7. **Flax straw transports.** Any combination of vehicles which includes an unenclosed semitrailer constructed and used to transport flax fiber or flax straw in the state of Minnesota for decortication or for use in the processing and manufacture of paper to a processing plant, a warehouse, a storage yard, or a railroad siding may exceed the length limits set out in section 169.81, subdivisions 2 and 3, but shall not exceed a total combined length of 60 feet. No combination of vehicles shall consist of more than two units as heretofore provided in this section. The commissioner shall issue special permits for each such vehicle pursuant

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to Minnesota Statutes, Section 169.86, provided that such permits (1) shall be issued on an annual basis and shall be renewed each year for use only in an area west of state trunk highways marked number 4, 71, and 72; (2) shall be issued upon a finding by the commissioner that use thereof will not, because of weight, constitute a damaging effect upon the highways used, and, provided further, that such permits shall be issued only to a company engaged in decortication, its affiliate or subsidiary, either as owner of or lessee of any such vehicles owned by others and that not more than 15 such permits shall be in effect at any one time.

[1937 c 464 s 122, 123; 1943 c 226 s 1; 1953 c 731 s 1; 1955 c 399 s 1; 1957 c 270 s 1; 1957 c 923 s 2; 1959 c 143 s 1; 1959 c 276 s 1; 1963 c 770 s 1; 1965 c 401 s 1; 1967 c 215 s 1; 1967 c 271 s 1] (2720-272, 2720-273)

169.82 TRAILER EQUIPMENT. Any trailer exceeding a gross weight of 6,000 pounds shall be equipped with brakes adequate to stop and hold such trailer, and which are so constructed that they will so operate whenever such trailer becomes detached from the towing vehicle.

When one vehicle is towing another the draw-bar or other connection shall be of sufficient strength to pull all weight towed thereby, and said draw-bar or other connection shall not exceed 15 feet from one vehicle to the other except the connection between any two vehicles transporting poles, pipe, machinery or other objects of structural nature which cannot readily be dismembered.

When one vehicle is towing another and the connection consists of a chain, rope, or cable, there shall be displayed upon such connection a white flag or cloth not less than 12 inches square.

Every trailer or semi-trailer shall be hitched to the motor vehicles furnishing the tractive power for it by a device approved by the commissioner as safe and in addition shall be equipped with safety chains permanently attached to the trailer except that where the coupling device is a regulation fifth wheel and king pin assembly approved by the commissioner such safety chains shall not be required. In towing, such chains shall be carried through a ring on the tow-bar and attached to the towing vehicle, and shall be of sufficient strength to control the trailer in event of failure of the towing device.

[1937 c 464 s 124; 1939 c 430 s 26; 1943 c 226 s 2; 1945 c 207 s 8] (2720-274)

169.83 WEIGHT LIMITATIONS. Subdivision 1. **Pneumatic-tired vehicles.** No vehicle or combination of vehicles equipped with pneumatic tires shall be operated upon the highways of this state:

1. Where the gross weight on any wheel exceeds 9,000 pounds;
2. Where the gross weight on any single axle exceeds 18,000 pounds;
3. This limitation shall be increased by 20 percent from January 1 through March 7 each winter for haulers of raw and unfinished forest products in the following specified zone of the state, where frost conditions are most constant and of longest durations: The zone is bounded as follows: Beginning at Pigeon River, in the northeast corner of Minnesota; thence, in a southwesterly direction along the north shore of Lake Superior to the Minnesota-Wisconsin border; thence, southerly along this border to Trunk Highway No. 48; thence westerly along Trunk Highway No. 48 to Interstate Highway No. 35; thence southerly along Interstate Highway No. 35 to Trunk Highway No. 23; thence southwesterly along Trunk Highway No. 23 to Trunk Highway No. 52 and Interstate Highway No. 94; thence northwesterly along said highways to Trunk Highway No. 29; thence northerly along Trunk Highway No. 29 to Trunk Highway No. 210; thence westerly along Trunk Highway No. 210 to Trunk Highway No. 108; thence northwesterly along Trunk Highway 108 to Trunk Highway No. 78; thence northerly along Trunk Highway No. 78 to Trunk Highway No. 10; thence northwesterly along Trunk Highway No. 10 to Trunk Highway No. 59; thence northerly along Trunk Highway No. 59 to the junction with Trunk Highway No. 2; thence, westerly along Trunk Highway No. 2 to the junction with Trunk Highway No. 32; thence, northerly along Trunk Highway No. 32 to the junction with Trunk Highway No. 11; thence, northeast along Trunk Highway No. 11 to the east line of Range 43 W. to the Minnesota-Canadian Border; thence, easterly along said Border to Lake Superior.

In all cases where gross weights in an amount less than in this subdivision set forth are fixed, limited or restricted on any highway or bridge by or pursuant to any other section of this chapter such lesser gross weight as so fixed, limited or

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restricted shall not be exceeded and in such case shall control instead of the gross weight in this subdivision set forth.

Subd. 2. **Gross weight schedule.** (1) No vehicle or combination of vehicles equipped with pneumatic tires shall be operated upon the highways of this state where the total gross weight on any group of two or more consecutive axles of any vehicle or combination of vehicles exceeds that given in the following table for the distance between the centers of the first and last axles of any group of two or more consecutive axles under consideration; the distance between axles being measured longitudinally to the nearest even foot, and when the measurement is a fraction of exactly one-half foot the next largest whole number in feet shall be used, except that when the distance between axles is more than three feet four inches and less than three feet six inches the distance of four feet shall be used:

Distances in feet between centers of foremost and rearmost axles of a group	Maximum gross weight in pounds on a group of		
	2 consecutive axles of a 2-axle vehicle or of any vehicle or combination of vehicles having a total of 3 or more axles	3 consecutive axles of a 3-axle vehicle or of any vehicle or combination of vehicles having a total of 3 or more axles	4 consecutive axles of any combination of vehicles having a total of 4 or more axles
4	32,000		
5	32,000		
6	32,000		
7	32,000	37,000	
8	33,000	38,500	
9	34,000	39,900	
10	35,000	41,200	42,500
11	36,000	42,400	44,300
12		43,500	46,000
13		44,500	47,600
14		45,500	49,100
15		46,500	50,500
16		47,500	51,800
17		48,500	53,000
18		49,500	54,000
19		50,500	54,500
20		51,500	55,500
21		52,200	56,000
22		52,900	56,500
23		53,600	57,500
24		54,000	58,000
25			58,500
26			59,500
27			60,000
28			60,500
29			61,500
30			62,500
31			63,500
32			64,000

Notwithstanding the provisions of Minnesota Statutes, Section 169.85, the gross vehicle weight of all axles of a vehicle or combination of vehicles shall not exceed 73,280 pounds and the gross weight on any tandem axle shall not exceed 32,000 pounds.

(2) Vehicles and combinations of vehicles acquired by their present owners, or which their present owners had obligated themselves to acquire on or prior to April 29, 1957, as set forth in (a) and (b) and on or prior to March 31, 1963, as set forth in (c), which do not have sufficient axle spacing between the center of the first axle and the center of the last axle of any group of axles to allow the maximum gross weight as set forth in clause (1) to be carried on any group of

consecutive axles spaced more than 3 feet 4 inches apart between axle centers shall be as follows:

- (a) Single unit vehicles having three axles will be permitted to operate with a gross weight of not to exceed 32,000 pounds on the tandem axle, provided the gross weight on all three axles does not exceed 50,000 pounds.
- (b) Combinations of vehicles having five axles and having a spacing between the center of the second axle from the front and the center of the rearmost axle of less than 28 feet will be permitted to operate with a gross weight of not to exceed 30,000 pounds on each tandem axle, provided the gross weight on all five axles does not exceed 73,280 pounds.
- (c) Combinations of vehicles having five axles and having a spacing of between 28 feet and that provided in clause (1) between the center of the second axle from the front and the center of the rearmost axle will be permitted to operate with a gross weight of not to exceed 32,000 pounds on each tandem axle, provided the gross weight of all five axles does not exceed 73,280 pounds.

The provisions of clause (2) shall expire on June 30, 1965.

(3) The violation of any provisions in clause (2) shall make the vehicles described therein subject to all of the other requirements of section 169.83, subdivision 2.

(4) Any person authorized to operate a vehicle pursuant to clause (2) shall on or prior to July 1, 1963, attach thereto and prominently display thereon such identification as the commissioner of highways may require, indicating that the vehicle is operating pursuant to clause (2). The commissioner shall issue such identification upon application therefor, and upon payment of \$5 to cover the cost thereof; all such fees shall be paid into the trunk highway fund. Failure to display such identification is a violation of this subdivision.

(5) During the times and within the zone set forth in subdivision 1 of this section and not otherwise haulers of raw and unfinished forest products shall not be subject to the foregoing limitations of gross weight for groups of two or more consecutive axles in this subdivision set forth but shall in lieu thereof within such zone and during such time be subject to the gross weight limitations as follows: No vehicle or combination of vehicles equipped with pneumatic tires shall be operated by haulers of raw and unfinished forest products upon the highways of this state during the times and within the zone in subdivision 1 of this section set forth where the total gross weight on any two or more consecutive axles of any vehicle or combination of vehicles exceeds the product of the coefficient named below multiplied by the sum of 40 plus the distance in feet between the first and last axles of the group of axles under consideration. A coefficient of 780 shall be used where the distance between the first and last axles of the group of axles under consideration is less than 18 feet, and a coefficient of 900 shall be used where such distance is 18 feet or over.

(6) In all cases where gross weights in an amount less than in this subdivision set forth are fixed, limited or restricted on any highway or bridge by or pursuant to any other section of this chapter such lesser gross weight as so fixed, limited or restricted shall not be exceeded and in such case shall control instead of the gross weights in this subdivision set forth.

Subd. 3. Single axle. A single axle as used in this section is defined as including all wheels whose centers may be included within two parallel transverse vertical planes 40 inches apart.

Subd. 4. [Repealed, 1951 c 588 s 4]

Subd. 5. Vehicles not equipped with pneumatic tires. A vehicle or combination of vehicles not equipped with pneumatic tires shall be governed by the provisions of subdivisions 1, 2, and 3, except that the gross weight limitations shall be reduced by 40 percent.

Subd. 6. Application. The provisions of this section shall not apply to vehicles operated exclusively in any city or village in this state which has in force and effect an ordinance regulating the gross weight of vehicles operated therein.

[1937 c 464 s 125; 1943 c 226 s 3; 1945 c 113 s 1; 1951 c 39 s 1, 2; 1951 c 587 s 1; 1951 c 588 s 1-4; 1953 c 65 s 1, 2; 1955 c 47 s 1; 1957 c 62 s 1; 1957 c 923 s 3; 1957 c 944 s 1; 1959 c 62 s 1, 2; 1963 c 532 s 1; 1969 c 71 s 1] (2720-275)

169.84 LOAD LIMIT ON BRIDGES. Subject to the limitations upon wheel and axle loads prescribed in this chapter, the gross weight of any vehicle or combination

of vehicles driven onto or over a bridge on any highway shall not exceed the safe capacity of the bridge, as may be indicated by warning posted on the bridge or the approaches thereto.

[1937 c 464 s 126; 1953 c 22 s 1] (2720-276)

169.85 WEIGHING. Any police officer having reason to believe that the weight of a vehicle and load is unlawful is authorized to require the driver to stop and submit to a weighing of the same either by means of portable or stationary scales, and may require that such vehicle be driven to the nearest public scales in the event such scales are within five miles.

When an officer, upon weighing a vehicle and load, as above provided, determines that the weight on any axle exceeds the lawful gross weight as prescribed by section 169.83, by 2,000 pounds or more, or when the weight on any group of two or more consecutive axles in cases where the distance between the centers of the first and last axles of the group under consideration is ten feet or less exceeds the lawful gross weight as prescribed by section 169.83, by 4,000 pounds or more and in all cases when the weight is unlawful on any axle or group of consecutive axles on any road restricted in accordance with section 169.87, he may require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle to such limit as permitted under this chapter. All material so unloaded shall be cared for by the owner or driver of such vehicle at the risk of such owner or driver.

Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing, or who fails or refuses, when directed by an officer upon a weighing of the vehicle, to stop the vehicle and otherwise comply with the provisions of this section, shall be guilty of a misdemeanor.

[1937 c 464 s 127; 1951 c 212 s 1; 1953 c 719 s 1] (2720-277)

169.86 SPECIAL PERMITS. Subdivision 1. **Applying for.** The commissioner, with respect to highways under his jurisdiction, and local authorities, with respect to highways under their jurisdiction, may, in their discretion, upon application in writing and good cause being shown therefor, issue a special permit, in writing, authorizing the applicant to move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in this chapter, or otherwise not in conformity with the provisions of this chapter, upon any highway under the jurisdiction of the party granting such permit and for the maintenance of which such party is responsible.

Subd. 2. **Required information.** The application for any such permit shall specifically describe the vehicle or vehicles and loads to be moved and the particular highways for which permit to so use is requested, and the period of time for which such permit is requested.

Subd. 3. **Discretion to issue or withhold; conditions of operation; liability insurance.** The commissioner or local authority is authorized to issue or withhold such permit at his discretion; or, if such permit is issued, to limit or prescribe conditions of operation of such vehicle or vehicles, when necessary to assure against undue damage to the road foundations, surfaces or structures, and may require such undertaking or other security as may be deemed necessary to compensate for any injury or damage to any roadway or road structure, and in addition may require that the operator or owner of such vehicle or vehicles have in effect with respect to the operation of such vehicle or vehicles a policy of liability insurance or bond affording substantially the same coverage with respect to injury to persons and damage to property as is required for proof of financial responsibility under the safety responsibility act.

Subd. 4. **Display and inspection of permit.** Every such permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer or authorized agent of any authority granting such permit, and no person shall violate any of the terms or conditions of such special permit.

Subd. 5. **Fees.** To cover administrative costs in issuing such permits, the commissioner, with respect to highways under his jurisdiction, may charge a fee of \$5 for each such permit issued, except a seasonal transportation permit to contractors who move their own construction machinery and equipment for their own use, the fee for which seasonal permit shall be \$25. All such fees for permits issued by the

commissioner of highways shall be deposited in the state treasury and credited to the trunk highway fund.

[1937 c 464 s 128; 1943 c 226 s 4; 1953 c 307 s 1; 1967 c 262 s 1] (2720-278)

169.87 SEASONAL LOAD RESTRICTIONS; DESIGNATION OF TRUCK ROUTES. Subdivision 1. **Optional power.** Local authorities, with respect to highways under their jurisdiction, may prohibit the operation of vehicles upon any such highway or impose restrictions as to the weight of vehicles to be operated upon any such highway, whenever any such highway, by reason of deterioration, rain, snow, or other climatic conditions, will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced.

The local authority enacting any such prohibition or restriction shall erect or cause to be erected and maintained signs plainly indicating the prohibition or restriction at each end of that portion of any highway affected thereby, and the prohibition or restriction shall not be effective unless and until such signs are erected and maintained.

Municipalities, with respect to highways under their jurisdiction, may also, by ordinance, prohibit the operation of trucks or other commercial vehicles, or may impose limitations as to the weight thereof, on designated highways, which prohibitions and limitations shall be designated by appropriate signs placed on such highways.

The commissioner shall likewise have authority, as hereinabove granted to local authorities, to determine and to impose prohibitions or restrictions as to the weight of vehicles operated upon any highway under the jurisdiction of the commissioner, and such restrictions shall be effective when signs giving notice thereof are erected upon the highway or portion of any highway affected by such action.

When a local authority petitions the commissioner to establish a truck route for travel into, through, or out of the territory under its jurisdiction, the commissioner shall investigate the matter. If the commissioner determines from his investigation that the operation of trucks into, through, or out of the territory involves unusual hazards because of any or all of the following factors; load carried, type of truck used, or topographic or weather conditions, the commissioner may make his order designating certain highways under his jurisdiction as truck routes into, through, or out of such territory. When these highways have been marked as truck routes pursuant to the order, trucks traveling into, through, or out of the territory shall comply with the order.

Subd. 2. **Seasonal load restrictions.** Except where restrictions are imposed as provided in subdivision 1, no person shall operate any vehicle or combination of vehicles upon any county or town road during the period between March 20 and May 15 of each year where the gross weight on any single axle, as defined in Minnesota Statutes 1945, Section 169.83, exceeds 10,000 pounds; provided, that there shall be excepted and exempted from the provisions of this section emergency vehicles of public utilities used incidental to making repairs to its plant or equipment; provided, however, that this provision shall not apply to roads paved with cement concrete. Subdivision 2 shall apply only to county and town roads located westerly and southerly of the following described line: beginning at a point on the south shore of Lake of the Woods, thence southerly along the Westerly borders of Lake of the Woods and Beltrami counties to the intersection with State Trunk Highway No. 2, thence easterly and southeasterly along State Trunk Highway No. 2 to Duluth.

[1937 c 464 s 129; 1947 c 505 s 1; 1949 c 695 s 1; 1951 c 445 s 1; 1967 c 12 s 1; 1967 c 467 s 1] (2720-279)

169.88 DAMAGES; LIABILITY. Any person driving any vehicle, object, or contrivance upon any highway or highway structure shall be liable for all damage which the highway or highway structure may sustain as a result of any illegal operation, driving, or moving of such vehicle, object, or contrivance, or as a result of operation, driving or moving any vehicle, object, or contrivance weighing in excess of the maximum weight in this chapter but authorized by a special permit issued as provided in sections 169.80 to 169.88.

When such driver is not the owner of such vehicle, object, or contrivance, but is so operating, driving, or moving the same with the express or implied permission of the owner, then the owner and driver shall be jointly and severally liable for any such damage.

Any person who by his willful acts or failure to exercise due care, damages any road, street, or highway or highway structure shall be liable for the amount thereof.

Damages under this section may be recovered in a civil action brought by the authorities in control of such highway or highway structure.

[1937 c 464 s 130; 1967 c 509 s 1] (2720-280)

169.89 PENALTIES. Subdivision 1. **Violation.** It is a misdemeanor for any person to violate any provision of this chapter unless the violation is a gross misdemeanor or a felony.

Subd. 2. **Driver's record.** When a person is arrested for a violation of any provision of this chapter, or a violation of any provision of a city or village ordinance regulating traffic, the court before whom the matter is heard shall determine the driver's record of the person from the commissioner of public safety before pronouncing sentence and the expense incident to the procurement of this information is taxable as costs upon the conviction.

Subd. 3. **Driver improvement clinics.** In conjunction with or in lieu of other penalties provided by law for violation of this chapter or a municipal ordinance enacted in conformance thereto, the trial court may in its judgment of conviction order the convicted person to attend and satisfactorily complete a course of study at an approved driver improvement clinic. Any person who fails to comply with such an order may be adjudged in contempt of court. The requirement of attendance at a driver improvement clinic is not a fine, imprisonment, or sentence within the meaning of section 609.02. The court may not order a convicted person to attend a driver improvement clinic which is located more than 35 miles from the person's residence. For the purposes of this section "an approved driver improvement clinic" means a clinic whose curriculum and mode of instruction conform to standards promulgated by the commissioner of public safety.

[1937 c 464 s 131; 1939 c 430 s 27; 1947 c 428 s 34; 1965 c 711 s 5; 1969 c 118 s 1; 1969 c 1129 art 1 s 18] (2720-281)

169.90 OFFENSES. Subdivision 1. Every person who commits or attempts to commit, conspires to commit, or aids or abets in the commission of, any act declared herein to be a crime, whether individually or in connection with one or more other persons or as principal, agent, or accessory, shall be guilty of such offense, and every person who falsely, fraudulently, forcibly, or wilfully induces, causes, coerces, requires, permits, or directs another to violate any provision of this chapter, is likewise guilty of such offense.

Subd. 2. It is unlawful for the owner, or any other person, employing or otherwise directing the driver of any vehicle to require or knowingly to permit the operation of such vehicle upon a highway in any manner contrary to law.

Subd. 3. [Renumbered 169.42, subd. 2]

[1937 c 464 s 132, 133] (2720-282, 2720-283)

169.901 EMPLOYMENT OF INTEMPERATE DRIVERS. No person owning or having control of a coach or vehicle traveling upon any road for the conveyance of passengers shall employ any person to drive the same who is addicted to the excessive use of intoxicating liquors.

Every person who violates any provision of this section shall forfeit for each offense such sum as the court shall fix, not exceeding \$50 and be liable to any party injured for all damages sustained by reason of such offense; provided, that complaint for such violation be made within three months, and every action for damages shall be begun within one year, thereafter.

[1913 c 235 s 66] (2622)

169.91 ARRESTS. Subdivision 1. **Procedure.** When any person is arrested for any violation of this chapter punishable as a misdemeanor, gross misdemeanor, or felony, the arrested person shall be taken into custody and immediately taken before a magistrate within the county in which the offense charged is alleged to have been committed and who has jurisdiction of such offenses and is nearest or most accessible with reference to the place where the arrest is made, in any of the following cases:

- (1) When a person arrested demands an immediate appearance before a magistrate;
- (2) When a person is arrested and charged with an offense under this chapter causing or contributing to an accident resulting in injury or death to any person;
- (3) When the person is arrested upon a charge of negligent homicide;
- (4) When the person is arrested upon a charge of driving or operating or being

in actual physical control of any motor vehicle while under the influence of intoxicating liquor or drugs;

(5) When the person is arrested upon a charge of failure to stop in the event of an accident causing death, personal injuries, or damage to property;

(6) When there is reasonable cause for believing that the person arrested may leave the state;

(7) In any other event when the person arrested refused to give his written promise to appear in court, as hereinafter provided.

Subd. 2. Notice to appear. When a person is arrested for any violation of this chapter or any other law relating to motor vehicles, their registration or the operation thereof, or the use of the highways, punishable as a misdemeanor, and is not taken into custody and immediately taken before a magistrate, the arresting officer shall prepare, in duplicate, written notice to appear in court. The notice shall contain the name and address of the person arrested, his drivers license, or chauffeur's license number, the license number of his vehicle, the offense charged, and the time when and the place he is to appear in court. This place must be before a magistrate within the county in which the offense charged is alleged to have been committed who has jurisdiction and is nearest or most accessible with reference to the place of arrest.

In order to secure release, as provided in this section, the arrested person must give his written promise so to appear in court by signing, in duplicate, the written notice prepared by the arresting officer. The officer shall retain the original of the notice and deliver a copy thereof to the person arrested. Thereupon, the officer shall release the person arrested from custody.

NOTE: Subdivision 2 is repealed effective when uniform traffic ticket is mandatory under Minnesota Statutes, Section 169.99, Subdivision 2. See Extra Session Laws 1961, Chapter 19, Section 6.

Subd. 3. Notice to appear. When a person is arrested for any violation of this chapter or any other law relating to motor vehicles, their registration or the operation thereof, or the use of the highways, the arresting officer shall prepare, in quadruplicate, written notice to appear in court. This place must be before a magistrate within the county in which the offense charged is alleged to have been committed who has jurisdiction and is nearest or most accessible with reference to the place of arrest.

In order to secure release, if the arrested person is eligible for release, without being taken into custody and immediately taken before a magistrate, as provided in Minnesota Statutes, Section 169.91, and acts amendatory thereof, the arrested person must give his written promise so to appear in court by signing, in quadruplicate, the written notice prepared by the arresting officer. The officer shall retain the original of the notice and deliver the copy thereof marked "SUMMONS" to the person arrested. Thereupon, the officer shall release the person arrested from custody.

NOTE: This subdivision is effective when uniform traffic ticket is mandatory under Minnesota Statutes, Section 169.99, Subdivision 2. See Extra Session Laws 1961, Chapter 19, Section 6.

[1937 c 464 s 134, 135; 1939 c 430 s 28, 29; 1947 c 428 s 35; 1955 c 845 s 1; Ex1961 c 19 s 4] (2720-284, 2720-285)

169.92 FAILURE TO APPEAR. Any person wilfully violating his written promise to appear in court, given as provided in sections 169.90 to 169.95, is guilty of a misdemeanor, provided he is found guilty of the charge upon which he was originally arrested.

A written promise to appear in court may be complied with by an appearance by counsel.

[1937 c 464 s 136] (2720-286)

169.93 ARREST WITHOUT WARRANT. The provisions of sections 169.90 to 169.95 shall govern all police officers in making arrests without a warrant for violations of this chapter for offenses committed in their presence, but the procedure prescribed herein shall not otherwise be exclusive of any other method prescribed by law for the arrest and prosecution of a person for an offense of like grade.

[1937 c 464 s 137] (2720-287)

169.94 RECORD OF CONVICTION. Subdivision 1. **Not admissible as evidence.** No record of the conviction of any person for any violation of this chapter shall be admissible as evidence in any court in any civil action.

Subd. 2. Not to affect credibility as witness. The conviction of a person upon a charge of violating any provision of this chapter or other traffic regulation less than

a felony shall not affect or impair the credibility of such person as a witness in any civil or criminal proceeding.

[1937 c 464 s 138, 139] (2720-288, 2720-289)

169.95 COURTS TO KEEP SEPARATE RECORDS OF VIOLATIONS. Every magistrate or judge of a court not of record, and every clerk of a court of record, shall keep a full record of every case in which a person is charged with any violation of this chapter or of any other law, or city or village ordinance, regulating the operation of vehicles on highways.

Within ten days after the conviction or forfeiture of bail of a person upon a charge of violating any provisions of this chapter or other law, or city or village ordinance, regulating the operation of vehicles on highways, every magistrate of the court, or clerk of the court of record in which such conviction was had or bail was forfeited, shall prepare and immediately forward to the department of public safety an abstract of the record of the court covering the case in which the person was so convicted or forfeited bail, which abstract must be certified by the person so required to prepare the same to be true and correct.

The abstract must be made upon a form furnished by the department of public safety, and shall include the name and address of the party charged, the driver's license number or chauffeur's license number of the person involved, the nature of the offense, the date of hearing, the plea, the judgment, or whether bail forfeited, and the amount of the fine or forfeiture, as the case may be.

Every court of record shall also forward a like report to the department of public safety upon the conviction of any person of manslaughter or other felony in the commission of which a vehicle was used.

The failure, refusal, or neglect of any such judicial officer to comply with any of the requirements of this section shall constitute misconduct in the office and shall be ground for removal therefrom.

[1937 c 464 s 140; 1969 c 1129 art 1 s 18] (2720-290)

169.96 INTERPRETATION AND EFFECT. This chapter shall be interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

In all civil actions, a violation of any of the provisions of this chapter, by either or any of the parties to such action or actions shall not be negligence *per se* but shall be *prima facie* evidence of negligence only.

[1937 c 464 s 141; 1939 c 430 s 30] (2720-291)

169.965 REGENTS OF UNIVERSITY OF MINNESOTA TO REGULATE TRAFFIC. Subdivision 1. The regents of the University of Minnesota may, from time to time, make, adopt and enforce such rules, regulations or ordinances as it may find expedient or necessary relating to the regulation of traffic pursuant to the highway traffic regulation act, Minnesota Statutes, chapter 169, as amended, upon highways, streets, private roads and roadways situated on property owned, leased or occupied by the regents of the University of Minnesota or the University of Minnesota.

Subd. 2. Any person violating such rule, regulation or ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by imprisonment in jail or the workhouse for not more than 90 days, or by a fine of not more than \$100.

Subd. 3. The prosecution may be before any municipal court or justice of the peace having jurisdiction over the place where the violation occurs.

Subd. 4. Every sheriff, constable, police officer or other peace officer shall see that all rules, regulations and ordinances are obeyed, and shall arrest and prosecute offenders.

Subd. 5. The regents of the University of Minnesota are hereby authorized to appoint and employ, and fix the compensation to be paid out of funds of the regents of the University of Minnesota, persons who shall have and may exercise on property owned, leased or occupied by the regents of the University of Minnesota or the University of Minnesota the same powers of arrest for violation of rules, regulations or ordinances adopted by the regents of the University of Minnesota pursuant to the highway traffic regulation act, Minnesota Statutes, chapter 169, as amended, as possessed by a sheriff, constable, police officer or peace officer.

Subd. 6. All persons shall take notice of such rules, regulations, and ordinances without pleading and proof of the same.

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Subd. 7. The regents of the University of Minnesota shall fix a date for a public hearing on the adoption of any such proposed rule, regulation or ordinance. Notice of such hearing shall be published in a legal newspaper in the county in which the property affected by the rule, regulation or ordinance is located. The publication shall be at least 15 days and not more than 45 days before the date of the hearing.

If, after the public hearing, the proposed rule, regulation or ordinance shall be adopted by a majority of the members of the board of regents of the University of Minnesota, the same shall be considered to have been enacted by the regents of the University of Minnesota. A copy of the same shall be signed by the president, attested by the secretary and filed with the secretary of state of the State of Minnesota, together with proof of publication. Upon such filing, the rule, regulation or ordinance, as the case may be, shall thenceforth be in full force and effect.

[1957 c 456 s 1-7]

169.966 STATE COLLEGE BOARD TO REGULATE TRAFFIC. Subdivision 1. The state college board may from time to time make, adopt, and enforce such rules, regulations, or ordinances not inconsistent with this chapter, as it may find expedient or necessary relating to the regulation of traffic and parking upon parking facilities and private roads and roadways situated on property owned, leased, occupied or operated by state colleges.

Subd. 1a. The state college board may establish rents, charges or fees in an amount not to exceed \$1 per vehicle per day for the use of parking facilities owned, leased, occupied, or operated by the state college board. The money collected by the board as rents, charges or fees in accordance with this subdivision shall be deposited in the college activity fund and is annually appropriated to the state college board for state college purposes and to maintain and operate parking lots and parking facilities.

Subd. 2. Any person violating such rule, regulation, or ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by imprisonment in jail or the workhouse for not more than 90 days, or by a fine of not more than \$100.

Subd. 3. The prosecution may be before any municipal court or justice of the peace having jurisdiction over the place where the violation occurs.

Subd. 4. Every sheriff, constable, police officer, or other peace officer shall see that all rules, regulations, and ordinances are obeyed and shall arrest and prosecute offenders.

Subd. 5. The state college board may appoint and employ, and fix the compensation to be paid out of funds which may be available for such purposes, persons who shall have and may exercise on property owned, leased, or occupied by the state colleges the same powers of arrest for violation of rules, regulations, or ordinances adopted by the board as possessed by a sheriff, constable, police officer, or peace officer.

Subd. 6. All persons shall take notice of such rules, regulations, and ordinances without pleading and proof of the same.

Subd. 7. The state college board shall fix a date for a public hearing on the adoption of any such proposed rule, regulation, or ordinance. Notice of such hearing shall be published in a legal newspaper in the county in which the property affected by the rule, regulation, or ordinance is located. The publication shall be at least 15 days and not more than 45 days before the date of the hearing.

If, after the public hearing, the proposed rule, regulation, or ordinance shall be adopted by a majority of the members of the board, the same shall be considered to have been enacted by the board. A copy of the same shall be signed by the president and filed with the secretary of state, together with proof of publication. Upon such filing, the rule, regulation, or ordinance, as the case may be, shall thenceforth be in full force and effect.

[1961 c 278 s 1; 1969 c 701 s 2, 3]

169.97 CITATION; HIGHWAY TRAFFIC REGULATION ACT. This chapter shall be cited as the highway traffic regulation act.

[1937 c 464 s 142] (2720-292)

169.971 DRIVER IMPROVEMENT CLINICS; DEFINITIONS. Subdivision 1. For the purposes of Laws 1965, Chapter 711 the terms defined in this section have the meanings given them.

Subd. 2. "Driver improvement clinic" means a formal course of study established under section 169.972, designed primarily to assist persons convicted of

traffic violations in correcting improper driving habits and to familiarize them with the provisions of the highway traffic regulation act.

Subd. 3. "Municipality" means any city, however organized, and any village, borough, county, or town.

Subd. 4. "Court" means a municipal court, however organized, and any district court, county court or justice court.

Subd. 5. "Commissioner" means the commissioner of public safety.

[1965 c 711 s 1; 1969 c 1129 art 1 s 18]

169.972 ESTABLISHMENT OF DRIVER IMPROVEMENT CLINIC; FEES. Subdivision 1. Subject to the provisions of Laws 1965, Chapter 711, any court, municipality, association of municipalities, or any regularly established safety organization may establish and conduct a driver improvement clinic.

Subd. 2. The court, municipality or organization conducting a driver improvement clinic may establish reasonable tuition fees not to exceed \$15, but not to exceed the actual cost of the course.

[1965 c 711 s 2]

169.973 REGULATION OF CLINICS; DIRECTOR. Subdivision 1. The commissioner of public safety shall supervise the administration and conduct of driver improvement clinics. The commissioner of public safety shall promulgate rules and regulations setting forth standards for the curriculum and mode of instruction of driver improvement clinics and such other matters as he considers necessary for the proper administration of such clinics. In the preparation of such standards the commissioner of public safety shall consult with the commissioner of education and state associations of judges. A driver improvement clinic established under Laws 1965, Chapter 711 shall conform to the standards promulgated by the commissioner of public safety. The course of study at a driver improvement clinic may not exceed a cumulative total of nine hours with no single class session lasting more than three hours.

Subd. 2. The commissioner may appoint a driver improvement clinic director within the department of public safety and such other employees as are necessary to accomplish the purposes of Laws 1965, Chapter 711.

[1965 c 711 s 3; 1969 c 1129 art 1 s 18]

169.974 MOTORCYCLES, MOTOR SCOOTERS AND MOTOR BIKES. Subdivision 1. **Definition.** Motorcycles as used herein shall mean the vehicles defined in section 169.01, subdivision 4.

Subd. 2. **License requirements.** No person shall operate a motorcycle on any street or highway after September 30, 1968, unless he has a valid standard driver's license with a two-wheeled vehicle endorsement as provided by law. No such two-wheeled vehicle endorsement shall be issued after July 1, 1969, unless the person applying therefor has been in possession of a valid two-wheeled vehicle instruction permit as provided herein for at least 30 days, has passed a written examination and road test administered by the department of public safety for such endorsement, and, after September 1, 1970, in the case of applicants under 18 years of age, shall present a certificate or other evidence of having successfully completed a two-wheeled vehicle driver's safety course in this or another state, in accordance with such regulations as the commissioner of public safety shall promulgate. A two-wheeled vehicle instruction permit shall be issued to any person over 16 years of age, who is in possession of a valid driver's license, and who has passed a written examination for such permit and has paid such fee as the commissioner of public safety shall prescribe. A two-wheeled vehicle instruction permit shall be effective for 90 days, and may be renewed under rules to be prescribed by the commissioner of public safety.

No motorcycle operator who is operating by virtue of a two-wheeled vehicle instruction permit shall carry any passenger on the streets and highways of this state on the motorcycle which he is operating unless such passenger has a valid driver's license with a two-wheeled vehicle endorsement.

Notwithstanding the provisions of this subdivision, the commissioner of public safety may, however, issue a special motorcycle permit, restricted or qualified in such manner as he shall deem proper, to any person demonstrating a need therefor and unable to qualify for a standard driver's license.

Subd. 3. **Vehicle equipment.** (a) No person shall operate any motorcycle equipped with handlebars if any part of such handlebars extend above the shoulders of the operator while seated with both feet on the ground.

(b) Any motorcycle with a seat designed or suited for use by a passenger shall be equipped with foot rests for the passenger. No person shall operate any motorcycle on the streets and highways after January 1, 1971, unless such motorcycle is equipped with at least one rear view mirror so attached and adjusted as to reflect to the operator a view of the roadway for a distance of at least 200 feet to the rear of the motorcycle and is equipped with not less than one horn which shall be audible at a distance of at least 200 feet under normal conditions.

(c) All other applicable provisions of this chapter pertaining to motorcycle and other motor vehicle equipment shall apply to motorcycles, except those which by their nature have no application.

Subd. 4. Equipment for operators and passengers. (a) When operating a motorcycle on the streets and highways of this state, the operator and passenger, if any, shall wear protective headgear that complies with standards established by the commissioner.

(b) The provisions of this subdivision shall not apply to persons during their participation in a parade for which parade a permit or other official authorization has been granted by a local governing body or other governmental authority.

Subd. 5. Driving rules. (a) An operator of a motorcycle shall ride only upon a permanent and regular seat which is attached to the vehicle for such purpose. No other person shall ride on a motorcycle; except that passengers may ride upon a permanent and regular operator's seat if designed for two persons, or upon additional seats attached to the vehicle to the rear of the operator's seat, or in a side car attached to the vehicle; provided, however, that the operator of a motorcycle shall not carry passengers in a number in excess of the designed capacity of the motorcycle or side car attached to it. No passenger shall be carried in a position that will interfere with the safe operation of the motorcycle or the view of the operator.

(b) No person shall ride upon any motorcycle as a passenger unless, when sitting astride his seat, he can reach the foot rests with both feet.

(c) No person, except passengers of sidecars or three-wheeled motorcycles, shall operate or ride upon a motorcycle except while sitting astride the seat, facing forward, with one leg on either side of the motorcycle.

(d) No person shall operate a motorcycle while carrying packages, bundles, or articles which prevent him from keeping both hands on the handlebars.

(e) No person shall operate a motorcycle between lanes of moving or stationary vehicles headed in the same direction, nor shall any person drive a motorcycle abreast of or overtake or pass another vehicle within the same traffic lane, except that motorcycles may, with the consent of both drivers, be operated not more than two abreast in a single traffic lane.

(f) All motor vehicles including motorcycles are entitled to the full use of a traffic lane and no motor vehicle shall be driven or operated in such a manner so as to deprive any motorcycle of the full use of a traffic lane.

(g) Every person operating a motorcycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to a motor vehicle as provided by law, except as to those provisions which by their nature can have no application.

(h) Clause (e) of this subdivision shall not apply to police officers in the performance of their official duties.

[1967 c 875 s 1-5; 1969 c 1123 s 1-3; 1969 c 1129 art 1 s 18]

169.98 POLICE OR PATROL VEHICLES, MARKINGS AND COLORS. Subdivision 1. Except as provided in this subdivision, all motor vehicles which are primarily used in the enforcement of highway traffic regulations by any police department, highway patrol, or peace officer shall have uniform colors and markings as provided herein. The commissioner of public safety by rule or regulation shall establish uniform colorings and markings for such motor vehicles which colors and markings shall be both distinctive and contrasting in appearance so as to distinguish such motor vehicles from other motor vehicles and make them easily identifiable. The commissioner of public safety may authorize the use of specially marked highway patrol vehicles, that have only a marking composed of a shield on the right door with the words inscribed thereon "Minnesota Highway Patrol" for primary use in the enforcement of highway traffic regulations when in his judgment the use of specially marked highway patrol vehicles will con-

tribute to the safety of the traveling public. The number of such specially marked highway patrol vehicles used in the enforcement of highway traffic regulations shall not exceed 10 percent of the total number of highway patrol vehicles used in traffic law enforcement. All specially marked highway patrol vehicles shall be operated by uniformed members of the highway patrol and so equipped and operated as to clearly indicate to the driver of a car which is signaled to stop that the specially marked highway patrol vehicle is being operated by the highway patrol.

Subd. 2. Subdivision 1 shall apply to those motor vehicles used primarily in traffic law enforcement purchased subsequent to the effective date of Laws 1959, Chapter 554 and also subsequent to the effective date of any rules and regulations that the commissioner shall establish pursuant to the purposes set forth in subdivision 1.

[1959 c 554 s 1, 2; 1961 c 458 s 1; 1969 c 1129 art 1 s 4]

169.99 UNIFORM TRAFFIC TICKET. Subdivision 1. Except as provided in subdivision 3, there shall be a uniform ticket issued throughout the state by the police and peace officers or by any other person for violations of the highway traffic regulations, which are Minnesota Statutes 1957, Chapter 169 and acts amendatory thereof, and ordinances in conformity thereto. Such uniform traffic ticket shall be in the form and have the effect of a summons and complaint. There shall also be included on the uniform ticket a receipt in lieu of bail which, when signed by the defendant, shall be a guarantee by him of his appearance in the court having jurisdiction over the matter. The uniform traffic ticket shall consist of four parts, on paper sensitized so that copies may be made without the use of carbon paper, as follows:

(1) The complaint, with reverse side for officer's notes for testifying in court, driver's past record, and court's action, printed on white paper;

(2) The abstract of court record for the department of highways, which shall be a copy of the complaint with the certificate of conviction on the reverse side, printed on yellow paper;

(3) The police record, which shall be a copy of the complaint and of the reverse side of copy (1), printed on pink paper;

(4) The summons, with, on the reverse side, such information as the court may wish to give concerning the traffic violations bureau, and a plea of guilty and waiver, printed on off-white tag stock.

Subd. 2. The attorney general shall by rule or regulation promulgated in the manner provided by law prescribe the detailed form of the uniform traffic ticket, and shall revise the uniform ticket on such subsequent occasions as he deems necessary and proper to keep the uniform ticket in conformity with highway traffic regulations. In the manner provided by law the attorney general shall give notice to all interested parties of a hearing to be held prior to the promulgation of the uniform traffic ticket or any changes therein. The uniform traffic ticket shall not be in mandatory use throughout the state until 18 months after the attorney general has first promulgated the uniform traffic ticket and the attorney general shall enforce the uniformity of the promulgated traffic ticket throughout the state.

Subd. 3. Any city of the first class, through its governing body, may alter by deletion or addition the uniform traffic ticket in such manner as it deems advisable for use in such city. In respect to any public corporation created and operating pursuant to Minnesota Statutes, Sections 360.101 to 360.133, whose ordinances and regulations for the control of traffic are enforced through prosecution in the municipal court of one or the other of the cities of the first class included within such public corporation, the traffic ticket used in such enforcement shall conform to that used by the city of the first class in whose municipal court its ordinances and regulations are enforced, except as to color and as to information uniquely applying to such public corporation and to its ordinances and regulations.

[Ex 1961 c 19 s 1-3; 1963 c 3 s 1]

VEHICLE EQUIPMENT SAFETY COMPACT

169.991 VEHICLE EQUIPMENT SAFETY COMPACT. The vehicle equipment safety compact is hereby enacted into law and entered into with all other jurisdictions legally joining therein in the form substantially as follows:

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VEHICLE EQUIPMENT SAFETY COMPACT

ARTICLE I

Findings and Purposes

(a) The party states find that:

(1) Accidents and deaths on their streets and highways present a very serious human and economic problem with a major deleterious effect on the public welfare.

(2) There is a vital need for the development of greater interjurisdictional cooperation to achieve the necessary uniformity in the laws, rules, regulations and codes relating to vehicle equipment, and to accomplish this by such means as will minimize the time between the development of demonstrably and scientifically sound safety features and their incorporation into vehicles.

(b) The purposes of this compact are to:

(1) Promote uniformity in regulation of and standards for equipment.

(2) Secure uniformity of law and administrative practice in vehicular regulation and related safety standards to permit incorporation of desirable equipment changes in vehicles in the interest of greater traffic safety.

(3) To provide means for the encouragement and utilization of research which will facilitate the achievement of the foregoing purposes, with due regard for the findings set forth in clause (a) of this article.

(c) It is the intent of this compact to emphasize performance requirements and not to determine the specific detail of engineering in the manufacture of vehicles or equipment except to the extent necessary for the meeting of such performance requirements.

ARTICLE II

Definitions

As used in this compact:

(a) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

(b) "State" means a state, territory or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

(c) "Equipment" means any part of a vehicle or any accessory for use thereon which affects the safety of operation of such vehicle or the safety of the occupants.

ARTICLE III

The Commission

(a) There is hereby created an agency of the party states to be known as the "Vehicle Equipment Safety Commission" hereinafter called the commission. The commission shall be composed of one commissioner from each party state who shall be appointed, serve and be subject to removal in accordance with the laws of the state which he represents. If authorized by the laws of his party state, a commissioner may provide for the discharge of his duties and the performance of his functions on the commission, either for the duration of his membership or for any lesser period of time, by an alternate. No such alternate shall be entitled to serve unless notification of his identity and appointment shall have been given to the commission in such form as the commission may require. Each commissioner, and each alternate, when serving in the place and stead of a commissioner, shall be entitled to be reimbursed by the commission for expenses actually incurred in attending commission meetings or while engaged in the business of the commission.

(b) The commissioners shall be entitled to one vote each on the commission. No action of the commission shall be binding unless taken at a meeting at which a majority of the total number of votes on the commission are cast in favor thereof. Action of the commission shall be only at a meeting at which a majority of the commissioners, or their alternates, are present.

(c) The commission shall have a seal.

(d) The commission shall elect annually, from among its members, a chairman, a vice chairman and a treasurer. The commission may appoint an executive director and fix his duties and compensation. Such executive director shall serve at the pleasure of the commission, and together with the treasurer shall be

bonded in such amount as the commission shall determine. The executive director also shall serve as secretary. If there be no executive director, the commission shall elect a secretary in addition to the other officers provided by this clause.

(e) Irrespective of the civil service, personnel or other merit system laws of any of the party states, the executive director with the approval of the commission, or the commission if there be no executive director, shall appoint, remove or discharge such personnel as may be necessary for the performance of the commission's functions, and shall fix the duties and compensation of such personnel.

(f) The commission may establish and maintain independently or in conjunction with any one or more of the party states, a suitable retirement system for its full time employees. Employees of the commission shall be eligible for social security coverage in respect of old age and survivor's insurance provided that the commission takes such steps as may be necessary pursuant to the laws of the United States, to participate in such program of insurance as a governmental agency or unit. The commission may establish and maintain or participate in such additional programs of employee benefits as may be appropriate.

(g) The commission may borrow, accept or contract for the services of personnel from any party state, the United States, or any subdivision or agency of the aforementioned governments, or from any agency of two or more of the party states or their subdivisions.

(h) The commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials, and services, conditional or otherwise, from any state, the United States, or any other governmental agency and may receive, utilize and dispose of the same.

(i) The commission may establish and maintain such facilities as may be necessary for the transacting of its business. The commission may acquire, hold, and convey real and personal property and any interest therein.

(j) The commission shall adopt bylaws for the conduct of its business and shall have the power to amend and rescind these bylaws. The commission shall publish its bylaws in convenient form and shall file a copy thereof and a copy of any amendment thereto, with the appropriate agency or officer in each of the party states. The bylaws shall provide for appropriate notice to the commissioners of all commission meetings and hearings and the business to be transacted at such meetings or hearings. Such notice shall also be given to such agencies or officers of each party state as the laws of such party state may provide.

(k) The commission annually shall make to the governor and legislature of each party state a report covering the activities of the commission for the preceding year, and embodying such recommendations as may have been issued by the commission. The commission may make such additional reports as it may deem desirable.

ARTICLE IV

Research and Testing

The commission shall have power to:

(a) Collect, correlate, analyze and evaluate information resulting or derivable from research and testing activities in equipment and related fields.

(b) Recommend and encourage the undertaking of research and testing in any aspect of equipment or related matters when, in its judgment, appropriate or sufficient research or testing has not been undertaken.

(c) Contract for such equipment research and testing as one or more governmental agencies may agree to have contracted for by the commission, provided that such governmental agency or agencies shall make available the funds necessary for such research and testing.

(d) Recommend to the party states changes in law or policy with emphasis on uniformity of laws and administrative rules, regulations or codes which would promote effective governmental action or coordination in the prevention of equipment-related highway accidents or the mitigation of equipment-related highway safety problems.

ARTICLE V

Vehicular Equipment

(a) In the interest of vehicular and public safety, the commission may study the need for or desirability of the establishment of or changes in performance requirements or restrictions for any item of equipment. As a result of such study, the commission may publish a report relating to any item or items of equipment, and the issuance of such a report shall be a condition precedent to any proceedings or other action provided or authorized by this article. No less than sixty days after the publication of a report containing the results of such study, the commission upon due notice shall hold a hearing or hearings at such place or places as it may determine.

(b) Following the hearing or hearings provided for in clause (a) of this article, and with due regard for standards recommended by appropriate professional and technical associations and agencies, the commission may issue rules, regulations or codes embodying performance requirements or restrictions for any item or items of equipment covered in the report, which in the opinion of the commission will be fair and equitable and effectuate the purposes of this compact.

(c) Each party state obligates itself to give due consideration to any and all rules, regulations and codes issued by the commission and hereby declares its policy and intent to be the promotion of uniformity in the laws of the several party states relating to equipment.

(d) The commission shall send prompt notice of its action in issuing any rule, regulation or code pursuant to this article to the appropriate motor vehicle agency of each party state and such notice shall contain the complete text of the rule, regulation or code.

(e) If the constitution of a party state requires, or if its statutes provide, the approval of the legislature by appropriate resolution or act may be made a condition precedent to the taking effect in such party state of any rule, regulation or code. In such event, the commissioner of such party state shall submit any commission rule, regulation or code to the legislature as promptly as may be in lieu of administrative acceptance or rejection thereof by the party state.

(f) Except as otherwise specifically provided in or pursuant to clauses (e) and (g) of this article, the appropriate motor vehicle agency of a party state shall in accordance with its constitution or procedural laws adopt the rule, regulation or code within six months of the sending of the notice, and, upon such adoption, the rule, regulation or code shall have the force and effect of law therein.

(g) The appropriate motor vehicle agency of a party state may decline to adopt a rule, regulation or code issued by the commission pursuant to this article if such agency specifically finds, after public hearing on due notice, that a variation from the commission's rule, regulation or code is necessary to the public safety, and incorporates in such finding the reasons upon which it is based. Any such finding shall be subject to review by such procedure for review of administrative determinations as may be applicable pursuant to the laws of the party state. Upon request, the commission shall be furnished with a copy of the transcript of any hearings held pursuant to this clause.

ARTICLE VI

Finance

(a) The commission shall submit to the executive head or designated officer or officers of each party state a budget of its estimated expenditures for such period as may be required by the laws of that party state for presentation to the legislature thereof.

(b) Each of the commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. The total amount of appropriations under any such budget shall be apportioned among the party states as follows: one-third in equal shares; and the remainder in proportion to the number of motor vehicles registered in each party state. In determining the number of such registrations, the commission may employ such source or sources of information as, in its judgment present the most equitable and accurate comparisons among the party states. Each of the commission's budgets of estimated expenditures and requests for appropriations shall indicate the source or sources used in obtaining information concerning vehicular registrations.

(c) The commission shall not pledge the credit of any party state. The commission may meet any of its obligations in whole or in part with funds available to it under article III, clause (h) of this compact, provided that the commission takes specific action setting aside such funds prior to incurring any obligation to be met in whole or in part in such manner. Except where the commission makes use of funds available to it under article III, clause (h) hereof, the commission shall not incur any obligation prior to the allotment of funds by the party states adequate to meet the same.

(d) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its rules. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a qualified public accountant and the report of the audit shall be included in and become part of the annual reports of the commission.

(e) The accounts of the commission shall be open at any reasonable time for inspection by duly constituted officers of the party states and by any persons authorized by the commission.

(f) Nothing contained herein shall be construed to prevent commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the commission.

ARTICLE VII

Conflict of Interest

(a) The commission shall adopt rules and regulations with respect to conflict of interest for the commissioners of the party states, and their alternates, if any, and for the staff of the commission and contractors with the commission to the end that no member or employee or contractor shall have a pecuniary or other incompatible interest in the manufacture, sale or distribution of motor vehicles or vehicular equipment or in any facility or enterprise employed by the commission or on its behalf for testing, conduct of investigation or research. In addition to any penalty for violation of such rules and regulations as may be applicable under the laws of the violator's jurisdiction of residence, employment or business, any violation of a commission rule or regulation adopted pursuant to this article shall require the immediate discharge of any violating employee and the immediate vacating of membership, or relinquishing of status as a member on the commission by any commissioner or alternate. In the case of a contractor, any violation of any such rule or regulation shall make any contract of the violator with the commission subject to cancellation by the commission.

(b) Nothing contained in this article shall be deemed to prevent a contractor for the commission from using any facilities subject to his control in the performance of the contract even though such facilities are not devoted solely to work of or done on behalf of the commission; nor to prevent such a contractor from receiving remuneration or profit from the use of such facilities.

ARTICLE VIII

Advisory and Technical Committees

The commission may establish such advisory and technical committees as it may deem necessary, membership on which may include private citizens and public officials, and may cooperate with and use the services of any such committees and the organizations which the members represent in furthering any of its activities.

ARTICLE IX

Entry Into Force and Withdrawal

(a) This compact shall enter into force when enacted into law by any six or more states. Thereafter, this compact shall become effective as to any other state upon its enactment thereof.

(b) Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until one year after the executive head of the withdrawing state has given notice in writing of the withdrawal to the executive heads of all other party states. No withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal.

ARTICLE X

Construction and Severability

This compact shall be liberally construed so as to effectuate the purposes there-

of. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating herein, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the state affected as to all severable matters.

[1965 c 635 s 1]

169.992 EFFECT OF COMPACT. Subdivision 1. Except as otherwise provided in subdivision 2, no rule, regulation or code issued by the vehicle equipment safety commission in accordance with article V of the compact shall take effect in this state until approved by law.

Subd. 2. Any rule, regulation or code issued by the vehicle equipment safety commission in accordance with article V of the compact may be promulgated as a rule or regulation of this state by an officer, department or agency of the state government now or hereafter authorized by law to promulgate such a rule or regulation, regardless of any action of this commission.

Subd. 3. The provisions of sections 169.991 to 169.998 do not repeal or amend any law now in effect governing vehicle equipment.

[1965 c 635 s 2]

169.993 MEMBERSHIP ON VEHICLE EQUIPMENT SAFETY COMMISSION. The commissioner of this state on the vehicle equipment safety commission shall be the commissioner of highways who shall serve during his continuance as such officer. The commissioner of highways may designate an alternate from among the officers and employees of the department of highways to serve in his place and stead on the vehicle equipment safety commission. Subject to the provisions of the compact and bylaws of the vehicle equipment safety commission, the authority and responsibilities of such alternate shall be as determined by the commissioner designating such alternate.

[1965 c 635 s 3]

169.994 COOPERATION WITH VEHICLE EQUIPMENT SAFETY COMMISSION. Within appropriations available therefor, the departments, agencies and officers of the government of this state may cooperate with and assist the vehicle equipment safety commission within the scope contemplated by article III, clause (h) of the compact. The departments, agencies and officers of the government of this state are authorized generally to cooperate with said commission.

[1965 c 635 s 4]

169.995 FILING OF DOCUMENTS, NOTICES. Filing of documents as required by article III, clause (j) of the compact shall be with the department of highways. Any and all notices required by commission bylaws to be given pursuant to article III, clause (j) of the compact shall be given to the commissioner of this state or his alternate, if any.

[1965 c 635 s 5]

169.996 BUDGETS OF VEHICLE EQUIPMENT SAFETY COMMISSION. Pursuant to article VI, clause (a) of the compact, the vehicle equipment safety commission shall submit its budget to the commissioner of highways. Such budget and the state's share thereof shall be subject to the provisions of Minnesota Statutes, Chapter 16, and any act amendatory thereof.

[1965 c 635 s 6]

169.997 INSPECTION OF ACCOUNTS. Pursuant to article VI, clause (e) of the compact, the public examiner is hereby empowered and authorized to inspect the accounts of the vehicle equipment safety commission as a part of his audit of the department of highways.

[1965 c 635 s 7]

169.998 EXECUTIVE HEAD DEFINED. The term "executive head" as used in article IX, clause (b) of the compact shall, with reference to this state, mean the governor.

[1965 c 635 s 8]

NOTE: Laws 1965, Chapter 635, Section 9 reads as follows:
 "This act shall be effective on passage and until June 30, 1971."