

MINNESOTA STATUTES 1979 SUPPLEMENT

HIGHWAY TRAFFIC REGULATION 169.14

168A.23 Suspension or revocation of certificate.

[For text of subs 1 to 4, see M.S.1978]

Subd. 5. Suspension or revocation for failure to pay the motor vehicle excise tax as required by chapter 297B shall not affect the validity of a subsequent transfer to a purchaser relying in good faith on the assignment of a suspended or revoked title if in fact the certificate of title was not surrendered to or seized by the department pursuant to subdivision 4, and the department shall not refuse to issue a new certificate of title to an applicant who is a good faith purchaser for value in such circumstances.

[1979 c 126 s 1]

168A.31 Disposition of fees; payment of expenses.

Subdivision 1. All fees prescribed by sections 168A.01 to 168A.31 collected by the department shall be paid into the general fund.

[For text of subd 2, see M.S.1978]

[1979 c 333 s 88]

CHAPTER 169. HIGHWAY TRAFFIC REGULATION

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169.14 Speed restrictions.

[For text of subs 1 to 5, see M.S.1978]

Subd. 5a. **Speed zoning in school zones.** Local authorities may establish a school speed limit within a school zone of a public or nonpublic school upon the basis of an engineering and traffic investigation as prescribed by the commissioner of transportation. The establishment of a school speed limit on any trunk highway shall be with the consent of the commissioner of transportation. Such school speed limits shall be in effect when children are present, going to or leaving school during opening or closing hours or during school recess periods. The school speed limit shall not be lower than 15 miles per hour and shall not be more than 20 miles per hour below the established speed limit on an affected street or highway if the established speed limit is 40 miles per hour or greater.

The school speed limit shall be effective upon the erection of appropriate signs designating the speed and indicating the beginning and end of the reduced speed zone. Any speed in excess of such posted school speed limit is unlawful. All such signs shall be erected by the local authorities on those streets and highways under their respective jurisdictions and by the commissioner of transportation on trunk highways.

For the purpose of this subdivision, "school zone" means that section of a street or highway which abuts the grounds of a school where children have access to the street or highway from the school property or where an established school crossing is located provided the school advance sign prescribed by the manual on uniform traffic control devices adopted by the commissioner of transportation pursuant to section 169.06 is in place. All signs erected by local authorities to designate speed limits in school zones shall conform to the manual on uniform control devices.

[For text of subs 7 to 10, see M.S.1978]

[1979 c 60 s 1]

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169.215 Senior citizen and handicapped crossings.

Subdivision 1. **Designation of crossings.** Local authorities may designate a senior citizen or handicapped crossing on any street or highway in the vicinity of a senior citizen housing project, senior citizen nursing home, or residential care facility for handicapped persons on the basis of an engineering and traffic investigation prescribed by the commissioner and subject to the uniform specifications adopted pursuant to subdivision 2. Designation of a senior citizen or handicapped crossing on a trunk highway is subject to the written consent of the commissioner.

Subd. 2. **Uniform specifications.** The commissioner shall adopt uniform specifications for senior citizen or handicapped crossings. The specifications shall include criteria for determining the need for a crossing and the type and design of traffic control devices or signals that may be used at the crossing. The specifications shall be incorporated as a part of the manual of uniform traffic control devices required pursuant to section 169.06.

[1979 c 185 s 1]

169.223 Motorized bicycles.

Subdivision 1. Except as provided in this section the provisions of section 169.222 relating to the operation of bicycles on roadways are applicable to the operation and the parking of motorized bicycles.

[For text of subs 2 to 4, see M.S.1978]

[1979 c 227 s 1]

169.345 Parking privileges for physically handicapped.

Subdivision 1. **Scope of privilege.** Any physically handicapped person who displays prominently upon the vehicle parked by him or under his direction and for his use, the distinguishing certificate specified in this section shall be entitled to courtesy in the parking of the vehicle and be relieved of any liability with respect to parking except as provided in 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. The certificate specified in this section shall also serve to identify vehicles properly parked in designated handicapped parking spaces as provided in section 169.346.

Subd. 2. **Definitions.** For the purpose of this section physically handicapped means any person who has sustained an amputation or material disability of either or both arms or legs, or who has been otherwise disabled in any manner rendering it difficult and burdensome for him to walk.

Subd. 3. **Identifying certificate.** (a) The division of driver and vehicle services in the department of public safety shall issue without charge a special identifying certificate 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. (b) Upon submission of satisfactory evidence that a motor vehicle is used for the purpose of transporting physically handicapped persons within the meaning of subdivision 2, the division may issue without charge a special identifying certificate or insignia for the vehicle. The operator of the vehicle, when displaying the certificate or insignia, has the same parking privileges provided in subdivision 1 for the physically handicapped during the period the vehicle is in use for transporting physically handicapped persons.

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. The physician's certificate shall specify whether the disability is permanent or temporary, and if temporary, the opinion of the physician as to the duration of the disability. The commissioner may issue special identifying certificates to temporarily physically handicapped persons for limited periods of time.

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

[1979 c 31 s 1; 1979 c 277 s 4]

NOTE: Subdivision 4 was also amended by Laws 1979, Chapter 31, Section 2 to read as follows:

"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.

Except for the operator of a vehicle in use for the transportation of physically handicapped persons while displaying on the vehicle the identifying certificate or insignia authorized in subdivision 3, clause (b), it is unlawful for any person who is not physically handicapped to exercise the privilege granted a physically handicapped person under subdivision 1."

169.346 **Parking for physically handicapped; prohibitions; penalties.**

Subdivision 1. No person shall park a motor vehicle in a parking space designated and reserved for the physically handicapped, on either private or public property, or exercise the parking privilege provided in section 169.345, unless:

(a) That person is a physically handicapped person as defined in section 169.345, subdivision 2, or the person is transporting such a physically handicapped person; and

(b) The vehicle visibly displays the certificate or license plate issued to physically handicapped persons or the certificate issued to persons transporting physically handicapped persons by the department of public safety pursuant to sections 169.345, subdivision 3, or 168.021 or if the vehicle visibly displays an equivalent certificate, insignia or license plate issued by another state or one of its political subdivisions.

Subd. 2. Handicapped parking spaces shall be designated and identified by the posting of signs incorporating the international symbol of access in white on blue and indicating that the parking space is reserved for the handicapped with vehicles displaying the required certificate license plates or insignia. Spaces which have been clearly identified for handicapped parking by signs which are not in compliance with the design standards as set forth in this subdivision shall also be deemed designated and reserved for the physically handicapped for the purposes of this section. A sign posted for the purpose of this section shall be visible from inside a vehicle parked in the space and shall be kept clear of snow or other obstructions which block its visibility.

Subd. 3. Any person who violates the provisions of subdivision 1 is guilty of a petty misdemeanor and shall be fined not less than \$15 nor more than \$100. This subdivision shall be enforced in the same manner as parking ordinances or regulations are enforced in the governmental subdivision in which the violation occurs. A handicapped person charged with violating subdivision 1 because he parked in a handicapped parking space without the required certificate or insignia shall not be convicted if he produces in court or prior to the court appearance the required certificate or insignia and demonstrates that he was entitled to the certificate or insignia at the time of arrest or tagging.

[1979 c 31 s 3; 1979 c 277 s 5-7]

169.421 **Civil liability for littering.**

Subdivision 1. **Finding.** The legislature finds that the cost of removal and disposal of litter from vehicles is an onerous burden upon the public, and that the criminal law is not always adequate in dealing with the problem. This requires the imposition of civil liability as provided in this section.

Subd. 2. **Definition.** For purposes of this section, "owner" as to a vehicle means the owner of the vehicle, but in the case of a leased vehicle means the lessee.

Subd. 3. **Civil liability imposed.** If any litter, including glass, nails, tacks, wire, cans, bottles, garbage, papers, refuse, trash, or any form of offensive matter is thrown, deposited, placed, or dumped from a vehicle upon any street or highway, public land, or upon private land without the consent of the owner of the land, a violation of this subdivision occurs and civil liability is imposed upon the owner of the vehicle. The driver and passengers riding in a vehicle are constituted as the agents of the owner of the vehicle

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for purposes of this subdivision. It is a defense to any action brought pursuant to this section that the vehicle was stolen. This section is not applicable to the owner of a vehicle transporting persons for hire or transporting school children.

Subd. 4. **Damages.** Any person or governmental body injured by a violation of subdivision 3 may bring a civil action and recover as damages the actual costs of removal and disposal of the litter plus exemplary damages not to exceed \$100, together with costs and disbursements, including reasonable attorney's fees, as determined by the court.

Subd. 5. **Procedures.** A civil action may be commenced as is any civil action or by the issuance of a citation to the owner of the vehicle by any law enforcement officer who has reason to believe that a violation has occurred. Actions commenced by the issuance of a citation by a law enforcement officer shall be tried by the prosecuting authority responsible for misdemeanor prosecutions in the jurisdiction where a violation occurs. Any damages recovered in an action brought by a public agency shall be deposited in the treasury of the jurisdiction trying the action and distributed as provided in section 487.33. Any county or county municipal court may establish a separate civil calendar for cases brought under this section.

Subd. 6. **Relationship to criminal law; election of remedies.** If an act is a violation of this section and of a statute or ordinance providing a criminal penalty, a public agency elects its remedy by commencing either an action under this section or a criminal prosecution, and the commencement of one type of action by a public agency is a bar to its bringing of the other.

Subd. 7. **Payment.** Any county or county municipal court may establish a schedule of costs and civil damages, and procedures for payment, in cases brought by a public agency under which the defendant may consent to default judgment and make payment according to the schedule without making a personal appearance in court.

Subd. 8. **Citation.** This section may be cited as the civil litter act.
[1979 c 235 s 1]

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 signal 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. A failure to stop as required by this subdivision is a misdemeanor. The stop signal arm of a vehicle outwardly equipped and identified as a school bus shall be used in conjunction with the flashing red signals only when the school bus is stopped on a street or highway for the purpose of receiving or discharging any school child or children.

Subd. 1a. **Equipment and color requirements.** Every school bus with a seating capacity in excess of 16 persons and every vehicle purchased for delivery after April 1, 1977 for use in the state of Minnesota as a school bus, with a seating capacity in excess of ten persons including the driver, shall be equipped with a stop signal arm, pre-warning flashing amber signals and flashing red signals. Every new school bus purchased for delivery after June 1, 1973, for use in the state of Minnesota as a school bus with a seating capacity in excess of 16 persons and every new vehicle purchased for delivery after April 1, 1977 for use in the state of Minnesota as a school bus, with a seating capacity in excess of ten persons including the driver, shall be of a uniform color, national school bus glossy yellow. Any school bus substantially repainted after June 1, 1973 shall be painted national school bus glossy yellow. Any school bus or vehicle which satisfies these equipment and color requirements and which bears signs containing the words "school bus" as provided in subdivision 3 shall be deemed to be outwardly equipped and identified as a school bus for purposes of this section.

Subd. 1b. **Compliance.** Vehicles district owned or under contract transporting school children to or from school which are not required to be outwardly equipped and identified as school buses pursuant to subdivision 1a shall comply with state board of

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education rules and regulations relating to, but not limited to, construction, design, equipment, color, identification, and operation.

Subd. 1c. **Violation; penalty** (1) A peace officer may arrest the driver of a motor vehicle if the peace officer has probable cause to believe that the driver has operated the vehicle in violation of subdivision 1 within the past two hours.

(2) The owner or, in the case of a leased vehicle, the lessee of a motor vehicle, may be fined not to exceed \$100, if a motor vehicle owned or leased by the person is operated in violation of subdivision 1. The owner or lessee may not be so fined if the motor vehicle was stolen, or if conviction of another is had for a violation of subdivision 1. This subdivision does not apply to a lessor of a motor vehicle if the lessor keeps a record of the name and address of the lessee. This subdivision does not prohibit or limit the prosecution of a motor vehicle operator for violating subdivision 1. A violation of this clause does not constitute grounds for revocation or suspension of the owner's driver's license.

Subd. 2. **Loading and unloading passengers; use of signals.** (a) Drivers of a vehicle outwardly equipped and identified as a school bus shall actuate the pre-warning flashing amber signals of the bus before stopping to load or unload a school child or children at least 300 feet when operating outside an incorporated municipality and at least 100 feet when operating within an incorporated municipality and, upon stopping for such purpose, such drivers shall extend the stop signal arm and actuate the flashing red signals and shall not retract the stop signal arm and extinguish the flashing red signals until loading or unloading is completed and persons who must cross the street or highway are safely across.

(b) School bus drivers shall not actuate the pre-warning flashing amber signals or flashing red 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 except when directed by the local school administrator;

(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; and

(4) at railroad grade crossings.

(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 supervise such crossings making use of the standard school patrol flag or signal as approved and prescribed by the commissioner of public safety. 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 not outwardly equipped and identified as school buses shall load or unload school children only from the right hand side of the vehicle, except on a one way street such vehicle shall load or unload school children only from the curb side of the vehicle.

[For text of subs 3 and 4, see M.S.1978]

Subd. 5. [Repealed, 1979 c 334 art 2 s 14]

[For text of subd 6, see M.S.1978]

Subd. 7. [Repealed, 1979 c 334 art 2 s 14]

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[For text of subds 8 to 11, see M.S.1978]

Subd. 12. **Aisle and exit.** The driver of a school bus shall keep the aisle and emergency exit of a school bus unobstructed at all times when children are being transported.

Subd. 13. **Trailer behind a school bus.** A school bus may pull a trailer, as defined by section 169.01, subdivision 10, only when traveling to or from co-curricular or extra curricular activities, as defined in section 123.38.

[1979 c 308 s 1; 1979 c 334 art 2 s 9-12]

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 except as otherwise provided in this subdivision, 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. An authorized emergency vehicle may display an oscillating, alternating, or rotating white light used in connection with an oscillating, alternating or rotating red light when responding to emergency calls.

[For text of subd 2, see M.S.1978]

[1979 c 185 s 2]

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, motorized bicycle, 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.

[For text of subds 2 to 4, see M.S.1978]

[1979 c 227 s 2]

169.862 Permits for wide loads of baled hay.

The commissioner of transportation, with respect to highways under his jurisdiction, and local authorities, with respect to highways under their jurisdiction, may issue an annual permit to enable a vehicle carrying round baled hay, with a total outside width of the vehicle or the load thereon not exceeding 11-1/2 feet, to be operated on public streets and highways. Permits issued pursuant to this section shall be governed by the applicable provisions of section 169.86 except as otherwise provided herein, and in addition shall carry the following restrictions:

(a) The vehicles shall not be operated between sunset and sunrise, when visibility is impaired by weather, fog or other conditions rendering persons and vehicles not clearly visible at a distance of 500 feet, or on Saturdays, Sundays and holidays.

(b) The vehicles shall not be operated on interstate highways.

(c) The vehicles shall not be operated on a trunk highway with a pavement less than 24 feet wide.

(d) A vehicle operated under the permit shall be equipped with a retractable or removable mirror on the left side so located that it will reflect to the driver a clear view of the highway for a distance of at least 200 feet to the rear of the vehicle. Simultaneous flashing amber lights, as provided in section 169.59, subdivision 4, shall be displayed to

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the front and rear of the vehicle. The flashing amber lights shall be lighted only when the width of the load exceeds eight feet. The flashing amber light system shall be in addition to and separate from the turn signal system and the hazard warning light system.

(e) A vehicle operated under the permit shall display red, orange or yellow flags, 12 inches square, as markers at the front and rear, and on both sides of the load. The load shall be securely bound to the transporting vehicle.

The fee for the permit shall be \$25.

[1979 c 44 s 1]

169.89 Penalties.

[For text of subd 1, see M.S.1978]

Subd. 2. **Penalty; jury trial.** A person charged with a petty misdemeanor is not entitled to a jury trial but shall be tried by a judge without a jury. If convicted, he is not subject to imprisonment but shall be punished by a fine of not more than \$100.

[For text of subds 3 to 5, see M.S.1978]

[1979 c 233 s 1]

CHAPTER 171. DRIVERS LICENSES AND DRIVER TRAINING SCHOOLS

Sec.		Sec.	
171.02	License; surrender of other licenses.	171.06	Licenses, permits.

171.02 License; surrender of other licenses.

[For text of subds 1 and 2, see M.S.1978]

Subd. 3. **Motorized bicycles.** No motorized bicycle shall be operated on any public roadway by any person who does not possess a valid drivers license, unless the person has obtained a motorized bicycle operator's permit from the commissioner of public safety. The permit may be issued to any person who has attained the age of 15 years and who has passed the examination prescribed by the commissioner. The commissioner may promulgate rules and regulations prescribing the content of the examination and the information to be contained on the permit.

The fees for motorized bicycle operator's permit are as follows:

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|--|--------|
| (a) Examination and operator's permit,
valid for one year | \$2.50 |
| (b) Duplicate | \$1.50 |
| (c) Renewal permit before age 18
and valid until age 18 | \$3 |
| (d) Renewal permit after age 18
and valid for four years | \$5 |
| (e) Duplicate of any renewal permit | \$2 |

[1979 c 227 s 3]

171.06 Licenses, permits.

[For text of subds 1 to 4, see M.S.1978]

Subd. 5. [Repealed, 1979 c 150 s 2]