

# HOUSE RESEARCH

## Bill Summary

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### Section

**1 Recreational vehicle definition.** Changes term "recreational equipment" to "recreational vehicle" in motor vehicle registration law. Deletes provisions that include slip-in campers and house cars in the definition.

Deletes the requirement that a recreational vehicle be used as temporary living quarters while engaged in vacation or recreational activities to be included in the definition.

Requires a motor home to have a living unit built into it in order to be classified as a recreational vehicle.

Prohibits any motor vehicle with removable equipment mounted into or on the vehicle from being registered as a motor vehicle.

**2 Commercial vehicle definition.** Redefines "commercial motor vehicle" in traffic law to include all vehicles used in transportation of hazardous materials, regardless of weight. Excludes all emergency vehicles from definition.

**3 Hazardous materials.** Updates a reference to federal regulations in the definition of "hazardous materials" in traffic law.

**4 Revocation of commercial driver's license.** Repeals requirement that a person driving a commercial vehicle who refuses an implied-consent test must be disqualified and have driver's license revoked for one year. Substitutes a requirement that such a disqualification and revocation must be according to federal regulations that set out a table requiring disqualification for between 1 year and life for various violations.

**Section**

- 5       **Commercial motor vehicle defined.** Redefines "commercial motor vehicle" in driver's license law to include all vehicles used in transportation of hazardous materials, regardless of weight.
- 6       **Hazardous materials.** Updates a reference to federal regulations in the definition of "hazardous materials" in driver's license law.
- 7       **"State" defined.** Redefines "state" in driver's license law to include U. S. Virgin Islands and any U. S. territory or insular possession.
- 8       **Tank vehicle defined.** Defines "tank vehicle" as a commercial vehicle designed to transport liquid or gaseous materials in a tank, including a cargo tank or portable tank, that is permanently or temporarily attached to the vehicle or chassis, other than a portable tank under 1,000 gallons.
- 9       **License classes.** Amends law describing classes of driver's licenses.

**Subd. 1. License required.** Allows an instruction permit to be issued to a person with a Minnesota ID card without requiring the ID card to be invalidated.

**Subd. 2. Classifications.** Amends the law allowing a farm truck to be driven with a class D (basic) license, by deleting the requirement that a farm employee with such a license must not be primarily employed to drive the truck. Requires a farm truck driven with a class D license to be used to transport farm products, farm machinery, or farm supplies to or from a farm. Prohibits a farm truck driven with a class D license from being operated by a common or contract motor carrier.

Repeals the law that allows any combination of vehicles up to 26,000 lbs. gross weight to be operated with a class D license, and substitutes provision allowing person with class D license to tow a combination if (1) the towed vehicles have a gross weight of 10,000 lbs. or less, or (2) the towed vehicles have a gross weight of over 10,000 lbs. and the combination has a combined gross weight of 26,000 lbs. or less.

Allows any emergency vehicle to be operated with a class D license.

**Subd. 2a. Hazardous material endorsement exception.** Deletes the provision that allows a vehicle up to 26,000 pounds carrying up to 200 gallons of petroleum products, and a farm vehicle up to 26,000 pounds carrying up to 1,500 gallons of liquid fertilizer, to be operated without a hazardous materials endorsement.

**Subd. 3. Motorized bicycle.** Makes technical changes.

**Subd. 4. Restricted CDL.** Updates a reference to federal regulations.

**Subd. 5. Snowplow drivers.** No change.

- 10       **Driver license exemptions.** Exempts persons on active duty with military, Coast Guard, reserves, or National Guard from requirement to hold a commercial driver's license while driving a commercial vehicle owned by the federal government and used for military purposes.

## Section

Updates a reference to federal regulations.

- 11** **Disqualifications.** Prohibits issuance of a limited class A, B, or C license to a person who has been disqualified from driving a commercial vehicle.
- 12** **Restriction on license.** Provides that if an applicant for a commercial driver's license does not pass the air brake component of a written or behind-the-wheel test, the person's CDL must indicate that the person is restricted from operating a commercial vehicle with air brakes.
- 13** **Purging of driving records.** Requires a record of a violation of a driver or vehicle out-of-service order to be kept on the driving record for at least 10 years.

Requires records of the following to be kept on the driving record permanently:

- felony convictions involving use of motor vehicle (currently 5 years)
- prior impaired driving convictions (currently 15 years)
- prior impaired driving-related loss of license (currently 15 years)
- failure to comply with accident reporting requirements (currently 5 years)
- gross misdemeanor driving after license cancellation or denial because of department determination that driver is inimical to public safety (currently 15 years)

Repeals the law that requires the Department of Public Safety to remove from a driving record after 10 years any alcohol-related violation that was a first-offense violation for an alcohol concentration between .08 and .10 and the driver incurred no further violations in the ten-year period.

- 14** **CDL records check.** Requires the Department of Public Safety before issuing a commercial driver's license to request the applicant for a complete driving record from all states where the applicant was previously licensed in the last 10 years.
- 15** **Disqualifications.** Repeals the provision setting out specific disqualifications from driving a commercial motor vehicle, and substitutes a reference to federal regulations setting out disqualifications and penalties.
- 16** **Implied consent revocation.** Repeals the provision requiring disqualification from commercial vehicle driving for one year after a license revocation for refusing to take an implied-consent test while driving a commercial vehicle. Substitutes a reference to federal regulations setting out disqualifications and penalties.
- 17** **Disqualification exemptions.** Prohibits commercial vehicle disqualification for any authorized emergency vehicle operator operating a commercial vehicle (present prohibition applies only to firefighters).

Specifies that a conviction for a violation committed while operating a vehicle that is not a commercial vehicle (private vehicle) may not be counted as a first or subsequent violation for purposes of determining commercial vehicle disqualifications if the violation occurred before August 1, 2005.

- 18** **Notice.** Requires the Department of Public Safety to participate fully in the commercial

**Section**

19 driver's license information system established under federal law.  
**Repealer.** Repeals the "Dimler amendment" (prohibiting department from recording on driving record a speeding violation that is not more than 10 mph over a 55 mph limit).

Repeals laws providing for commercial driver disqualifications for grave offenses, multiple offenses, serious traffic violations, out-of-service orders, and grade crossing violations.  
Repeals rule that sets out commercial vehicle disqualifications.