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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. 3805

March 4, 2008

Authored by Morrow

The bill was read for the first time and referred to the Transportation Finance Division

1.1 A bill for an act
1.2 relating to traffic regulations; modifying provisions regulating farm vehicles
1.3 on highways; providing for size, weight, and load restrictions on highways;
1.4 amending Minnesota Statutes 2006, sections 169.01, subdivision 55; 169.18,
1.5 subdivision 5; 169.67, subdivision 3; 169.801; 169.82, subdivision 3; 169.826,
1.6 subdivision 1a; repealing Minnesota Statutes 2006, section 169.145.

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

1.8 Section 1. Minnesota Statutes 2006, section 169.01, subdivision 55, is amended to read:

1.9 Subd. 55. **Implement of husbandry.** "Implement of husbandry" ~~has the meaning~~
1.10 ~~given in section 168A.01, subdivision 8~~ means a self-propelled or towed vehicle designed
1.11 or adapted to be used exclusively for timber-harvesting, agricultural, horticultural, or
1.12 livestock-raising operations.

1.13 Sec. 2. Minnesota Statutes 2006, section 169.18, subdivision 5, is amended to read:

1.14 Subd. 5. **Driving left of roadway center; exception.** (a) No vehicle shall be driven
1.15 to the left side of the center of the roadway in overtaking and passing another vehicle
1.16 proceeding in the same direction unless such left side is clearly visible and is free of
1.17 oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to
1.18 be completely made without interfering with the safe operation of any vehicle approaching
1.19 from the opposite direction or any vehicle overtaken. In every event the overtaking
1.20 vehicle must return to the right-hand side of the roadway before coming within 100 feet
1.21 of any vehicle approaching from the opposite direction.

1.22 (b) Except on a one-way roadway or as provided in paragraph (c), no vehicle shall,
1.23 in overtaking and passing another vehicle or at any other time, be driven to the left half of
1.24 the roadway under the following conditions:

2.1 (1) when approaching the crest of a grade or upon a curve in the highway where the
2.2 driver's view along the highway is obstructed within a distance of 700 feet;

2.3 (2) when approaching within 100 feet of any underpass or tunnel, railroad grade
2.4 crossing, intersection within a city, or intersection outside of a city if the presence of the
2.5 intersection is marked by warning signs; or

2.6 (3) where official signs are in place prohibiting passing, or a distinctive centerline
2.7 is marked, which distinctive line also so prohibits passing, as declared in the Manual on
2.8 Uniform Traffic Control Devices adopted by the commissioner.

2.9 ~~(c) Paragraph (b) does not apply to a self-propelled or towed implement of~~
2.10 ~~husbandry that (1) is escorted at the front by a registered motor vehicle that is displaying~~
2.11 ~~vehicular hazard warning lights visible to the front and rear in normal sunlight, and (2)~~
2.12 ~~does not extend into the left half of the roadway to any greater extent than made necessary~~
2.13 ~~by the total width of the right half of the roadway together with any adjacent shoulder~~
2.14 ~~that is suitable for travel.~~

2.15 ~~(d) Paragraph (b) does not apply to a self-propelled or towed implement of~~
2.16 ~~husbandry that is operated to the left half of the roadway if such operation is not to a~~
2.17 ~~greater extent than is necessary to avoid collision with a parked vehicle, sign, or other~~
2.18 ~~stationary object located on the highway right-of-way.~~

2.19 Sec. 3. Minnesota Statutes 2006, section 169.67, subdivision 3, is amended to read:

2.20 Subd. 3. **Trailer, semitrailer.** (a) No trailer or semitrailer with a gross weight of
2.21 3,000 or more pounds, or a gross weight that exceeds the empty weight of the towing
2.22 vehicle, may be drawn on a highway unless it is equipped with brakes that are adequate
2.23 to control the movement of and to stop and hold the trailer or semitrailer. A surge brake
2.24 on a trailer or semitrailer meets the requirement of this paragraph for brakes adequate
2.25 to stop and hold the trailer or semitrailer.

2.26 (b) No trailer or semitrailer that is required to have brakes and that has a gross
2.27 weight of more than 6,000 pounds may be drawn on a highway unless it is equipped
2.28 with brakes that are so constructed that they are adequate to stop and hold the trailer or
2.29 semitrailer whenever it becomes detached from the towing vehicle.

2.30 (c) Except as provided in paragraph (d), paragraph (a) does not apply to:

2.31 (1) ~~a trailer used by a farmer while transporting farm products produced on the user's~~
2.32 ~~farm, or supplies back to the farm of the trailer's user;~~

2.33 ~~(2)~~ a towed custom service vehicle drawn by a motor vehicle that is equipped with
2.34 brakes that meet the standards of subdivision 5, provided that such a towed custom service

3.1 vehicle that exceeds 30,000 pounds gross weight may not be drawn at a speed of more
3.2 than 45 miles per hour;

3.3 ~~(3) a trailer or semitrailer operated or used by retail dealers of implements of~~
3.4 ~~husbandry while engaged exclusively in the delivery of implements of husbandry;~~

3.5 ~~(4) (2) a motor vehicle drawn by another motor vehicle that is equipped with brakes~~
3.6 ~~that meet the standards of subdivision 5; and~~

3.7 ~~(5) a tank trailer of not more than 12,000 pounds gross weight owned by a distributor~~
3.8 ~~of liquid fertilizer while engaged exclusively in transporting liquid fertilizer, or gaseous~~
3.9 ~~fertilizer under pressure;~~

3.10 ~~(6) a trailer of not more than 12,000 pounds gross weight owned by a distributor of~~
3.11 ~~dry fertilizer while engaged exclusively in the transportation of dry fertilizer; and~~

3.12 ~~(7) (3) a disabled vehicle while being towed to a place of repair.~~

3.13 (d) Vehicles described in paragraph (c), ~~clauses (1), (3), and (4) clause (2)~~, may be
3.14 operated without complying with paragraph (a) only if the trailer or semitrailer does
3.15 not exceed the following gross weights:

3.16 (1) 3,000 pounds while being drawn by a vehicle registered as a passenger
3.17 automobile, other than a pickup truck as defined in section 168.011, subdivision 29;

3.18 (2) 12,000 pounds while being drawn by any other motor vehicle ~~except a~~
3.19 ~~self-propelled implement of husbandry.~~

3.20 Sec. 4. Minnesota Statutes 2006, section 169.801, is amended to read:

3.21 **169.801 IMPLEMENT OF HUSBANDRY.**

3.22 Subdivision 1. **Exemption from size, weight, load provisions.** Except as provided
3.23 in this section and section 169.82, the provisions of sections 169.80 to 169.88 that govern
3.24 size, weight, and load do not apply to:

3.25 ~~(1) a horse-drawn wagon while carrying a load of loose straw or hay;~~

3.26 ~~(2) a specialized vehicle resembling a low-slung trailer having a short bed or~~
3.27 ~~platform, while transporting one or more implements of husbandry; or~~

3.28 ~~(3) an implement of husbandry while being driven or towed at a speed of not~~
3.29 ~~more than 30 miles per hour; provided that this exemption applies to an implement of~~
3.30 ~~husbandry owned, leased, or under the control of a farmer or implement dealer only~~
3.31 ~~while the implement of husbandry is being operated on noninterstate roads or highways~~
3.32 ~~within 75 miles of any farmland or implement dealership: (i) owned, leased, or operated~~
3.33 ~~by the farmer or implement dealer and (ii) on which the farmer or implement dealer~~
3.34 ~~regularly uses or sells or leases the implement of husbandry while operated in compliance~~
3.35 ~~with this section.~~

4.1 Subd. 2. **Weight per inch of tire width restrictions.** An implement of husbandry
4.2 ~~that is not self-propelled and is~~ equipped with pneumatic tires may not be operated on
4.3 a public highway with:

4.4 (1) a maximum wheel load that exceeds 600 pounds per inch of tire width before
4.5 August 1, 1996, and 500 pounds per inch of tire width on and after August 1, 1996;

4.6 (2) an axle weight of more than 24,000 pounds between the dates set by the
4.7 commissioner of transportation for seasonal load restrictions under section 169.87,
4.8 subdivision 2, or more than 28,000 pounds when seasonal load restrictions are not in
4.9 effect; or

4.10 (3) a gross vehicle weight of more than 96,000 pounds.

4.11 Subd. 3. **Hitches.** A towed implement of husbandry must be equipped with (1)
4.12 safety chains that meet the requirements of section 169.82, subdivision 3, paragraph
4.13 (b); (2) a regulation fifth wheel and kingpin assembly approved by the commissioner of
4.14 public safety; or (3) a hitch pin or other hitching device with a retainer that prevents
4.15 accidental unhitching.

4.16 Subd. 4. **Bridge posting.** Despite subdivision 2, a person operating or towing
4.17 an implement of husbandry must comply with a sign that limits the maximum weight
4.18 allowed on a bridge.

4.19 Subd. 5. **Height and width.** A person operating, towing, or transporting an
4.20 implement of husbandry that is higher than 13 feet six inches or wider than allowed under
4.21 section 169.80, subdivision 2, must ensure that the operation or transportation does not
4.22 damage a highway structure, utility line or structure, or other fixture adjacent to or over
4.23 a public highway.

4.24 Subd. 6. **Speed.** No person may operate or tow an implement of husbandry at
4.25 a speed of more than 30 miles per hour.

4.26 Subd. 7. **Driving rules.** (a) An implement of husbandry may not be operated or
4.27 towed on an interstate highway.

4.28 (b) An implement of husbandry may be operated or towed to the left of the center
4.29 of a roadway only if it is escorted at the front by a vehicle displaying hazard warning
4.30 lights visible in normal sunlight and the operation does not extend into the left half of the
4.31 roadway more than is necessary.

4.32 Subd. 8. **Lights.** An implement of husbandry must be equipped with lights that
4.33 comply with section 169.55, subdivisions 2 and 3.

4.34 Subd. 9. **Slow moving vehicle emblem.** An implement of husbandry must comply
4.35 with section 169.522.

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

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

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

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

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

5.9 (3) it has a gross vehicle weight of more than 3,000 pounds and is being towed by a
 5.10 registered passenger automobile other than a pickup truck as defined in section 168.011,
 5.11 subdivision 29.

5.12 (c) If a towed implement of husbandry with a gross vehicle weight of more than
 5.13 6,000 pounds is required under paragraph (b) to have brakes, it must also have brakes
 5.14 adequate to stop and hold it if it becomes detached from the towing vehicle.

5.15 Sec. 5. Minnesota Statutes 2006, section 169.82, subdivision 3, is amended to read:

5.16 Subd. 3. **Hitch, chain, or cable.** (a) Every trailer or semitrailer must be hitched to
 5.17 the towing motor vehicle by a device approved by the commissioner of public safety.

5.18 (b) Every trailer and semitrailer must be equipped with safety chains or cables
 5.19 permanently attached to the trailer except in cases where the coupling device is a
 5.20 regulation fifth wheel and kingpin assembly approved by the commissioner of public
 5.21 safety. In towing, the chains or cables must be attached to the vehicles near the points of
 5.22 bumper attachments to the chassis of each vehicle, and must be of sufficient strength to
 5.23 control the trailer in the event of failure of the towing device. The length of chain or cable
 5.24 must be no more than necessary to permit free turning of the vehicles. A minimum fine
 5.25 of \$25 must be imposed for a violation of this paragraph.

5.26 (c) This subdivision does not apply to towed implements of husbandry.

5.27 (d) No person may be charged with a violation of this section solely by reason of
 5.28 violating a maximum speed prescribed in section ~~169.145~~ or 169.67.

5.29 Sec. 6. Minnesota Statutes 2006, section 169.826, subdivision 1a, is amended to read:

5.30 Subd. 1a. **Harvest season increase amount.** The limitations provided in sections
 5.31 169.822 to 169.829 are increased by ten percent from the beginning of harvest to
 5.32 November 30 each year for the movement of sugar beets, carrots, and potatoes from the
 5.33 field of harvest to the point of the first unloading. Transfer of the product from a farm
 5.34 vehicle or small farm trailer, within the meaning of chapter 168, to another vehicle is not

6.1 considered to be the first unloading with the issuance of a permit from the commissioner.
6.2 The commissioner shall not issue permits under this subdivision if to do so will result in a
6.3 loss of federal highway funding to the state.

6.4 Sec. 7. **REPEALER.**

6.5 Minnesota Statutes 2006, section 169.145, is repealed.