

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective the day following final enactment.

Presented to the governor March 22, 1991

Signed by the governor March 26, 1991, 9:35 a.m.

CHAPTER 10—H.F.No. 104

An act relating to consumer protection; regulating automatic garage door opening systems; amending Minnesota Statutes 1990, sections 325F.82, subdivision 2, and by adding a subdivision; and 325F.83, subdivisions 1, 3, and 4.

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

Section 1. Minnesota Statutes 1990, section 325F.82, subdivision 2, is amended to read:

Subd. 2. **AUTOMATIC GARAGE DOOR OPENING SYSTEM.** "Automatic garage door opening system" means a system of devices and equipment that, when connected to a garage door, automatically opens and closes a garage door.

Sec. 2. Minnesota Statutes 1990, section 325F.82, is amended by adding a subdivision to read:

Subd. 5. AUTOMATIC REVERSING REQUIREMENT. "Automatic reversing requirement" means the requirements specified in paragraphs 30.1 and 30.2 of Underwriters Laboratories, Inc., Standards for Safety-UL 325, third edition, as revised May 4, 1988, for a residential automatic garage door opening system or the requirements specified in paragraph 29.1 of Underwriters Laboratories, Inc., Standards for Safety-UL 325, third edition, as revised May 4, 1988, for a commercial vehicular door operator.

Sec. 3. Minnesota Statutes 1990, section 325F.83, subdivision 1, is amended to read:

Subdivision 1. **MANUFACTURING, SALES, PURCHASES, REPAIRS, OR INSTALLATIONS OF SYSTEMS.** (a) No person shall manufacture, sell, offer for sale, purchase, or install in this state an automatic garage door opening system for residential buildings that does not comply with subdivision 3.

(b) Subd. 1a. SERVICE OR REPAIR OF SYSTEMS. No person shall service or repair an automatic garage door opening system for residential buildings that does not comply with ~~subdivision 3, paragraph (a)~~ the automatic reversing requirement. This paragraph does not prevent the servicing or repair of an auto-

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matic garage door opening system if the system will be in compliance with ~~subdivision 3, paragraph (a);~~ the automatic reversing requirement after the repair or service.

The person servicing or repairing the automatic garage door opening system shall determine whether or not the system complies with the automatic reversing requirement by conducting an on-site test of the system.

Subd. 1b. WARNING LABEL. If the automatic garage door opening system does not pass the on-site test required by subdivision 1a, the person conducting the test shall complete and conspicuously attach to the automatic garage door opening system, a red label that states the following:

“DANGER

This garage door opener was tested and does not meet the requirements for a working safety reverse feature. This can be dangerous and may cause serious injury or death. You are advised to disconnect the opener from the door immediately and operate the door manually until the opener has been repaired or replaced with one that meets current safety standards relating to automatic reversal as provided for in Minnesota Statutes, section 325F.83, subdivision 1a.

.....
Model

.....
Name of Tester

.....
Manufacturer

.....
Firm Name

.....
Serial Number

.....
Firm Address/Phone Number

.....
Date”

The firm of the agent or employee who attached the red label shall notify within ten working days in writing the occupant of the residence that the system did not comply with subdivision 1a.

Sec. 4. Minnesota Statutes 1990, section 325F.83, subdivision 3, is amended to read:

Subd. 3. **MINIMUM STANDARDS.** (a) No later than January 1, 1991, all automatic garage door opening systems subject to subdivision 1, 1a, or 2 must conform to the applicable requirements of Underwriters Laboratories, Inc., Standards for Safety-UL 325, third edition, as revised May 4, 1988.

(b) No later than January 1, 1993, all automatic garage door opening systems subject to subdivision 1 or 2 must include an attached edge sensor, safety beam, or similar device that when activated causes a closing door to open and prevents an open door from closing. This device is to be designed and built so that a failure of the device prevents the door from closing.

Sec. 5. Minnesota Statutes 1990, section 325F.83, subdivision 4, is amended to read:

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Subd. 4. **MANUFACTURER'S LABELING REQUIREMENTS.** On and after January 1, 1991, a manufacturer selling or offering for sale automatic garage door opening systems in this state shall clearly identify on the container and on the system, the month or week and year the system was manufactured, and its conformance with UL 325, as required under subdivision 3, paragraph (a). The display of the UL logo or listing mark and compliance with the date marking requirements of UL 325 on both the container and the system fulfills the manufacturer's labeling requirements specified under this subdivision.

Sec. 6. **CLARIFICATION OF LEGISLATIVE INTENT.**

Minnesota Statutes, section 325F.83, subdivision 8, states that it is not now, nor has it ever been, the intention of the legislature that garage door opening systems were to be considered improvements to real property as that term is used in section 541.051 so as to alter the statutes of limitations or statutes of repose which otherwise apply to manufacturers and sellers of such products.

Sec. 7. **EFFECTIVE DATE.**

Sections 1 to 6 are effective the day following final enactment.

Presented to the governor March 22, 1991

Signed by the governor March 26, 1991, 9:37 a.m.

CHAPTER 11—S.F.No. 246

An act relating to probate; increasing the limit on an estate subject to collection of personal property by affidavit; amending Minnesota Statutes 1990, section 524.3-1201.

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

Section 1. Minnesota Statutes 1990, section 524.3-1201, is amended to read:

524.3-1201 COLLECTION OF PERSONAL PROPERTY BY AFFIDAVIT.

(a) Thirty days after the death of a decedent, any person indebted to the decedent or having possession of tangible personal property or an instrument evidencing a debt, obligation, stock or chose in action belonging to the decedent shall make payment of the indebtedness or deliver the tangible personal property or an instrument evidencing a debt, obligation, stock or chose in action to a person claiming to be the successor of the decedent, or a county agency with a claim authorized by section 256B.15, upon being presented a certified death certificate of the decedent and an affidavit, in duplicate, made by or on behalf of the successor stating that:

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