

Road authorities may not mow the right-of-way of a highway located outside of a home rule charter or statutory city except as allowed in this section and section 160.23.

(a) On any highway, the first eight feet away from the road surface, or shoulder if one exists, may be mowed at any time.

(b) An entire right-of-way may be mowed after July 31. From August 31 to the following July 31, the entire right-of-way may only be mowed if necessary for safety reasons, and may not be mowed to a height of less than 12 inches.

(c) A right-of-way may be mowed as necessary to maintain sight distance for safety and may be mowed at other times under rules of the commissioner, or by resolution of a local road authority.

Sec. 3. EFFECTIVE DATE.

This act is effective the day after final enactment.

Approved May 17, 1985

CHAPTER 128 — S.F.No. 352

An act relating to taxation; providing for an annual compressed natural gas user permit; establishing compressed natural gas user permit fees in lieu of gas taxes; requiring a report to the legislature; providing a penalty; amending Minnesota Statutes 1984, sections 296.01, by adding a subdivision; 296.02, subdivision 1a; and 296.025, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapter 296.

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

Section 1. Minnesota Statutes 1984, section 296.01, is amended by adding a subdivision to read:

Subd. 25. ANNUAL COMPRESSED NATURAL GAS USER PERMIT. “Annual compressed natural gas user permit” means a permit issued annually to a person owning a motor vehicle propelled by compressed natural gas for a fee imposed in lieu of payment of the gasoline excise tax imposed by sections 296.02 and 296.025.

Sec. 2. Minnesota Statutes 1984, section 296.02, subdivision 1a, is amended to read:

Subd. 1a. **EXCEPTION EXCEPTIONS.** The provisions of subdivision 1 do not apply to gasoline purchased by a transit system owned by one or more statutory or home rule charter cities or towns or to sales of special fuel for use in

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vehicles propelled by compressed natural gas and displaying a valid annual compressed natural gas user permit.

Sec. 3. Minnesota Statutes 1984, section 296.025, subdivision 1a, is amended to read:

Subd. 1a. **EXCEPTION EXCEPTIONS.** The provisions of subdivision 1 do not apply to special fuel purchased by a transit system owned by one or more statutory or home rule charter cities or towns or to sales of special fuel for use in vehicles propelled by compressed natural gas and displaying a valid annual compressed natural gas user permit.

Sec. 4. [296.026] **SPECIAL FUEL; ANNUAL COMPRESSED NATURAL GAS USER PERMIT.**

Subdivision 1. COMPRESSED NATURAL GAS ANNUAL USER PERMIT. Any person owning a motor vehicle propelled by compressed natural gas shall obtain an annual compressed natural gas user permit for each such vehicle. The period for which a compressed natural gas user permit is valid must coincide with the motor vehicle registration period of the vehicle. A person shall obtain all required compressed natural gas user permits within 30 days of becoming a compressed natural gas user.

Subd. 2. PERMIT FEES IMPOSED. The fees for annual compressed natural gas user permits are based on each vehicle's mileage in the preceding year and are as follows:

<u>Gross Vehicle Weight</u>	<u>Fee</u>
<u>Under 12,000 pounds</u>	<u>\$ 9 per 1,000 miles</u>
<u>12,001 - 18,000 pounds</u>	<u>\$16 per 1,000 miles</u>
<u>18,001 - 26,000 pounds</u>	<u>\$23 per 1,000 miles</u>
<u>26,001 - 36,000 pounds</u>	<u>\$27 per 1,000 miles</u>
<u>Over 36,000 pounds</u>	<u>\$34 per 1,000 miles</u>

The maximum fee for an annual compressed natural gas user permit for vehicles in all gross vehicle weight classes shall not exceed the fee charged for 22,000 actual miles driven. If no true cumulative mileage figures are available for the preceding year, the fee charged under this section shall be based on 15,000 miles driven.

The fee for a permit required by this section must be calculated based on the number of unexpired months remaining in the registration year of the vehicle as measured from the date of the occurrence of the event requiring the permit.

Subd. 3. PERMIT APPLICATIONS. A person shall apply for a compressed natural gas user permit for each motor vehicle specified in this section each time the vehicle is registered. The commissioner of public safety shall prescribe the form of the application. The form must require the applicant to provide the following information:

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- (1) the name and address of the owner or person licensing the vehicle;
- (2) a description of the vehicle, including the mileage on the vehicle as of the date of registration;
- (3) the true cumulative mileage registered on the odometer; and
- (4) other information necessary for the proper implementation of this section.

A completed application must be submitted to the department of public safety. The department of public safety shall issue a compressed natural gas user permit and collect the fee provided in this section.

Subd. 4. PERMIT STICKERS. The compressed natural gas user permit required by this section must be a gummed sticker prepared by the department of public safety. The permit must be attached to the lower left corner of the windshield of the motor vehicle for which it was issued. The permit must provide a space to enter the license number of the motor vehicle for which the permit is issued. The permit must show the year for which it is issued and the date of expiration of the permit.

Subd. 5. PERMIT NOT TRANSFERABLE. A compressed natural gas user permit is not transferable, either to a new vehicle or to a new owner. Upon the transfer of ownership of any motor vehicle having a compressed natural gas user permit, the department of public safety shall credit the transferor with the number of unexpired months remaining in the registration period, except that when such a vehicle is transferred within the same month in which acquired, no credit for the month is allowed. If such a transferor acquires another motor vehicle for which a special fuel user permit is required at the time of transfer, the credit provided by this section must be applied toward payment of the compressed natural gas user permit fee then due. Otherwise the transferor may file a claim for the amount of the credit with the commissioner upon a form prescribed by the commissioner. The department shall make payment of the claim from the undistributed compressed natural gas user permit fees.

Subd. 6. MOTOR VEHICLE CONVERSION REPORT. Any person who installs equipment in a motor vehicle to permit it to be powered by compressed natural gas shall report the installation to the department of public safety within 30 days. The report must include the name and address of the owner of the vehicle, the make, model, and serial number of the vehicle, the type of fuel that the vehicle was equipped to use prior to the installation, the true cumulative mileage registered on the odometer, and, if the vehicle is registered, the license plate number of the vehicle.

Subd. 7. FEES IN LIEU OF GAS TAX. The permit fees collected under subdivision 2 are in lieu of the gasoline excise tax imposed by sections 296.02 and 296.025. Compressed natural gas sold as a fuel for motor vehicles

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displaying valid annual compressed natural gas permit stickers is not subject to any additional tax at the time of sale. All compressed natural gas user fees collected by the department of public safety must be deposited in state treasury and credited to the highway user tax distribution fund.

Sec. 5. [296.027] PENALTY.

Any person who provides false information, including but not limited to false odometer readings, or who otherwise fails to comply with the provisions of section 4, subdivisions 3 and 6, is guilty of a misdemeanor.

Sec. 6. [296.028] REPORT TO THE LEGISLATURE.

The commissioner of public safety, in cooperation with the commissioner of revenue, the commissioner of transportation, and the director of the department of public service, shall report to the legislature by October 1, 1988, on the number of annual compressed natural gas user permits issued; the impact of fees collected under section 4 on the highway user tax distribution fund; the percentage of usage of compressed natural gas and gasoline by vehicles utilizing both fuels; the impact of consumption of compressed natural gas on natural gas rates charged by regulated public utilities; and the costs to utilities of expenses incurred for equipment and marketing compressed natural gas as a motor vehicle fuel.

Sec. 7. EFFECTIVE DATE.

Sections 1 to 6 are effective October 1, 1985.

Approved May 17, 1985

CHAPTER 129 — S.F.No. 661

An act relating to commerce; regulating membership camping; prescribing the powers and duties of the commissioner; proposing coding for new law as Minnesota Statutes, chapter 82A.

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

Section 1. [82A.01] CITATION.

This chapter may be cited as the "membership camping practices act."

Sec. 2. [82A.02] DEFINITIONS.

Subdivision 1. ADVERTISEMENT OR ADVERTISING. "Advertisement" or "advertising" means any written or printed communication or any communication transmitted on radio, television, electronic means, or similar

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