

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 1784

(SENATE AUTHORS: JOHNSON, Westrom and Lang)

DATE
03/04/2021

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Introduction and first reading
Referred to Transportation Finance and Policy

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to motor vehicles; amending provisions relating to stopping and weighing
1.3 vehicles; amending record-keeping requirements for weighing trucks; amending
1.4 Minnesota Statutes 2020, sections 169.85, subdivision 1; 169.872, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2020, 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. For purposes of this subdivision, "lawfully stopped"
1.10 means the officer has probable cause or individual, articulable suspicion to make an initial
1.11 stop of the vehicle.

1.12 (b) In addition, the officer may require ~~that the~~ a vehicle that has been lawfully stopped
1.13 be driven to the nearest available scales, but only if:

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

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

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

1.21 ~~(d) When a truck weight enforcement operation is conducted by means of portable or~~
1.22 ~~stationary scales, signs giving notice of the operation must be posted within the highway~~

2.1 ~~right-of-way and adjacent to the roadway within two miles of the operation. The driver of~~
 2.2 ~~a truck or combination of vehicles registered for or with a gross vehicle weight exceeding~~
 2.3 ~~10,000 pounds shall proceed to the scale site and submit the vehicle to weighing and~~
 2.4 ~~inspection.~~

2.5 Sec. 2. Minnesota Statutes 2020, section 169.872, subdivision 1, is amended to read:

2.6 Subdivision 1. **Record keeping.** (a) A person who weighs goods before or after unloading
 2.7 or a person who loads or unloads goods on the basis of liquid volume measure shall keep
 2.8 a written record of the origin, weight, and composition of each shipment, the date of loading
 2.9 or receipt, the name and address of the shipper, the total number of axles on the vehicle or
 2.10 combination of vehicles, and the registration number of the power unit or some other means
 2.11 of identification by which the shipment was transported. The record ~~shall~~ must be retained
 2.12 for 14 days ~~and shall~~. The record must be open to inspection and copying by a state law
 2.13 enforcement officer or motor transport representative, except state conservation officers,
 2.14 upon demand. ~~No~~ A search warrant is required to inspect or copy the record.

2.15 (b) This subdivision does not apply to:

2.16 (1) a person weighing goods who is not involved in the shipping, receiving, and
 2.17 transporting of those goods; ~~or to~~

2.18 (2) a person weighing raw and unfinished farm products transported in ~~a single-unit~~
 2.19 ~~vehicle with not more than three axles or by a trailer towed by a farm tractor when the~~
 2.20 transportation is the first haul of the product.