

credit union chartered by this state.

A credit union may be absorbed after two-thirds of its members present and entitled to vote shall have voted in favor of the merger at a special meeting called by a majority of the board of directors for that purpose, upon fourteen days mailed written notice to each member at his last known address clearly stating the purpose of the special meeting, or at any regular meeting after like notice of the purpose has been given. Thereafter, the board of directors shall have authority to execute an agreement of merger with the successor credit union, subject to approval of such agreement by the commissioner of banks. The commissioner shall approve or disapprove of said agreement within 60 days of the date the agreement is submitted to him. Such approved agreement shall be filed with the county recorder in the county where such credit union is located.

If the successor credit union which absorbs one or more credit unions is chartered by this state it shall have authority to execute an agreement of merger upon approval of such agreement by the commissioner of banks and by the board of directors of the credit union. The commissioner of banks shall approve the merger agreement if it is in the best interest of the credit unions involved. In any event, the commissioner of banks shall approve or disapprove of the merger agreement within 60 days of the date the agreement is submitted to him. Members of and persons eligible for membership in the credit union being absorbed shall have all rights of membership in the successor credit union.

The charter and license and all other rights and property of the credit union being absorbed shall be deemed to be transferred to and invested in the successor credit union upon such execution and approval of the merger agreement without further action. Any pending action or other judicial proceeding to which the credit union being absorbed is a party at the date of merger shall not abate by reason of the merger. If the credit union being absorbed is chartered by this state, its corporate existence shall cease upon such execution and approval of the merger agreement without further action.

Sec. 2. This act is effective June 1, 1977.

Approved April 6, 1977.

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## CHAPTER 17—H.F.No.382

[Coded in Part]

*An act relating to highway traffic regulations; limiting the motorcycle helmet requirement to persons under 18 and persons holding instruction permits; including motorcycles within state noise regulations; providing for admission of certain evidence for determination of damages in negligence actions; requiring a report; amending Minnesota Statutes 1976, Section 169.974, Subdivisions 2 and 4, and by adding subdivisions.*

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

Section 1. Minnesota Statutes 1976, Section 169.974, Subdivision 2, is amended to

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read:

Subd. 2. **HIGHWAY TRAFFIC REGULATIONS; MOTORCYCLES; HELMETS; LICENSE REQUIREMENTS.** No person shall operate a motorcycle on any street or highway unless he has a valid standard driver's license with a two-wheeled vehicle endorsement as provided by law. No such two-wheeled vehicle endorsement shall be issued unless the person applying therefor has in possession a valid two-wheeled vehicle instruction permit as provided herein, has passed a written examination and road test administered by the department of public safety for such endorsement, and, in the case of applicants under 18 years of age, shall present a certificate or other evidence of having successfully completed an approved two-wheeled vehicle driver's safety course in this or another state, in accordance with such regulations as the commissioner of public safety shall promulgate. A two-wheeled vehicle instruction permit shall be issued to any person over 16 years of age, who is in possession of a valid driver's license, who is enrolled in an approved two-wheeled vehicle driver's safety course, and who has passed a written examination for such permit and has paid such fee as the commissioner of public safety shall prescribe. A two-wheeled vehicle instruction permit shall be effective for 45 days, and may be renewed under rules to be prescribed by the commissioner of public safety.

No person who is operating by virtue of a two-wheeled vehicle instruction permit shall:

(a) Carry any passengers on the streets and highways of this state on the motorcycle which he is operating;

(b) Drive the motorcycle at night time;

(c) Drive the motorcycle on a freeway;

(d) Drive the motorcycle without wearing protective headgear of a type approved by the commissioner of public safety.

Notwithstanding the provisions of this subdivision, the commissioner of public safety may, however, issue a special motorcycle permit, restricted or qualified in such manner as he shall deem proper, to any person demonstrating a need therefor and unable to qualify for a standard driver's license.

Sec. 2. Minnesota Statutes 1976, Section 169.974, Subdivision 4, is amended to read:

Subd. 4. **EQUIPMENT FOR OPERATORS AND PASSENGERS.** ~~(a) When operating~~ No person under the age of 18 shall operate or ride a motorcycle on the streets and highways of this state, ~~the operator and passenger, if any, shall wear unless he is wearing~~ protective headgear that complies with standards established by the commissioner of public safety; and no person shall operate a motorcycle unless he is wearing an eye-protective device of a type approved by the commissioner, except when the motorcycle is equipped with a wind screen.

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(b) The provisions of this subdivision shall not apply to persons during their participation in a parade for which parade a permit or other official authorization has been granted by a local governing body or other governmental authority or to persons riding within an enclosed cab.

Sec. 3. Minnesota Statutes 1976, Section 169.974, is amended by adding a subdivision to read:

**Subd. 6. NEGLIGENCE; DAMAGES WITHOUT PROTECTIVE HEADGEAR.** In an action to recover damages for negligence resulting in any head injury to an operator or passenger of a motorcycle, evidence of whether or not the injured person was wearing protective headgear of a type approved by the commissioner shall be admissible only with respect to the question of damages for head injuries. Damages for head injuries of any person who was not wearing protective headgear shall be reduced to the extent that those injuries could have been avoided by wearing protective headgear of a type approved by the commissioner. For the purposes of this subdivision "operator or passenger" means any operator or passenger regardless of whether that operator or passenger was required by law to wear protective headgear approved by the commissioner.

Sec. 4. Minnesota Statutes 1976, Section 169.974, is amended by adding a subdivision to read:

**Subd. 7. NOISE LIMITS.** After December 31, 1978, noise regulations adopted by the pollution control agency for motor vehicles pursuant to section 169.693 shall also apply to motorcycles.

Sec. 5. No later than November 15, 1979, the commissioner of public safety shall submit to the governor and the legislature a report analyzing the public safety, health and insurance implications and the societal costs of this act. The report shall include recommendations regarding the continuation or modification of this act.

Sec. 6. **EFFECTIVE DATE.** This act is effective upon final enactment.

Approved April 6, 1977.

**CHAPTER 18—H.F.No.383**

*An act relating to agriculture; potato industry promotion; providing for an increase in the assessment levied; amending Minnesota Statutes 1976, Section 30.469.*

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

Section 1. Minnesota Statutes 1976, Section 30.469, is amended to read:

**30.469 AGRICULTURE; POTATOES; INDUSTRY PROMOTION ASSESSMENT.** Commencing July 1, ~~1974~~ 1977, an assessment at the rate of ~~+~~ 1/4 ~~two~~

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