

CHAPTER 221

MOTOR VEHICLE CARRIERS; PIPELINE
CARRIERS

221.011 Definitions.
221.031 Rules for operation of motor carriers.

221.221 Enforcement powers.
221.261 Complaints, action in district court.
221.81 Building mover regulation.

221.011 DEFINITIONS.

[For text of subds 1 to 14, see M.S.1980]

Subd. 15. "Motor carriers" includes all carriers operating under the authority of sections 221.011 to 221.296 and 221.61 to 221.68 and subject to the rules or orders of the commissioner or the board.

[For text of subds 16 to 21, see M.S.1980]

Subd. 22. "Exempt carrier" means any carrier exempt from this chapter, or exempted from any other law or rule by the commissioner or board. The following are so exempt except as otherwise specifically provided in clause (c):

(a) Any person engaged in farming or in transporting agricultural, horticultural, dairy, livestock, or other farm products within an area having a 25 mile radius from the person's home post office. The carrier may transport other commodities within the area if the destination of each haul is a farm within the above described area. The owner of any truck operating under this provision shall imprint the owner's name and address in prominent visible letters on the outside of the cab of the truck.

(b) Any occasional accommodation service beyond the 25 mile radius of the home post office by any person engaged in farming as a primary means of livelihood and actually residing on a farm and whose truck or trucks are licensed under provisions of section 168.013, subdivision 1c. Occasional accommodation service shall mean not in excess of six trips in any calendar year.

(c) Any person engaged in agricultural pursuits, who owns and uses a truck for transporting the products of that person's farm, or any person while engaged exclusively in the transportation of fresh vegetables from farms to canneries or viner stations, or from viner stations to canneries, or from canneries to canneries during the harvesting, canning or packing season, or potatoes, sugar beets, wild rice and rutabagas from the field of production to the first place of delivery or unloading, including but not limited to a processing plant, warehouse or railroad siding. This term shall also apply to a manufacturer, producer, dealer or distributor who, in the pursuit of business, owns and uses trucks for the purpose of transporting that person's own products, and shall apply to any person while engaged exclusively in the transportation of pulpwood, cord wood, mining timber, poles, posts, decorative evergreens, wood chips, sawdust, shavings and bark from the place where the products are produced to the point where they are to be used or shipped; except that these manufacturers, producers, dealers or distributors transporting their own products and these persons engaged exclusively in the transportation of wood or wood products, together with any transporting vehicles licensed and registered for a gross vehicle weight of more than 10,000 pounds, shall be subject to the requirements of section 221.031 insofar as the provisions of that section apply to driver qualifications, maximum hours of service of drivers, and safety of operations and equipment.

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(d) Any person while exclusively engaged in the transportation of dirt and sod within an area having a 50 mile radius from that person's home post office.

(e) Any person while exclusively engaged in the transportation of sand, gravel, bituminous asphalt mix or crushed rock to or from the point of loading or a place of gathering within an area having a 50 mile radius from that person's home post office or a 50 mile radius from the site of construction or maintenance of public roads and streets.

(f) Any person engaged in the transportation of household goods for the federal government or any agency of the federal government or the transportation of household goods for the state government or any agency of state government, where competitive bids are required by law shall be exempt from the provisions of section 221.161.

(g) Any person engaged in transporting property or freight, excepting household goods and petroleum products in bulk, when the movement is entirely within the corporate limits of a city or between contiguous cities.

(h) Emergency vehicles including ambulances, tow trucks when picking up and transporting disabled or wrecked motor vehicles, and hearses when carrying proper and legal warning devices.

(i) Any person engaged in delivery or spreading of agricultural lime.

(j) Any person engaged in transporting rubbish as defined in section 443.27.

(k) Any person engaged in the transportation of grain samples under terms and conditions as the commissioner or board may prescribe.

(l) A motor vehicle, in this chapter referred to as a "commuter van," having a capacity of seven to 16 persons that is used principally to provide prearranged transportation of persons for a fee to or from their place of employment or to or from a transit stop authorized by a local transit authority which vehicle is to be operated by a person who does not drive the vehicle for that person's principal occupation but is driving it only to or from that person's principal place of employment, to or from a transit stop authorized by a local transit authority, or for personal use at other times by an authorized driver; provided, that commuter vans shall not be exempt from any provision of this chapter which by its terms explicitly applies to these vehicles.

[For text of subds 23 to 25, see M.S.1980]

History: 1981 c 209 s 7,8

221.031 RULES FOR OPERATION OF MOTOR CARRIERS.

[For text of subd 1, see M.S.1980]

Subd. 2. The department shall investigate the operation of all motor carriers, their compliance with all rules of the department and with the provisions of chapter 221, and may institute and prosecute all actions and proceedings in the proper district court for enforcement of those rules.

History: 1981 c 209 s 9

221.221 ENFORCEMENT POWERS.

Transportation representatives and hazardous material specialists of the department for the purpose of enforcing the provisions of this chapter and the rules of the commissioner and board issued pursuant to this chapter, but for no other purpose, shall have all the powers conferred by law upon police officers. The

powers shall include the authority to conduct inspections at designated highway weigh stations or under other appropriate circumstances within the state for the purpose of viewing log books, licenses, health certificates and other documents or equipment required to be maintained within commercial motor vehicles operating in Minnesota pursuant to applicable state motor vehicle carrier laws and rules.

History: 1981 c 209 s 10

221.261 COMPLAINTS, ACTION IN DISTRICT COURT.

An action or proceeding may be instituted, upon verified complaint of the commissioner or any interested person in any district court of any county wherein a motor carrier has a principal office or into which its route extends, for the enforcement of any provision of chapter 221, or any order, rule or directive of the commissioner or board herein authorized, and the court may grant provisional or other relief, ordinary or extraordinary, legal or equitable, which the nature of the case may require, including temporary mandatory or restraining orders. Except when there is a constitutional right to trial by jury not expressly waived, all proceedings shall be tried summarily by the court and these matters shall take precedent over all other matters except criminal cases.

History: 1981 c 209 s 11

221.81 BUILDING MOVER REGULATION.

Subdivision 1. **Definition.** "Building mover" means any person, corporation, or other entity engaged in the business of raising, supporting off the foundation, and moving buildings, excluding mobile homes.

Subd. 2. **License.** All building movers operating in Minnesota shall be licensed by the board.

Subd. 3. **License application.** To obtain a license to operate as a building mover an applicant shall file a petition with the commissioner specifying the name and address of its officers and other information as the board may reasonably require. The board shall issue the license upon compliance by the applicant with bonding and insuring requirements set by rule of the department and payment of a fee. A license once granted shall continue in full force and effect, subject to annual renewal fees and compliance with bonding and insuring requirements, unless revoked or suspended.

Subd. 4. **License revocation, suspension, denial.** The board, after notice and a hearing, may revoke, suspend or deny a license for:

- (a) failure to pay application or renewal fees;
- (b) failure to comply with bonding and insuring requirements;
- (c) conduct of the applicant or license holder that impairs usage of public highways, roads, streets, or utilities;
- (d) conduct of the applicant or license holders that endangers the health and safety of users of the public highways, roads, streets or utilities; or
- (e) a course of conduct of the applicant or license holder that demonstrates unsafe or hazardous operation of the business.

Subd. 5. **Rules.** The commissioner shall promulgate rules establishing bonding and insuring requirements.

Subd. 6. **Local regulation.** No license to move buildings, bond or insurance coverage shall be required by a political subdivision of the state other than the license, bond and insurance coverage issued or required by the board or commis-

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sioner. A political subdivision or the department may require a permit which reasonably regulates the hours, routing, movement, parking or speed limit for a building mover operating on streets or roads within the jurisdiction of the political subdivision or highways within the jurisdiction of the commissioner. Neither the state nor a political subdivision may regulate rates charged by building movers.

History: *1981 c 209 s 12*