

7411.0850 VEHICLE REQUIREMENTS.

Subpart 1. **Safety standards.** A vehicle used for driver education instruction must comply with federal and state motor vehicle safety standards for the model year of the vehicle.

A. A vehicle must be maintained in a safe operating condition.

B. The vehicle age limits specified in this part do not relieve a program of its responsibility to ensure that a vehicle used by the program is maintained in a safe operating condition.

C. An instructor shall report in writing to the program and the commissioner a mechanical problem affecting the safe operation of a vehicle.

D. The program must correct the problem before again using the vehicle for driver education instruction.

E. If a vehicle used for driver education instruction is not maintained in a safe operating condition, the commissioner shall prohibit the program from using the vehicle for instruction until the unsafe condition has been corrected.

F. The commissioner shall suspend or revoke the license or certificate of approval of a program or an instructor license, or both, if the commissioner determines that the unsafe condition could foreseeably be the cause of serious personal injury or property damage and that the program or instructor had notice, or should have had notice through the ordinary discharge of duties, of the unsafe condition of the vehicle.

Subp. 2. **Vehicle inspection.** A vehicle inspection form must be completed:

A. for all training vehicles after a reportable accident;

B. annually for any motorcycle or class D motor vehicle over six years of age;
and

C. annually for any class A, B, or C vehicle over ten years of age. For class A, B, and C motor vehicles, the commissioner shall accept a state patrol motor vehicle inspection report.

Subp. 3. **Equipment required on vehicles.** A class A, B, C, or D vehicle used for driver education instruction must have an outside rearview mirror on each side of the vehicle, a separate inside rearview mirror for the instructor's use, and seat belts for each occupant of the vehicle as required by state law. In addition:

A. a class D vehicle, other than one used on a driving range, must have dual control brakes and, when applicable, a dual control clutch pedal; and

B. a class A vehicle must have a parabolic mirror not less than five inches in diameter on each side of the motor vehicle.

Subp. 4. **Class A, B, or C motor vehicle age limit.** A class A, B, or C motor vehicle may be used for more than ten years from the date it was first put into service, only if:

A. the motor vehicle has been inspected during the previous six months by a mechanic for a licensed truck dealer, or by a person certified to inspect commercial motor vehicles under Minnesota Statutes, section 169.781;

B. all repairs and replacements of parts indicated by the inspection have been made; and

C. records are available to show the inspection, repair, and replacement of parts.

Subp. 5. **Age limit for semitrailers.** Semitrailers are exempt from age limitation provided there is a record of current inspection and repair.

Subp. 6. **Age limit for motorcycles.** A motorcycle may be used for more than six years from the date first put into service, only if:

A. the tires, tubes, control cables, fuel line, spark plugs, front and rear brake pads and shoes, hydraulic brake hoses, wheel bearings, drive chain, battery, fork oil, brake and clutch cables, and steering and suspension have been inspected during the previous 12 months and each part not meeting operating specifications contained in the manufacturer's factory repair manual has been replaced;

B. a record is available to show the inspection and replacement of parts; and

C. the motorcycle has been inspected during the previous 12 months by a manufacturer's service representative or certified mechanic, by a motorcycle mechanic for a licensed motorcycle dealer, or by a certified technical college mechanic instructor.

Subp. 7. **Age limit for class D motor vehicles.** A class D motor vehicle may be used for more than six years from the date first put into service, only if:

A. the following parts have been inspected during the previous 12 months and each part not meeting operating specifications contained in the manufacturer's factory repair manual has been replaced:

- (1) accelerator, to ensure it is not damaged or loose;
- (2) belts to fan and power assist units;
- (3) dual and parking brakes, to ensure they are not damaged and the lines or linings are not worn;
- (4) clutch;
- (5) door latches, locks, hinges, and handles;
- (6) drive train, to ensure it is not damaged or loose;
- (7) hood latches, locks, hinges, and handle;

- (8) horn;
- (9) head, tail, parking, and brake lights;
- (10) rearview, inside, outside, right, and left mirrors;
- (11) motor, transmission, and body mountings;
- (12) exhaust system and muffler;
- (13) license plates, to ensure they are attached and unobstructed;
- (14) signs required by this subpart, to ensure they are visible and attached;
- (15) assembly sheeting, to ensure it is not damaged, worn, or loose;
- (16) seat belts, to ensure they are not damaged or loose;
- (17) steering assembly, to ensure it is not damaged or loose;
- (18) tires, to ensure they are not cut or damaged and have a minimum tread depth of 1/16 inch;
- (19) turn signals; and
- (20) unobstructed windshield with wipers and washers;

B. a record is available to show the inspection and replacement of parts; and

C. the motor vehicle was inspected during the previous 12 months by a manufacturer's service representative, a mechanic for a licensed dealer for the vehicle, a certified technical or vocational college mechanics instructor, or an automotive service excellence mechanic fully certified by a vocational or technical school or college in all areas of vehicle inspection.

Subp. 8. **Vehicle markings.** While being used for on-street laboratory instruction, class A, B, C, and D program vehicles must have signs conspicuously and legally displayed on the rear of the vehicle, with background and letters of contrasting colors stating "Student Driver."

A. On vehicles used for class D driver education, the "Student Driver" lettering must be at least two but not more than five inches in height.

B. On vehicles used for class A, B, and C driver education, the "Student Driver" lettering must be at least ten inches in height.

C. No other signs or advertising may be displayed on the vehicle without the approval of the commissioner.

D. When on a vehicle owned or used by a public program, the sign must be removed when the vehicle is used for purposes other than driver education instruction.

Subp. 9. **Tax-exempt plates.** Any vehicle owned or used by a driver education program and used exclusively for instruction may display tax-exempt license plates.

A. A letter stating that the vehicle is used for instruction in the driver education program and a copy of the program license or certificate of approval must be submitted to the commissioner when applying for tax-exempt license plates.

B. Any class D vehicle licensed under this subpart must have the name of the driver education program displayed on both sides of the vehicle in letters not less than 2-1/2 inches high and one-half inch wide.

C. Any class A, B, or C vehicle licensed under this subpart must have the name of the driver education program displayed on both sides of the vehicle in letters comparable to the marking requirements in Code of Federal Regulations, title 49, section 390.21. The color of the letters must contrast with the area on which they are placed.

Subp. 10. **Good cause vehicle inspections.** When the commissioner has good cause to believe a vehicle used for driver education purposes does not meet the requirements of this chapter, the commissioner shall inspect or require the inspection of the vehicle.

Subp. 11. **Commercial use of driver education program vehicle.** A class A, B, or C vehicle used in a driver education program may not be used for commercial purposes during driver education unless each condition in this subpart is met:

A. hazardous materials, hazardous substances, and hazardous waste are not transported;

B. an instructor accompanies the student in the motor vehicle while it is being used for commercial purposes; and

C. the student is covered by the program's insurance as required in part 7411.0270.

Subp. 12. **Vehicle supplied by instructor or student.** If the instructor or the student supplies the vehicle to be used for driver education, the program must verify that the vehicle meets the requirements in this part and the program insurance requirements under part 7411.0270 before the vehicle may be used for driver education. If the student is already in possession of a license to operate the vehicle, the vehicle is exempt from the:

A. age requirements under subparts 4 to 7;

B. requirements of dual control brakes and dual control clutch pedal under subpart 3; and

C. program insurance requirements under part 7411.0270 for that vehicle, provided the program verifies that the vehicle used by the student during the instruction has at least the minimum amount of insurance required under Minnesota Statutes, chapter 65B.

Statutory Authority: *MS s 14.06; 169.26; 169.446; 169.974; 171.02; 171.05; 171.055; 171.0701; 171.33 to 171.41; 299A.01*

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