

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 1052

(SENATE AUTHORS: TOMASSONI, Reinert and Pederson, J.)

DATE	D-PG	OFFICIAL STATUS
02/23/2015	395	Introduction and first reading Referred to Transportation and Public Safety
03/26/2015	1384 1392	Comm report: To pass Second reading See SF1647, Art. 2, Sec. 24-26

1.1 A bill for an act
 1.2 relating to transportation; amending regulations governing commercial motor
 1.3 vehicle inspection reports; amending Minnesota Statutes 2014, section 169.782,
 1.4 subdivisions 1, 2, 4.

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

1.6 Section 1. Minnesota Statutes 2014, section 169.782, subdivision 1, is amended to read:

1.7 Subdivision 1. **Driver; daily inspection, report.** (a) The driver of a commercial
 1.8 motor vehicle shall ~~report in writing~~ inspect at the completion of each day's work ~~on~~ each
 1.9 commercial motor vehicle the driver has operated. A person who owns one or more
 1.10 commercial motor vehicles and who employs drivers for those commercial motor vehicles
 1.11 must require each driver to submit a written report as required by this section. The driver
 1.12 of a commercial motor vehicle subject to this section is not required to prepare and submit
 1.13 a written report if no defect or deficiency is discovered by or reported to the driver,
 1.14 except that the driver of a passenger-carrying commercial motor vehicle shall prepare and
 1.15 submit a written report regardless of whether any defect or deficiency is discovered by
 1.16 or reported to the driver.

1.17 (b) The inspection and report must cover the following parts and accessories: service
 1.18 brakes, including trailer and semitrailer brake connections; parking (hand) brake; steering
 1.19 mechanism; lighting devices and reflectors; tires; horn; windshield wiper or wipers; rear
 1.20 vision mirror or mirrors; coupling devices; wheels and rims; and emergency equipment.

1.21 ~~(b)~~ (c) The report must identify the vehicle and list any defect or deficiency
 1.22 discovered by or reported to the driver that would affect the safe operation of the vehicle or
 1.23 result in its mechanical breakdown. If no defect or deficiency is discovered by or reported
 1.24 to the driver, the report must so indicate. The driver must sign the report after completing

2.1 it. In the case of a commercial motor vehicle operated by two drivers, the signature of one
 2.2 of the drivers satisfies the requirements of this subdivision if both drivers agree concerning
 2.3 the defects or deficiencies. If a driver operates more than one commercial motor vehicle
 2.4 during a day's work, a report must be prepared for each vehicle operated.

2.5 ~~(e)~~ (d) Before operating or allowing the operation of a commercial motor vehicle
 2.6 on which a report has been prepared under this subdivision, the owner of the vehicle or
 2.7 the owner's agent must repair defects or deficiencies listed on the report that would likely
 2.8 affect the safe operation of the vehicle. Before allowing the commercial motor vehicle to
 2.9 be operated again, the owner or the owner's agent must certify, on the report listing the
 2.10 defect or deficiency, that the defect or deficiency has been corrected or that correction is
 2.11 unnecessary. A motor carrier must keep the original vehicle inspection report for at least
 2.12 three months after the date of inspection. The report must be available for inspection by
 2.13 an authorized federal, state, or local official at any time during this period.

2.14 ~~(d)~~ (e) A copy of the vehicle inspection report, including a certification of corrections
 2.15 resulting from the report, must be carried in the commercial motor vehicle, or in the power
 2.16 unit of a commercial motor vehicle combination, at all times when the vehicle or power
 2.17 unit is operated until the next inspection report is completed under this subdivision. The
 2.18 copy must be made available on demand to (1) a peace officer, (2) a person authorized
 2.19 under section 221.221, and (3) a person described in section 299D.06.

2.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.21 Sec. 2. Minnesota Statutes 2014, section 169.782, subdivision 2, is amended to read:

2.22 Subd. 2. **Driver; pretrip inspection.** ~~(a) Before driving~~ Prior to the first operation
 2.23 of a commercial motor vehicle following completion of a daily inspection report under
 2.24 subdivision 1, a driver must:

- 2.25 (1) review the most recent vehicle inspection report on the vehicle;
 2.26 (2) determine that the vehicle is in safe operating condition; and
 2.27 (3) sign the inspection report in the vehicle.

2.28 The driver shall sign the report only if all defects and deficiencies listed in the report
 2.29 have been certified as having been corrected or as not requiring correction.

2.30 ~~(b) If the commercial motor vehicle does not contain the previous day's inspection~~
 2.31 ~~report, the driver must make the inspection and complete the report required under~~
 2.32 ~~subdivision 1.~~

2.33 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.1 Sec. 3. Minnesota Statutes 2014, section 169.782, subdivision 4, is amended to read:

3.2 Subd. 4. **Exceptions.** (a) ~~With the exception of subdivision 2, paragraph (a), clause~~
3.3 ~~(2);~~ This section does not apply to a commercial motor vehicle that is a farm truck that may
3.4 be operated by a person not holding a commercial driver's license, provided that before
3.5 driving the vehicle, a driver must determine that the vehicle is in safe operating condition.

3.6 (b) This section does not apply to a commercial motor vehicle held for resale by a
3.7 motor vehicle dealer licensed under section 168.27.

3.8 (c) This section does not apply to a covered farm vehicle as defined in Code of
3.9 Federal Regulations, title 49, section 390.5, that is not carrying hazardous materials of
3.10 a type or quantity that requires the vehicle to be placarded in accordance with Code of
3.11 Federal Regulations, title 49, section 172.504.

3.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.