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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 2479

03/23/2017 Authored by Hornstein The bill was read for the first time and referred to the Committee on Transportation and Regional Governance Policy

1.1 A bill for an act
1.2 relating to transportation; modifying commercial vehicle weighing and inspection
1.3 provision; requiring yield signs at specific railroad crossings; amending Minnesota
1.4 Statutes 2016, sections 169.85, subdivision 1; 219.20, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2016, section 169.85, subdivision 1, is amended to read:

1.7 Subdivision 1. Driver to stop for weighing. (a) The driver of a vehicle that has been
1.8 lawfully stopped may be required by an officer to submit the vehicle and load to a weighing
1.9 by means of portable or stationary scales.

1.10 (b) In addition, the officer may require that the vehicle be driven to the nearest available
1.11 scales, but only if:

1.12 (1) the distance to the scales is no further than five miles, or if the distance from the
1.13 point where the vehicle is stopped to the vehicle's destination is not increased by more than
1.14 ten miles as a result of proceeding to the nearest available scales; and

1.15 (2) if the vehicle is a commercial motor vehicle, no more than two other commercial
1.16 motor vehicles are waiting to be inspected at the scale.

1.17 (c) Official traffic-control devices as authorized by section 169.06 may be used to direct
1.18 the driver to the nearest scale.

1.19 (d) When a truck weight enforcement operation is conducted by means of portable or
1.20 stationary scales, signs giving notice of the operation must be posted within the highway
1.21 right-of-way and adjacent to the roadway within two miles of the operation. The driver of
1.22 a truck or combination of vehicles registered for or with a gross vehicle weight exceeding

2.1 10,000 pounds shall proceed to the scale site and submit the vehicle to weighing and  
 2.2 inspection.

2.3 (e) An officer may require the driver of a vehicle that has been stopped at a scale facility  
 2.4 by a traffic-control signal as defined in section 169.011, subdivision 85, to submit the vehicle  
 2.5 and load to weighing, an inspection, or both.

2.6 Sec. 2. Minnesota Statutes 2016, section 219.20, subdivision 1, is amended to read:

2.7 Subdivision 1. **When installation required; procedure.** At each grade crossing not  
 2.8 equipped with flashing lights or flashing lights and gates ~~where, because of the dangers~~  
 2.9 ~~attendant upon its use, the reasonable protection of life and property makes it necessary for~~  
 2.10 ~~persons approaching the crossing to stop or yield before crossing the railroad tracks, stop~~  
 2.11 ~~signs or yield signs, the railway company must be installed~~ install yield signs in addition  
 2.12 to crossbuck signs. When the government entity responsible for a road that crosses a railroad  
 2.13 track deems it necessary to install stop signs ~~or~~ rather than yield signs at that crossing, it  
 2.14 shall petition the commissioner to order the installation of the stop signs ~~or yield signs.~~ The  
 2.15 commissioner shall respond to the petition by investigating the conditions at the crossing  
 2.16 to determine whether stop signs ~~or yield signs~~ should be installed at the crossing instead of  
 2.17 yield signs. On determining, after an investigation following a petition from a governmental  
 2.18 agency or subdivision or on the commissioner's own motion, that stop signs ~~or yield signs~~  
 2.19 should be installed at a crossing, the commissioner shall designate the crossing as a stop  
 2.20 crossing ~~or yield crossing~~ and shall notify the railway company operating the railroad at  
 2.21 the crossing of this designation. Within 30 days after notification, the railway company  
 2.22 shall erect the ~~uniform stop crossing signs or yield crossing signs~~ in accordance with the  
 2.23 commissioner's order.

2.24 **EFFECTIVE DATE.** This section is effective the day following final enactment.  
 2.25 Railway companies must install yield signs required under this section before December  
 2.26 31, 2019.