

Before requesting a county to do work on a county state-aid highway as provided in this subdivision, the commissioner of natural resources must obtain approval for the project from the county state-aid screening board. The screening board, before giving its approval, must obtain a written comment on the project from the county engineer of the county requested to undertake the project. Before requesting a county to do work on a county road that provides immediate access to a public lake, the commissioner of natural resources shall obtain a written comment on the project from the county engineer of the county requested to undertake the project. Any sums paid to counties in accordance with this subdivision shall reduce the money needs of said counties in the amounts necessary to equalize their status with those counties not receiving such payments. Any balance of the amount so set aside, at the end of each year shall be transferred to the county state-aid highway fund.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective July 1, 1988.

Approved April 26, 1988

CHAPTER 636—H.F.No. 1526

An act relating to transportation; including certain all-terrain vehicles in the definition of motor vehicle for registration purposes; defining limousines and providing for their registration; allowing seven digits on personalized license plates and providing for personalized plate fees; authorizing special license plates for veterans; allowing the commissioner of public safety to determine the fee for ex-POW license plates; restricting certain farm trailers to being towed at a maximum speed of 30 miles per hour; exempting certain vehicles from brake requirements; permitting tinted glass on side and rear windows of limousines; providing for star county signs; providing for a tax on sale of collector vehicles in lieu of the motor vehicle excise tax; imposing a penalty; amending Minnesota Statutes 1986, section 168.011, subdivision 4, and by adding a subdivision; 168.12, subdivision 2a; 168.125; 169.145; 169.67, subdivisions 3 and 4; 169.71, subdivision 4; 169.82; 173.085; 297B.02, subdivision 2, and by adding a subdivision; and 297B.025; proposing coding for new law in Minnesota Statutes, chapter 168.

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

Section 1. Minnesota Statutes 1986, section 168.011, subdivision 4, is amended to read:

Subd. 4. **MOTOR VEHICLE.** (a) "Motor vehicle" means any self-propelled vehicle not operated exclusively upon railroad tracks and any vehicle propelled or drawn by a self-propelled vehicle and includes vehicles known as trackless trolleys which are propelled by electric power obtained from overhead trolley wires but not operated upon rails, except snowmobiles and manufactured homes. ~~After July 31, 1985,~~

New language is indicated by underline, deletions by ~~strikeout~~.

(b) "Motor vehicle" also includes an all-terrain vehicle, as defined in section 84.92, subdivision 8, which (1) has at least four wheels, (2) is owned and operated by a physically handicapped person, and (3) displays both physically handicapped license plates and a physically handicapped certificate issued under section 169.345, subdivision 3.

(c) Motor vehicle does not include a ~~three-wheel off-road~~ an all-terrain vehicle as defined in section 84.92, subdivision 8; except that if the ~~three-wheel off-road~~ (1) an all-terrain vehicle described in paragraph (b), or (2) an all-terrain vehicle was licensed as a motor vehicle before August 1, 1985, in which case the owner may continue to license it as a motor vehicle until it is conveyed or otherwise transferred to another owner, is destroyed, or fails to comply with the registration and licensing requirements of this chapter.

Sec. 2. Minnesota Statutes 1986, section 168.011, is amended by adding a subdivision to read:

Subd. 35. LIMOUSINE. "Limousine" means a passenger automobile for hire, other than a taxicab or a van, that is regularly engaged in the business of transporting persons and that has a rear seating capacity of not more than nine passengers.

Sec. 3. Minnesota Statutes 1986, section 168.12, subdivision 2a, is amended to read:

Subd. 2a. **PERSONALIZED LICENSE PLATES.** Personalized license plates must be issued to an applicant for registration of a passenger automobile, van, or pickup truck, motorcycle, or self-propelled recreational vehicle, upon compliance with the laws of this state relating to registration of the vehicle and upon payment of a one-time fee of \$100 in addition to the registration tax required by law for the vehicle. The registrar shall designate a replacement fee for personalized license plates calculated to cover the cost of replacement. This fee must be paid by the applicant whenever the personalized license plates are required to be replaced by law. In lieu of the numbers assigned as provided in subdivision 1, personalized license plates must have imprinted on them a series of not more than ~~six~~ seven numbers and letters in any combination. When an applicant has once obtained personalized plates, the applicant shall have a prior claim for similar personalized plates in the next succeeding year that plates are issued if application is made for them at least 30 days before the first date that registration can be renewed. The commissioner of public safety shall adopt rules in the manner provided by chapter 14, regulating the issuance and transfer of personalized license plates. No words or combination of letters placed on personalized license plates may be used for commercial advertising, be of an obscene, indecent, or immoral nature, or be of a nature that would offend public morals or decency. The call signals or letters of a radio or television station are not commercial advertising for the purposes of this subdivision.

Notwithstanding the provisions of subdivision 1, personalized license plates issued under this subdivision may be transferred to another motor vehicle owned

New language is indicated by underline, deletions by ~~strikeout~~.

or jointly owned by the applicant, upon the payment of a fee of \$5, which must be paid into the state treasury and credited to the highway user tax distribution fund. The registrar may by rule provide a form for notification.

Notwithstanding any law to the contrary, if the personalized license plates are lost, stolen, or destroyed, the applicant may apply and shall receive duplicate license plates bearing the same combination of letters and numbers as the former personalized plates upon the payment of a \$5 fee.

The fee prescribed for personalized license plates must be paid only in those years in which the number plate itself is issued, and must not be payable in a year in which a year plate, tab, or sticker is issued in lieu of a number plate.

Fees from the sale of permanent and duplicate personalized license plates must be paid into the state treasury and credited to the highway user tax distribution fund.

Sec. 4. [168.123] VETERANS; SPECIAL LICENSE PLATE.

Subdivision 1. GENERAL REQUIREMENTS; FEES. The registrar shall issue special license plates to an applicant who served in the active military service in a branch of the armed forces of the United States, was discharged under honorable conditions, and is an owner or joint owner of a motor vehicle included within the definition of a passenger automobile, on payment of a fee of \$10 for each set of two plates, payment of the registration tax required by law, and compliance with other laws relating to registration and licensing of motor vehicles and drivers. The additional fee of \$10 is payable for each set of plates, is payable only when the plates are issued, and is not payable in a year in which tabs or stickers are issued instead of number plates. An applicant must not be issued more than two sets of plates for vehicles owned or jointly owned by the applicant.

The veteran shall have a certified copy of the veteran's discharge papers, indicating character of discharge, at the time of application.

Subd. 2. DESIGN. The commissioner of veterans affairs shall design the special plates, subject to the approval of the registrar, that satisfy the following requirements:

(a) For a Vietnam veteran who served after July 1, 1961, and before July 1, 1978, the special plates must bear the inscription "VIETNAM VET" and the letters "V" and "V" with the first letter directly above the second letter and both letters just preceding the first numeral of the special license plate number.

(b) For a veteran stationed on the island of Oahu, Hawaii, or offshore, during the attack on Pearl Harbor on December 7, 1941, the special plates must bear the inscription "PEARL HARBOR SURVIVOR" and the letters "P" and "H" with the first letter directly above the second letter and both letters just preceding the first numeral of the special license plate number.

New language is indicated by underline, deletions by strikeout.

(c) For a veteran who served during World War I or World War II, the special plates must bear the inscription "WORLD WAR VET" and:

(1) for a World War I veteran, the characters "W" and "I" with the first character directly above the second character and both characters just preceding the first numeral of the special license plate number; or

(2) for a World War II veteran, the characters "W" and "II" with the first character directly above the second character and both characters just preceding the first numeral of the special license plate number.

(d) For a veteran who served during the Korean Conflict, the special plates must bear the inscription "KOREAN VET" and the letters "K" and "V" with the first letter directly above the second letter and both letters just preceding the first numeral of the special license plate number.

Subd. 3. NUMBER ESTIMATED. The commissioner of veterans affairs shall estimate the number of special plates that will be required and submit the estimate to the registrar.

Subd. 4. PLATE TRANSFERS. On payment of a fee of \$5, plates issued under this section may be transferred to another motor vehicle owned or jointly owned by the person to whom the plates were issued.

Subd. 5. FEES CREDITED. Fees collected under this section must be paid into the state treasury and credited to the highway user tax distribution fund.

Subd. 6. RULES. The registrar may adopt rules under the administrative procedure act to govern the issuance and use of the special plates authorized by this section.

Sec. 5. Minnesota Statutes 1986, section 168.125, is amended to read:

168.125 SPECIAL LICENSE PLATES FOR FORMER PRISONERS OF WAR.

Subdivision 1. ~~SPECIAL PLATES; APPLICATION; FEE; TRANSFER ISSUANCE AND DESIGN.~~ The registrar shall issue special license plates bearing the inscription "EX-POW" to any applicant who is both a former prisoner of war and an owner or joint owner of a motor vehicle upon the applicant's compliance with all the laws of this state relating to the registration and licensing of motor vehicles and drivers. The special license plates shall be of a design and size to be determined by the commissioner. Plates bearing the "EX-POW" inscription may be issued for only one motor vehicle per applicant.

Application for issuance of these plates shall be made at the time of renewal or first application for registration. The application shall include a certification by the commissioner of veterans affairs that the applicant was a member of the military forces of the United States who was captured, separated, and incarcerated by an enemy of the United States during a period of armed conflict.

New language is indicated by underline, deletions by ~~strikeout~~.

The applicant shall pay, in addition to the registration tax required by law, a fee of ~~\$10~~ for the special license plates issued under this section, in an amount calculated by the commissioner to cover the cost of the license plates. The additional fee is payable only when the plates are issued and no additional fee is payable in any year in which tabs or stickers are issued in lieu of number plates. All fees from the sale of the special license plates shall be paid into the state treasury and credited to the highway user tax distribution fund.

Notwithstanding the provisions of section 168.12, subdivision 1, the special license plates issued under this section may be transferred to another motor vehicle owned or jointly owned by the former prisoner of war upon the payment of a fee of \$5. This fee shall be paid into the state treasury and credited to the highway user tax distribution fund.

For purposes of this section, "motor vehicle" means a passenger automobile, station wagon, pickup truck, motorcycle, or recreational vehicle.

Subd. 2. SPECIAL ~~PLATE~~ PLATES; EX-POW AND HANDICAPPED INSIGNIA. The registrar shall issue special license plates bearing both the "EX-POW" and handicapped insignia to any applicant who is entitled to the special license plates provided under this section and who is also entitled to special license plates for the physically handicapped under section 168.021 upon compliance with the provisions of both sections. The special license plates shall be of a design and size to be determined by the commissioner.

Subd. 3. RULES; COMMISSIONER OF PUBLIC SAFETY. The commissioner of public safety may promulgate by rule, in accordance with the provisions of chapter ~~15~~ 14, the procedures for issuance or transfer of the special license plates authorized under this section.

Subd. 4. RULES; COMMISSIONER OF VETERANS AFFAIRS. The commissioner of veterans affairs shall ~~promulgate by rule, in accordance with the provisions of chapter 14,~~ establish the procedure for obtaining the certification of former prisoner of war status.

Subd. 5. SAVINGS PROVISION. Nothing in this section shall alter the exemption for disabled war veterans provided for in section 168.031.

Sec. 6. [168.128] LIMOUSINE; LICENSE PLATES.

Subdivision 1. UNIQUE REGISTRATION CATEGORY. A unique vehicle registration category is established for limousines as defined in section 2.

Subd. 2. LICENSE PLATES. The registrar shall issue limousine license plates upon the applicant's compliance with laws relating to registration and licensing of motor vehicles and drivers. The applicant must provide the registrar with proof that the passenger automobile license tax and a \$10 fee have been paid for each limousine receiving limousine license plates. The limousine license plates must be designed to specifically identify the vehicle as a limousine.

New language is indicated by underline, deletions by ~~strikeout~~.

Limousine license plates may not be transferred upon sale of the limousine, but may be transferred to another limousine owned by the same person upon notifying the registrar and paying a \$5 transfer fee.

Subd. 3. INSURANCE. The application must include a certificate of insurance verifying that a valid commercial insurance policy is in effect and giving the name of the insurance company and the number of the insurance policy. The policy must provide stated limits of liability, exclusive of interest and costs, with respect to each vehicle for which coverage is granted, of not less than \$100,000 because of bodily injury to one person in any one accident and, subject to said limit for one person, of not less than \$300,000 because of injury to two or more persons in any one accident. The insurance company must notify the commissioner if the policy is canceled or if the policy no longer provides the coverage required by this subdivision.

Sec. 7. Minnesota Statutes 1986, section 169.145, is amended to read:

169.145 IMPLEMENTS OF HUSBANDRY; SPEED; PENALTY.

No person shall drive a self-propelled implement of husbandry, nor shall any person tow a self-propelled implement of husbandry, nor shall any person tow a farm trailer not equipped with brakes and exceeding 6,000 pounds, at a speed in excess of 30 miles per hour. Violation of this section is a misdemeanor.

Sec. 8. Minnesota Statutes 1986, section 169.67, subdivision 3, is amended to read:

Subd. 3. TRAILERS, SEMITRAILERS, TANK TRAILERS. Every trailer, semitrailer, or other vehicle of a gross weight of 1,500 pounds or more, when drawn or pulled upon a highway, shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle, and so designed as to be applied by the driver of a towing motor vehicle from its cab, except (a) trailers owned by farmers when transporting agricultural products produced on the owner's farm or supplies back to the farm of the owner of the trailer, (b) custom service vehicles drawn by motor vehicles equipped with brakes capable of stopping both vehicles within the distance required by law for vehicles with four-wheel brakes and contractors' custom service vehicles not exceeding 30,000 pounds gross weight and 45 miles per hour when drawn by a motor vehicle capable of stopping the combination within the performance standards of subdivision 5, (c) trailers or semitrailers when used by retail dealers delivering implements of husbandry, (d) motor vehicles drawn by motor vehicles equipped with brakes capable of stopping the combination of vehicles within the performance requirements of this section, (e) tank trailers not exceeding 8,500 pounds gross weight used solely for transporting liquid fertilizer or gaseous fertilizer under pressure, or distributor trailers not exceeding 8,500 pounds gross weight used solely for transporting and distributing dry fertilizer, when hauled by a truck capable of stopping with loaded trailer attached in the distance specified by subdivision 5 for vehicles equipped with four-wheel brakes, providing the gross weight of such trailer or semitrailer other than those described in clause (e) when

New language is indicated by underline, deletions by ~~strikeout~~.

drawn by a pleasure vehicle shall not exceed 3,000 pounds, or when drawn by a truck or tractor shall not exceed 6,000 pounds, or may exceed 6,000 pounds but not exceed 15,000 pounds for a trailer described in clause (a) when drawn by a truck or tractor at a speed not exceeding 30 miles per hour, and except disabled vehicles towed to a place of repair.

Sec. 9. Minnesota Statutes 1986, section 169.67, subdivision 4, is amended to read:

Subd. 4. **SERVICE BRAKES ON ALL WHEELS; EXCEPTIONS.** Every ~~new~~ motor vehicle, trailer, or semitrailer, ~~sold in this state~~ manufactured after June 30, 1988, and operated upon the highways shall be equipped with service brakes upon all wheels of every such vehicle, except mobile cranes not exceeding 45 miles per hour and capable of stopping within the performance standards of subdivision 5, and except that any motorcycle, any semitrailer of less than 1,500 pounds gross weight, a third wheel, of a swivel type, on a house trailer, a temporary auxiliary axle attached to a motor vehicle during the period of road restrictions for the purpose of relieving weight of another axle, when the temporary auxiliary axle and the axle to be relieved do not exceed the combined gross weight of 18,000 pounds, and the vehicle to which such temporary axle is attached meets the brake requirements of this section, need not be equipped with brakes; and except, further, that brakes are not required on the front wheels of vehicles manufactured before July 1, 1988, having three or more axles or upon more than one wheel of a motorcycle provided the brakes on the other wheels are adequate to stop the vehicle in accordance with the braking performance requirements of subdivision 5.

Sec. 10. Minnesota Statutes 1986, section 169.71, subdivision 4, is amended to read:

Subd. 4. No person shall drive or operate any motor vehicle required to be registered in the state of Minnesota upon any street or highway under the following conditions:

(a) when the windshield is composed of, covered by, or treated with any material which has the effect of making the windshield more reflective or in any other way reducing light transmittance through the windshield;

(b) when any window on the vehicle is composed of, covered by, or treated with any material that has a highly reflective or mirrored appearance;

(c) when any side window or rear window is composed of or treated with any material so as to obstruct or substantially reduce the driver's clear view through the window or has a light transmittance of less than 50 percent plus or minus three percent in the visible light range or a luminous reflectance of more than 20 percent plus or minus three percent; or

(d) when any material has been applied after August 1, 1985, to any motor vehicle window without an accompanying permanent marking which indicates

New language is indicated by underline, deletions by ~~strikeout~~.

the percent of transmittance and the percent of reflectance afforded by the material. The marking must be in a manner so as not to obscure vision and be readable when installed on the vehicle.

This subdivision does not apply to glazing materials which:

(a) have not been modified since the original installation, nor to original replacement windows and windshields, that were originally installed or replaced in conformance with Federal Motor Vehicle Safety Standard 205;

(b) ~~were~~ are required to satisfy prescription needs of the driver of the vehicle ~~and if~~ the driver is in possession of ~~such~~ the prescription; or

(c) ~~were~~ are applied to:

(1) the rear windows of a pickup truck as defined in section 168.011, subdivision 29; ~~or to;~~

(2) the rear windows or the side windows on either side behind the driver's seat of a van as defined in section 168.011, subdivision 28; ~~or;~~

(3) the side and rear windows of any a vehicle used to transport human remains by a funeral establishment establishment holding a permit under the provisions of section 149.08; or

(4) the side and rear windows of a limousine as defined in section 2.

Sec. 11. Minnesota Statutes 1986, section 169.82, is amended to read:

169.82 TRAILER EQUIPMENT.

Except as provided in section 169.67, any trailer exceeding a gross weight of 6,000 pounds shall be equipped with brakes adequate to stop and hold such trailer, and which are so constructed that they will so operate whenever such trailer becomes detached from the towing vehicle.

When one vehicle is towing another the drawbar or other connection shall be of sufficient strength to pull all weight towed thereby, and said drawbar or other connection shall not exceed 15 feet from one vehicle to the other except the connection between any two vehicles transporting poles, pipe, machinery or other objects of structural nature which cannot readily be dismembered.

When one vehicle is towing another and the connection consists of a chain, rope, or cable, there shall be displayed upon such connection a white, red, yellow or orange flag or cloth not less than 12 inches square.

Every trailer or semitrailer shall be hitched to the motor vehicles furnishing the tractive power for it by a device approved by the commissioner of public safety as safe and in addition shall be equipped with safety chains permanently attached to the trailer except that where the coupling device is a regulation fifth wheel and king pin assembly approved by the commissioner of public safety

New language is indicated by underline, deletions by ~~strikeout~~.

such safety chains shall not be required. In towing, such chains shall be carried through a ring on the towbar and attached to the towing vehicle, and shall be of sufficient strength to control the trailer in event of failure of the towing device.

No person may be charged with a violation of this section solely by reason of violating a maximum speed prescribed in section 169.145 or 169.67.

Sec. 12. Minnesota Statutes 1986, section 173.085, is amended to read:

173.085 STAR CITY SIGNS.

Subdivision 1. **AUTHORITY TO ERECT.** (a) A county or lesser populated statutory or home rule charter city of Minnesota that has received instruction and expertise from the department of energy and economic development on attracting and retaining businesses for the county or city and subsequently has been designated and annually recertified as a star county or star city for economic development by that department may erect star county or star city signs upon payment of a fee required under section 173.13, subdivision 4, to the department of transportation. In the case of star cities, one sign may be erected at each approach to the city within the right-of-way of an interstate or other highway that passes inside the city limits. In the case of star counties, one sign may be erected within the right-of-way of an interstate or other highway at or near the point where the highway enters the county.

(b) Notwithstanding the provisions of paragraph (a), a lesser populated statutory or home rule charter city that has an official sign in an adjacent area of an approach of an interstate highway passing through or near the city as of August 1, 1985 may replace that sign with a star city sign upon payment of a fee required under section 173.13, subdivision 4, to the department of transportation. A county that has an official sign on the right-of-way or adjacent area of an interstate highway at the point where the highway enters the county may replace that sign with a star county sign on payment of a fee required under section 173.13, subdivision 4, to the department of transportation.

Subd. 2. **SIGN STANDARDS.** The department of transportation shall design and manufacture the star county and star city ~~sign~~ signs to specifications not contrary to other federal and state highway sign standards and substantially similar to those star city signs approved for display on state highways as of August 1, 1985.

Sec. 13. Minnesota Statutes 1986, section 297B.02, subdivision 2, is amended to read:

Subd. 2. **IN LIEU TAX FOR OLDER PASSENGER AUTOMOBILES.** In lieu of the tax imposed in subdivision 1, there is imposed a tax of \$10 on the purchase price of any passenger automobile described in section 297B.025, subdivision 1.

Sec. 14. Minnesota Statutes 1986, section 297B.02, is amended by adding a subdivision to read:

New language is indicated by underline, deletions by ~~strikeout~~.

Subd. 3. IN LIEU FOR COLLECTOR VEHICLES. In lieu of the tax imposed in subdivision 1, there is imposed a tax of \$90 on the purchase price of a passenger automobile described in section 297B.025, subdivision 2.

Sec. 15. Minnesota Statutes 1986, section 297B.025, is amended to read:

297B.025 OLDER PASSENGER AUTOMOBILES.

Subdivision 1. NONCOLLECTOR VEHICLES. Purchase or use of a passenger automobile as defined in section 168.011, subdivision 7, shall be taxed pursuant to section 297B.02, subdivision 2, if the passenger automobile is (1) in the tenth or subsequent year of vehicle life, ~~(2) is currently registered in Minnesota other than registration under section 168.10, subdivisions 1a, 1b, 1c, and 1d;~~ and ~~(3)~~ (2) is not an above-market automobile as designated by the registrar of motor vehicles.

The registrar of motor vehicles shall prepare, and distribute to all deputy motor vehicle registrars by July 15, 1985, a listing by make, model, and year of above-market automobiles. Except as provided by subdivision 2, the registrar must include in the list all automobiles with a resale value of \$3,000 or more, as determined using nationally recognized sources of information on automobile resale values. The registrar shall revise the list by February 1 of each year. The initial list and all subsequent revisions must include only those automobiles which are in the tenth or subsequent year of vehicle life.

Subd. 2. COLLECTOR VEHICLES. A passenger automobile that is currently registered under section 168.10, subdivisions 1a, 1b, 1c, and 1d, shall be taxed under section 297B.02, subdivision 3, and the registrar shall not designate as an above-market automobile a passenger automobile registered under those subdivisions.

Sec. 16. **EFFECTIVE DATE.**

Sections 1 and 3 are effective the day following final enactment. Sections 7, 8, 9, and 11 are effective July 1, 1988. Sections 13 to 15 are effective for a sale or transfer occurring after July 30, 1988.

Approved April 26, 1988

CHAPTER 637—H.F.No. 1748

An act relating to the handicapped; permitting equal access to housing accommodations for persons using a service dog; clarifying terms; amending Minnesota Statutes 1986, sections 256C.025, subdivision 4; and 256C.03.

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

New language is indicated by underline, deletions by ~~strikeout~~.