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# HOUSE FILE No. 3029

## *FIRST COMMITTEE ENGROSSMENT*

February 16, 2010

Authored by Hortman

The bill was read for the first time and referred to the Committee on Finance

*Referred by Chair to Transportation Finance and Policy Division.*

March 18, 2010

*Returned to the Committee on Finance as Amended.*

A bill for an act

relating to transportation; modifying provisions governing movement of large vehicles on public streets and highways; making technical changes; repealing certain rules related to motor carriers; amending Minnesota Statutes 2008, sections 169.801, subdivision 5; 169.823, as amended; 169.826, as amended; 169.828, subdivision 1; 169.829; 169.851, subdivision 5; 169.86, subdivisions 1a, 5; 169.862, subdivision 1; 169.863, subdivision 1; 169.864, subdivision 4; 169.871, subdivisions 1, 1a, 1b; Minnesota Statutes 2009 Supplement, sections 169.801, subdivision 10; 169.81, subdivision 3; 169.824, subdivisions 1, 2; 169.8261, subdivisions 1, 2; 169.85, subdivision 2; 169.862, subdivision 2; 169.864, subdivision 2; 169.865, subdivision 1; 169.87, subdivision 2; 221.025; 221.031, subdivision 3; repealing Minnesota Statutes 2008, section 169.826, subdivision 6; Minnesota Rules, parts 7800.0100, subparts 4, 6, 7, 8, 11, 12, 13, 14; 7800.0200; 7800.0400; 7800.0800; 7800.0900; 7800.1000; 7800.3200, subpart 2; 7800.3300; 7805.0500; 7805.0900; 7805.1300; 8850.7950; 8850.8000; 8850.8050, subpart 2; 8850.8100; 8850.8250; 8850.8300; 8850.8350; 8850.8800; 8850.8850; 8850.9050, subpart 3; 8855.0410; 8855.0600; 8855.0850; 8920.0100; 8920.0150; 8920.0200; 8920.0300; 8920.0400; 8920.0500; 8920.0600; 8920.0700; 8920.0800; 8920.0900; 8920.1000; 8920.1100; 8920.1200; 8920.1300; 8920.1400; 8920.1500; 8920.1550; 8920.1600; 8920.1700; 8920.1800; 8920.1900; 8920.2000; 8920.2100; 8920.2200; 8920.2300; 8920.2400; 8920.2500; 8920.2600; 8920.2700; 8920.2800; 8920.2900; 8920.3000; 8920.3100; 8920.3200; 8920.3300; 8920.3400; 8920.3500; 8920.3600; 8920.3700; 8920.3800; 8920.3900; 8920.4000; 8920.4100; 8920.4200; 8920.4300; 8920.4400; 8920.4500.

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

### ARTICLE 1

#### VEHICLE WEIGHTS AND DIMENSIONS

Section 1. Minnesota Statutes 2008, section 169.801, subdivision 5, is amended to read:

Subd. 5. **Height and width.** A person operating, or towing, ~~or transporting~~ an implement of husbandry that is higher than 13 feet six inches or wider than allowed under section 169.80, subdivision 2, must ensure that the operation or transportation does not

2.1 damage a highway structure, utility line or structure, or other fixture adjacent to or over  
2.2 a public highway.

2.3 Sec. 2. Minnesota Statutes 2009 Supplement, section 169.801, subdivision 10, is  
2.4 amended to read:

2.5 Subd. 10. **Brakes.** Notwithstanding section 169.67:

2.6 (a) A self-propelled implement of husbandry must be equipped with brakes adequate  
2.7 to control its movement and to stop and hold it and any vehicle it is towing.

2.8 (b) A towed implement of husbandry must be equipped with brakes adequate to  
2.9 control its movement and to stop and hold it if:

2.10 (1) it has a gross vehicle weight of more than 24,000 pounds and was manufactured  
2.11 and sold after January 1, 1994;

2.12 (2) it has a gross vehicle weight of more than 12,000 pounds and is towed by a  
2.13 vehicle other than a self-propelled implement of husbandry; or

2.14 (3) it has a gross vehicle weight of more than 3,000 pounds and is being towed by a  
2.15 registered passenger automobile other than a pickup truck as defined in section 168.002,  
2.16 subdivision 26.

2.17 (c) If a towed implement of husbandry with a gross vehicle weight of more than  
2.18 6,000 pounds, or more than 3,000 pounds if manufactured after January 1, 2011, is  
2.19 required under paragraph (b) to have brakes and was manufactured after January 1,  
2.20 2011, it must also be equipped with brakes as required in section 169.67, subdivision 3,  
2.21 paragraph (b) adequate to stop and hold it if it becomes detached from the towing vehicle.

2.22 Sec. 3. Minnesota Statutes 2009 Supplement, section 169.81, subdivision 3, is  
2.23 amended to read:

2.24 Subd. 3. **Length of vehicle combinations.** (a) Statewide, except on the highways  
2.25 identified under provisions in paragraph (c), no combination of vehicles may exceed  
2.26 a total length of 75 feet.

2.27 (b) However, the total length limitation does not apply to combinations of vehicles  
2.28 transporting:

2.29 (1) telephone poles, electric light and power poles, piling, or pole-length pulpwood;  
2.30 or

2.31 (2) pipe or other objects by a public utility when required for emergency or repair  
2.32 of public service facilities or when operated under special permits as provided in section  
2.33 169.86.

3.1 These combinations of vehicles must be equipped with sufficient clearance markers, or  
3.2 lamps for night transportation, on both sides and upon the extreme ends of a projecting  
3.3 load to clearly mark the dimensions of the load.

3.4 (c) The following combination of vehicles regularly engaged in the transportation  
3.5 of commodities may operate only on divided highways having four or more lanes of  
3.6 travel, and on other highways as may be designated by the commissioner of transportation  
3.7 subject to section 169.87, subdivision 1, and subject to the approval of the authority  
3.8 having jurisdiction over the highway, for the purpose of providing reasonable access  
3.9 between the divided highways of four or more lanes of travel and terminals, facilities for  
3.10 food, fuel, repair, and rest, and points of loading and unloading for household goods  
3.11 carriers, livestock carriers, or for the purpose of providing continuity of route:

3.12 (1) a truck-tractor and semitrailer exceeding 75 feet in length;

3.13 (2) a combination of vehicles including a truck-tractor and semitrailer drawing one  
3.14 additional semitrailer which may be equipped with an auxiliary dolly;

3.15 (3) a combination of vehicles including a truck-tractor and semitrailer drawing  
3.16 one full trailer;

3.17 (4) a truck-tractor and semitrailer designed and used exclusively for the  
3.18 transportation of motor vehicles or boats and exceeding an overall length of 75 feet  
3.19 including the load; and

3.20 (5) a truck or truck-tractor transporting similar vehicles by having the front axle of  
3.21 the transported vehicle mounted onto the center or rear part of the preceding vehicle,  
3.22 defined in Code of Federal Regulations, title 49, sections 390.5 and 393.5 as drive-away  
3.23 saddlemount combinations or drive-away saddlemount vehicle transporter combinations,  
3.24 when the overall length exceeds 75 feet but does not exceed 97 feet.

3.25 (d) Vehicles operated under the provisions of this section must conform to the  
3.26 standards for those vehicles prescribed by the United States Department of Transportation,  
3.27 Federal Highway Administration, Bureau of Motor Carrier Safety, as amended.

3.28 (e) For purposes of this paragraph, "total length" means the overall length of the  
3.29 motor vehicle including (1) bumpers and load; and (2) the length of any semitrailer, as  
3.30 defined in section 168.002, subdivision 30, and any trailer, as defined in section 168.002,  
3.31 subdivision 35. The maximum allowable total length of a commercial vehicle combination  
3.32 is 55 feet on that portion of marked Trunk Highway 36 from the intersection with marked  
3.33 Trunk Highway 95 and Washington County State-Aid Highway 23 in Stillwater, to the  
3.34 Stillwater lift bridge, located on marked Trunk Highway 36 over the St. Croix River in  
3.35 Stillwater. This paragraph does not apply to emergency vehicles; motor vehicles while  
3.36 engaged in work on the bridge or on the portion of highway described in this paragraph,

4.1 including snow and ice removal and flood control; a vehicle carrying an oversize permit  
4.2 issued under section 169.86, subdivision 5, paragraph (d); and vehicles on the Stillwater  
4.3 lift bridge.

4.4 Sec. 4. Minnesota Statutes 2009 Supplement, section 169.824, subdivision 1, is  
4.5 amended to read:

4.6 Subdivision 1. **Table of axle weight limits.** (a) No vehicle or combination of  
4.7 vehicles equipped with pneumatic tires shall be operated upon the highways of this state  
4.8 where the total gross weight on any group of two or more consecutive axles of any vehicle  
4.9 or combination of vehicles exceeds that given in the following axle weight limits table for  
4.10 the distance between the centers of the first and last axles of any group of two or more  
4.11 consecutive axles under consideration; ~~Unless otherwise noted, the distance between~~  
4.12 ~~axles being~~ must be measured longitudinally to the nearest even foot, and when the  
4.13 measurement is a fraction of exactly one-half foot the next largest whole number in feet  
4.14 shall be used, except that when the distance between axles is more than three feet four  
4.15 inches and less than three feet six inches the distance of four feet shall be used; ~~;~~

<u>Axle Weight Limits</u>				
Maximum gross weight in pounds on a group of				
	2	3	4	
Distances in feet between centers of foremost and rearmost axles of a group	consecutive axles of a 2-axle vehicle or any combination of vehicles having a total of 2 or more axles	consecutive axles of a 3-axle vehicle or any combination of vehicles having a total of 3 or more axles	consecutive axles of a 4-axle vehicle or any combination of vehicles having a total of 4 or more axles	
4.25 4	34,000			
4.26 5	34,000			
4.27 6	34,000			
4.28 7	34,000	<del>37,000</del> 34,000		
4.29 8	34,000	<del>38,500</del> 34,000		
4.30 8 plus	34,000	42,000		
4.31	(38,000)			
4.32 9	35,000	43,000		
4.33	(39,000)			
4.34 10	36,000	43,500	49,000	
4.35	(40,000)			
4.36 11	36,000	44,500	49,500	
4.37 12		45,000	50,000	
4.38 13		46,000	51,000	
4.39 14		46,500	51,500	
4.40 15		47,500	52,000	

5.1	16	48,000	53,000
5.2	17	49,000	53,500
5.3	18	49,500	54,000
5.4	19	50,500	55,000
5.5	20	51,000	55,500
5.6	21	52,000	56,000
5.7	22	52,500	57,000
5.8	23	53,500	57,500
5.9	24	54,000	58,000
5.10	25	(55,000)	59,000
5.11	26	(55,500)	59,500
5.12	27	(56,500)	60,000
5.13	28	(57,000)	61,000
5.14	29	(58,000)	61,500
5.15	30	(58,500)	62,000
5.16	31	(59,500)	63,000
5.17	32	(60,000)	63,500
5.18	33		64,000
5.19	34		65,000
5.20	35		65,500
5.21	36		66,000
5.22	37		67,000
5.23	38		67,500
5.24	39		68,000
5.25	40		69,000
5.26	41		69,500
5.27	42		70,000
5.28	43		71,000
5.29	44		71,500
5.30	45		72,000
5.31	46		72,500
5.32	47		(73,500)
5.33	48		(74,000)
5.34	49		(74,500)
5.35	50		(75,500)
5.36	51		(76,000)
5.37	52		(76,500)
5.38	53		(77,500)
5.39	54		(78,000)
5.40	55		(78,500)
5.41	56		(79,500)
5.42	57		(80,000)

6.1 (b) The maximum gross weight on a group of three consecutive axles, where the  
 6.2 distance between centers of foremost and rearmost axles is listed as of any axle group is  
 6.3 seven feet or eight feet applies only to, is 34,000 pounds, except for vehicles manufactured  
 6.4 before August 1, 1991. Notwithstanding any lesser weight shown in the axle weight limits  
 6.5 table, for vehicles manufactured before August 1, 1991:

6.6 (1) the maximum gross weight on a group of three consecutive axles, where the  
 6.7 distance between centers of the foremost and rearmost axles of any axle group is seven  
 6.8 feet, is 37,000 pounds; and

6.9 (2) the maximum gross weight on a group of three consecutive axles, where the  
 6.10 distance between centers of foremost and rearmost axle groups is eight feet, is 38,500  
 6.11 pounds.

6.12 (c) "8 plus" refers to any distance greater than eight feet but less than nine feet.

6.13 Axle Weight Limits (continued)

6.14 Maximum gross weight in pounds on a group of

6.15		5	6	7	8
6.16	Distances in	consecutive	consecutive	consecutive	consecutive axles
6.17	feet between	axles of a 5-axle	axles of a 6-axle	axles of a 7-axle	of an 8-axle vehicle
6.18	centers of	vehicle or any	vehicle or any	vehicle or any	or any combination
6.19	foremost and	combination of	combination of	combination of	of vehicles having
6.20	rearmost axles	vehicles having	vehicles having	vehicles having	a total of 8 or more
6.21	of a group	a total of 5 or	a total of 6 or	a total of 7 or	axles
6.22		more axles	more axles	more axles	
6.23	14	57,000			
6.24	15	57,500			
6.25	16	58,000			
6.26	17	59,000			
6.27	18	59,500			
6.28	19	60,000			
6.29	20	60,500	66,000	72,000	
6.30	21	61,500	67,000	72,500	
6.31	22	62,000	67,500	73,000	
6.32	23	62,500	68,000	73,500	
6.33	24	63,000	68,500	74,000	
6.34	25	64,000	69,000	75,000	
6.35	26	64,500	70,000	75,500	
6.36	27	65,000	70,500	76,000	
6.37	28	65,500	71,000	76,500	
6.38	29	66,500	71,500	77,000	
6.39	30	67,000	72,000	77,500	
6.40	31	67,500	73,000	78,500	
6.41	32	68,000	73,500	79,000	
6.42	33	69,000	74,000	79,500	

7.1	34	69,500	74,500	80,000	
7.2	35	70,000	75,000	(80,500)	(86,000)
7.3	36	70,500	76,000	(81,000)	(86,500)
7.4	37	71,500	76,500	(81,500)	(87,000)
7.5	38	72,000	77,000	(82,000)	(87,500)
7.6	39	72,500	77,500	(82,500)	(88,500)
7.7	40	73,000	78,000	(83,500)	(89,000)
7.8	41	74,000	79,000	(84,000)	(89,500)
7.9	42	74,500	79,500	(84,500)	(90,000)
7.10	43	75,000	80,000	(85,000)	(90,500)
7.11	44	75,500	(80,500)	(85,500)	(91,000)
7.12	45	76,500	(81,000)	(86,000)	(91,500)
7.13	46	77,000	(81,500)	(87,000)	(92,500)
7.14	47	77,500	(82,000)	(87,500)	(93,000)
7.15	48	78,000	(83,000)	(88,000)	(93,500)
7.16	49	79,000	(83,500)	(88,500)	(94,000)
7.17	50	79,500	(84,000)	(89,000)	(94,500)
7.18	51	80,000	(84,500)	(89,500)	(95,000)
7.19	52	(80,500)	(85,000)	(90,500)	(95,500)
7.20	53	(81,000)	(86,000)	(91,000)	(96,500)
7.21	54	(81,500)	(86,500)	(91,500)	(97,000)
7.22	55	(82,500)	(87,000)	(92,000)	(97,500)
7.23	56	(83,000)	(87,500)	(92,500)	(98,000)
7.24	57	(83,500)	(88,000)	(93,000)	(98,500)
7.25	58	(84,000)	(89,000)	(94,000)	(99,000)
7.26	59	(85,000)	(89,500)	(94,500)	(99,500)
7.27	60	(85,500)	(90,000)	(95,000)	(100,500)
7.28	61			(95,500)	(101,000)
7.29	62			(96,000)	(101,500)
7.30	63			(96,500)	(102,000)
7.31	64			(97,000)	(102,500)
7.32	65				(103,000)
7.33	66				(103,500)
7.34	67				(104,500)
7.35	68				(105,000)
7.36	69				(105,500)
7.37	70				(106,000)
7.38	71				(106,500)
7.39	72				(107,000)
7.40	73				(107,500)
7.41	74				(108,000)

7.42            (d) The gross weights shown without parentheses in ~~this~~ the axle weight limits table  
 7.43 are allowed on unpaved streets and highways, unless posted to a lesser weight under

8.1 section 169.87, subdivision 1. The gross weights shown in this table, whether within or  
8.2 without parentheses, are allowed on paved streets and highways, unless posted to a lesser  
8.3 weight under section 169.87, subdivision 1. Gross weights in excess of 80,000 pounds  
8.4 require an overweight permit under this chapter, unless otherwise allowed under section  
8.5 169.826.

8.6 ~~(b)~~ (e) Notwithstanding any lesser weight ~~in pounds~~ shown in ~~this~~ the axle weight  
8.7 limits table, but subject to the restrictions on gross vehicle weights in subdivision 2,  
8.8 paragraph (a), two consecutive sets of tandem axles may carry a gross load of 34,000  
8.9 pounds each and a combined gross load of 68,000 pounds provided the overall distance  
8.10 between the first and last axles of the consecutive sets of tandem axles is 36 feet or more.

8.11 Sec. 5. Minnesota Statutes 2009 Supplement, section 169.824, subdivision 2, is  
8.12 amended to read:

8.13 Subd. 2. **Gross vehicle weight of all axles; credit for idle reduction technology.**

8.14 (a) The gross vehicle weight of all axles of a vehicle or combination of vehicles must  
8.15 not exceed:

8.16 (1) 80,000 pounds for any vehicle or combination of vehicles on all streets and  
8.17 highways, unless posted at a lower axle weight under section 169.87, subdivision 1; and

8.18 (2) 88,000 pounds for any vehicle or combination of vehicles with six or more  
8.19 axles while exclusively engaged in hauling livestock on all state trunk highways other  
8.20 than interstate highways, if the vehicle has a permit under section 169.86, subdivision  
8.21 5, paragraph ~~(k)~~ (j).

8.22 (b) Notwithstanding the maximum weight provisions of this section, and in order  
8.23 to promote the reduction of fuel use and emissions, the maximum gross vehicle weight  
8.24 limits and the axle weight limits for any motor vehicle subject to sections 169.80 to  
8.25 169.88 and equipped with idle reduction technology or emissions-reduction technology  
8.26 must be increased by the amount of weight necessary to compensate for the weight of the  
8.27 idle reduction technology or emissions-reduction technology, not to exceed 400 pounds.  
8.28 At the request of an authorized representative of the Department of Transportation or the  
8.29 Department of Public Safety, the vehicle operator shall provide proof that the vehicle is  
8.30 equipped with this technology through documentation or demonstration.

8.31 Sec. 6. Minnesota Statutes 2009 Supplement, section 169.8261, subdivision 2, is  
8.32 amended to read:

8.33 Subd. 2. **Conditions.** (a) A vehicle or combination of vehicles described in  
8.34 subdivision 1 must:



- 9.1 (1) comply with seasonal load restrictions in effect between the dates set by the  
9.2 commissioner under section 169.87, subdivision 2;
- 9.3 (2) comply with bridge load limits posted under section 169.84;
- 9.4 (3) be equipped and operated with six or more axles and brakes on all wheels;
- 9.5 (4) not exceed 90,000 pounds gross vehicle weight, or 99,000 pounds gross vehicle  
9.6 weight during the time when seasonal increases are authorized under section 169.826;
- 9.7 (5) not be operated on interstate highways;
- 9.8 (6) obtain an annual permit from the commissioner of transportation;
- 9.9 (7) obey all road postings; and
- 9.10 (8) not exceed 20,000 pounds gross weight on any single axle.
- 9.11 (b) A vehicle operated under this section may exceed the legal axle weight limits  
9.12 listed in section 169.824 by not more than 12.5 percent; except that, the weight limits may  
9.13 be exceeded by not more than 23.75 percent during the time when seasonal increases are  
9.14 authorized under section 169.826, subdivision 1.

9.15 Sec. 7. Minnesota Statutes 2008, section 169.86, subdivision 5, is amended to read:

9.16 Subd. 5. **Fee; proceeds deposited; appropriation.** The commissioner, with respect  
9.17 to highways under the commissioner's jurisdiction, may charge a fee for each permit  
9.18 issued. All such fees for permits issued by the commissioner of transportation shall be  
9.19 deposited in the state treasury and credited to the trunk highway fund. Except for those  
9.20 annual permits for which the permit fees are specified elsewhere in this chapter, the fees  
9.21 shall be:

9.22 (a) \$15 for each single trip permit.

9.23 (b) \$36 for each job permit. A job permit may be issued for like loads carried on  
9.24 a specific route for a period not to exceed two months. "Like loads" means loads of the  
9.25 same product, weight, and dimension.

9.26 (c) \$60 for an annual permit to be issued for a period not to exceed 12 consecutive  
9.27 months. Annual permits may be issued for:

9.28 (1) motor vehicles used to alleviate a temporary crisis adversely affecting the safety  
9.29 or well-being of the public;

9.30 (2) motor vehicles which travel on interstate highways and carry loads authorized  
9.31 under subdivision 1a;

9.32 (3) motor vehicles operating with gross weights authorized under section 169.826,  
9.33 subdivision 1a;

9.34 (4) special pulpwood vehicles described in section 169.863;

9.35 (5) motor vehicles bearing snowplow blades not exceeding ten feet in width;

10.1 (6) noncommercial transportation of a boat by the owner or user of the boat; and  
 10.2 (7) motor vehicles carrying bales of agricultural products authorized under section  
 10.3 169.862.

10.4 (d) \$120 for an oversize annual permit to be issued for a period not to exceed 12  
 10.5 consecutive months. Annual permits may be issued for:

- 10.6 (1) mobile cranes;
- 10.7 (2) construction equipment, machinery, and supplies;
- 10.8 (3) manufactured homes and manufactured storage buildings;
- 10.9 (4) implements of husbandry ~~when the movement is not made according to the~~  
 10.10 ~~provisions of paragraph (i);~~
- 10.11 (5) double-deck buses;
- 10.12 (6) commercial boat hauling; ~~and~~
- 10.13 (7) three-vehicle combinations consisting of two empty, newly manufactured trailers  
 10.14 for cargo, horses, or livestock, not to exceed 28-1/2 feet per trailer; provided, however,  
 10.15 the permit allows the vehicles to be moved from a trailer manufacturer to a trailer dealer  
 10.16 only while operating on twin-trailer routes designated under section 169.81, subdivision 3,  
 10.17 paragraph (c); and
- 10.18 (8) vehicles operating on that portion of marked Trunk Highway 36 described in  
 10.19 section 169.81, subdivision 3, paragraph (e).

10.20 (e) For vehicles which have axle weights exceeding the weight limitations of  
 10.21 sections ~~169.822~~ 169.823 to 169.829, an additional cost added to the fees listed above.  
 10.22 However, this paragraph applies to any vehicle described in section 168.013, subdivision  
 10.23 3, paragraph (b), but only when the vehicle exceeds its gross weight allowance set forth  
 10.24 in that paragraph, and then the additional cost is for all weight, including the allowance  
 10.25 weight, in excess of the permitted maximum axle weight. The additional cost is equal  
 10.26 to the product of the distance traveled times the sum of the overweight axle group cost  
 10.27 factors shown in the following chart:

10.28 Overweight Axle Group Cost Factors

10.29 Weight (pounds)	10.29 Cost Per Mile For Each Group Of:		
10.30 exceeding weight	10.30 Two	10.30 Three	
10.31 limitations on axles	10.31 consecutive	10.31 consecutive	
	10.32 axles spaced	10.32 axles spaced	10.32 Four consecutive
	10.33 within 8 feet	10.33 within 9 feet	10.33 axles spaced within
	10.34 or less	10.34 or less	10.34 14 feet or less
10.35 0-2,000	10.35 .12	10.35 .05	10.35 .04
10.36 2,001-4,000	10.36 .14	10.36 .06	10.36 .05
10.37 4,001-6,000	10.37 .18	10.37 .07	10.37 .06
10.38 6,001-8,000	10.38 .21	10.38 .09	10.38 .07

11.1	8,001-10,000	.26	.10	.08
11.2	10,001-12,000	.30	.12	.09
11.3		Not		
11.4	12,001-14,000	permitted	.14	.11
11.5		Not		
11.6	14,001-16,000	permitted	.17	.12
11.7		Not		
11.8	16,001-18,000	permitted	.19	.15
11.9		Not	Not	
11.10	18,001-20,000	permitted	permitted	.16
11.11		Not	Not	
11.12	20,001-22,000	permitted	permitted	.20

11.13 The amounts added are rounded to the nearest cent for each axle or axle group. The  
 11.14 additional cost does not apply to paragraph (c), clauses (1) and (3).

11.15 For a vehicle found to exceed the appropriate maximum permitted weight, a cost-per-mile  
 11.16 fee of 22 cents per ton, or fraction of a ton, over the permitted maximum weight is imposed  
 11.17 in addition to the normal permit fee. Miles must be calculated based on the distance  
 11.18 already traveled in the state plus the distance from the point of detection to a transportation  
 11.19 loading site or unloading site within the state or to the point of exit from the state.

11.20 (f) As an alternative to paragraph (e), an annual permit may be issued for overweight,  
 11.21 or oversize and overweight, mobile cranes; construction equipment, machinery, and  
 11.22 supplies; implements of husbandry; and commercial boat hauling. The fees for the permit  
 11.23 are as follows:

11.24	Gross Weight (pounds) of Vehicle	Annual Permit Fee
11.25	90,000 or less	\$200
11.26	90,001 - 100,000	\$300
11.27	100,001 - 110,000	\$400
11.28	110,001 - 120,000	\$500
11.29	120,001 - 130,000	\$600
11.30	130,001 - 140,000	\$700
11.31	140,001 - 145,000	\$800

11.32 If the gross weight of the vehicle is more than 145,000 pounds the permit fee is determined  
 11.33 under paragraph (e).

11.34 (g) For vehicles which exceed the width limitations set forth in section 169.80 by  
 11.35 more than 72 inches, an additional cost equal to \$120 added to the amount in paragraph (a)  
 11.36 when the permit is issued while seasonal load restrictions pursuant to section 169.87 are  
 11.37 in effect.

11.38 (h) \$85 for an annual permit to be issued for a period not to exceed 12 months, for  
 11.39 refuse-compactor vehicles that carry a gross weight of not more than: 22,000 pounds on

12.1 a single rear axle; 38,000 pounds on a tandem rear axle; or, subject to section 169.828,  
12.2 subdivision 2, 46,000 pounds on a tridem rear axle. A permit issued for up to 46,000  
12.3 pounds on a tridem rear axle must limit the gross vehicle weight to not more than 62,000  
12.4 pounds.

12.5 ~~(i) For vehicles exclusively transporting implements of husbandry, an annual permit~~  
12.6 ~~fee of \$24. A vehicle operated under a permit authorized by this paragraph may be moved~~  
12.7 ~~at the discretion of the permit holder without prior route approval by the commissioner if:~~

12.8 ~~(1) the total width of the transporting vehicle, including load, does not exceed 14 feet;~~

12.9 ~~(2) the vehicle is operated only between sunrise and 30 minutes after sunset, and is~~  
12.10 ~~not operated at any time after 12:00 noon on Sundays or holidays;~~

12.11 ~~(3) the vehicle is not operated when visibility is impaired by weather, fog, or other~~  
12.12 ~~conditions that render persons and other vehicles not clearly visible at 500 feet;~~

12.13 ~~(4) the vehicle displays at the front and rear of the load or vehicle a pair of flashing~~  
12.14 ~~amber lights, as provided in section 169.59, subdivision 4, whenever the overall width of~~  
12.15 ~~the vehicle exceeds 126 inches; and~~

12.16 ~~(5) the vehicle is not operated on a trunk highway with a surfaced roadway width of~~  
12.17 ~~less than 24 feet unless such operation is authorized by the permit.~~

12.18 ~~A permit under this paragraph authorizes movements of the permitted vehicle on an~~  
12.19 ~~interstate highway, and movements of 75 miles or more on other highways.~~

12.20 ~~(j) (i) \$300 for a motor vehicle described in section 169.8261. The fee under this~~  
12.21 ~~paragraph must be deposited as follows:~~

12.22 ~~(1) in fiscal years 2005 through 2010:~~

12.23 ~~(i) the first \$50,000 in each fiscal year must be deposited in the trunk highway fund~~  
12.24 ~~for costs related to administering the permit program and inspecting and posting bridges;~~

12.25 ~~(ii) all remaining money in each fiscal year must be deposited in a bridge inspection~~  
12.26 ~~and signing account in the special revenue fund. Money in the account is appropriated~~  
12.27 ~~to the commissioner for:~~

12.28 ~~(A) inspection of local bridges and identification of local bridges to be posted,~~  
12.29 ~~including contracting with a consultant for some or all of these functions; and~~

12.30 ~~(B) erection of weight-posting signs on local bridges; and~~

12.31 ~~(2) in fiscal year 2011 and subsequent years must be deposited in the trunk highway~~  
12.32 ~~fund.~~

12.33 ~~(k) (j) Beginning August 1, 2006, \$200 for an annual permit for a vehicle operating~~  
12.34 ~~under authority of section 169.824, subdivision 2, paragraph (a), clause (2).~~

12.35 Sec. 8. Minnesota Statutes 2008, section 169.862, subdivision 1, is amended to read:

13.1           Subdivision 1. **Annual permit authority; restrictions.** The commissioner of  
13.2 transportation with respect to highways under the commissioner's jurisdiction, and local  
13.3 authorities with respect to highways under their jurisdiction, may issue an annual permit  
13.4 to enable a vehicle carrying bales of hay, straw, or cornstalks, with a total outside width  
13.5 of the vehicle or the load not exceeding 12 feet, and a total height of the loaded vehicle  
13.6 not exceeding ~~14-1/2~~ 15 feet, to be operated on public streets and highways. Loaded  
13.7 vehicles operating on interstate highways within the seven-county metropolitan area may  
13.8 not exceed a total height of 14 1/2 feet.

13.9           Sec. 9. Minnesota Statutes 2009 Supplement, section 169.862, subdivision 2, is  
13.10 amended to read:

13.11           Subd. 2. **Additional restrictions.** Permits issued under this section are governed by  
13.12 the applicable provisions of section 169.86 except as otherwise provided herein and, in  
13.13 addition, carry the following restrictions:

13.14           (a) The vehicles may not be operated between sunset and sunrise, when visibility is  
13.15 impaired by weather, fog, or other conditions rendering persons and vehicles not clearly  
13.16 visible at a distance of 500 feet, or on Sunday from noon until sunset, or on the days the  
13.17 following holidays are observed: New Year's Day, Memorial Day, Independence Day,  
13.18 Labor Day, Thanksgiving Day, and Christmas Day.

13.19           (b) The vehicles may not be operated on a trunk highway with a pavement less  
13.20 than 24 feet wide.

13.21           (c) A vehicle operated under the permit must be equipped with a retractable or  
13.22 removable mirror on the left side so located that it will reflect to the driver a clear view of  
13.23 the highway for a distance of at least 200 feet to the rear of the vehicle.

13.24           (d) A vehicle operated under the permit must display red, orange, or yellow flags, 18  
13.25 inches square, as markers at the front and rear and on both sides of the load. The load  
13.26 must be securely bound to the transporting vehicle.

13.27           (e) Farm vehicles not for hire carrying ~~round~~ baled hay, straw, or cornstalks less than  
13.28 20 miles are exempt from the requirement to obtain a permit. All other requirements of  
13.29 this section apply to vehicles transporting ~~round~~ baled hay, straw, or cornstalks.

13.30           Sec. 10. Minnesota Statutes 2008, section 169.863, subdivision 1, is amended to read:

13.31           Subdivision 1. **Special vehicle.** The commissioner may issue a permit for a vehicle  
13.32 that meets the following requirements:

13.33           (a) There must be no more than two support points for the vehicle or for each vehicle  
13.34 of a vehicle combination. The support point of each axle group must be capable of

14.1 distributing the load equally to each axle of the group with a variance of no more than  
14.2 3,000 pounds between any two axles of the group.

14.3 (b) The maximum wheel load may not exceed the tire manufacturer's recommended  
14.4 load or the following weight limits, whichever is less:

14.5 (1) front steering axles, 550 pounds per inch;

14.6 (2) other single axles, 500 pounds per inch;

14.7 (3) tandem axles, 450 pounds per inch; and

14.8 (4) tridem or quad axle groups, 425 pounds per inch.

14.9 (c) The axle group weights must comply with the limitations of section 169.824.

14.10 (d) The vehicle may not be equipped with a variable load axle, unless the variable  
14.11 load axle cannot be operated from the cab of the vehicle.

14.12 (e) The vehicle transports pole-length pulpwood, carries a gross vehicle weight of  
14.13 not more than 82,000 pounds, and has six or more axles.

14.14 Sec. 11. Minnesota Statutes 2009 Supplement, section 169.864, subdivision 2, is  
14.15 amended to read:

14.16 Subd. 2. **Special two-unit vehicle permit.** The commissioner may issue a permit  
14.17 for a vehicle that meets the following requirements:

14.18 (1) is a combination of vehicles consisting of a truck-tractor and a single semitrailer  
14.19 that may exceed 48 feet, but not 53 feet, if the distance from the kingpin to the centerline  
14.20 of the rear axle group of the semitrailer does not exceed 43 feet;

14.21 (2) has a maximum gross vehicle weight of 90,000 pounds if the vehicle combination  
14.22 has a total of six or more axles or 97,000 pounds if the ~~truck~~ vehicle combination has a  
14.23 total of seven or more axles;

14.24 (3) has a maximum gross vehicle weight of 99,000 pounds during the time when  
14.25 seasonal weight increases authorized under section 169.826, subdivision 1, are in effect;

14.26 (4) complies with the axle weight limits in section 169.824;

14.27 (5) complies with the tire weight limits in section 169.823 or the tire manufacturers'  
14.28 recommended load, whichever is less; and

14.29 (6) is operated only on the highways specified in subdivision 1, clause (5).

14.30 Sec. 12. Minnesota Statutes 2008, section 169.864, subdivision 4, is amended to read:

14.31 Subd. 4. **Permit fee; appropriation.** Vehicle permits issued under subdivision  
14.32 1, clause (1), must be annual permits. The fee is \$850 for each vehicle combination  
14.33 and must be deposited in the trunk highway fund. The fee for annual permits issued  
14.34 under subdivision 2 is \$300 for a 90,000-pound vehicle combination or \$500 for a

15.1 97,000-pound vehicle combination. An amount sufficient to administer the permit  
15.2 program is appropriated from the trunk highway fund to the commissioner for the costs of  
15.3 administering the permit program.

15.4 Sec. 13. Minnesota Statutes 2009 Supplement, section 169.865, subdivision 1, is  
15.5 amended to read:

15.6 Subdivision 1. **Six-axle vehicles.** (a) A road authority may issue an annual permit  
15.7 authorizing a vehicle or combination of vehicles with a total of six or more axles to haul  
15.8 raw or unprocessed agricultural products and be operated with a gross vehicle weight  
15.9 of up to:

15.10 (1) 90,000 pounds; and

15.11 (2) 99,000 pounds during the period set by the commissioner under section 169.826,  
15.12 subdivision 1.

15.13 (b) Notwithstanding subdivision ~~4~~ 3, paragraph (a), clause (4), a vehicle or  
15.14 combination of vehicles operated under this subdivision and transporting only sealed  
15.15 intermodal containers may be operated on an interstate highway if allowed by the United  
15.16 States Department of Transportation.

15.17 (c) The fee for a permit issued under this subdivision is \$300.

15.18 Sec. 14. Minnesota Statutes 2008, section 169.871, subdivision 1, is amended to read:

15.19 Subdivision 1. **Civil liability.** (a) The owner or lessee of a vehicle that is operated  
15.20 with a gross weight in excess of a weight limit imposed under sections ~~169.822~~ 169.823 to  
15.21 169.829, ~~169.832~~ 169.84 to 169.851, and 169.87 or a shipper who ships or tenders goods  
15.22 for shipment in a single truck or combination vehicle that exceeds a weight limit imposed  
15.23 under sections ~~169.822~~ 169.823 to 169.829, ~~169.832~~ 169.84 to 169.851, and 169.87 is  
15.24 liable for a civil penalty as follows:

15.25 (1) if the total gross excess weight is not more than 1,000 pounds, one cent per  
15.26 pound for each pound in excess of the legal limit;

15.27 (2) if the total gross excess weight is more than 1,000 pounds but not more than  
15.28 3,000 pounds, \$10 plus five cents per pound for each pound in excess of 1,000 pounds;

15.29 (3) if the total gross excess weight is more than 3,000 pounds but not more than  
15.30 5,000 pounds, \$110 plus ten cents per pound for each pound in excess of 3,000 pounds;

15.31 (4) if the total gross excess weight is more than 5,000 pounds but not more than  
15.32 7,000 pounds, \$310 plus 15 cents per pound for each pound in excess of 5,000 pounds;

15.33 (5) if the total gross excess weight is more than 7,000 pounds, \$610 plus 20 cents per  
15.34 pound for each pound in excess of 7,000 pounds.

16.1 (b) Notwithstanding any other law to the contrary, if a person found guilty of  
16.2 a violation of a weight limit imposed under this section or sections ~~169.822~~ 169.823  
16.3 to 169.829, ~~169.832~~ 169.84 to 169.851, or 169.87 is also found by the court to have  
16.4 knowingly and contemporaneously attempted to evade a fixed weigh station or to otherwise  
16.5 avoid weighing by means of stationary scales under section 169.85 or other law, the court  
16.6 shall impose a penalty of twice the amount otherwise authorized under paragraph (a).

16.7 (c) Any penalty imposed upon a defendant under this subdivision shall not exceed  
16.8 the penalty prescribed by this subdivision. Any fine paid by the defendant in a criminal  
16.9 overweight action that arose from the same overweight violation shall be applied toward  
16.10 payment of the civil penalty under this subdivision. A peace officer or Department of  
16.11 Public Safety employee described in section 299D.06 who cites a driver for a violation  
16.12 of the weight limitations established by sections 169.81 to 169.851 and 169.87 shall  
16.13 give written notice to the driver that the driver or another may also be liable for the civil  
16.14 penalties provided herein in the same or separate proceedings.

16.15 (d) A penalty imposed upon the owner or lessee of a vehicle that is based on  
16.16 violations identified by the use of shippers' weight records under section 169.872 must not  
16.17 exceed an aggregate of \$10,000.

16.18 Sec. 15. Minnesota Statutes 2008, section 169.871, subdivision 1a, is amended to read:

16.19 Subd. 1a. **Special permit violations.** (a) The owner or lessee of a vehicle that is  
16.20 operated with a gross weight in excess of ~~a~~ an adjusted weight limit ~~imposed by permit~~  
16.21 ~~under sections 169.86 and 169.862~~ and a shipper who ships or tenders goods for shipment  
16.22 in a single truck or combination vehicle that exceeds ~~a~~ an adjusted weight limit ~~permitted~~  
16.23 ~~under section 169.86 or 169.862~~ is liable for a civil penalty. The civil penalty is the greater  
16.24 of (1) as calculated at a rate of five cents per pound for each pound in excess of the highest  
16.25 weight permitted under section 169.86 or 169.862 allowed by the permit or under section  
16.26 169.826, subdivision 1, or (2) \$100, whichever is greater.

16.27 (b) Any penalty imposed upon a defendant under this subdivision shall not exceed  
16.28 the penalty prescribed by this subdivision. Any fine paid by the defendant in a criminal  
16.29 overweight action that arose from the same overweight violation may not be applied  
16.30 toward payment of the civil penalty under this subdivision. A peace officer or Department  
16.31 of Public Safety employee described in section 299D.06 who cites a driver for a violation  
16.32 of the adjusted weight ~~limitations established by permit pursuant to section 169.86 or~~  
16.33 ~~169.862~~ limit shall give written notice to the driver that the driver or another may also be  
16.34 liable for the civil penalty provided in this subdivision in the same or separate proceedings.



17.1           (c) For purposes of this subdivision, "adjusted weight limit" means a weight limit  
17.2 (1) imposed by a permit issued under this chapter, or (2) imposed under section 169.826,  
17.3 subdivision 1.

17.4           Sec. 16. Minnesota Statutes 2008, section 169.871, subdivision 1b, is amended to read:

17.5           Subd. 1b. **Civil penalty for first two violations.** Notwithstanding subdivision 1,  
17.6 paragraph (a), clauses (1) to (5), a civil penalty under subdivision 1 for a violation in a  
17.7 motor vehicle in the course of a first haul as defined in section 168.013, subdivision 3,  
17.8 paragraph (d)(3), of a weight limit imposed under sections ~~169.822~~ 169.823 to 169.829,  
17.9 ~~169.832~~ 169.84 to 169.851, and 169.87 that is not preceded by two or more violations  
17.10 of the gross weight limits in those sections in that motor vehicle within the previous 12  
17.11 months, may not exceed \$150.

17.12           Sec. 17. Minnesota Statutes 2009 Supplement, section 221.025, is amended to read:

17.13           **221.025 EXEMPTIONS.**

17.14           The provisions of this chapter requiring a certificate or permit to operate as a motor  
17.15 carrier do not apply to the intrastate transportation described below:

17.16           (1) the transportation of students to or from school or school activities in a school  
17.17 bus inspected and certified under section 169.451 and the transportation of children or  
17.18 parents to or from a Head Start facility or Head Start activity in a Head Start bus inspected  
17.19 and certified under section 169.451;

17.20           (2) the transportation of solid waste, as defined in section 116.06, subdivision 22,  
17.21 including recyclable materials and waste tires, except that the term "hazardous waste" has  
17.22 the meaning given it in section 221.012, subdivision 18;

17.23           (3) a commuter van as defined in section 221.012, subdivision 9;

17.24           (4) authorized emergency vehicles as defined in section 169.011, subdivision 3,  
17.25 including ambulances; and tow trucks equipped with proper and legal warning devices  
17.26 when picking up and transporting (i) disabled or wrecked motor vehicles or (ii) vehicles  
17.27 towed or transported under a towing order issued by a public employee authorized to  
17.28 issue a towing order;

17.29           (5) the transportation of grain samples under conditions prescribed by the  
17.30 commissioner;

17.31           (6) the delivery of agricultural lime;

17.32           (7) the transportation of dirt and sod within an area having a 50-mile radius from the  
17.33 home post office of the person performing the transportation;

18.1 (8) the transportation of sand, gravel, bituminous asphalt mix, concrete ready mix,  
18.2 concrete blocks or tile and the mortar mix to be used with the concrete blocks or tile, or  
18.3 crushed rock to or from the point of loading or a place of gathering within an area having a  
18.4 50-mile radius from that person's home post office or a 50-mile radius from the site of  
18.5 construction or maintenance of public roads and streets;

18.6 (9) the transportation of pulpwood, cordwood, mining timber, poles, posts, decorator  
18.7 evergreens, wood chips, sawdust, shavings, and bark from the place where the products  
18.8 are produced to the point where they are to be used or shipped;

18.9 (10) the transportation of fresh vegetables from farms to canneries or viner stations,  
18.10 from viner stations to canneries, or from canneries to canneries during the harvesting,  
18.11 canning, or packing season, or transporting sugar beets, wild rice, or rutabagas from the  
18.12 field of production to the first place of delivery or unloading, including a processing  
18.13 plant, warehouse, or railroad siding;

18.14 ~~(11) the transportation of property or freight, other than household goods and~~  
18.15 ~~petroleum products in bulk, entirely within the corporate limits of a city or between~~  
18.16 ~~contiguous cities;~~

18.17 ~~(12)~~ (11) the transportation of unprocessed dairy products in bulk within an  
18.18 area having a 100-mile radius from the home post office of the person providing the  
18.19 transportation;

18.20 ~~(13)~~ (12) the transportation of agricultural, horticultural, dairy, livestock, or other  
18.21 farm products within an area having a 100-mile radius from the person's home post  
18.22 office and the carrier may transport other commodities within the 100-mile radius if the  
18.23 destination of each haul is a farm;

18.24 ~~(14)~~ (13) the transportation of newspapers, as defined in section 331A.01,  
18.25 subdivision 5, telephone books, handbills, circulars, or pamphlets in a vehicle with a gross  
18.26 vehicle weight of 10,000 pounds or less; and

18.27 ~~(15)~~ (14) transportation of potatoes from the field of production, or a storage site  
18.28 owned or otherwise controlled by the producer, to the first place of processing.

18.29 The exemptions provided in this section apply to a person only while the person is  
18.30 exclusively engaged in exempt transportation.

18.31 Sec. 18. Minnesota Statutes 2009 Supplement, section 221.031, subdivision 3, is  
18.32 amended to read:

18.33 Subd. 3. **Vehicle over 10,000 pounds not exempt.** (a) This subdivision applies to  
18.34 persons engaged in intrastate commerce who operate vehicles providing transportation

19.1 described in section 221.025 with a gross vehicle weight in excess of 10,000 pounds,  
 19.2 except school buses, commuter vans, and authorized emergency vehicles.

19.3 (b) Persons providing transportation described in section 221.025, clause (6), (10),  
 19.4 ~~(12)~~ (11), or ~~(13)~~ (12), must comply with the rules for driving of motor vehicles and for  
 19.5 parts and accessories necessary for safe operation.

19.6 (c) Persons providing transportation described in section 221.025, except for persons  
 19.7 providing transportation described in clause (6), (10), ~~(12)~~ (11), or ~~(13)~~ (12), must comply  
 19.8 with the rules for driving of motor vehicles; parts and accessories necessary for safe  
 19.9 operation; and the rules for driver qualifications.

19.10 Sec. 19. **REPEALER.**

19.11 (a) Minnesota Statutes 2008, section 169.826, subdivision 6, is repealed.

19.12 (b) Minnesota Rules, parts 7800.0100, subparts 4, 6, 7, 8, 11, 12, 13, and 14;  
 19.13 7800.0200; 7800.0400; 7800.0800; 7800.0900; 7800.1000; 7800.3200, subpart 2;  
 19.14 7800.3300; 7805.0500; 7805.0900; 7805.1300; 8850.7950; 8850.8000; 8850.8050,  
 19.15 subpart 2; 8850.8100; 8850.8250; 8850.8300; 8850.8350; 8850.8800; 8850.8850;  
 19.16 8850.9050, subpart 3; 8855.0410; 8855.0600; 8855.0850; 8920.0100; 8920.0150;  
 19.17 8920.0200; 8920.0300; 8920.0400; 8920.0500; 8920.0600; 8920.0700; 8920.0800;  
 19.18 8920.0900; 8920.1000; 8920.1100; 8920.1200; 8920.1300; 8920.1400; 8920.1500;  
 19.19 8920.1550; 8920.1600; 8920.1700; 8920.1800; 8920.1900; 8920.2000; 8920.2100;  
 19.20 8920.2200; 8920.2300; 8920.2400; 8920.2500; 8920.2600; 8920.2700; 8920.2800;  
 19.21 8920.2900; 8920.3000; 8920.3100; 8920.3200; 8920.3300; 8920.3400; 8920.3500;  
 19.22 8920.3600; 8920.3700; 8920.3800; 8920.3900; 8920.4000; 8920.4100; 8920.4200;  
 19.23 8920.4300; 8920.4400; and 8920.4500, are repealed.

19.24 **ARTICLE 2**

19.25 **CROSS REFERENCES**

19.26 Section 1. Minnesota Statutes 2008, section 169.823, as amended by Laws 2009,  
 19.27 chapter 64, section 5, is amended to read:

19.28 **169.823 TIRE WEIGHT LIMITS.**

19.29 Subdivision 1. **Pneumatic-tired vehicle.** No vehicle or combination of vehicles  
 19.30 equipped with pneumatic tires shall be operated upon the highways of this state:

19.31 (1) where the gross weight on any wheel exceeds 9,000 pounds on an unpaved street  
 19.32 or highway or 10,000 pounds on a paved street or highway, unless posted to a lesser  
 19.33 weight under section 169.87, subdivision 1;

20.1 (2) where the gross weight on any single axle exceeds 18,000 pounds on an unpaved  
20.2 street or highway or 20,000 pounds on a paved street or highway, unless posted to a lesser  
20.3 weight under section 169.87, subdivision 1;

20.4 (3) where the maximum wheel load:

20.5 (i) on the foremost and rearmost steering axles, exceeds 600 pounds per inch of tire  
20.6 width or the manufacturer's recommended load, whichever is less; or

20.7 (ii) on other axles, exceeds 500 pounds per inch of tire width or the manufacturer's  
20.8 recommended load, whichever is less; or

20.9 (4) where the gross weight on any group of axles exceeds the weights permitted  
20.10 under sections ~~169.822~~ 169.823 to 169.829 with any or all of the interior axles disregarded,  
20.11 and with an exterior axle disregarded if the exterior axle is a variable load axle that is not  
20.12 carrying its intended weight, and their gross weights subtracted from the gross weight of  
20.13 all axles of the group under consideration.

20.14 Subd. 2. **Vehicle not equipped with pneumatic tires.** A vehicle or combination  
20.15 of vehicles not equipped with pneumatic tires shall be governed by the provisions of  
20.16 sections ~~169.822~~ 169.823 to 169.829, except that the gross weight limitations shall  
20.17 be reduced by 40 percent.

20.18 Sec. 2. Minnesota Statutes 2008, section 169.826, as amended by Laws 2009, chapter  
20.19 64, section 57, is amended to read:

20.20 **169.826 GROSS WEIGHT SEASONAL INCREASES.**

20.21 Subdivision 1. **Winter increase amounts.** The limitations provided in sections  
20.22 ~~169.822~~ 169.823 to 169.829 are increased by ten percent between the dates set by the  
20.23 commissioner for each zone established by the commissioner based on a freezing index  
20.24 model each winter.

20.25 Subd. 1a. **Harvest season increase amount; permit.** The limitations provided in  
20.26 sections ~~169.822~~ 169.823 to 169.829 are increased by ten percent from the beginning of  
20.27 harvest to November 30 each year for the movement of sugar beets, carrots, and potatoes  
20.28 from the field of harvest to the point of the first unloading. Transfer of the product  
20.29 from a farm vehicle or small farm trailer, within the meaning of chapter 168, to another  
20.30 vehicle is not considered to be the first unloading. A permit issued under section 169.86,  
20.31 subdivision 1, paragraph (a), is required. The commissioner shall not issue permits under  
20.32 this subdivision if to do so will result in a loss of federal highway funding to the state.

20.33 Subd. 2. **Duration.** The duration of a ten percent increase in load limits is subject to  
20.34 limitation by order of the commissioner, subject to implementation of springtime load  
20.35 restrictions.

21.1 Subd. 3. **Excess weight permit.** When the ten percent increase is in effect, a  
21.2 permit is required for a motor vehicle, trailer, or semitrailer combination that has a gross  
21.3 weight in excess of 80,000 pounds, an axle group weight in excess of that prescribed in  
21.4 section 169.824, or a single axle weight in excess of 20,000 pounds and which travels  
21.5 on interstate routes.

21.6 Subd. 4. **Weight limits set by other law.** In cases where gross weights in an  
21.7 amount less than that set forth in sections ~~169.822~~ 169.823 to 169.829 are fixed, limited,  
21.8 or restricted on a highway or bridge by or under another section of this chapter, the lesser  
21.9 gross weight as fixed, limited, or restricted may not be exceeded and must control instead  
21.10 of the gross weights set forth in sections ~~169.822~~ 169.823 to 169.829.

21.11 Subd. 6. **Permit extension.** The commissioner may, after determining the ability  
21.12 of the highway structure and frost condition to support additional loads, grant a permit  
21.13 extending seasonal increases for vehicles using portions of routes falling within two miles  
21.14 of the southern boundary of the zone described under subdivision 1, clause (2).

21.15 Sec. 3. Minnesota Statutes 2009 Supplement, section 169.8261, subdivision 1, is  
21.16 amended to read:

21.17 Subdivision 1. **Exemption.** (a) For purposes of this section, "raw or unfinished  
21.18 forest products" include wood chips, paper, pulp, oriented strand board, laminated strand  
21.19 lumber, hardboard, treated lumber, untreated lumber, or barrel staves.

21.20 (b) In compliance with this section, a person may operate a vehicle or combination  
21.21 of vehicles to haul raw or unfinished forest products by the most direct route to the nearest  
21.22 paved highway on any highway with gross weights permitted under sections ~~169.822~~  
21.23 169.823 to 169.829.

21.24 Sec. 4. Minnesota Statutes 2008, section 169.828, subdivision 1, is amended to read:

21.25 Subdivision 1. **Consecutive axle weight and number of axles.** No vehicle alone  
21.26 nor any single vehicle of a combination of vehicles shall be equipped with more than four  
21.27 axles unless the additional axles are steering axles or castering axles; provided that the  
21.28 limitation on the number of axles as provided in sections ~~169.822~~ 169.823 to 169.829  
21.29 shall not apply to any vehicle operated under permit pursuant to section 169.86. No  
21.30 vehicle alone nor any single vehicle of a combination of vehicles shall exceed the posted  
21.31 weight limit for a single vehicle.

21.32 Sec. 5. Minnesota Statutes 2008, section 169.829, is amended to read:

21.33 **169.829 WEIGHT LIMITS NOT APPLICABLE TO CERTAIN VEHICLES.**

22.1 Subdivision 1. **City vehicle except on trunk highway.** (a) The provisions of  
22.2 sections ~~169.822~~ 169.823 to 169.828 do not apply to vehicles operated exclusively in any  
22.3 city in this state which has in effect an ordinance regulating the gross weight of vehicles  
22.4 operated within that city.

22.5 (b) This subdivision does not apply to trunk highways.

22.6 Subd. 2. **Tow truck.** Sections ~~169.822~~ 169.823 to 169.828 do not apply to a tow  
22.7 truck or towing vehicle when towing a disabled or damaged vehicle, when the movement  
22.8 is urgent, and when the movement is for the purpose of removing the disabled vehicle  
22.9 from the roadway to a place of safekeeping or to a place of repair.

22.10 Subd. 3. **Utility vehicle.** Sections ~~169.822~~ 169.823 to 169.828 do not apply to a  
22.11 utility vehicle that does not exceed a weight of 20,000 pounds per axle and is owned by:

22.12 (1) a public utility, as defined in section 216B.02;

22.13 (2) a municipality or municipal utility that operates that vehicle for its municipal  
22.14 electric, gas, or water system; and

22.15 (3) a cooperative electric association organized under chapter 308A.

22.16 Sec. 6. Minnesota Statutes 2009 Supplement, section 169.85, subdivision 2, is  
22.17 amended to read:

22.18 Subd. 2. **Unloading.** (a) Upon weighing a vehicle and load, as provided in this  
22.19 section, an officer may require the driver to stop the vehicle in a suitable place and remain  
22.20 standing until a portion of the load is removed that is sufficient to reduce the gross weight  
22.21 of the vehicle to the limit permitted under either section 168.013, subdivision 3, paragraph  
22.22 (b), or sections ~~169.822~~ 169.823 to 169.829, whichever is the lesser violation, if any. A  
22.23 suitable place is a location where loading or tampering with the load is not prohibited by  
22.24 federal, state, or local law, rule, or ordinance.

22.25 (b) Except as provided in paragraph (c), a driver may be required to unload a vehicle  
22.26 only if the weighing officer determines that (1) on routes subject to the provisions of  
22.27 sections ~~169.822~~ 169.823 to 169.829, the weight on an axle exceeds the lawful gross  
22.28 weight prescribed by sections ~~169.822~~ 169.823 to 169.829, by 2,000 pounds or more,  
22.29 or the weight on a group of two or more consecutive axles in cases where the distance  
22.30 between the centers of the first and last axles of the group under consideration is ten feet or  
22.31 less exceeds the lawful gross weight prescribed by sections ~~169.822~~ 169.823 to 169.829,  
22.32 by 4,000 pounds or more; or (2) the weight is unlawful on an axle or group of consecutive  
22.33 axles on a road restricted in accordance with section 169.87. Material unloaded must be  
22.34 cared for by the owner or driver of the vehicle at the risk of the owner or driver.

23.1 (c) If the gross weight of the vehicle does not exceed the vehicle's registered gross  
23.2 weight plus the weight allowance set forth in section 168.013, subdivision 3, paragraph  
23.3 (b), and plus, if applicable, the weight allowance permitted under section 169.826, then  
23.4 the driver is not required to unload under paragraph (b).

23.5 Sec. 7. Minnesota Statutes 2008, section 169.851, subdivision 5, is amended to read:

23.6 Subd. 5. **Exception for farm and forest products.** Subdivision 4 does not apply  
23.7 to the first haul of unprocessed or raw farm products and the transportation of raw and  
23.8 unfinished forest products, including wood chips, when the maximum weight limitations  
23.9 permitted under sections ~~169.822~~ 169.823 to 169.829 are not exceeded by more than  
23.10 ten percent.

23.11 Sec. 8. Minnesota Statutes 2008, section 169.86, subdivision 1a, is amended to read:

23.12 Subd. 1a. **Seasonal permits for certain haulers.** The commissioner of  
23.13 transportation, upon application in writing therefor, may issue special permits annually  
23.14 to any hauler authorizing the hauler to move vehicles or combinations of vehicles with  
23.15 weights exceeding by not more than ten percent the weight limitations contained in  
23.16 sections ~~169.822~~ 169.823 to 169.829, on interstate highways during the times and within  
23.17 the zones specified in sections ~~169.822~~ 169.823 to 169.829.

23.18 Sec. 9. Minnesota Statutes 2009 Supplement, section 169.87, subdivision 2, is  
23.19 amended to read:

23.20 Subd. 2. **Seasonal load restriction.** (a) Unless restricted as provided in subdivision  
23.21 1, between the dates set by the commissioner of transportation each year, the weight on  
23.22 any single axle shall not exceed:

23.23 (1) five tons on an unpaved street or highway; or

23.24 (2) ten tons on a paved street or highway.

23.25 (b) The gross weight on consecutive axles on an unpaved street or highway shall not  
23.26 exceed the gross weight allowed in sections ~~169.822~~ 169.823 to 169.829 multiplied by a  
23.27 factor of five divided by nine. This reduction shall not apply to the gross vehicle weight.