169.75 FLARES, FLAGS, OR REFLECTORS REQUIRED.

Subdivision 1. **Number required.** No person shall operate any motor vehicle towing a travel trailer, any passenger bus, or any other motor vehicle or combination of vehicles of an actual gross weight or manufacturer's rated gross weight of more than 10,000 pounds 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 or three red electric lanterns or three emergency reflective triangles 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. **Flammables.** No person shall at any time operate a motor vehicle transporting flammable liquids in bulk or compressed flammable gases as cargo or part of cargo upon a highway unless it carries three electric lanterns or three emergency reflective triangles 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. **Flags and reflectors.** No person shall operate any motor vehicle towing a travel trailer, any passenger bus, or any other motor vehicle or combination of vehicles of an actual gross weight or manufacturer's rated gross weight of more than 10,000 pounds 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 emergency reflective triangles or two 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, except a flag or reflector is not required to be displayed at the ten-foot distance.

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

Subd. 5. **When used.** When any vehicle subject to the provisions of subdivision 1 or 3 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:

(1) 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;

(2) if disablement of the vehicle occurs upon the roadway or shoulder of any one-way roadway of any highway, the driver or other person in charge 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.

History: *(2720-264) 1937 c 464 s 114; 1939 c 430 s 23; 1947 c 428 s 32; 1949 c 656; 1967 c 383 s 1-3; 1971 c 491 s 28; 1978 c 494 s 5; 1989 c 342 s 18,19*