HOUSE RESEARCH

Bill Summary

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Overview

This bill makes a variety of changes to commercial motor vehicle regulation, including (1) modifying truck weight provisions to establish a weight limit distinction between paved and unpaved roads, amend certain special permits, and eliminate provisions made redundant or obsolete; (2) amending vehicle identification display requirements (with a delayed implementation); (3) removing obsolete provisions that govern motor carrier classifications that are no longer regulated by MnDOT via a permit process; (4) clarifying and making technical changes to household goods mover permits; and (5) making various technical changes, such as removing obsolete language and clarifying that certain federal motor carrier regulations are incorporated by reference.

Section

1 **Truck; tractor; combination; exceptions.** Removes obsolete language.

2 **US DOT numbers.** Eliminates a provision that establishes that the federal US DOT number assigned to a company does not have to be displayed on the outside of the power unit of a vehicle, and adds a reference to current vehicle identification requirements. The provision is effective August 1, 2011.

3 **Application of motor carrier rules.** Makes technical changes.

4 **Brakes.** Requires those towed implements of husbandry weighing over 3,000 pounds that must have brakes to also have "break-away brakes," so that the implement automatically brakes if it becomes detached from the vehicle towing it. The requirement applies if the trailer is manufactured after January 11, 2011.

5 **Pneumatic-tired vehicle.** Clarifies per wheel and per axle weight limits, and eliminates limits for tridem axles.

6 **Gross weight schedule.**

Subd. 1. Table of axle weight limits. Amends the axles weight limits table to (1) allow up to 80,000 pounds for 5-axle vehicles on unpaved routes, and (2) identify weights by vehicle type that are allowed only by permit. Clarifies that weights shown in parentheses only apply to paved roads and if the limit has not been posted down.

Subd. 2. Gross vehicle weight of all axles. Raises the default gross vehicle weight to 80,000 for almost all routes unless posted down. Adds a weight limit credit for emissions-reduction technology.

7 **Gross weight limitations; forest products.** Allows vehicles operating under a forest products permit to travel on unpaved roads when taking the most direct route to a paved highway without route designation by MnDOT. Conforms the weight limit increase percentage to match actual weight limit. Makes technical changes.

8 **Gross weight reduction on restricted route.** Removes obsolete language.

9 **Unloading.** Makes conforming changes.

10 **Additional restrictions.** Eliminates a restriction on hauling by permit baled hay or straw on Interstate highways.

11 **Special three-unit vehicle permit.** Removes redundant language.

12 **Special two-unit vehicle permit.** Allows a winter weight limit increase amount for special two-unit vehicle permits that matches the allowed general ten percent increase for other vehicles not operating under the permit. Removes redundant language.

13 **Six-axle vehicles.** Allows a special permit for six-axle vehicles hauling raw agricultural products to be issued for vehicles with more than six axles.

14 **Seven-axle vehicles.** Allows a special permit for seven-axle vehicles hauling raw agricultural products to be issued for vehicles with more than seven axles.

15 **Requirements; restrictions.** Removes redundant language and makes conforming changes.

16 **Deposit of revenues; appropriation.** Modifies required allocation of revenue from special agricultural truck weight permits, to have it apply only to permits issued by MnDOT.

17 **Special three-unit vehicle permit.** Removes redundant language.

18 **Seasonal load restriction.** Modifies the spring load restriction per axle weight limits, to be five tons (10,000 pounds) on unpaved roads and ten tons (20,000 pounds) on paved roads. Makes the five-ninths limit for consecutive axles apply only to unpaved roads.

19 Cargo tank vehicles. Exempts certain cargo tank trucks from seasonal weight limits and weight restrictions imposed by the Minnesota Department of Transportation. In order to be exempt:

- The vehicle must have two or three axles and in use for delivering propane or dyed fuel oil
- The cargo tank cannot be more than 50 percent full

- If the vehicle is for propane, it must have a gauge on the tank for identifying the percent by which the tank is full, with documentation carried in the vehicle cab on the capacity of the tank
- If the vehicle is for fuel oil, it must carry documentation from a certified scale on the empty weight of the cargo tank

20 **Petition and hearing.** Makes conforming changes.

21 **Continuation of carrier rules.** Removes obsolete language.

22 **Household goods.** Removes property owned by a business or private organization from being considered household goods.

23 **Permit.** Removes reference to classifications of motor carriers that are no longer used.

24 **Registration certification or permit required.** Makes conforming changes.

25 **Exception.** Makes conforming changes.

26 **Exemptions.** Makes conforming changes.

27 **Exemptions from requirements.** Makes conforming changes.

28 **Local regulations.** Updates an obsolete reference.

29 **Termination of relief efforts.** Clarifies hours of service limitations on maximum driving time by incorporating federal regulations.

30 **Powers, duties, rules, filings.** Removes the capability of MnDOT to require unspecified data of motor carriers.

31 **Vehicle over 10,000 pounds not exempt.** Removes obsolete language.

32 **Solid waste transporter not exempt.** Removes obsolete language.

33 **Vehicle identification rule.** Incorporates federal regulations on display of carrier and USDOT number on the outside of the vehicle, clarifies exemptions, and eliminates language that duplicates federal requirements. The provision is effective August 1, 2011.

34 **Qualification of driver.** Removes obsolete references.

35 **Waiver for other medical condition.** Limits the situations under which a person can not be granted a medical waiver for intrastate commercial vehicle operation due to license cancellation, suspension, or revocation, so that a three-year waiting period only applies in cases of removal of driving privileges due to driving-related behavior.

36 **Hours of service of driver.** Incorporates federal regulations on declaring a driver out of service (as part of hours of service limitations).

37 **Requirements.** Clarifies that federal regulations governing hazardous materials transportation are incorporated by reference.

38 **Exemption for farmer.** Clarifies that federal regulations governing driver qualifications

transportation are incorporated by reference. Removes obsolete references.

39 **Application; scope.** Re-codifies household goods carrier regulations to use an application process instead of petition and permitting.

40 **Fee.** Makes conforming changes.

41 **Registration, insurance, and filing requirements.** Makes conforming changes.

42 **Effect of death of household good carrier permit holder.** Makes conforming changes.

43 **Prepaid temporary vehicle identification card.** Allows for inspection under federal regulations prior to issuance of temporary identification cards for vehicles not normally registered in Minnesota.

44 **Petition.** Makes conforming changes.

45 **Filing; hearing upon board initiative.** Makes conforming changes.

46 **Hearing on merits of rates and charges.** Removes obsolete language.

47 **Compensation of household goods carrier fixed.** Makes conforming changes.

48 **Household goods mover.** Removes obsolete language.

49 **Notice of suspension.** Removes obsolete language.

50 **Grounds for cancellation.** Removes obsolete language.

51 **Reinstatement after cancellation.** Removes obsolete language.

52 **New petition.** Removes obsolete language.

53 **Federal regulations and state rules.** Clarifies that certain federal regulations for interstate carriers, and private carriers who operate over Minnesota state lines, are incorporated by reference.

54 **Registration violations; penalties.** Makes technical changes.

55 **Identification.** Makes the vehicle identification requirements of building movers the same as for other motor carriers. The provision is effective August 1, 2011.

56 **Revision of rules.** Directs MnDOT to adopt revised administrative rules for conformance with the changes in the act, and allows use of the expedited rulemaking process.

57 **Revisor's instruction.** Directs the Revisor of Statutes to change a headnote.

58 **Repealer.** Repeals various provisions:

- [169.67, subd. 6] Duplicative language on implements of husbandry brakes.
- [169.826, subd. 1b] A duplicative provision allowing winter weight increases on nine-ton roads.
- [169.826, subd. 5] A restriction on weight limit increases on designated routes

(route designation is also being repealed).

- [169.832, subds. 11, 11a] Provisions allowing MnDOT and local units of government to designate routes with higher weight limits, up to the amount allowed under the truck weights regulations.
- [221.012] Obsolete definitions for motor carrier classifications that are no longer used by MnDOT.
- [221.031 – 221.296] Various provisions regulating permits for motor carrier classifications that are no longer used by MnDOT.

59 **Effective date.** Makes provisions regarding vehicle identification effective August 1, 2011.