

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

Section 1. Minnesota Statutes 1992, section 386.66, is amended to read:

386.66 BOND OR ABTRACTER'S LIABILITY INSURANCE POLICY.

Before a license shall be issued, the applicant shall file with the board a bond or abstractor's liability insurance policy to be approved by the chair or executive secretary, running to the state of Minnesota in the penal sum of at least \$100,000 conditioned for the payment by such abstractor of any damages that may be sustained by or accrue to any person by reason of or on account of any error, deficiency or mistake arising wrongfully or negligently in any abstract, or continuation thereof, or in any certificate showing ownership of, or interest in, or liens upon any lands in the state of Minnesota, whether registered or not, made by and issued by such abstractor, provided however, that the aggregate liability of the surety to all persons under such bond shall in no event exceed the amount of such bond. In any county having more than 200,000 inhabitants the bond or insurance policy required herein shall be in the penal sum of at least \$250,000. Applicants that are title insurance companies regulated by chapter 68A and licensed pursuant to sections 60A.02 and 60A.06, subdivision 1, clause (7), and their employees or those having cash or securities or deposit with the state of Minnesota in an amount equal to the said bond or insurance policy shall be exempt from furnishing the bond or an insurance policy herein required but shall be liable to the same extent as if a bond or insurance policy has been given and filed. The bond or insurance policy required hereunder shall be written by some surety or other company authorized to do business in this state issuing bonds or abstractor's liability insurance policies and shall be issued for a period of one or more years, and renewed for one or more years at the date of expiration as principal continues in business. The aggregate liability of such surety on such bond or insurance policy for all damages shall, in no event, exceed the sum of said bond or insurance policy.

Presented to the governor April 30, 1993

Signed by the governor May 3, 1993, 4:37 p.m.

CHAPTER 78—H.F.No. 57

An act relating to traffic regulations; making technical corrections; clarifying situations when certain school bus signals should not be used; providing evidentiary presumption regarding school buses; clarifying definition of special transportation as not including transportation of children by school bus; limiting weight of vehicles that may be towed by holder of class B driver's license; providing for revocation of school bus driver endorsement; amending Minnesota Statutes 1992, sections 169.443, subdivision 3; 169.444, subdivision 7; 171.01, subdivision 24; 171.02, subdivision 2; and 171.17, subdivision 1.

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

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

Section 1. Minnesota Statutes 1992, section 169.443, subdivision 3, is amended to read:

Subd. 3. **WHEN SIGNALS NOT USED.** School bus drivers shall not activate the prewarning flashing amber signals or flashing red signals and shall not use the stop arm signal:

(1) in special school bus loading areas where the bus is entirely off the traveled portion of the roadway and where no other motor vehicle traffic is moving or is likely to be moving within 20 feet of the bus;

(2) in ~~residential~~ residence districts or business districts, as defined in section 169.01, of home rule or statutory cities when directed not to do so by the local school administrator;

(3) when a school bus is being used on a street or highway for purposes other than the actual transportation of school children to or from school or a school-approved activity, except as provided in subdivision 8;

(4) at railroad grade crossings; and

(5) when loading and unloading people while the bus is completely off the traveled portion of a separated, one-way roadway that has adequate shoulders. The driver shall drive the bus completely off the traveled portion of this roadway before loading or unloading people.

Sec. 2. Minnesota Statutes 1992, section 169.444, subdivision 7, is amended to read:

Subd. 7. **EVIDENTIARY PRESUMPTION PRESUMPTIONS.** (a) There is a rebuttable presumption that signals described in section 169.442 were in working order and operable when a violation of subdivision 1, 2, or 5 was allegedly committed, if the signals of the applicable school bus were inspected and visually found to be in working order and operable within 12 hours preceding the incident giving rise to the violation.

(b) There is a rebuttable presumption that a motor vehicle outwardly equipped and identified as a school bus satisfies all of the identification and equipment requirements of section 169.441 when a violation of subdivision 1, 2, or 5 was allegedly committed, if the applicable school bus bears a current inspection certificate issued under section 169.451.

Sec. 3. Minnesota Statutes 1992, section 171.01, subdivision 24, is amended to read:

Subd. 24. **SPECIAL TRANSPORTATION SERVICE.** (a) "Special transportation service" means motor vehicle transportation provided on a regular basis by a public or private entity or person that is designed primarily to serve

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individuals who are elderly, handicapped, or disabled and who are unable to use regular means of transportation but do not require ambulance service, as defined in section 144.801, subdivision 4.

(b) Special transportation service includes but is not limited to service provided by specially equipped buses, vans, and taxis.

(c) Special transportation service does not include:

(1) transportation provided by a volunteer driver using a private passenger vehicle that belongs to the volunteer; and

(2) services exempted in section 174.30, subdivision 1, clause (c).

Sec. 4. Minnesota Statutes 1992, section 171.02, subdivision 2, is amended to read:

Subd. 2. **DRIVER'S LICENSE CLASSIFICATIONS, ENDORSEMENTS, EXEMPTIONS.** Drivers' licenses shall be classified according to the types of vehicles which may be driven by the holder of each type or class of license. The commissioner may, as appropriate, subdivide the classes listed in this subdivision and issue licenses classified accordingly. No class of license shall be valid to operate a motorcycle, school bus, special transportation service vehicle, tank vehicle, double-trailer or triple-trailer combination, vehicle transporting hazardous materials, or bus, unless so endorsed. There shall be four general classes of licenses as follows:

(a) Class C; valid for:

(1) all farm trucks operated by (i) the owner, (ii) an immediate family member of the owner, (iii) an employee of the owner not primarily employed to operate the farm truck, within 150 miles of the farm, or (iv) an employee of the owner employed during harvest to operate the farm truck for the first, continuous transportation of agricultural products from the production site or on-farm storage site to any other location within 50 miles of that site;

(2) fire trucks and emergency fire equipment, whether or not in excess of 26,000 pounds gross vehicle weight, operated by a firefighter while on duty, or a tiller operator employed by a fire department who drives the rear portion of a midmount aerial ladder truck;

(3) recreational equipment as defined in section 168.011, subdivision 25, that is operated for personal use; and

(4) all single unit vehicles except vehicles with a gross vehicle weight of more than 26,000 pounds, vehicles designed to carry more than 15 passengers including the driver, and vehicles that carry hazardous materials; and

(5) with a special transportation service vehicle endorsement, operating a motor vehicle providing special transportation service.

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The holder of a class C license may also tow vehicles if the combination of vehicles has a gross vehicle weight of 26,000 pounds or less.

(b) Class CC; valid for:

- (1) operating class C vehicles;
- (2) with a hazardous materials endorsement; transporting hazardous materials in class C vehicles; and
- (3) with a school bus endorsement, operating school buses designed to transport 15 or fewer passengers, including the driver.

(c) Class B; valid for all vehicles in class C, class CC, and all other single unit vehicles including, with a passenger endorsement, buses. The holder of a class B license may tow only vehicles with a gross vehicle weight of 10,000 pounds or less.

(d) Class A; valid for any vehicle or combination thereof.

Sec. 5. Minnesota Statutes 1992, section 171.17, subdivision 1, is amended to read:

Subdivision 1. **OFFENSES.** (a) The department shall immediately revoke the license of a driver upon receiving a record of the driver's conviction of:

- (1) manslaughter resulting from the operation of a motor vehicle or criminal vehicular homicide or injury under section 609.21;
- (2) a violation of section 169.121 or 609.487;
- (3) a felony in the commission of which a motor vehicle was used;
- (4) failure to stop and disclose identity and render aid, as required under section 169.09, in the event of a motor vehicle accident, resulting in the death or personal injury of another;
- (5) perjury or the making of a false affidavit or statement to the department under any law relating to the ownership or operation of a motor vehicle;
- (6) ~~except as this section otherwise provides, conviction, plea of guilty, or forfeiture of bail not vacated, upon~~ three charges of violating, within a period of 12 months; any of the provisions of chapter 169 or of the rules or municipal ordinances enacted in conformance with chapter 169, for which the accused may be punished upon conviction by imprisonment;
- (7) ~~conviction of~~ two or more violations, within five years, of the misdemeanor offense described in section 169.444, subdivision 2, paragraph (a);
- (8) ~~conviction of the misdemeanor offense described in section 169.443, subdivision 7, or the gross misdemeanor offense described in section 169.444, subdivision 2, paragraph (b); or~~

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(9) ~~conviction~~ of an offense in another state that, if committed in this state, would be grounds for revoking the driver's license.

(b) The department shall immediately revoke the school bus endorsement of a driver upon receiving a record of the driver's conviction of the misdemeanor offense described in section 169.443, subdivision 7.

Sec. 6. **EFFECTIVE DATE.**

Sections 1 to 5 are effective the day following final enactment.

Presented to the governor April 30, 1993

Signed by the governor May 3, 1993, 4:27 p.m.

CHAPTER 79—H.F.No. 592

An act relating to creditors' remedies; limiting the value of the homestead exemption; providing for the exemption of homestead insurance proceeds; increasing the exemption for motor vehicles modified to accommodate a disability; amending Minnesota Statutes 1992, sections 510.01; 510.02; 510.07; 510.08; 550.175, subdivisions 3 and 4; and 550.37, subdivision 12a.

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

Section 1. Minnesota Statutes 1992, section 510.01, is amended to read:

510.01 HOMESTEAD DEFINED; EXEMPT; EXCEPTION.

The house owned and occupied by a debtor as the debtor's dwelling place, together with the land upon which it is situated to the amount of area and value hereinafter limited and defined, shall constitute the homestead of such debtor and the debtor's family, and be exempt from seizure or sale under legal process on account of any debt not lawfully charged thereon in writing, except such as are incurred for work or materials furnished in the construction, repair, or improvement of such homestead, or for services performed by laborers or servants and as is provided in section 550.175.

Sec. 2. Minnesota Statutes 1992, section 510.02, is amended to read:

510.02 AREA; AND VALUE; HOW LIMITED.

The homestead may include any quantity of land not exceeding 160 acres, and not included in the laid out or platted portion of any city. If it be the homestead is within the laid out or platted portion of such place a city, its area shall must not exceed one-half of an acre. The value of the homestead exemption, whether the exemption is claimed jointly or individually, may not exceed \$200,000 or, if the homestead is used primarily for agricultural purposes, \$500,000, exclusive of the limitations set forth in section 510.05.

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