

(b) To the child or children, if their mother be living, a pension of not to exceed \$25 per month for each child up to the time each child reaches the age of 18 years; provided, the total pensions hereunder for the widow and children of the deceased member shall not exceed the sum of ~~\$180~~ \$280 per month;

(c) A child or children of a deceased member receiving a pension or pensions hereunder shall, after the death of their mother, be entitled to receive a pension or pensions in such amount as the board of trustees of the association shall deem necessary to properly support the child or children until they reach the age of 18 years; but the total amount of the pension or pensions hereunder for any child or children shall not exceed the sum of ~~\$180~~ \$280 per month.

Sec. 3. EFFECTIVE DATE.

This act is effective retroactively to January 1, 1982 upon approval by the Hibbing city council and compliance with Minnesota Statutes, Section 645.021.

Approved March 18, 1982

CHAPTER 444 — H.F.No. 1707

An act relating to transportation; allowing certain vehicles to cross certain railroad crossings without stopping; removing certain geographical operating limitations on passenger motor buses; removing the requirement for designated routes for intercity buses; modifying the public transit capital grant assistance program; modifying certain public transit contract procedures; amending Minnesota Statutes 1980, Sections 169.28; 169.29; 169.80, Subdivisions 2 and 2a; 174.245; Laws 1981, Chapter 363, Section 55, Subdivision 1, as amended; repealing Minnesota Statutes 1980, Section 219.21.

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

Section 1. Minnesota Statutes 1980, Section 169.28, is amended to read:

169.28 CERTAIN VEHICLES TO STOP AT RAILROADS.

The driver of any motor vehicle carrying passengers for hire, or of any school bus whether carrying passengers or not, or of any vehicle carrying explosive substances or flammable liquids, or liquid gas under pressure as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop ~~such~~ the vehicle not less than ten feet from the nearest rail of ~~such the~~ railroad and while so stopped shall listen and look in both directions along ~~such~~ the track for any approaching train, and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until he can do so safely.

No stop need be made at any ~~such~~ crossing where a police officer or a traffic-control signal directs traffic to proceed.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

No stop need be made at a crossing on a rail line on which service has been abandoned and where a sign erected in conformance with section 169.06 and bearing the word "Exempt" has been installed, unless directed otherwise by a flagman. The installation or presence of an exempt sign shall not relieve any driver of the duty to use due care.

This section shall not apply at street railway grade crossings within a business or residence district.

A school bus shall not be flagged across railroad grade crossings except at ~~such~~ those railroad grade crossings as that the local school administrative officer may designate.

Sec. 2. Minnesota Statutes 1980, Section 169.29, is amended to read:

169.29 CROSSING RAILROAD TRACKS WITH CERTAIN EQUIPMENT.

No person shall operate or move any caterpillar tractor, steam shovel, derrick, roller, or any equipment or structure having a normal operating speed of six or less miles per hour or a vertical body or load clearance of less than nine inches above the level surface of a roadway upon or across any tracks at a railroad grade crossing without first complying with this section.

Before making any ~~such~~ such crossing, the person operating or moving any ~~such~~ such vehicle or equipment set forth in this section shall first stop the same not less than ten, nor more than 50, feet from the nearest rail of ~~such~~ such the railway, and while so stopped shall listen and look in both directions along ~~such~~ such the track for any approaching train and for signals indicating the approach of a train, and shall not proceed until the crossing can be made safely.

No ~~such~~ crossing shall be made when warning is given by automatic signal or crossing gates or a flagman or otherwise of the immediate approach of a railroad train or car.

No stop need be made at a crossing on a rail line on which service has been abandoned and where a sign erected in conformance with section 169.06 and bearing the word "Exempt" has been installed, unless directed otherwise by a flagman. The installation or presence of an exempt sign shall not relieve any driver of the duty to use due care.

Sec. 3. Minnesota Statutes 1980, Section 169.80, Subdivision 2, is amended to read:

Subd. 2. **OUTSIDE WIDTH.** The total outside width of any vehicle or the load thereon shall not exceed eight feet except that the outside width of a farm tractor, or a vehicle owned by a political subdivision and used exclusively for the purpose of handling sewage sludge from sewage treatment facilities to farm fields or disposal sites, shall not exceed 12 feet, and except as otherwise provided in this section.

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A vehicle exceeding eight feet in total outside width, owned by a political subdivision and used for the purpose of transporting or applying sewage sludge to farm fields or disposal sites shall not transport sludge for distances greater than 15 miles, nor shall it be used for transportation of sewage sludge or return travel between the hours of sunset and sunrise, or at any other time when visibility is impaired by weather, smoke, fog or other conditions rendering persons and vehicles not clearly discernible on the highway at a distance of 500 feet.

The total outside width of a low bed trailer or equipment dolly, and the load thereon, used exclusively for transporting farm machinery and construction equipment shall not exceed nine feet in width except that any such low bed trailer or equipment dolly with a total outside width, including the load thereon, in excess of eight feet shall not be operated on any interstate highway without first having obtained a permit for such the operation pursuant to section 169.86. The vehicle shall display 12 inch square red flags as markers at the front and rear of the left side of the vehicle.

The total outside width of a trackless trolley car or passenger motor bus, operated exclusively in any city, or contiguous cities in this state, shall not exceed nine feet; ~~provided~~. A passenger motor bus, not exceeding eight and one-half feet in width, may operate beyond the foregoing areas and within 20 miles of the boundaries of a city of the first class. A passenger motor bus, ~~not exceeding eight and one-half feet in width, may operate between the separated facilities of a college or university if part of the facilities are located within one of the foregoing areas and part are located outside but not more than five miles from the area and~~ between the cities of this state.

The total outside width of loads of forest products when loaded crossways shall not exceed 100 inches, provided the load is securely bound with a chain attached to front and rear of the loading platform of the vehicle so as to hold the load securely in place.

Sec. 4. Minnesota Statutes 1980, Section 169.80, Subdivision 2a, is amended to read:

Subd. 2a. **INTERCITY BUSES.** The foregoing provisions of this section notwithstanding, an intercity bus operated under authority of the interstate commerce commission may be eight and one-half feet in width ~~when operated on certain highways, designated by the commissioner for such operation. The commissioner, with respect to highways under his jurisdiction, may designate certain highways for the operation of such intercity buses upon the following conditions:~~

(a) Highways designated by the commissioner shall be limited to the national system of interstate and defense highways and 4-lane and 6-lane highways. Further, portions of the state trunk highway system may be designated for such operation for the purpose of directly connecting segments of the

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national system of interstate and defense highways and 4-lane and 6-lane highways; provided, however, that on 2-lane highways so designated for connection the traffic lane shall not be less than twelve feet in width.

(b) The commissioner is authorized to prescribe conditions for operation of such intercity buses when necessary to assure against undue damage to the road foundations, surfaces or structures.

No highways shall be so designated by the commissioner prior to a time when buses of such width are permitted on the national system of interstate and defense highways.

Sec. 5. Minnesota Statutes 1980, Section 174.245, is amended to read:

174.245 PUBLIC TRANSIT CAPITAL GRANT ASSISTANCE PROGRAM.

Subdivision 1. **ESTABLISHMENT; PURPOSE.** A public transit capital grant assistance program is established to aid eligible recipients to meet federal matching requirements for federal grants available for the purchase and major repair of or refurbish transit vehicles.

Subd. 2. **ELIGIBILITY.** A political subdivision, public transit authority or other public or private nonprofit agency that operates or provides financial assistance to a public transit system that is eligible to receive capital assistance grants under the Urban Mass Transportation Act of 1964, Public Law 88-365, as amended, except a public transit authority or commission that operates a public transit system in any city of the first class, is eligible to receive financial assistance through the public transit capital grant assistance program. Grants shall not exceed 50 percent of the non-federal match required two-thirds of the total cost of the purchase price or refurbishing expense. The commissioner shall establish by rule the procedures and standards for review and approval of applications for financial assistance and the criteria to be used in determining priorities in making the grants.

Sec. 6. Laws 1981, Chapter 363, Section 55, Subdivision 1, as amended by Laws 1981, First Special Session, Chapter 4, Article III, Section 13, is amended to read:

Subdivision 1. **PUBLIC TRANSIT.** The sum of \$50,800,000 is appropriated from the general fund to the commissioner of transportation. Of this appropriation, \$21,600,000 shall be available for expenditure the first year and \$29,200,000 for expenditure the second year of the biennium. The actual line item amounts shall be detailed on the worksheets of the appropriate standing committees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of transportation. The appropriation shall be available for the purpose of providing the following:

- (a) metropolitan transit commission operating grants;

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- (b) metropolitan transit commission social fares;
- (c) metropolitan transit commission project mobility;
- (d) metro mobility projects;
- (e) metro mobility control center;
- (f) private operators — metropolitan area;
- (g) non-metropolitan transit commission operating assistance statewide;

For purposes of this subdivision, the payments to the non-metropolitan transit systems shall be made in the following manner:

50 percent of the total contract amount in the first month of operation;

40 percent of the total contract amount in the ~~sixth~~ seventh month of operation; and

10 percent of the total contract amount after final audit.

- (h) public transit capital grants;

(i) Amtrak rail subsidy - Duluth-Twin Cities. The funds are available to match federal Amtrak funds. All funds appropriated are available for expenditure on the effective date of the appropriation.

The metropolitan transit commission shall not raise its base fare more than ten cents over the level existing on January 1, 1981.

The metropolitan transit commission shall not increase its support staff beyond the actual level existing on December 1, 1980. For purposes of this subdivision, support staff includes all staff other than drivers, mechanics, and security personnel.

The commission may request additional funding from the fuel and utilities contingent account in order to offset unanticipated fuel cost increases.

The sum of \$20,000 is appropriated from the general fund to the legislative coordinating commission to conduct a study of state subsidies to public transit. The commission may delegate responsibility and appropriations for the study to an existing staff office of the house of representatives or the senate, a joint legislative commission or office, a state agency, or contract independently for research services. The purpose of the study is to evaluate transit systems receiving financial and technical assistance under sections 174.24 and 174.25, to evaluate alternative methods of allocating state subsidy funds, and to develop state policy on the subsidy of local transit systems. The commission shall require preparation of a research design and work plan as a condition of delegation of responsibility and appropriations.

Sec. 7. REPEALER.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Minnesota Statutes 1980, Section 219.21, is repealed.

Sec. 8. EFFECTIVE DATE.

Sections 1 to 7 are effective on the day following final enactment.

Approved March 18, 1982

CHAPTER 445 — H.F.No. 2078

An act relating to state government; authorizing the commissioner of the department of economic security to delegate certain powers; amending Minnesota Statutes 1980, Section 268.011, Subdivision 2.

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

Section 1. Minnesota Statutes 1980, Section 268.011, Subdivision 2, is amended to read:

Subd. 2. The commissioner may establish six positions in the unclassified service at the deputy, assistant commissioner, or assistant to the commissioner levels. He may appoint and define the duties of other subordinate officers and employees as he deems necessary to discharge the functions of his department. The commissioner may delegate, in written orders filed with the secretary of state, any powers or duties subject to his control to officers and employees in the department. Notwithstanding any other law, the commissioner may delegate the execution of specific contracts or specific types of contracts to his deputy, an assistant commissioner, or a program director if the delegation has been approved by the commissioner of administration and filed with the secretary of state.

Approved March 18, 1982

CHAPTER 446 — H.F.No. 1622

An act relating to state lands; providing for the transfer of ownership of certain state land to the Mankato State University Foundation.

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

Section 1. LAND TRANSFER.

The commissioner of administration shall convey that parcel of land consisting of the tracts described in clauses (a), (b) and (c) to the Mankato State

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