

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 1206

02/02/2023 Authored by Tabke, Brand and Hornstein
The bill was read for the first time and referred to the Committee on Transportation Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; making policy changes related to State Patrol duties,
1.3 including school bus inspections, commercial vehicle inspections, and rearview
1.4 mirror requirements; establishing a penalty; amending Minnesota Statutes 2022,
1.5 sections 169.451, subdivisions 2, 3, 4; 169.70; 169.781, subdivision 3.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2022, section 169.451, subdivision 2, is amended to read:

1.8 Subd. 2. Inspection certificate. Except as provided in subdivision 2a, no person shall
1.9 drive, or no owner shall knowingly permit or cause to be driven, any school bus or Head
1.10 Start bus unless there is displayed thereon a certificate issued by the commissioner of public
1.11 safety stating that ~~on a certain date, which shall be within 13 months of the date of operation,~~
1.12 in the month specified on the certificate, a member of the Minnesota State Patrol inspected
1.13 the bus and found that on the date of inspection the bus complied with the applicable
1.14 provisions of state law relating to construction, design, equipment, and color. The certificate
1.15 is valid for 12 months after the month specified on the certificate.

1.16 Sec. 2. Minnesota Statutes 2022, section 169.451, subdivision 3, is amended to read:

1.17 Subd. 3. Inspection criteria. (a) The commissioner of public safety must inspect school
1.18 buses in accordance with the School Bus Inspection Manual as prescribed in section
1.19 169.4501, subdivision 3. Upon completion of an inspection, the commissioner must provide
1.20 a printed or electronic vehicle examination report to the carrier or school district.

1.21 (b) A school bus displaying a defect as defined in the "School Bus Recommended
1.22 Out-of-Service Criteria" in the most recent edition of the "National School Transportation
1.23 Specification and Procedures" adopted by the National Congress on School Transportation

2.1 is deemed unsafe for student transportation. A member of the State Patrol must affix a
 2.2 rejection sticker to the lower left corner of the windshield. A person may remove the rejection
 2.3 sticker only upon authorization from a member of the State Patrol who has determined that
 2.4 all defects have been corrected. Pending reinspection and certification of the vehicle by a
 2.5 member of the State Patrol, a bus bearing a rejection sticker may be used to transport students
 2.6 ~~if~~ for up to 30 days provided the defects have been corrected and the vehicle examination
 2.7 report is signed by the owner or a designee certifying that all defects have been corrected.
 2.8 The signed report must be carried in the first aid kit on the bus.

2.9 (c) A school bus that has had an inspection completed in which no out-of-service defects
 2.10 were identified has passed the inspection and a member of the State Patrol must affix an
 2.11 inspection certificate to the lower left corner of the windshield. All defects identified must
 2.12 be repaired within 14 days of the inspection. The person completing the repairs must sign
 2.13 and date the inspection report indicating the repairs were made. The inspection report must
 2.14 be retained at the principal place of business of the carrier or school district for 12 months
 2.15 following the inspection and must be available for review by a representative of the
 2.16 commissioner of public safety.

2.17 (d) A defect discovered during an inspection that was identified by a member of the
 2.18 State Patrol during a previous inspection but has not been corrected results in a failed
 2.19 inspection. A member of the State Patrol must affix a rejection sticker to the lower left
 2.20 corner of the windshield.

2.21 Sec. 3. Minnesota Statutes 2022, section 169.451, subdivision 4, is amended to read:

2.22 Subd. 4. ~~Violation; penalty~~ **Violations; penalties.** (a) The State Patrol shall enforce
 2.23 subdivisions 2 ~~and 2a~~ to 3.

2.24 (b) A person who operates a school bus without a valid inspection certificate issued
 2.25 pursuant to subdivision 2 or an interim inspection certificate issued pursuant to subdivision
 2.26 2a is guilty of a misdemeanor.

2.27 (c) A person who operates, or an owner who knowingly permits the operation of, a
 2.28 school bus displaying a rejection sticker issued in accordance with subdivision 3, paragraph
 2.29 (b), and has not fulfilled all the requirements specified in subdivision 3, paragraph (b), is
 2.30 guilty of a gross misdemeanor.

3.1 Sec. 4. Minnesota Statutes 2022, section 169.70, is amended to read:

3.2 **169.70 REAR VIEW MIRROR.**

3.3 Every motor vehicle ~~which is so~~ constructed, loaded, or connected with another vehicle
3.4 ~~as to obstruct~~ that obstructs the driver's view to the rear ~~thereof~~ from the driver's position
3.5 shall be equipped with a mirror ~~so located as to reflect~~ or other technology that reflects or
3.6 displays to the driver a view of the highway for a distance of at least 200 feet to the rear of
3.7 ~~such~~ the vehicle.

3.8 Sec. 5. Minnesota Statutes 2022, section 169.781, subdivision 3, is amended to read:

3.9 Subd. 3. **Inspector certification; suspension and revocation; hearing.** (a) An inspection
3.10 required by this section may be performed only by:

3.11 (1) an employee of the Department of Public Safety or Transportation who has been
3.12 certified by the commissioner after having received training provided by the State Patrol;
3.13 or

3.14 (2) another person who has been certified by the commissioner after having received
3.15 training provided by the State Patrol or other training approved by the commissioner.

3.16 (b) A person who is not an employee of the Department of Public Safety or Transportation
3.17 may be certified by the commissioner if the person is:

3.18 (1) an owner, or employee of the owner, of one or more commercial motor vehicles that
3.19 are power units;

3.20 (2) a dealer licensed under section 168.27 and engaged in the business of buying and
3.21 selling commercial motor vehicles, or an employee of the dealer;

3.22 (3) engaged in the business of repairing and servicing commercial motor vehicles; or

3.23 (4) employed by a governmental agency that owns commercial vehicles.

3.24 (c) Certification of persons described in paragraph (b), clauses (1) to (4), is effective for
3.25 two years from the date of certification. The commissioner may require biennial retraining
3.26 of persons holding a certificate under paragraph (b) as a condition of renewal of the
3.27 certificate. The commissioner may charge a fee of not more than \$10 for each certificate
3.28 issued and renewed. A certified person described in paragraph (b), clauses (1) to (4), may
3.29 charge a reasonable fee for each inspection of a vehicle not owned by the person or the
3.30 person's employer.

4.1 (d) Except as otherwise provided in subdivision 5, the standards adopted by the
4.2 commissioner for commercial motor vehicle inspections under sections 169.781 to 169.783
4.3 must be the standards prescribed in Code of Federal Regulations, title 49, section 396.17,
4.4 and in chapter III, subchapter B, appendix ~~G~~ A.

4.5 (e) The commissioner may classify types of vehicles for inspection purposes and may
4.6 issue separate classes of inspector certificates for each class.

4.7 (f) The commissioner, after notice and an opportunity for a hearing, may suspend a
4.8 certificate issued under paragraph (b) for failure to meet annual certification requirements
4.9 prescribed by the commissioner or failure to inspect commercial motor vehicles in accordance
4.10 with inspection procedures established by the State Patrol. The commissioner shall revoke
4.11 a certificate issued under paragraph (b) if the commissioner determines after notice and an
4.12 opportunity for a hearing that the certified person issued an inspection decal for a commercial
4.13 motor vehicle when the person knew or reasonably should have known that the vehicle was
4.14 in such a state of repair that it would have been declared out of service if inspected by an
4.15 employee of the State Patrol. Suspension and revocation of certificates under this subdivision
4.16 are not subject to sections 14.57 to 14.69.