

Subd. 6. **ESTIMATES TO BE MADE IF INFORMATION NOT PROVIDED.** In the event that any county shall fail to submit the information provided for herein, the commissioner shall estimate the mileage lane-mileage and the money needs of the county. The estimate shall be used in determining the apportionment formula. The commissioner may withhold payment of the amount apportioned to the county until the information is submitted.

Presented to the governor April 4, 1996

Signed by the governor April 12, 1996, 2:33 p.m.

CHAPTER 456—H.F.No. 2152

An act relating to transportation; allowing highway service signs for gasoline service stations and other retail motor fuel businesses; eliminating limitation on funding advances for completing county state-aid highways in cities; prohibiting motor vehicle from closely following authorized emergency vehicle responding to emergency; authorizing use of alternative warning lights at traffic accidents; allowing limited exemption from federal hours-of-service regulation for transporting agricultural products; providing for turnbacks to local governments of legislative routes Nos. 232, 261, 300, 326, and 385; making technical and conforming changes; amending Minnesota Statutes 1994, sections 160.292, subdivisions 1, 2, 3, 4, 5, 10, and by adding subdivisions; 160.293, subdivisions 1, 2, 3, and 4; 160.294, subdivisions 1, 2, and by adding a subdivision; 160.295, subdivision 2; 160.296, subdivision 1; 160.297; 162.08, subdivision 5; 169.18, subdivision 8; 169.59, subdivision 4; 221.0314, by adding a subdivision; and 221.033, subdivision 2a.

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

Section 1. Minnesota Statutes 1994, section 160.292, subdivision 1, is amended to read:

Subdivision 1. **SCOPE.** For the purposes of sections 160.292 to 160.296, the terms defined in this section have the meanings given them.

Sec. 2. Minnesota Statutes 1994, section 160.292, subdivision 2, is amended to read:

Subd. 2. **SPECIFIC SERVICE SIGN.** "Specific service sign" means a rectangular sign panel not greater than 1-1/2 feet by six feet displaying the name or optional business panel, or both, of a rural agricultural or tourist-oriented business, place of worship, motel, restaurant, resort, or recreational camping area, or gasoline service station or other retail motor fuel business and, where appropriate, the direction to and distance to the rural agricultural or tourist-oriented business, place of worship, recreational camping area, motel, restaurant, or resort, or gasoline service station or other retail motor fuel business.

Sec. 3. Minnesota Statutes 1994, section 160.292, subdivision 3, is amended to read:

Subd. 3. **SPECIFIC SERVICE SIGN ASSEMBLY.** "Specific service sign assembly" means a combination of specific service sign panels not to exceed four panels to be placed within the right-of-way on appropriate approaches to an intersection or interchange.

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

Sec. 4. Minnesota Statutes 1994, section 160.292, subdivision 4, is amended to read:

Subd. 4. **SPECIFIC SERVICE SIGN CLUSTER.** "Specific service sign cluster" means a grouping of specific service sign assemblies on appropriate approaches to an intersection or interchange.

Sec. 5. Minnesota Statutes 1994, section 160.292, subdivision 5, is amended to read:

Subd. 5. **NONFREEWAY TYPE TRUNK HIGHWAY.** "Nonfreeway type trunk highway" means all (1) roadways with that are not designated freeways and that have crossing traffic at grade intersections except the roadway may have an isolated interchange and (2) bypasses of outstate municipalities that have interchanges at intersections of trunk highways with local roads.

Sec. 6. Minnesota Statutes 1994, section 160.292, subdivision 10, is amended to read:

Subd. 10. **SPECIFIC SERVICE.** "Specific service" means restaurants; rural agricultural or tourist-oriented businesses; places of worship; gasoline service stations and other retail motor fuel businesses; and motels, resorts, or recreational camping areas that provide sleeping accommodations for the traveling public. "Tourist-oriented business" means a business, service, or activity that receives the major portion of its income or visitors during the normal business season from motorists not residing in the immediate area of the business or activity. "Tourist-oriented business" includes, but is not limited to: (1) a greenhouse or nursery, (2) a bait and tackle shop, (3) a marina, and (4) a gift or antique shop.

Sec. 7. Minnesota Statutes 1994, section 160.292, is amended by adding a subdivision to read:

Subd. 11. **GASOLINE SERVICE STATION; RETAIL MOTOR FUEL BUSINESS.** "Gasoline service station" or "retail motor fuel business" means a business that provides vehicle services including fuel and oil; provides restroom facilities and drinking water; provides staff for continuous operation at least 12 hours per day, seven days per week; and provides public access to a telephone.

Sec. 8. Minnesota Statutes 1994, section 160.292, is amended by adding a subdivision to read:

Subd. 12. **BUSINESS PANEL.** "Business panel" means a separately attached sign panel that shows, either individually or in combination, the brand, symbol, trademark, or logo of the business service.

Sec. 9. Minnesota Statutes 1994, section 160.293, subdivision 1, is amended to read:

Subdivision 1. **PURPOSE.** Specific service signs are to be used to create and implement a system of signing for the purpose of displaying specific service information to the traveling public on nonfreeway type trunk highways in rural areas.

Sec. 10. Minnesota Statutes 1994, section 160.293, subdivision 2, is amended to read:

Subd. 2. **SIGNS AT INTERSECTIONS AND INTERCHANGES.** A specific service sign may be erected at the intersection or interchange of a trunk highway with an

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interstate highway, a controlled access road, or a local road, on bypasses of outstate municipalities, and at the intersection or interchange of two trunk highways. A specific service sign may not be erected if the place of business is readily visible, if effective directional advertising is visible, or if the an advertising sign can be legally and effectively located near the intersection or interchange.

Sec. 11. Minnesota Statutes 1994, section 160.293, subdivision 3, is amended to read:

Subd. 3. **NUMBER OF TRUNK HIGHWAY INTERSECTIONS OR INTERCHANGES.** A specific service sign for a rural agricultural or tourist-oriented business, place of worship, restaurant, motel, resort, or recreational camping area, or gasoline service station or other retail motor fuel business is limited to one intersection or interchange on the trunk highway system. Additional signing may be considered when the place of business is located between, or approximately an equal distance from, two or more trunk highways.

Sec. 12. Minnesota Statutes 1994, section 160.293, subdivision 4, is amended to read:

Subd. 4. **TRAILBLAZING.** Appropriate signing on local roads between a trunk highway intersection or interchange and a specific service shall be the responsibility of the specific service and the local road authority.

Sec. 13. Minnesota Statutes 1994, section 160.294, subdivision 1, is amended to read:

Subdivision 1. **CONSTRUCTION OF SIGN.** Specific service sign panels shall be made of reflective sheeting and shall be on blue background with white letters, arrows and border. The directional arrow and mileage shall be displayed on the same side of the panel as the direction of turn on specific service sign panels located on nonfreeway trunk highways at grade intersections and on exit ramps at interchanges located on bypasses of outstate municipalities. The specific service sign panel shall display only the name or optional business panel, or both, when installed on nonfreeway trunk highways at interchanges located on bypasses of outstate municipalities. Signing for straight ahead movement shall not be permitted.

Sec. 14. Minnesota Statutes 1994, section 160.294, is amended by adding a subdivision to read:

Subd. 1a. **BUSINESS PANELS.** Business panels shall be made of reflective sheeting and shall not resemble a traffic sign, signal, or device. The business' trademark, symbol, or logo shall be consistent on all business panels for a specific business. The business panel shall not include any supplemental messages or additional verbiage.

Sec. 15. Minnesota Statutes 1994, section 160.294, subdivision 2, is amended to read:

Subd. 2. **SPECIFIC SERVICE SIGN ASSEMBLIES.** Left directional panels shall be placed on top of the right directional panels. A gap shall separate a left panel from the right panel. An assembly shall be spaced preferably 300 feet, but a minimum of 200 feet from other required signing. If no other signing is located at an intersection, the assembly shall be placed 300 feet in advance of the intersection. Assemblies within a clus-

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~~ter shall not be placed closer than 300 feet. No specific service sign or assembly shall be placed at a location that will interfere with other necessary signing as determined by the commissioner of transportation.~~

Sec. 16. Minnesota Statutes 1994, section 160.295, subdivision 2, is amended to read:

Subd. 2. **DISTANCE TO SPECIFIC SERVICE.** A specific service sign may be placed on a nonfreeway type road trunk highway if the specific service is located within 15 miles of the qualifying site.

Sec. 17. Minnesota Statutes 1994, section 160.296, subdivision 1, is amended to read:

Subdivision 1. **PROCEDURE.** (a) A person who desires a specific service sign panel shall request the commissioner of transportation to install the sign. The commissioner of transportation may grant the request if the applicant qualifies for the sign panel and if space is available. All signs shall be fabricated, installed, maintained, replaced and removed by the commissioner of transportation. The applicant shall pay a fee to the commissioner of transportation to cover all costs for fabricating, installing, maintaining, replacing and removing. The requests for specific service sign panels shall be renewed every three years.

(b) If the applicant desires to display a business panel, the business panel for each specific service sign panel shall be supplied by the applicant. All costs to fabricate business panels shall be paid by the applicant. All business panels shall be installed and removed by the appropriate road authority. The costs for installing and removing business sign panels on specific service signs located on nonfreeway trunk highways are included in the fee specified in paragraph (a). If a business panel is stolen or damaged beyond repair, the applicant shall supply a new business panel paid for by the applicant.

Sec. 18. Minnesota Statutes 1994, section 160.297, is amended to read:

160.297 OTHER LAWS.

Sections 160.292 to 160.296 provide additional authority to erect signs on nonfreeway type trunk highways and do not limit the authority to erect highway signs provided by other law or rule.

Sec. 19. Minnesota Statutes 1994, section 162.08, subdivision 5, is amended to read:

Subd. 5. **ADVANCES TO MUNICIPAL ACCOUNT.** Any county may make advances from any available funds, including funds made available by a city pursuant to subdivision 6 to the municipal account for the purpose of completing work on any portion of its county state-aid highway system within cities having a population of less than 5,000. ~~The total of such advances made by any county to the municipal account shall never exceed 30 percent of the county's last apportionment preceding the first advance.~~ Any advances shall be repaid by deducting an amount equal thereto from money accruing to the municipal account. Advances heretofore made shall be repaid in like manner.

Sec. 20. Minnesota Statutes 1994, section 169.18, subdivision 8, is amended to read:

Subd. 8. **FOLLOWING VEHICLE TOO CLOSELY.** (a) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, hav-

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ing due regard for the speed of such vehicles and the traffic upon and the conditions of the highway.

(b) The driver of any motor vehicle drawing another vehicle, or the driver of any motor truck or bus, when traveling upon a roadway outside of a business or residence district, shall not follow within 500 feet of another vehicle. The provisions of this clause shall not be construed to prevent overtaking and passing nor shall the same apply upon any lane specially designated for use by motor trucks.

(c) The driver of a motor vehicle shall not follow within 500 feet of an authorized emergency vehicle that is traveling in response to an emergency.

Sec. 21. Minnesota Statutes 1994, section 169.59, subdivision 4, is amended to read:

Subd. 4. **FLASHING WARNING LIGHTS.** Any vehicle may be equipped with lamps which may be used for the purpose of warning the operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking, or passing, and when so equipped may display such warning in addition to any other warning signals required by this act. The lamps used to display such warnings to the front shall be mounted at the same level and as widely spaced laterally as practicable, and shall display simultaneous flashing white or amber lights, or any shade of color between white and amber. The lamps used to display such warnings to the rear shall be mounted at the same level and as widely spaced laterally as practicable, and shall show simultaneously flashing amber or red lights, or any shade of color between amber and red. Instead of a pair of lamps that flash simultaneously, either one or two strobe lights or rotating beacon lights with an amber or yellow lens may be used both to the front and rear of the vehicle. These warning lights shall be visible from a distance of not less than 500 feet under normal atmospheric conditions at night.

Sec. 22. Minnesota Statutes 1994, section 221.0314, is amended by adding a subdivision to read:

Subd. 9a. **HOURS OF SERVICE EXEMPTION.** The federal regulations incorporated in subdivision 9 for maximum driving and on-duty time do not apply to drivers engaged in the interstate or intrastate transportation of agricultural commodities or farm supplies for agricultural purposes in Minnesota during the planting and harvesting seasons from March 15 to December 15 of each year if the transportation is limited to an area within a 100-air-mile radius from the source of the commodities or the distribution point for the farm supplies.

Sec. 23. Minnesota Statutes 1994, section 221.033, subdivision 2a, is amended to read:

Subd. 2a. **AGRICULTURALLY RELATED EXEMPTION.** (a) This subdivision applies to persons engaged in intrastate commerce.

(b) Fertilizer and agricultural chemical retailers or their employees are exempt from the rule in section 221.0314, subdivision 4, requiring that drivers must be at least 21 years of age when:

(1) the retailer or its employee is transporting fertilizer or agricultural chemicals directly to a farm for on-farm use within a radius of 50 miles of the retailer's business location; and

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(2) the driver employed by the retailer is at least 18 years of age.

(e) ~~A fertilizer or agricultural chemical retailer, or a driver employed by a fertilizer or agricultural chemical retailer, is exempt from the rule in Code of Federal Regulations, title 49, section 395.3, paragraph (b), relating to hours of service of drivers, and section 395.8, requiring a driver's record of duty status, while exclusively engaged in the transportation of fertilizer or agricultural chemicals between April 1 and July 1 of each year when:~~

~~(1) the transportation is from the retailer's place of business directly to a farm within a 50-mile radius of the retailer's place of business;~~

~~(2) the fertilizer or agricultural chemicals are for use on the farm to which they are transported; and~~

~~(3) the employer maintains a daily record for each driver showing the time a driver reports for duty, the total number of hours a driver is on duty, and the time a driver is released from duty.~~

Sec. 24. TRUNK HIGHWAY SYSTEM; ROUTES DISCONTINUED; REPEALER; EFFECTIVE DATES.

(a) Minnesota Statutes 1994, section 161.115, subdivision 163, is repealed effective when the transfer of jurisdiction of legislative route No. 232 is agreed to by the commissioner of transportation and Aitkin county and a copy of the agreement, signed by the commissioner and the chair of the Aitkin county board, has been filed in the office of the commissioner.

(b) Minnesota Statutes 1994, section 161.115, subdivision 192, is repealed effective when the transfer of jurisdiction of legislative route No. 261 is agreed to by the commissioner of transportation and McLeod county and a copy of the agreement, signed by the commissioner and the chair of the McLeod county board, has been filed in the office of the commissioner.

(c) Minnesota Statutes 1994, section 161.115, subdivision 231, is repealed effective when the transfer of jurisdiction of legislative route No. 300 is agreed to by the commissioner of transportation and the city of Shakopee and a copy of the agreement, signed by the commissioner and the mayor of the city of Shakopee, has been filed in the office of the commissioner.

(d) Minnesota Statutes 1994, section 161.115, subdivision 257, is repealed effective when the transfer of jurisdiction of legislative route No. 326 is agreed to by the commissioner of transportation, Anoka county, and the city of Lino Lakes and a copy of the agreement, signed by the commissioner, the chair of the Anoka county board, and the mayor of the city of Lino Lakes, has been filed in the office of the commissioner.

(e) Minnesota Statutes 1994, section 161.117, subdivision 6, is repealed effective when the transfer of jurisdiction of legislative route No. 385 is agreed to by the commissioner of transportation and Hennepin county and a copy of the agreement, signed by the commissioner and the chair of the Hennepin county board, has been filed in the office of the commissioner.

(f) The revisor of statutes shall delete each route identified in paragraphs (a) to (e) in the next publication of Minnesota Statutes unless the commissioner of transportation in-

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forms the revisor that the conditions required to transfer a particular route were not satisfied.

Presented to the governor April 4, 1996

Signed by the governor April 11, 1996, 11:42 a.m.

CHAPTER 457—H.F.No. 2218

An act relating to state government; modifying performance report requirements; requiring that interagency bills be paid promptly; prohibiting state agencies from undertaking capital improvements without legislative authority; conforming certain leased space requirements to existing law; requiring that state agencies comply with certain information policy office requirements regarding information systems equipment and data collection; modifying revolving fund authority; increasing resource recovery goals; modifying collection requirements; amending Minnesota Statutes 1994, sections 16A.055, subdivision 1; 16A.124, subdivision 7, and by adding a subdivision; 16B.30; 16B.31, subdivision 6; 16B.41, by adding a subdivision; 16B.48, subdivision 2; and 115A.151; Minnesota Statutes 1995 Supplement, sections 15.91, subdivision 2; and 115A.15, subdivision 9.

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

Section 1. Minnesota Statutes 1995 Supplement, section 15.91, subdivision 2, is amended to read:

Subd. 2. **PERFORMANCE REPORTS.** By November 1 ³⁰ of each even-numbered year, each agency shall issue a performance report that includes the following:

- (1) the agency's mission;
- (2) goals and objectives for each major program for which the agency will request funding in its next biennial budget;
- (3) identification of the populations served by the programs; and
- (4) workload, efficiency, output, and outcome measures for each program listed in the report, with data showing each programs' actual performance relative to these measures for the previous four fiscal years and the performance the agency projects it will achieve during the next two fiscal years with the level of funding it has requested.

If it would enhance an understanding of its mission, programs, and performance, the agency shall include in its report information that describes the broader economic, social, and physical environment in which the agency's programs are administered.

Each agency shall send a copy of its performance report to the speaker of the house, president of the senate, legislative auditor, and legislative reference library, and provide a copy to others upon request.

The commissioner of finance shall ensure that performance reports are complete, accurate, and reliable and compiled in such a way that they are useful to the public, legis-

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