

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 3405

(SENATE AUTHORS: LANG)

DATE	D-PG	OFFICIAL STATUS
03/15/2018	6512	Introduction and first reading
		Referred to Transportation Finance and Policy
03/21/2018		Comm report: To pass as amended
		Second reading

1.1 A bill for an act
 1.2 relating to transportation; modifying certain requirements governing agricultural
 1.3 transportation; amending Minnesota Statutes 2016, sections 169.81, subdivision
 1.4 5; 221.031, subdivision 2d; 221.0314, subdivision 9.

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

1.6 Section 1. Minnesota Statutes 2016, section 169.81, subdivision 5, is amended to read:

1.7 Subd. 5. **Manner of loading.** ~~No (a) A vehicle shall~~ must not be driven or moved on
 1.8 any highway unless ~~such~~ the vehicle is so constructed, loaded, or the load securely covered
 1.9 as to prevent any of its load from dropping, sifting, leaking, blowing, or otherwise escaping
 1.10 ~~therefrom, except that.~~

1.11 (b) Notwithstanding paragraph (a), a vehicle or combination of vehicles may:

1.12 (1) drop sand may be dropped for the purpose of securing to secure traction, or;

1.13 (2) sprinkle water or other substances may be sprinkled on a roadway in cleaning or
 1.14 maintaining such to clean or maintain the roadway; or

1.15 (3) leak water if transporting sugar beets.

1.16 (c) This subdivision shall does not apply to motor vehicles operated by a farmer or the
 1.17 farmer's agent when transporting produce such as small grains, shelled corn, soybeans, or
 1.18 other farm produce of a size and density not likely to cause injury to persons or damage to
 1.19 property on escaping in small amounts from a vehicle.

1.20 (d) A violation of this subdivision by a vehicle that is carrying farm produce and that is
 1.21 not exempted ~~by the preceding sentence~~ under paragraph (c) is a petty misdemeanor.

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

2.1 Sec. 2. Minnesota Statutes 2016, section 221.031, subdivision 2d, is amended to read:

2.2 Subd. 2d. **Hours of service exemptions.** The federal regulations incorporated in section
2.3 221.0314, subdivision 9, for ~~maximum driving and on-duty time,~~ hours of service do not
2.4 apply to drivers engaged in intrastate transportation within a 150-air-mile radius from the
2.5 source of the commodities₂ or from the retail or wholesale distribution point of the farm
2.6 supplies₂ for:

2.7 (1) agricultural commodities₂ or

2.8 (2) farm supplies for agricultural purposes ~~from March 15 to December 15 of each year;~~
2.9 ~~or.~~

2.10 (2) ~~sugar beets from September 1 to May 15 of each year.~~

2.11 Sec. 3. Minnesota Statutes 2016, section 221.0314, subdivision 9, is amended to read:

2.12 Subd. 9. **Hours of service of driver.** (a) Code of Federal Regulations, title 49, part 395,
2.13 is incorporated by reference, except that paragraphs (a), (c), (d), (f), (h), (i), ~~(k)~~, (m), and
2.14 (n) of section 395.1 of that part are not incorporated. In addition, cross-references to sections
2.15 or paragraphs not incorporated in this subdivision are not incorporated by reference.

2.16 (b) For purposes of Code of Federal Regulations, title 49, part 395.1, paragraph (k), the
2.17 planting and harvest period for Minnesota is from January 1 through December 31 of each
2.18 year.

2.19 (c) The requirements of Code of Federal Regulations, title 49, part 395, do not apply to
2.20 drivers of lightweight vehicles.