

CHAPTER 169

TRAFFIC REGULATIONS

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169.14 SPEED LIMITS, ZONES; RADAR.

[For text of subds 1 to 5, see M.S.2002]

Subd. 5a. **Speed zoning in school zone; surcharge.** (a) 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 30 miles per hour below the established speed limit on an affected street or highway.

(b) 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.

(c) 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.

(d) Notwithstanding section 609.0331 or 609.101 or other law to the contrary, a person who violates a speed limit established under this subdivision is assessed an additional surcharge equal to the amount of the fine imposed for the violation, but not less than \$25.

[For text of subds 5b to 12, see M.S.2002]

History: 1Sp2003 c 19 art 2 s 27

169.26 SPECIAL STOPS AT RAILROAD CROSSING.

[For text of subds 1 to 2, see M.S.2002]

Subd. 3. **Driver training.** All driver education courses approved by the commissioner of public safety must include instruction on railroad-highway grade crossing

safety. The commissioner of public safety shall by rule establish minimum standards of course content relating to operation of vehicles at railroad-highway grade crossings.

History: 1Sp2003 c 9 art 10 s 7

169.28 CERTAIN VEHICLES TO STOP AT RAILROAD CROSSING.

Subdivision 1. **Stop required.** (a) The driver of any motor vehicle carrying passengers for hire, or of any school bus whether carrying passengers or not, or of any Head Start bus whether carrying passengers or not, or of any vehicle that is required to stop at railroad grade crossings under Code of Federal Regulations, title 49, section 392.10, before crossing at grade any track or tracks of a railroad, shall stop the vehicle not less than 15 feet nor more than 50 feet from the nearest rail of the railroad and while so stopped shall listen and look in both directions along the track for any approaching train, and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until safe to do so. The driver must not shift gears while crossing the railroad tracks.

(b) A school bus or Head Start bus shall not be flagged across railroad grade crossings except at those railroad grade crossings that the local school administrative officer may designate.

(c) A type III school bus, as defined in section 169.01, is exempt from the requirement of school buses to stop at railroad grade crossings.

[For text of subd 2, see M.S.2002]

History: 1Sp2003 c 9 art 1 s 44

169.345 PARKING PRIVILEGE FOR PHYSICALLY DISABLED.

[For text of subds 1 and 2, see M.S.2002]

Subd. 2a. **Health professional's statement.** (a) The commissioner shall develop a form for the physician's, physician assistant's, advanced practice registered nurse's, or chiropractor's statement. The statement must be signed by a licensed physician, registered physician assistant, advanced practice registered nurse, or licensed chiropractor who certifies that the applicant is a physically disabled person as defined in subdivision 2. The commissioner may request additional information from the physician, physician assistant, advanced practice registered nurse, or chiropractor if needed to verify the applicant's eligibility. The statement that the applicant is a physically disabled person must specify whether the disability is permanent or temporary, and if temporary, the opinion of the physician, physician assistant, advanced practice registered nurse, or chiropractor as to the duration of the disability. A physician, physician assistant, advanced practice registered nurse, or chiropractor who fraudulently certifies to the commissioner that a person is a physically disabled person as defined in subdivision 2, and that the person is entitled to the license plates authorized by section 168.021 or to the certificate authorized by this section, is guilty of a misdemeanor and is subject to a fine of \$500.

(b) The commissioner may waive the requirement of providing a statement of a licensed physician, registered physician assistant, advanced practice registered nurse, or licensed chiropractor, if the applicant has previously filed with the commissioner a statement of a licensed physician, registered physician assistant, advanced practice registered nurse, or licensed chiropractor certifying that the applicant has a permanent physical disability.

[For text of subds 3 and 4, see M.S.2002]

History: 2003 c 108 s 2

169.42 LITTERING; DROPPING OBJECT ON VEHICLE; MISDEMEANOR.

Subdivision 1. **Objects on highway.** No person shall throw, deposit, place, or dump, or cause to be thrown, deposited, placed, or dumped upon any street or highway or

upon any public or privately owned land adjacent thereto without the owner's consent any snow, ice, glass bottle, glass, nails, tacks, wire, cans, garbage, swill, papers, ashes, cigarette filters, debris from fireworks, refuse, carcass of any dead animal, offal, trash or rubbish or any other form of offensive matter, or any other substance likely to injure any person, animal, or vehicle upon any such street or highway.

[For text of subds 2 to 5, see M.S.2002]

History: 2003 c 28 art 1 s 17

169.421 CIVIL LIABILITY FOR LITTERING.

[For text of subds 1 and 2, see M.S.2002]

Subd. 3. **Civil liability imposed.** If any solid waste, including litter, glass, nails, tacks, wire, cans, bottles, garbage, papers, refuse, trash, cigarette filters, debris from fireworks, 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 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.

[For text of subds 4 to 8, see M.S.2002]

History: 2003 c 28 art 1 s 18

169.435 STATE SCHOOL BUS SAFETY ADMINISTRATION.

Subdivision 1. **Responsibility; Department of Public Safety.** The Department of Public Safety has the primary responsibility for school transportation safety. The commissioner or the commissioner's designee shall serve as state director of pupil transportation according to subdivision 3.

Subd. 3. **Pupil transportation safety director.** (a) The commissioner of public safety or the commissioner's designee shall serve as pupil transportation safety director.

(b) The duties of the pupil transportation safety director shall include:

- (1) overseeing all department activities related to school bus safety;
- (2) assisting in the development, interpretation, and implementation of laws and policies relating to school bus safety;
- (3) supervising preparation of the School Bus Inspection Manual; and
- (4) in conjunction with the Department of Education, assisting school districts in developing and implementing comprehensive transportation policies.

History: 1Sp2003 c 9 art 12 s 17

169.441 SCHOOL BUS IDENTIFICATION.

[For text of subds 1 to 3, see M.S.2002]

Subd. 4. [Repealed, 1Sp2003 c 9 art 10 s 14]

Subd. 5. **Optional markings; rules.** A school district may elect to show on the front and rear of the school buses that it owns or contracts for, a plainly visible, summary message explaining section 169.444, subdivisions 1 and 2. If the school district elects to display the message, it must conform with the rules of the commissioner of public safety. The commissioner shall adopt rules governing the size, type, design, display, and content of the summary message that may be shown.

History: 1Sp2003 c 9 art 10 s 13

169.448 OTHER BUSES.

Subdivision 1. **Restrictions on appearance; misdemeanor.** (a) A bus that is not used as a school bus may not be operated on a street or highway unless it is painted a color significantly different than national school bus glossy yellow.

(b) A bus that is not used as a school bus or Head Start bus may not be operated if it is equipped with school bus or Head Start bus-related equipment and printing.

(c) A violation of this subdivision is a misdemeanor.

(d) This subdivision does not apply to a school bus owned by or under contract to a school district operated as a charter or leased bus.

(e) This subdivision does not apply to a school bus operated by a licensed child care provider if:

(1) the stop arm is removed;

(2) the eight-light system is deactivated;

(3) the school bus is identified as a "child care bus" in letters at least eight inches high on the front and rear top of the bus;

(4) the name, address, and telephone number of the owner or operator of the bus is identified on each front door of the bus in letters not less than three inches high; and

(5) the conditions under section 171.02, subdivision 2a, paragraph (b), clauses (1) through (10), (12), and (14), have been met.

Subd. 2. **School motor coach.** (a) A school district may not acquire a motor coach for transportation purposes.

(b) A motor coach acquired by a school district before March 26, 1986, may be used by it only to transport students participating in school activities, their instructors, and supporting personnel to and from school activities. A motor coach may not be outwardly equipped and identified as a school bus. A motor coach operated under this subdivision is not a school bus for purposes of section 123B.92. The commissioner of education shall implement rules governing the equipment, identification, operation, inspection, and certification of motor coaches operated under this subdivision.

(c) After January 1, 1998, a school district may not own or operate a motor coach for any purpose.

[For text of subd 3, see M.S.2002]

History: 2003 c 130 s 12; 1Sp2003 c 19 art 2 s 28

169.449 SCHOOL BUS OPERATION.

Subdivision 1. **Rules.** The commissioner of public safety shall adopt rules governing the operation of school buses used for transportation of school children, when owned or operated by a school or privately owned and operated under a contract with a school, and these rules must be made a part of that contract by reference. Each school, its officers and employees, and each person employed under the contract is subject to these rules.

[For text of subd 2, see M.S.2002]

History: 1Sp2003 c 9 art 12 s 18

169.4501 SCHOOL BUS EQUIPMENT STANDARDS.

[For text of subds 1 and 2, see M.S.2002]

Subd. 3. **Inspection manual.** The Department of Public Safety shall develop a School Bus Inspection Manual based on the national standards adopted in subdivision 1 and Minnesota standards adopted in sections 169.4502 to 169.4504. The Minnesota State Patrol shall use the manual as the basis for inspecting buses as provided in section 169.451. The Department of Public Safety has no rulemaking authority to alter the standards upon which school buses are inspected.

Subd. 4. **Variance.** The commissioner of public safety may grant a variance to any of the school bus standards to accommodate testing of new equipment related to school buses. A variance from the standards must be for the sole purpose of testing and evaluating new equipment for increased safety, efficiency, and economy of pupil transportation. The variance expires 18 months from the date on which it is granted unless the commissioner specifies an earlier expiration date.

History: 1Sp2003 c 9 art 12 s 19,20

169.4503 ADDITIONAL MINNESOTA SCHOOL BUS BODY STANDARDS.

[For text of subds 1 and 2, see M.S.2002]

Subd. 4. **Certification.** A body manufacturer, school bus dealer, or certified Minnesota commercial vehicle inspector who is also an employee of an organization purchasing a school bus shall provide preliminary certification to the Department of Public Safety that the product meets Minnesota standards. Final certification will be granted within 30 days upon reinspection by the Department of Public Safety.

[For text of subds 5 to 25, see M.S.2002]

History: 1Sp2003 c 9 art 1 s 45

169.454 TYPE III VEHICLE STANDARDS.

[For text of subd 1, see M.S.2002]

Subd. 2. **Age of vehicle.** Vehicles 12 years or older must not be used as type III vehicles to transport school children, except those vehicles that are manufactured to meet the structural requirements of federal motor vehicle safety standard 222, Code of Federal Regulations, title 49, part 571.

[For text of subds 3 to 5, see M.S.2002]

Subd. 6. **Identification.** The vehicle must not have the words "school bus" in any location on the exterior of the vehicle, or in any interior location visible to a motorist.

[For text of subds 7 to 13, see M.S.2002]

History: 1Sp2003 c 9 art 1 s 46,47

169.48 VEHICLE LIGHTING.

Subdivision 1. **Lights to be displayed.** (a) Every vehicle upon a highway within this state:

- (1) at any time from sunset to sunrise;
- (2) at any time when it is raining, snowing, sleeting, or hailing; and

(3) at any other time when visibility is impaired by weather, smoke, fog or other conditions or 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 headlamps, lighted taillamps, and illuminating devices, as hereinafter, respectively, required for different classes of vehicles, subject to exceptions with respect to parked vehicles and law enforcement 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 headlamps, lighted taillamps, and illuminating devices as required by this paragraph, except that the operator shall use the lowermost distribution of light specified in section 169.60 unless conditions warrant otherwise.

(b) 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 center of such lamps or devices. Parking lamps shall not be used in lieu of headlamps to satisfy the requirements of this section.

[For text of subd 2, see M.S.2002]

History: 2003 c 45 s 1

169.64 PROHIBITED LIGHTS; EXCEPTIONS.

[For text of subs 1 to 3, see M.S.2002]

Subd. 4. **Blue light.** (a) Except as provided in paragraphs (b) to (d), blue lights are prohibited on all vehicles except road maintenance equipment and snow removal equipment operated by or under contract to the state or a political subdivision thereof.

(b) Authorized emergency vehicles may display flashing blue lights to the rear of the vehicle as a warning signal in combination with other lights permitted or required by this chapter. In addition, authorized emergency vehicles may display, mounted on the passenger side only, flashing blue lights to the front of the vehicle as a warning signal in combination with other lights permitted or required by this chapter.

(c) A motorcycle may display a blue light of up to one-inch diameter as part of the motorcycle's rear brake light.

(d) A motor vehicle may display a blue light of up to one-inch diameter as part of the vehicle's rear brake light if:

- (1) the vehicle is a collector vehicle, as described in section 168.10; or
- (2) the vehicle is eligible to display a collector plate under section 168.10.

[For text of subs 5 to 10, see M.S.2002]

History: 2003 c 49 s 1

169.686 SEAT BELT USE REQUIRED; PENALTY.

[For text of subd 1, see M.S.2002]

Subd. 2. **Seat belt exemptions.** This section shall not apply to:

- (1) a person driving a passenger vehicle in reverse;
- (2) a person riding in a seat in which all the seating positions equipped with safety belts are occupied by other persons;
- (3) a person who is in possession of a written certificate from a licensed physician verifying that because of medical unfitness or physical disability the person is unable to wear a seat belt;
- (4) a person who is actually engaged in work that requires the person to alight from and reenter a motor vehicle at frequent intervals and who, while engaged in that work, does not drive or travel in that vehicle at a speed exceeding 25 miles per hour;
- (5) a rural mail carrier of the United States Postal Service while in the performance of duties;
- (6) a person driving or riding in a passenger vehicle manufactured before January 1, 1965; and
- (7) a person driving or riding in a pickup truck, as defined in section 168.011, subdivision 29, while engaged in normal farming work or activity.

[For text of subd 3, see M.S.2002]

History: 2003 c 92 s 1

169.781 ANNUAL COMMERCIAL VEHICLE INSPECTION; INSPECTORS, FEE, PENALTY.*[For text of subds 1 to 6, see M.S.2002]*

Subd. 7. **Disposition of revenues.** The commissioner shall pay all revenues received under this section to the commissioner of finance for deposit in the trunk highway fund.

*[For text of subds 8 to 10, see M.S.2002]***History:** 2003 c 112 art 2 s 50**169.791 CRIMINAL PENALTY FOR FAILURE TO PRODUCE PROOF OF INSURANCE.**

Subdivision 1. **Terms defined.** (a) For purposes of this section and sections 169.792 to 169.798, the following terms have the meanings given.

(b) "Commissioner" means the commissioner of public safety.

(c) "District court administrator" or "court administrator" means the district court administrator or a deputy district court administrator of the district court that has jurisdiction of a violation of this section.

(d) "Insurance identification card" means a card issued by an obligor to an insured stating that security as required by section 65B.48 has been provided for the insured's vehicle.

(e) "Law enforcement agency" means the law enforcement agency that employed the peace officer who demanded proof of insurance under this section or section 169.792.

(f) "Peace officer" or "officer" means an employee of a political subdivision or state law enforcement agency, including the Minnesota state patrol, who is licensed by the Minnesota Board of Peace Officer Standards and Training and is authorized to make arrests for violations of traffic laws.

(g) "Proof of insurance" means an insurance identification card, written statement, or insurance policy as defined by section 65B.14, subdivision 2.

(h) "Vehicle" means a motor vehicle as defined in section 65B.43, subdivision 2, or a motorcycle as defined in section 65B.43, subdivision 13.

(i) "Written statement" means a written statement by a licensed insurance agent stating the name and address of the insured, the vehicle identification number of the insured's vehicle, that a plan of reparation security as required by section 65B.48 has been provided for the insured's vehicle, and the dates of the coverage.

(j) The definitions in section 65B.43 apply to sections 169.792 to 169.798.

*[For text of subds 2 to 7, see M.S.2002]***History:** 1Sp2003 c 19 art 2 s 29**169.794** [Repealed, 1Sp2003 c 19 art 2 s 79]**169.796 VERIFICATION OF INSURANCE COVERAGE.***[For text of subds 1 and 2, see M.S.2002]*

Subd. 3. **Sampling to verify insurance coverage.** (a) The commissioner of public safety shall implement a monthly sampling program to verify insurance coverage. The sample must annually include at least two percent of all drivers who own motor vehicles, as defined in section 168.011, licensed in the state, one-half of whom during the previous year have been convicted of at least one vehicle insurance law violation, have had a driver's license revoked or suspended due to habitual violation of traffic laws, have had no insurance in effect at the time of a reportable crash, or have been convicted of an alcohol-related motor vehicle offense. No sample may be selected

based on race, religion, physical or mental disability, economic status, or geographic location.

(b) The commissioner shall request each vehicle owner included in the sample to furnish insurance coverage information to the commissioner within 30 days. The request must require the owner to state whether or not all motor vehicles owned by that person were insured on the verification date stated in the commissioner's request. The request may require, but is not limited to, a signed statement by the owner that the information is true and correct, the names and addresses of insurers, policy numbers, and expiration or renewal dates of insurance coverage.

(c) The commissioner shall conduct a verification of the response by transmitting necessary information to the insurance companies named in the owner's response.

(d) The insurance companies shall electronically notify the commissioner, within 30 days of the commissioner's request, of any false statements regarding coverage.

(e) The commissioner shall suspend, without preliminary hearing, the driver's license, if any, of a vehicle owner who falsely claims coverage, who indicates that coverage was not in effect at the time specified in the request, or who fails to respond to the commissioner's request to furnish proof of insurance. The commissioner shall comply with the notice requirement of section 171.18, subdivision 2.

(f) Before reinstatement of the driver's license, there must be filed with the commissioner of public safety the written certificate of an insurance carrier authorized to do business in the state stating that security has been provided as required by section 65B.48. The commissioner of public safety may require the certificate of insurance provided to satisfy this subdivision to be certified by the insurance carrier for a period not to exceed one year. The commissioner of public safety may also require a certificate of insurance to be filed with respect to all vehicles required to be insured under section 65B.48 and owned by any person whose driving privileges have been suspended as provided in this section before reinstating the person's driver's license.

History: 1Sp2003 c 19 art 2 s 30

169.797. PENALTIES FOR FAILURE TO PROVIDE VEHICLE INSURANCE.

[For text of subds 1 to 4, see M.S.2002]

Subd. 4a. Registration revocation and license suspension. The commissioner of public safety shall revoke the registration of any vehicle and shall suspend the driver's license of any operator, without preliminary hearing upon a showing by department records, including accident reports required to be submitted by section 169.09, or other sufficient evidence that security required by section 65B.48 has not been provided and maintained. Before reinstatement of the registration, there shall be filed with the commissioner of public safety the written certificate of an insurance carrier authorized to do business in the state stating that security has been provided as required by section 65B.48. The commissioner of public safety may require the certificate of insurance provided to satisfy this subdivision to be certified by the insurance carrier to be noncancelable for a period not to exceed one year. The commissioner of public safety may also require a certificate of insurance to be filed with respect to all vehicles required to be insured under section 65B.48 and owned by any person whose driving privileges have been suspended or revoked as provided in this section before reinstating the person's driver's license.

[For text of subds 5 to 7, see M.S.2002]

History: 1Sp2003 c 19 art 2 s 31

169.798. RULES OF COMMISSIONER OF PUBLIC SAFETY.

Subdivision 1. Authority. The commissioner of public safety shall have the power and perform the duties imposed by this section and sections 65B.41 to 65B.71 and 169.797 and may adopt rules to implement and provide effective administration of the provisions requiring security and governing termination of security.

[For text of subds 2 and 3, see M.S.2002]

Subd. 4. Attestation of insurance required. Every owner, when applying for motor vehicle or motorcycle registration, reregistration, or transfer of ownership, must attest that the motor vehicle or motorcycle is covered by an insurance policy.

History: 1Sp2003 c 19 art 2 s 32,33

169.799 [Repealed, 1Sp2003 c 19 art 2 s 79]

169.826 GROSS WEIGHT SEASONAL INCREASES.

Subdivision 1. Winter increase amounts. The limitations provided in sections 169.822 to 169.829 are increased by ten percent between the dates set by the commissioner for each zone established by the commissioner based on a freezing index model each winter.

Subd. 1a. Harvest season increase amount. The limitations provided in sections 169.822 to 169.829 are increased by ten percent from the beginning of harvest to November 30 each year for the movement of sugar beets, carrots, and potatoes from the field of harvest to the point of the first unloading. Transfer of the product from a farm vehicle or small farm trailer, within the meaning of chapter 168, to another vehicle is not considered to be the first unloading. The commissioner shall not issue permits under this subdivision if to do so will result in a loss of federal highway funding to the state.

Subd. 1b. Nine-ton county roads. Despite the provisions of subdivision 5 and sections 169.824, subdivision 2, paragraph (a), clause (2), and 169.832, subdivision 11, a vehicle or combination of vehicles with a gross vehicle weight up to 88,000 pounds may be operated on a nine-ton county road, consistent with the increases allowed for vehicles operating on a ten-ton road, during the time when the increases under subdivision 1 are in effect in that zone.

[For text of subds 2 to 6, see M.S.2002]

History: 1Sp2003 c 19 art 2 s 34,35

169.85 WEIGHING; PENALTY.

[For text of subd 1, see M.S.2002]

Subd. 2. Unloading. (a) Upon weighing a vehicle and load, as provided in this section, an officer may require the driver to stop the vehicle in a suitable place and remain standing until a portion of the load is removed that is sufficient to reduce the gross weight of the vehicle to the limit permitted under either section 168.013, subdivision 3, paragraph (b), or sections 169.822 to 169.829; whichever is the lesser violation, if any. A suitable place is a location where loading or tampering with the load is not prohibited by federal, state, or local law, rule, or ordinance.

(b) Except as provided in paragraph (c), a driver may be required to unload a vehicle only if the weighing officer determines that (1) on routes subject to the provisions of sections 169.822 to 169.829, the weight on an axle exceeds the lawful gross weight prescribed by sections 169.822 to 169.829, by 2,000 pounds or more, or the weight on a 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 prescribed by sections 169.822 to 169.829, by 4,000 pounds or more; or (2) on routes designated by the commissioner in section 169.832, subdivision 11, the overall weight of the vehicle or the weight on an axle or group of consecutive axles exceeds the maximum lawful gross weights prescribed by sections 169.822 to 169.829; or (3) the weight is unlawful on an axle or group of consecutive axles on a road restricted in accordance with section 169.87. Material unloaded must be cared for by the owner or driver of the vehicle at the risk of the owner or driver.

(c) If the gross weight of the vehicle does not exceed the vehicle's registered gross weight plus the weight allowance set forth in section 168.013, subdivision 3, paragraph (b), and plus, if applicable, the weight allowance permitted under section 169.826, then the driver is not required to unload under paragraph (b).

[For text of subds 3 to 6, see M.S.2002]

History: 1Sp2003 c 19 art 2 s 36

169.86 SPECIAL PERMIT TO EXCEED HEIGHT, WIDTH, OR LOAD; FEES.

[For text of subds 1 to 4, see M.S.2002]

Subd. 5. Fee; proceeds to trunk highway fund. The commissioner, with respect to highways under the commissioner's jurisdiction, may charge a fee for each permit issued. All such fees for permits issued by the commissioner of transportation shall be deposited in the state treasury and credited to the trunk highway fund. Except for those annual permits for which the permit fees are specified elsewhere in this chapter, the fees shall be:

- (a) \$15 for each single trip permit.
- (b) \$36 for each job permit. A job permit may be issued for like loads carried on a specific route for a period not to exceed two months. "Like loads" means loads of the same product, weight, and dimension.
- (c) \$60 for an annual permit to be issued for a period not to exceed 12 consecutive months. Annual permits may be issued for:
 - (1) motor vehicles used to alleviate a temporary crisis adversely affecting the safety or well-being of the public;
 - (2) motor vehicles which travel on interstate highways and carry loads authorized under subdivision 1a;
 - (3) motor vehicles operating with gross weights authorized under section 169.826, subdivision 1a;
 - (4) special pulpwood vehicles described in section 169.863;
 - (5) motor vehicles bearing snowplow blades not exceeding ten feet in width; and
 - (6) noncommercial transportation of a boat by the owner or user of the boat.
- (d) \$120 for an oversize annual permit to be issued for a period not to exceed 12 consecutive months. Annual permits may be issued for:
 - (1) mobile cranes;
 - (2) construction equipment, machinery, and supplies;
 - (3) manufactured homes;
 - (4) implements of husbandry when the movement is not made according to the provisions of paragraph (i);
 - (5) double-deck buses;
 - (6) commercial boat hauling.
- (e) For vehicles which have axle weights exceeding the weight limitations of sections 169.822 to 169.829, an additional cost added to the fees listed above. However, this paragraph applies to any vehicle described in section 168.013, subdivision 3, paragraph (b), but only when the vehicle exceeds its gross weight allowance set forth in that paragraph, and then the additional cost is for all weight, including the allowance weight, in excess of the permitted maximum axle weight. The additional cost is equal to the product of the distance traveled times the sum of the overweight axle group cost factors shown in the following chart:

Overweight Axle Group Cost Factors

Weight (pounds) exceeding weight limitations on axles	Cost Per Mile For Each Group Of:		
	Two consec-	Three consec-	Four consec-
	utive axles	utive axles	utive axles
	spaced within	spaced within	spaced within
	8 feet or less	9 feet or less	14 feet or less
0-2,000	.12	.05	.04
2,001-4,000	.14	.06	.05
4,001-6,000	.18	.07	.06
6,001-8,000	.21	.09	.07
8,001-10,000	.26	.10	.08
10,001-12,000	.30	.12	.09
12,001-14,000	Not permitted	.14	.11
14,001-16,000	Not permitted	.17	.12
16,001-18,000	Not permitted	.19	.15
18,001-20,000	Not permitted	Not permitted	.16
20,001-22,000	Not permitted	Not permitted	.20

The amounts added are rounded to the nearest cent for each axle or axle group. The additional cost does not apply to paragraph (c), clauses (1) and (3).

For a vehicle found to exceed the appropriate maximum permitted weight, a cost-per-mile fee of 22 cents per ton, or fraction of a ton, over the permitted maximum weight is imposed in addition to the normal permit fee. Miles must be calculated based on the distance already traveled in the state plus the distance from the point of detection to a transportation loading site or unloading site within the state or to the point of exit from the state.

(f) As an alternative to paragraph (e), an annual permit may be issued for overweight, or oversize and overweight, construction equipment, machinery, and supplies. The fees for the permit are as follows:

Gross Weight (pounds) of Vehicle	Annual Permit Fee
90,000 or less	\$200
90,001 - 100,000	\$300
100,001 - 110,000	\$400
110,001 - 120,000	\$500
120,001 - 130,000	\$600
130,001 - 140,000	\$700
140,001 - 145,000	\$800

If the gross weight of the vehicle is more than 145,000 pounds the permit fee is determined under paragraph (e).

(g) For vehicles which exceed the width limitations set forth in section 169.80 by more than 72 inches, an additional cost equal to \$120 added to the amount in paragraph (a) when the permit is issued while seasonal load restrictions pursuant to section 169.87 are in effect.

(h) \$85 for an annual permit to be issued for a period not to exceed 12 months, for refuse-compactor vehicles that carry a gross weight of not more than: 22,000 pounds on a single rear axle; 38,000 pounds on a tandem rear axle; or, subject to section 169.828, subdivision 2, 46,000 pounds on a tridem rear axle. A permit issued for up to 46,000 pounds on a tridem rear axle must limit the gross vehicle weight to not more than 62,000 pounds.

(i) For vehicles exclusively transporting implements of husbandry, an annual permit fee of \$24. A vehicle operated under a permit authorized by this paragraph may

be moved at the discretion of the permit holder without prior route approval by the commissioner if:

- (1) the total width of the transporting vehicle, including load, does not exceed 14 feet;
- (2) the vehicle is operated only between sunrise and 30 minutes after sunset, and is not operated at any time after 12:00 noon on Sundays or holidays;
- (3) the vehicle is not operated when visibility is impaired by weather, fog, or other conditions that render persons and other vehicles not clearly visible at 500 feet;
- (4) the vehicle displays at the front and rear of the load or vehicle a pair of flashing amber lights, as provided in section 169.59, subdivision 4, whenever the overall width of the vehicle exceeds 126 inches; and
- (5) the vehicle is not operated on a trunk highway with a surfaced roadway width of less than 24 feet unless such operation is authorized by the permit.

A permit under this paragraph authorizes movements of the permitted vehicle on an interstate highway, and movements of 75 miles or more on other highways.

[For text of subds 6 and 7, see M.S.2002]

History: 1Sp2003 c 19 art 2 s 37

169.973 REGULATION OF CLINIC; DIRECTOR.

Subdivision 1. Commissioner's authority; rules; curriculum. The commissioner of public safety shall supervise the administration and conduct of driver improvement clinics and youth-oriented driver improvement clinics. The commissioner of public safety shall promulgate rules setting forth standards for the curriculum and mode of instruction of driver improvement clinics and youth-oriented driver improvement clinics and such other matters as the commissioner of public safety considers necessary for the proper administration of such clinics. In the preparation of such standards the commissioner of public safety shall consult with the state associations of judges. A driver improvement clinic established under sections 169.971 to 169.973 and 171.20, subdivision 3, shall conform to the standards promulgated by the commissioner of public safety. The course of study at a driver improvement clinic and youth-oriented driver improvement clinic may not exceed a cumulative total of nine hours with no single class session lasting more than three hours. The course of study at a driver improvement clinic and youth-oriented driver improvement clinic shall include instruction in railroad crossing safety.

[For text of subd 2, see M.S.2002]

History: 1Sp2003 c 9 art 10 s 8