

# House Research Act Summary

**CHAPTER:** 225

**SESSION:** 2004 Regular Session

**TOPIC:** Motor carrier omnibus bill

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## Overview

This bill makes several changes in motor carrier law to reflect new or recodified provisions of federal laws and regulations. It provides a new process for notifying the state of hazardous materials incidents.

### Section

- 1** **Three-vehicle combinations.** Allows a three-vehicle combination consisting of a power unit drawing two empty, new trailers for cargo, horses, or livestock, up to 28.5 feet in length each, to be operated with an annual permit at \$120 per year. Provides that the permit only allows the vehicles to be moved from the manufacturer to a dealer only on routes where three-vehicle combinations are allowed.
- 2** **Person defined.** Defines “person” for purposes of motor carrier law to exclude government agencies.
- 3** **Hours of service.** Amends the law that exempts drivers from hours-of-service rules during an emergency relief effort, by increasing from 24 to 34 hours the mandatory time off after 60 hours in 7 days or 70 hours in 8 days.
- 4** **Incorporation by reference.** Deletes the provision that excludes from the list of federal motor carrier regulations adopted by reference the federal regulation that requires trailers to have breakaway brakes. This has the effect of adopting this requirement by reference.
- 5** **Hours of service rules.** Revises the list of federal hours-of-service regulations that are adopted by reference to incorporate new and recodified regulations.
- 6** **Hazardous materials.** Corrects a reference in state law to federal law on transportation of hazardous materials, to incorporate new and recodified federal law.
- 7** **Report of hazardous materials incident.** Requires a person who is subject to federal

**Section**

regulations on transportation of hazardous materials to immediately notify the state hazardous materials emergency reporting line if any of the following, as defined in federal regulations, occurs while transporting hazardous materials in commerce:

- hazardous materials incident,
- unintentional release of hazardous materials,
- discovery of undeclared hazardous material.

- 8**        **Technical.** Deletes an obsolete reference to the transportation regulation board.
- 9**        **Administrative penalties.** Amends the law allowing the Department of Transportation to impose administrative penalties for violations of motor carrier law or rules to delete the authorization to impose a penalty for violating rules governing cargo tanks. Deletes a reference to the transportation regulation board.
- 10**       **Penalty for failure to pay penalty.** Allows the Department of Transportation to revoke or suspend a motor carrier's permit or certificate for failure to pay an administrative penalty.
- 11**       **Inspection authority.** Amends the law that allows Department of Transportation motor carrier representatives to enforce laws regulating hazardous materials, hazardous substances, or hazardous waste, by deleting a reference to rules adopted under those laws.
- 12**       **Insurance and registration requirements.** Adds specific citations to federal insurance and registration regulations to the law requiring compliance with those regulations.
- 13**       **CDL standards.** Adds federal regulations on commercial drivers licenses to the list of federal regulations with which interstate carriers and private carriers in interstate commerce must comply.
- 14**       **Cross reference.** Adds a cross reference to section 7 to replace repealed law.
- 15**       **Repealer.** Repeals the following provisions of law and rule:
- Minn. Stat. § 221.011, subd. 2b, defining the transportation regulation board.
  - Minn. Stat. § 221.034, regulating reporting of hazardous materials incident (replaced by section 7).
  - Minn. Stat. § 221.033, subd. 3, authorizing rules for granting variance from rules for vehicles transporting gasoline.
  - Minnesota Rules that establish the cargo tank variance program.
- 16**       **Effective date.** Makes all provisions effective immediately, except that section 9 and the last two repealers are effective August 1, 2005.