

MINNESOTA STATUTES 1979 SUPPLEMENT

214.10 EXAMINING AND LICENSING BOARDS

Subd. 7. **Peace officers standards and training board; definitions.** For purposes of subdivisions 4 to 6 the term "appropriate law enforcement agency" means the agency employing the peace officer who is a party to the complaint. In the event all of the peace officers employed by the agency are parties to the complaint, the board shall designate the appropriate law enforcement agency.

[1979 c 117 s 1-5]

CHAPTER 216A. DEPARTMENT OF PUBLIC SERVICE, ORGANIZATION

Sec.
216A.035 Conflict of interest.

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No person during his term of membership on the public service commission shall receive any significant portion of his income directly or indirectly from any public utility. No person shall be eligible to be appointed as a member of the public service commission unless and until he divests himself of any significant interest or abandons any employment with a utility.

No person who is an employee of the public service department shall participate in any manner in any decision or action of the commission where he has a direct or indirect financial interest. Each commissioner or employee of the public service department who is in the civil service schedule A or management classification level and whose duties are related to public utilities or transportation regulation shall report to the ethical practices board annually before April 15 any interest he has in an industry or business regulated by the commission.

[1979 c 206 s 1]

CHAPTER 221. MOTOR VEHICLE CARRIERS; PIPELINE CARRIERS; FOR HIRE; REGULATION

Sec. 221.011	Definitions.	Sec. 221.81	Building mover regulation.
221.62	Exempt interstate carriers; registration of exemption authority.		

221.011 Definitions.

[For text of subs 1 to 21, see M.S.1978]

Subd. 22. "Exempt carrier" means any carrier exempt from this chapter, or exempted from any other law or rule by the commissioner or commission. The following are so exempt:

(a) Any person engaged in farming or in transporting agricultural, horticultural, dairy, livestock, or other farm products within an area having a 25 mile radius from his home post office. Such carrier may transport other commodities within such area if the destination of each haul is a farm within the above described area. The owner of any truck operating under this provision shall imprint his name and address in prominent visible letters on the outside of the cab of his truck.

(b) Any occasional accommodation service beyond the 25 mile radius from his home post office by any person engaged in farming as his primary means of livelihood and actually residing on a farm and whose truck or trucks are licensed under provisions of section 168.013, subdivision 1c. Occasional accommodation service shall mean not in excess of six trips in any calendar year.

(c) Any person engaged in agricultural pursuits, who owns and uses a truck for transporting the products of his farm, or any person while engaged exclusively in the transportation of fresh vegetables from farms to canneries or viner stations, or from viner stations to canneries, or from canneries to canneries during the harvesting, canning or packing season, or potatoes, sugar beets, wild rice and rutabagas from the field of production to the first place of delivery or unloading, including but not limited to a pro-

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cessing plant, warehouse or railroad siding. This term shall also apply to a manufacturer, producer, dealer or distributor who, in the pursuit of his own business, owns and uses trucks for the purpose of transporting his own products, and shall apply to any person while engaged exclusively in the transportation of pulpwood, cord wood, mining timber, poles, posts, decorative evergreens, wood chips, sawdust, shavings and bark from the place where the products are produced to the point where they are to be used or shipped.

(d) Any person while exclusively engaged in the transportation of dirt and sod within an area having a 50 mile radius from his home post office.

(e) Any person while exclusively engaged in the transportation of sand, gravel, bituminous asphalt mix or crushed rock to or from the point of loading or a place of gathering within an area having a 50 mile radius from his home post office or a 50 mile radius from the site of construction or maintenance of public roads and streets.

(f) Any person engaged in the transportation of household goods for the federal government or any agency thereof or the transportation of household goods for the state government or any agency thereof, where competitive bids are required by law shall be exempt from the provisions of section 221.161.

(g) Any person engaged in transporting property or freight, excepting household goods and petroleum products in bulk, when the movement is entirely within the corporate limits of a city or between contiguous cities.

(h) Emergency vehicles such as ambulances, tow trucks, and hearses when carrying proper and legal warning devices.

(i) Any person engaged in delivery or spreading of agricultural lime.

(j) Any person engaged in transporting rubbish as defined in section 443.27.

(k) Any person engaged in the transportation of grain samples under such terms and conditions as the commissioner or commission may prescribe.

(l) A motor vehicle, in this chapter referred to as a "commuter van," having a capacity of seven to 16 persons which is used principally to provide prearranged transportation of persons for a fee to or from their place of employment or to or from a transit stop authorized by a local transit authority which vehicle is to be operated by a person who does not drive the vehicle for his principal occupation but is driving it only to or from his principal place of employment, to or from a transit stop authorized by a local transit authority, or for personal use at other times by an authorized driver; provided, that commuter vans shall not be exempt from any provision of this chapter which by its terms explicitly applies to these vehicles.

[For text of subs 23 and 24, see M.S.1978]

[1979 c 50 s 23]

221.62 Exempt interstate carriers; registration of exemption authority.

It shall be unlawful for any carrier engaged in interstate commerce exempt from seeking appropriate authority for transportation service from the interstate commerce commission, if written authority for such exemption is provided for by the interstate commerce act, to perform any transportation service for compensation upon the public highways of this state without first having registered such written authority for exemption with the commissioner with the exception that the provisions of this section shall not apply to any carrier which has registered its authority in compliance with section 221.61.

[1979 c 99 s 1]

221.81 Building mover regulation.

Subdivision 1. **Definition.** "Building mover" means any person, corporation, or other entity engaged in the business of raising, supporting off the foundation, and moving buildings, excluding mobile homes.

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Subd. 2. **License.** All building movers operating in Minnesota shall be licensed by the commission.

Subd. 3. **License application.** To obtain a license to operate as a building mover an applicant shall file a petition with the commission specifying the name and address of its officers and other information as the commission may reasonably require. The commission shall issue the license upon compliance by the applicant with bonding and insuring requirements set by rule of the department and payment of a fee. A license once granted shall continue in full force and effect, subject to annual renewal fees and compliance with bonding and insuring requirements, unless revoked or suspended.

Subd. 4. **License revocation, suspension, denial.** The commission, after notice and a hearing, may revoke, suspend or deny a license for:

(a) failure to pay application or renewal fees;

(b) failure to comply with bonding and insuring requirements;

(c) conduct of the applicant or license holder which impairs usage of public highways, roads, streets, or utilities;

(d) conduct of the applicant or license holders which endangers the health and safety of users of the public highways, roads, streets or utilities; or

(e) a course of conduct of the applicant or license holder which demonstrates unsafe or hazardous operation of the business.

Subd. 5. **Rules.** The department shall promulgate rules establishing bonding and insuring requirements.

Subd. 6. **Local regulation.** No license to move buildings, bond or insurance coverage shall be required by a political subdivision of the state other than the license, bond and insurance coverage issued or required by the commission or department. A political subdivision or the department may require a permit which reasonably regulates the hours, routing, movement, parking or speed limit for a building mover operating on streets or roads within the jurisdiction of the political subdivision or highways within the jurisdiction of the department. Neither the state nor a political subdivision may regulate rates charged by building movers.

[1979 c 111 s 1]

CHAPTER 222. RAILWAYS, UTILITIES; GENERAL PROVISIONS

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222.48	Definitions.	222.55	Rail user loan guarantee program: purpose.
222.50	Rail service improvement program.	222.56	Definitions.
222.51	Participation by political subdivisions.	222.57	Rail user loan guarantee account.
222.53	Acceptance of federal money.	222.58	Insurance of loans.
222.545	Advocacy of improved service.	222.65	Advisory task force.

222.48 Definitions.

Subdivision 1. As used in sections 222.46 to 222.54, the terms defined in this section shall have the meanings given them herein.

Subd. 2. "Department" means the department of transportation.

Subd. 3. "Commissioner" means the commissioner of transportation.

Subd. 4. "Rail line" means railroad roadbeds, track, track structure, and other appurtenances of railroad right-of-way.

Subd. 5. "Rail service" means rail transportation and local rail service.

Subd. 6. "Rail users" means shippers, consignors or other business entities that depend upon or benefit from the movement of goods and products by means of rail service.

Subd. 7. "Federal rail service continuation program" means any federal program created under the Railroad Revitalization and Regulatory Reform Act of 1976, Public Law 94-210, as amended.

[Ex1979 c 1 s 30]