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Approved March 16, 1978.

CHAPTER 494-S.F.No.1754

An act relating to highway traffic regulations; authorized emergency vehicles; approval of specifications and equipment test fees for lighting and vehicle safety equipment; warning devices on certain vehicles; and vehicle modification standards; amending Minnesota Statutes 1976, Sections 169.01, Subdivision 5; 169.468, Subdivision 2; 169.65; and 169.75; Minnesota Statutes, 1977 Supplement, Section 169.305, Subdivision 1; repealing Minnesota Statutes 1976, Section 169.47, Subdivision 2.

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

Section 1. Minnesota Statutes 1976, Section 169.01, Subdivision 5, is amended to read:

Subd. 5. **AUTHORIZED EMERGENCY VEHICLE.** "Authorized emergency vehicle" means any of the following vehicles when equipped and identified according to law: (1) A vehicle of a fire department; (2) a publicly owned police vehicle or a privately owned vehicle used by a police officer for police work under agreement, express or implied, with the local authority to which he is responsible; (3) an ambulance, whether publicly or privately owned; (4) an emergency vehicle of a municipal department or a public service corporation, approved by the commissioner of public safety or the chief of police of a municipality; (5) any volunteer rescue squad operating pursuant to Laws 1959, Chapter 53; (6) a vehicle designated as an authorized emergency vehicle upon a finding by the commissioner of public safety that designation of that vehicle is necessary to the preservation of life or property or to the execution of emergency governmental functions.

Sec. 2. Minnesota Statutes, 1977 Supplement, Section 169.305, Subdivision 1, is amended to read:

169.305 CONTROLLED ACCESS REGULATIONS AND PENALTIES.
Subdivision 1. (a) No person shall drive a vehicle onto or from any controlled access highway except at such entrances and exits as are established by public authority.

(b) When special crossovers between the main roadways of a controlled access highway are provided for emergency vehicles or maintenance equipment and such crossovers are signed to prohibit "U" turns, it shall be unlawful for any vehicle, except an emergency vehicle or maintenance equipment, to use such crossover. For the purposes of this clause "emergency vehicle" includes a wrecker if it is on the way to the location of an accident or a disabled vehicle.

(c) The commissioner of transportation may by order, and any public authority may by ordinance, with respect to any controlled access highway under their jurisdictions

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prohibit or regulate the use of any such highway by pedestrians, bicycles, or other nonmotorized traffic, or by motorized bicycles, or by any class or kind of traffic which is found to be incompatible with the normal and safe flow of traffic.

(d) The commissioner of transportation or the public authority adopting any such prohibitory regulations shall erect and maintain official signs on the controlled access highway on which such regulations are applicable and when so erected no person shall disobey the restrictions stated on such signs.

Sec. 3. Minnesota Statutes 1976, Section 169.468, Subdivision 2, is amended to read:

Subd. 2. In the absence of a motor vehicle safety standard adopted pursuant to the national traffic and motor vehicle safety act of 1966 or if any such standard is not applicable to new vehicles or new equipment manufactured and first sold in the state of Minnesota, the commissioner of public safety may require new vehicles and specific types of new equipment to be tested and approved for compliance with the requirements of this chapter, or any regulation adopted pursuant to this chapter. The commissioner shall approve or disapprove of the vehicle or equipment within a reasonable time after it is submitted. Approval may be based upon a certificate of approval or test report furnished to the commissioner by the American Association of Motor Vehicle Administrators. If such new vehicle or new equipment does not conform to the provisions of this chapter, or to such regulations adopted by the commissioner of public safety, no person shall sell, offer for sale, or use any such new vehicle or new equipment. The commissioner of public safety is authorized to set and collect a reasonable fee from the manufacturer or distributor for the testing and approval of all new vehicles and specific types of new equipment upon which approval is required under this section. Such fee may be sufficient in amount to reimburse the department of public safety for all costs connected with such test and approval. The commissioner shall waive the fee for any approval based on a certificate of approval or test report furnished by the American Association of Motor Vehicle Administrators.

Sec. 4. Minnesota Statutes 1976, Section 169.65, is amended to read:

169.65 SPECIFICATIONS FOR LIGHTING AND OTHER DEVICES. The commissioner of public safety is hereby authorized and required to adopt and enforce standard specifications as to the amount, color and direction of light to be emitted or reflected by lighting devices and as to the general construction and mounting on the vehicle for compliance with the requirements and limitations of this chapter.

No person shall have for sale, sell, or offer for sale for use upon or as a part of the equipment of a vehicle, trailer or semi-trailer, or use upon any such vehicle, any head lamp, auxiliary driving lamp, rear lamp, signal lamp, spot lamp, clearance lamp, marker lamp or reflector, or parts of any of the foregoing, unless of a type which has been submitted to the commissioner of public safety and approved by him.

No person shall have for sale, sell, or offer for sale for use upon or as a part of the equipment of a vehicle, trailer or semi-trailer, or bicycle, or use upon any such vehicle,

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any lamp or device mentioned in this section, which has been approved by the commissioner of public safety unless such lamp or device bears thereon the trademark or name and model designation all permanently marked under which it is approved so as to be legible when installed.

No person shall use upon any vehicle, trailer or semi-trailer or bicycle any lamps mentioned in this section unless such lamps are equipped with bulbs of a type approved by the commissioner of public safety, having a rated candle power, and are mounted and adjusted as to focus and aim in accordance with instructions of the commissioner of public safety.

The commissioner of public safety is hereby authorized to approve or disapprove lighting devices.

The commissioner of public safety is hereby required to approve or disapprove any lighting device, of a type on which approval is specifically required in this chapter, within a reasonable time after such device has been submitted.

The commissioner of public safety is further authorized to set up a procedure which shall be followed when any device is submitted for approval.

The commissioner of public safety is authorized to set and collect a reasonable fee for the testing and approval of all types of devices upon which approval is required in this chapter. Such fee may be sufficient in amount to reimburse the department of public safety for all costs connected with such test and approval.

The commissioner of public safety, upon approving any such lamp or device, shall issue to the applicant a certificate of approval, together with any instructions determined by him.

The commissioner of public safety shall publish lists of all lamps and devices by name and type which have been approved by him, together with instructions as to the permissible candlepower rating of the bulbs which he has determined for use therein and such other instructions as to adjustment as he may deem necessary. No person shall sell for use or use on any vehicle any reconvered lamp or any device redesigned for a use other than for which it was originally approved unless authorized by the commissioner of public safety.

Sec. 5. Minnesota Statutes 1976, Section 169.75, is amended to read:

169.75 FLARES, FLAGS AND REFLECTORS. *Subdivision 1. NUMBER REQUIRED.* No person shall operate any ~~passenger bus, motor truck or truck tractor or any~~ motor vehicle towing a house 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.

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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 ~~inflammable~~ flammable liquids in bulk or compressed ~~inflammable~~ 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 truck, truck tractor or passenger bus or any~~ motor vehicle towing a house 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 ~~motor truck, truck tractor or passenger bus or any motor vehicle towing a house trailer, or any vehicle towed by one of the foregoing motor vehicles,~~ vehicle subject to the provisions of subdivisions 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:

(a) 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;

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(b) 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.

Sec. 6. Minnesota Statutes 1976, Section 169.47, Subdivision 2, is repealed.

Approved March 16, 1978.

CHAPTER 495-S.F.No.1758

An act relating to the department of transportation; permitting the commissioner of transportation to designate primary and alternate routes for the Great River Road; deleting the statutory route; removing duty of the commissioner to maintain the road; amending Minnesota Statutes 1976, Sections 161.142 and 161.148, Subdivisions 1, 2 and 3; repealing Minnesota Statutes 1976, Section 161.148, Subdivision 4.

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

Section 1. Minnesota Statutes 1976, Section 161.142, is amended to read:

Subd. 2. **LOCATION; CONSTRUCTION; IMPROVEMENT; MAINTENANCE; ACQUISITION OF LAND.** The commissioner of transportation shall establish and locate the route or routes of the Great River Road and shall thereafter construct, reconstruct, improve and may maintain same. He may acquire by purchase, gift or eminent domain proceedings, in fee or such ~~lessor~~ lesser estate as he may determine, all lands and properties needed in laying out, establishing, constructing, reconstructing, and improving ~~and maintaining~~ the Great River Road in Minnesota.

Subd. 3. **INCLUSION WITHIN STATE SYSTEM; CONTROLLED ACCESS.** The portion of the Great River Road in Minnesota ~~shall~~ may be part of the state trunk highway system and ~~shall~~ may be a controlled access highway.

Subd. 4. **ACCEPTANCE OF FEDERAL FUNDS; COOPERATION WITH FEDERAL AGENCIES.** The commissioner of transportation may accept any federal funds made available to the state of Minnesota for expenditure on the Great River Road. He may cooperate with the federal government or any federal agency in the establishment, construction, reconstruction and improvement of the Great River Road to the end that the state will obtain all federal funds available for expenditure on the Great River Road in Minnesota. He may act as agent for any other department of state, public corporation, or political subdivision of the state in accepting federal aid in their behalf for the purposes expressed in subdivisions ~~1~~ 2 to ~~7~~ 7, and may distribute any federal aid received by the department to other departments of the state, public corporations or political subdivisions of the state.

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