

CHAPTER 120—H.F.No. 383

An act relating to traffic regulations; clarifying conditions when covering motor vehicle head lamp, tail lamp, or reflector is unlawful; providing that only certain trailers required to have brakes are also required to have break-away brakes; requiring inspector of commercial motor vehicle to retain report for at least 14 months; prohibiting the covering of a license plate with any material or substance; amending Minnesota Statutes 1994, sections 169.64, by adding a subdivision; 169.67, subdivision 3; 169.781, subdivision 4; and 169.79.

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

Section 1. Minnesota Statutes 1994, section 169.64, is amended by adding a subdivision to read:

Subd. 10. COVERING LAMPS AND REFLECTORS. (a) Except as provided in paragraph (b), it is prohibited for any person to:

(1) equip a motor vehicle with any equipment or material that covers a head lamp, tail lamp, or reflector; or

(2) operate a motor vehicle fitted with or otherwise having equipment or material that covers a head lamp, tail lamp, or reflector.

(b) Paragraph (a) does not apply to:

(1) any manufacturer's original equipment or material;

(2) any equipment or material that is clear and colorless; or

(3) the covering for auxiliary lights required under section 169.56.

Sec. 2. Minnesota Statutes 1994, section 169.67, subdivision 3, is amended to read:

Subd. 3. **TRAILERS, SEMITRAILERS.** (a) No trailer or semitrailer with a gross weight of 3,000 or more pounds, or a gross weight that exceeds the empty weight of the towing vehicle, may be drawn on a highway unless it is equipped with brakes that are adequate to control the movement of and to stop and hold the trailer or semitrailer.

(b) No trailer or semitrailer ~~with~~ that is required to have brakes and that has a gross weight of more than 6,000 pounds may be drawn on a highway unless it is equipped with brakes that are so constructed that they are adequate to stop and hold the trailer or semitrailer whenever it becomes detached from the towing vehicle.

(c) Except as provided in paragraph (d), paragraph (a) does not apply to:

(1) a trailer used by a farmer while transporting farm products produced on the user's farm, or supplies back to the farm of the trailer's user;

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(2) a towed custom service vehicle drawn by a motor vehicle that is equipped with brakes that meet the standards of subdivision 5, provided that such a towed custom service vehicle that exceeds 30,000 pounds gross weight may not be drawn at a speed of more than 45 miles per hour;

(3) a trailer or semitrailer operated or used by retail dealers of implements of husbandry while engaged exclusively in the delivery of implements of husbandry;

(4) a motor vehicle drawn by another motor vehicle that is equipped with brakes that meet the standards of subdivision 5;

(5) a tank trailer of not more than 12,000 pounds gross weight owned by a distributor of liquid fertilizer while engaged exclusively in transporting liquid fertilizer, or gaseous fertilizer under pressure;

(6) a trailer of not more than 12,000 pounds gross weight owned by a distributor of dry fertilizer while engaged exclusively in the transportation of dry fertilizer; and

(7) a disabled vehicle while being towed to a place of repair.

(d) Vehicles described in paragraph (c), clauses (1), (3), and (4), may be operated without complying with paragraph (a) only if the trailer or semitrailer does not exceed the following gross weights:

(1) 3,000 pounds while being drawn by a vehicle registered as a passenger automobile, other than a pickup truck as defined in section 168.011, subdivision 29;

(2) 12,000 pounds while being drawn by any other motor vehicle except a self-propelled implement of husbandry.

Sec. 3. Minnesota Statutes 1994, section 169.781, subdivision 4, is amended to read:

Subd. 4. **INSPECTION REPORTS.** (a) A person performing an inspection under this section shall issue an inspection report to the owner of the commercial motor vehicle inspected. The report must include:

(1) the full name of the person performing the inspection, and the person's inspector certification number;

(2) the name of the owner of the vehicle and, if applicable, the United States Department of Transportation carrier number issued to the owner of the vehicle, or to the operator of the vehicle if other than the owner;

(3) the vehicle identification number and, if applicable, the license plate number of the vehicle;

(4) the date and location of the inspection;

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(5) the vehicle components inspected and a description of the findings of the inspection, including identification of the components not in compliance with federal motor carrier safety regulations; and

(6) the inspector's certification that the inspection was complete, accurate, and in compliance with the requirements of this section.

(b) The owner must retain a copy of the inspection report for at least 14 months at a location in the state where the vehicle is domiciled or maintained. The inspector must maintain a copy of the inspection report for a period of 14 months following the inspection in a location in the state where the inspector conducts business. During this period the report must be available for inspection by an authorized federal, state, or local official.

(c) The commissioner shall prescribe the form of the inspection report and revise it as necessary to comply with state and federal law and regulations. The adoption of the report form is not subject to the administrative procedure act.

Sec. 4. Minnesota Statutes 1994, section 169.79, is amended to read:

169.79 VEHICLE REGISTRATION.

No person shall operate, drive or park a motor vehicle on any highway unless the vehicle is registered in accordance with the laws of this state and has the number plates for the current year only, as assigned to it by the commissioner of public safety, conspicuously displayed thereon in a manner that the view of any plate is not obstructed. If the vehicle is a semitrailer, the number plate displayed must be assigned to the registered owner and correlate to the certificate of title documentation on file with the department and shall not display a year indicator. If the vehicle is a motorcycle, motor scooter, motorized bicycle, motorcycle sidecar, trailer, semitrailer, or vehicle displaying a dealer plate, one plate shall be displayed on the rear thereof; if the vehicle is a truck-tractor, road-tractor or farm truck, as defined in section 168.011, subdivision 17, but excluding from that definition semitrailers and trailers, one plate shall be displayed on the front thereof; if it is any other kind of motor vehicle, one plate shall be displayed on the front and one on the rear thereof. All plates shall be securely fastened so as to prevent them from swinging. The person driving the motor vehicle shall keep the plate legible and unobstructed and free from grease, dust, or other blurring material so that the lettering shall be plainly visible at all times. It is unlawful to cover any assigned letters and numbers or the name of the state of origin of a license plate with any material whatever, including any clear or colorless material that affects the plate's visibility or reflectivity. License plates issued to vehicles registered under section 168.017 must display the month of expiration in the lower left corner as viewed facing the plate and the year of expiration in the lower right corner as viewed facing the plate.

Presented to the governor May 4, 1995

Signed by the governor May 5, 1995, 9:03 a.m.

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