

CHAPTER 169

TRAFFIC REGULATIONS

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169.01 DEFINITIONS.

[For text of subs 1 to 91, see M.S.2006]

Subd. 92. **Cellular phone.** "Cellular phone" means a cellular, analog, wireless, or digital telephone capable of sending or receiving telephone or text messages without an access line for service.

History: 2007 c 146 art 8 s 3

169.443 SAFETY OF SCHOOL CHILDREN; BUS DRIVER'S DUTIES.

[For text of subs 1 to 8, see M.S.2006]

Subd. 9. **Personal cellular phone call prohibition.** A school bus driver may not operate a school bus while communicating over, or otherwise operating, a cellular phone for personal reasons, whether hand-held or hands free, when the vehicle is in motion.

History: 2007 c 146 art 8 s 4

169.447 SCHOOL BUS AND HEAD START BUS SAFETY.

[For text of subd 1, see M.S.2006]

Subd. 2. **Driver seat belt.** School buses and Head Start buses must be equipped with driver seat belts and seat belt assemblies of the type described in section 169.685, subdivision 3. School bus drivers and Head Start bus drivers must use these seat belts.

[For text of subs 2a to 5, see M.S.2006]

History: 2007 c 146 art 8 s 5

169.4501 SCHOOL BUS EQUIPMENT STANDARDS.

Subdivision 1. **National standards adopted.** Except as provided in sections 169.4502 and 169.4503, the construction, design, equipment, and color of types A, B, C, D and multi-functional school activity bus school buses used for the transportation of school children shall meet the requirements of the "bus chassis standards" and "bus body standards" in the 2005 edition of the "National School Transportation Specifications and Procedures" adopted by the National Congress on School Transportation. Except as provided in section 169.4504, the construction, design, and equipment of types A, B, C, D and multifunctional school activity bus school buses used for the transportation of students with disabilities also shall meet the requirements of the "specially equipped school bus standards" in the 2005 National School Transportation Specifications and Procedures. The "bus chassis standards," "bus body standards," and "specially equipped school bus standards" sections of the 2005 edition of the "National School Transportation Specifications and Procedures" are incorporated by reference in this chapter.

Subd. 2. **Applicability.** (a) The standards adopted in this section and sections 169.4502 and 169.4503, govern the construction, design, equipment, and color of school buses used

for the transportation of school children, when owned or leased and operated by a school or privately owned or leased and operated under a contract with a school. Each school, its officers and employees, and each person employed under the contract is subject to these standards.

(b) The standards apply to school buses manufactured after December 31, 2007. Buses complying with the standards when manufactured need not comply with standards established later except as specifically provided for by law.

(c) A school bus manufactured on or before December 31, 2007, must conform to the Minnesota standards in effect on the date the vehicle was manufactured except as specifically provided for in law.

(d) A new bus body may be remounted on a used chassis provided that the remounted vehicle meets state and federal standards for new buses which are current at the time of the remounting. Permission must be obtained from the commissioner of public safety before the remounting is done. A used bus body may not be remounted on a new or used chassis.

[For text of subs 3 and 4, see M.S.2006]

History: 2007 c 146 art 8 s 6,7

169.4502 ADDITIONAL MINNESOTA SCHOOL BUS CHASSIS STANDARDS.

[For text of subs 1 to 4, see M.S.2006]

Subd. 5. Electrical system; battery. (a) The storage battery, as established by the manufacturer's rating, must be of sufficient capacity to care for starting, lighting, signal devices, heating, and other electrical equipment. In a bus with a gas-powered chassis, the battery or batteries must provide a minimum of 800 cold cranking amperes. In a bus with a diesel-powered chassis, the battery or batteries must provide a minimum of 1050 cold cranking amperes.

(b) In a type B bus with a gross vehicle weight rating of 15,000 pounds or more, and type C and D buses, the battery shall be temporarily mounted on the chassis frame. The final location of the battery and the appropriate cable lengths in these buses must comply with the SBMI design objectives booklet.

(c) All batteries shall be mounted according to chassis manufacturers' recommendations.

(d) In a type C bus, other than are powered by diesel fuel, a battery providing at least 550 cold cranking amperes may be installed in the engine compartment only if used in combination with a generator or alternator of at least 130 amperes.

(e) A bus with a gross vehicle weight rating of 15,000 pounds or less may be equipped with a battery to provide a minimum of 550 cold cranking amperes only if used in combination with an alternator of at least 130 amperes. This paragraph does not apply to those buses with wheelchair lifts or diesel engines.

[For text of subs 8 to 12, see M.S.2006]

Subd. 15. [Repealed, 2007 c 146 art 8 s 15]

History: 2007 c 146 art 8 s 8

169.4503 ADDITIONAL MINNESOTA SCHOOL BUS BODY STANDARDS.

[For text of subs 1 to 7, see M.S.2006]

Subd. 13. Identification. (a) Each bus shall, in the beltline, identify the school district serviced, or company name, or owner of the bus. Numbers necessary for identification must appear on the sides and rear of the bus. Symbols or letters may be used on the outside of the bus near the entrance door for student identification. A manufacturer's nameplate or logo may be placed on the bus.

(b) Effective December 31, 1994, all type A, B, C, and D buses sold must display lettering "Unlawful to pass when red lights are flashing" on the rear of the bus. The lettering shall

be in two-inch black letters on school bus yellow background. This message shall be displayed directly below the upper window of the rear door. On rear engine buses, it shall be centered at approximately the same location. Only signs and lettering approved or required by state law may be displayed.

[For text of subs 14 to 16, see M.S.2006]

Subd. 17. [Repealed, 2007 c 146 art 8 s 15]

Subd. 18. [Repealed, 2007 c 146 art 8 s 15]

[For text of subd 19, see M.S.2006]

Subd. 20. **Seat and crash barriers.** (a) All restraining barriers and passenger seats shall be covered with a material that has fire retardant or fire block characteristics.

(b) All seats must have a minimum cushion depth of 15 inches and a seat back height of at least 20 inches above the seating reference point.

[For text of subs 23 and 24, see M.S.2006]

Subd. 26. [Repealed, 2007 c 146 art 8 s 15]

History: 2007 c 146 art 8 s 9,10

169.796 VERIFICATION OF INSURANCE COVERAGE.

[For text of subs 1 and 2, see M.S.2006]

Subd. 3. [Repealed, 2007 c 22 s 1]

169.7961 SUSPENSION OF PROGRAM TO VERIFY INSURANCE COVERAGE THROUGH SAMPLING.

Subdivision 1. **Suspension.** The commissioner of public safety shall take no action under section 169.796, subdivision 3, and shall discontinue all activities related to the program to verify insurance coverage through sampling, except as provided in this section.

Subd. 2. **Reinstatement of suspended licenses.** The commissioner, without requiring proof of insurance or payment of a reinstatement fee, shall reinstate the driver's license of every vehicle owner whose license is suspended under section 169.796, subdivision 3, retroactive to the date of the suspension. The commissioner shall promptly refund any such reinstatement fees previously paid.

Subd. 3. **Dismissal of charges.** All charges, complaints, and citations issued for a violation of section 169.796, subdivision 3, or a related violation, including driving after a license suspension imposed for failure to comply with the provisions of section 169.796, subdivision 3, are void and must be dismissed.

Subd. 4. **Removal of previous violations from driving record.** The commissioner shall purge from a person's driving record any notation of a violation of section 169.796, subdivision 3, and any notation of a related suspension or violation, including driving after a license suspension imposed for failure to comply with the provisions of section 169.796, subdivision 3. An insurer may not increase a premium for a policy of vehicle insurance on the basis of a violation described in this subdivision by a named insured if the violation occurred before July 15, 2005, and any such increase previously imposed must be rescinded and any related premium increase promptly refunded.

Subd. 5. **Remediation for convictions.** A court in which a conviction for an offense referred to in subdivision 3 occurred, must vacate the conviction, on its own motion, without cost to the person convicted, and must immediately notify the commissioner of public safety. The commissioner must then notify the person convicted that the conviction has been vacated and that the person's driving record has been purged of a violation of section 169.796, subdivision 3, or any other related suspension or violation, including driving after license suspension, for failure to comply with that subdivision.

Subd. 6. **Remediation by insurers.** (a) Insurers that issue or renew motor vehicle insurance in this state shall, within 60 days after July 15, 2005, inform the commissioner of commerce as to whether it has canceled, failed to renew, denied an application for coverage, or imposed a surcharge on any motor vehicle insurance due to a suspension or conviction as a result of the law referenced in subdivision 1, provide a list of any such persons, and indicate for each person the remediation the insurer intends to provide.

(b) Remediation under paragraph (a) must compensate the victim by providing refunds and reinstatements of coverage.

(c) Insurers shall provide the remediation without requiring that the person make a request for remediation.

(d) The commissioner of commerce shall enforce this subdivision under its general enforcement powers under chapter 45.

History: *1Sp2005 c 6 art 3 s 91-96, 109; 2006 c 192 s 2; 2006 c 212 art 3 s 43*