

1.1 A bill for an act

1.2 relating to transportation; authorizing road authority to issue annual permit for  
1.3 overweight vehicle transporting milk under certain circumstances; amending  
1.4 Minnesota Statutes 2008, section 169.86, subdivision 5; proposing coding for  
1.5 new law in Minnesota Statutes, chapter 169.

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

1.7 Section 1. Minnesota Statutes 2008, section 169.86, subdivision 5, is amended to read:

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

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

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

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

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

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

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

- 2.1 (4) special pulpwood vehicles described in section 169.863;
- 2.2 (5) motor vehicles bearing snowplow blades not exceeding ten feet in width;
- 2.3 (6) noncommercial transportation of a boat by the owner or user of the boat; ~~and~~
- 2.4 (7) motor vehicles carrying bales of agricultural products authorized under section
- 2.5 169.862; and
- 2.6 (8) special milk hauling vehicles authorized under section 169.867.

2.7 (d) \$120 for an oversize annual permit to be issued for a period not to exceed 12

2.8 consecutive months. Annual permits may be issued for:

- 2.9 (1) mobile cranes;
- 2.10 (2) construction equipment, machinery, and supplies;
- 2.11 (3) manufactured homes and manufactured storage buildings;
- 2.12 (4) implements of husbandry when the movement is not made according to the
- 2.13 provisions of paragraph (i);
- 2.14 (5) double-deck buses;
- 2.15 (6) commercial boat hauling; and
- 2.16 (7) three-vehicle combinations consisting of two empty, newly manufactured trailers
- 2.17 for cargo, horses, or livestock, not to exceed 28-1/2 feet per trailer; provided, however,
- 2.18 the permit allows the vehicles to be moved from a trailer manufacturer to a trailer dealer
- 2.19 only while operating on twin-trailer routes designated under section 169.81, subdivision 3,
- 2.20 paragraph (c).

2.21 (e) For vehicles which have axle weights exceeding the weight limitations of

2.22 sections 169.822 to 169.829, an additional cost added to the fees listed above. However,

2.23 this paragraph applies to any vehicle described in section 168.013, subdivision 3,

2.24 paragraph (b), but only when the vehicle exceeds its gross weight allowance set forth in

2.25 that paragraph, and then the additional cost is for all weight, including the allowance

2.26 weight, in excess of the permitted maximum axle weight. The additional cost is equal

2.27 to the product of the distance traveled times the sum of the overweight axle group cost

2.28 factors shown in the following chart:

2.29 Overweight Axle Group Cost Factors

2.30 Weight (pounds)	2.30 Cost Per Mile For Each Group Of:		
2.31 exceeding weight	Two	Three	
2.32 limitations on axles	consecutive	consecutive	
	axles spaced	axles spaced	Four consecutive
	within 8 feet	within 9 feet	axles spaced within
	or less	or less	14 feet or less
2.36 0-2,000	.12	.05	.04
2.37 2,001-4,000	.14	.06	.05
2.38 4,001-6,000	.18	.07	.06

**S.F. No. 2658, 1st Engrossment - 86th Legislative Session (2009-2010) [s2658-1]**

3.1	6,001-8,000	.21	.09	.07
3.2	8,001-10,000	.26	.10	.08
3.3	10,001-12,000	.30	.12	.09
3.4		Not		
3.5	12,001-14,000	permitted	.14	.11
3.6		Not		
3.7	14,001-16,000	permitted	.17	.12
3.8		Not		
3.9	16,001-18,000	permitted	.19	.15
3.10		Not	Not	
3.11	18,001-20,000	permitted	permitted	.16
3.12		Not	Not	
3.13	20,001-22,000	permitted	permitted	.20

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

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

3.21 (f) As an alternative to paragraph (e), an annual permit may be issued for overweight,  
 3.22 or oversize and overweight, construction equipment, machinery, and supplies. The fees  
 3.23 for the permit are as follows:

3.24	Gross Weight (pounds) of Vehicle	Annual Permit Fee
3.25	90,000 or less	\$200
3.26	90,001 - 100,000	\$300
3.27	100,001 - 110,000	\$400
3.28	110,001 - 120,000	\$500
3.29	120,001 - 130,000	\$600
3.30	130,001 - 140,000	\$700
3.31	140,001 - 145,000	\$800

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

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

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

**S.F. No. 2658, 1st Engrossment - 86th Legislative Session (2009-2010) [s2658-1]**

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

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

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

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

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

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

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

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

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

4.22 (1) in fiscal years 2005 through 2010:

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

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

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

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

4.31 (2) in fiscal year 2011 and subsequent years must be deposited in the trunk highway  
4.32 fund.

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

4.35 **Sec. 2. [169.867] SPECIAL MILK HAULING PERMIT.**

5.1            Subdivision 1. **Permit.** A road authority may issue an annual permit authorizing a  
5.2 single-unit vehicle to haul milk at weights that exceed the limitations provided in sections  
5.3 169.823 and 169.824 by ten percent. The fee for this permit is as provided in section  
5.4 169.86, subdivision 5, paragraph (c).

5.5            Subd. 2. **Expiration.** A permit under subdivision 1 may only be issued before  
5.6 August 1, 2012.

5.7            Subd. 3. **Requirements; restrictions.** A vehicle operating under a permit under  
5.8 subdivision 1:

5.9            (1) is subject to seasonal load restrictions under section 169.87;

5.10          (2) may not take advantage of seasonal weight increases authorized by section  
5.11 169.826;

5.12          (3) is subject to bridge load limits posted under section 169.84;

5.13          (4) may not be operated on the interstate highway system; and

5.14          (5) may not be operated with a load that exceeds the manufacturer's gross vehicle  
5.15 weight rating as affixed to the vehicle, or other certification of gross vehicle weight rating  
5.16 complying with Code of Federal Regulations, title 49, parts 567.4 to 567.7.