

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Our File No. 916

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 5-16
DATE FOR REVIEW 5-25
DATE DUE 5-30

Adopted w/a hearing _____
Adopted w/o hearing _____
Temporary rule _____

Approved _____ Disapproved _____ Returned to Agency _____

Resubmitted _____ Due _____
Approved _____ Disapproved _____ Returned to Agency _____

Date filed w/Secretary of State _____ Revisor approved 4.16.83
disapproved _____

✓ Rule as Adopted

✓ Rule as Proposed

✓ Order Adopting 4.29.83 Date

✓ Notice of Intent to Solicit Outside Opinion SR. 8.23.82

✓ Order for rulemaking
N/A date of Hearing

N/A Certificate of Board's Authorizing Resolution

✓ Notice of rulemaking
✓ Sufficiency

✓ Affidavit of Mailing Notice or rulemaking
1.28.83 At least 30 days prior to ~~hearing~~/adoption

✓ Mailing list Certificate

✓ Publication in State Register
1.31.83 At least 30/~~20~~ days prior to ~~hearing~~/adoption

N/A Hearing Examiner's Report

Chief Hearing Examiner's Report(s)
_____ Approving H.E.'s Report
_____ Approving agency action

✓ Agency's Findings of Fact

N/A LCRAR Report or agency Affidavit

Certificate of Board's Resolution Adopting Rules

Order Approving Incorporation by Reference

✓ Statement of Need and Reasonableness

N/A Petition for Adoption of a Rule

✓ Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

✓ Certificate of Compliance w/Rulemaking Procedures

N/A Affidavit of Mailing Notice of Submission to Attorney General

Notice of Submission to the Attorney General

SF-00006-02

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : Paul J. Tschida, Commissioner of Public Safety

DATE: May 31, 1983

Attn: JAMES EARLY
Special Assistant Attorney General

FROM : TED A. MARTINEZ
Special Assistant Attorney General

PHONE: 296-4692

SUBJECT: In the Matter of the Proposed Adoption of Ruels of the State Department of Public Safety Governing the Method of Identification and Signals for School Safety Patrols.

Enclosed herewith are the rules you have submitted for approval. These rules have been approved by this office and filed with the Secretary of State. Please note that they have not been filed with the State Register. This must be done promptly by your agency.

Upon receipt and before transmittal to your agency, however, it is important that you recheck these rules as to:

1. Affixation of stamps of the Attorney General and Secretary of State;

2. Coverage by these stamps of all rules submitted; and

3. Inclusion of all pages to the rules in the approved set.

If you have any questions in this regard, please contact me.

Encs.
TAM/ls
cc: Ms. Kathy Burek
Mr. Duane Harves

AG copy

Department of Public Safety

Administration Division

Adopted Rules Governing the Method of Identification and Signals for School Safety Patrol

Rules as Adopted

11 MCAR S 1.0065 Purpose and scope.

A. Purpose. The purpose of 11 MCAR SS 1.0065-1.0071 is to establish the method of identification and signals for school safety patrol, including equipment standards and proper usage procedures.

B. Scope. The scope of 11 MCAR SS 1.0065-1.0071 is intended to be consistent with the provisions of Minnesota Statutes, section 126.15.

11 MCAR S 1.0066 School safety patrol flag and pole.

Each school safety patrol flag shall meet the following standards:

A. The flag shall be blaze orange in color with an octagonal of yellow bearing the word "STOP" in black letters.

B. The flag shall be 24 inches in width at the bottom.

C. The inside edge of the flag shall be 21 inches in length.

D. The outside edge of the flag shall be 27 inches in length.

E. The octagonal center of yellow shall measure at least 9-1/2 inches from side to side and the black letters of the word "STOP" shall be in a block type at least three inches in height.

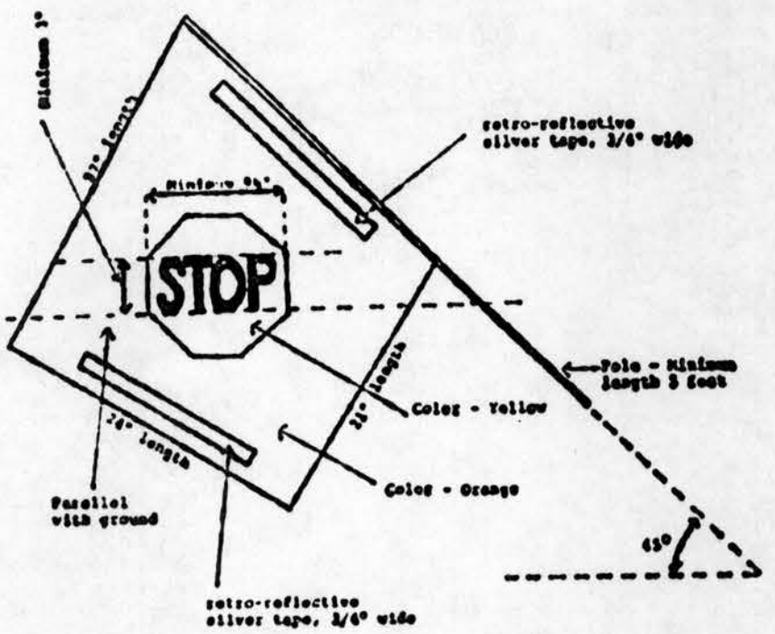
F. The letters of the word "SCHOOL" appearing above the word "STOP" shall be in block type at least 1-1/8 inches in height.

G. The letters of the word "PATROL" appearing below the word "STOP" shall be in block type at least 1-1/8 inches in height.

H. The octagon shall be affixed to the flag in such a manner that the bottom side of the octagon and the word "STOP" shall be parallel with the ground when the pole is held at a 45 degree upward angle, as illustrated in exhibit 11 MCAR S 1.0066 H.-1.

Exhibit 11 MCAR S 1.0066 H.-1.

School safety patrol flag illustration.



I. The octagonal yellow field shall be centered equidistantly from the sides and bottom of the flag.

J. Both sides of the flag shall be identical.

K. Retro-reflective material may be applied to the flag if the school administrator deems such application is necessary and feasible. If reflectorized, such application must be accomplished in conformance with the following specifications:

1. Two, three-fourths inch strips of retro-reflective silver tape shall be either pressed on or sewn on both sides of the flag.

2. The top strip shall be placed three inches from the top (pole) edge of the flag; and the bottom strip shall be placed three inches from the bottom (opposite) edge of the flag. Both strips shall be centered equidistantly from the sides, and must be a minimum of eight inches in length.

L. The flag shall be attached to a lightweight pole with a minimum length of five feet. Longer or extension poles may be used at crossings on unusually wide streets. Weights may be attached to the bottom of the flag to hold it in a vertical position in windy weather in order to be visible to the

approaching drivers.

M. A private sponsor's decal or logo, no larger than 4" by 3", may be affixed to the flag, but no portion of this logo may be within the octagonal yellow field. Fof F 5,

11 MCAR S 1.0067 Equipment worn by patrol member.

A. Sam Browne belt. The Sam Browne belt, vest, or sash with pole socket worn by a school safety patrol member shall be made of leather, web, or plastic material. This equipment shall be worn over outer garments while on duty. Color may be white or blaze orange.

B. Safety patrol badge. The school safety patrol badge may be worn by each patrol member while on duty. This badge shall be attached to the Sam Browne belt, vest, or sash in such position as to be plainly visible.

11 MCAR S 1.0068 Position and procedure at street intersection or crossing.

A school patrol member must comply with the following procedures at street intersections and crossings:

A. The patrol member shall stand on the road shoulder or curb (not in the roadway) where traffic shall be observed approaching from all directions.

B. The patrol member shall instruct the children to remain in place until a break or lull in traffic is seen. During this time, except when actually issuing directions to the children, the patrol member shall stand erect and at attention with the flag staff resting on the ground in a vertical position to the right of the right foot. In this latter position the patrol member will more readily be observed by drivers of approaching vehicles.

C. When a lull occurs in traffic the flag shall be raised vertically upward over the patrol member's head for a period of four seconds, to alert any oncoming traffic.

D. When the lanes of the roadway are clear of traffic the patrol member shall extend the flag into the traffic lane at an angle of approximately 45 degrees upward. This will be the

signal for all the children to start crossing the street. Holding the flag at a 45 degree angle will place it above the heads of the children. With two patrol members at one intersection, each member shall make a quarter turn in the direction of the oncoming traffic with at least one foot remaining on the curb or shoulder.

E. While children are crossing the street in a column, the patrol member shall keep this position while watching or facing approaching traffic.

F. If the patrol member's view of traffic is obstructed by parked vehicles, the patrol member may step into the street a sufficient distance to obtain a clear view, but not into the street beyond the parked vehicles. After the children have completed crossing the street, the patrol member shall return to the original position on the shoulder or curb.

G. Under no circumstances shall the flag ever be waved or misused in any manner.

H. There shall be at least two patrol members at each crossing. One patrol member shall operate as the sender on the side from which the children gather, and the other shall take a similar position on the opposite side of the roadway and operate as the receiver.

I. Patrol members shall continually watch oncoming traffic while children are crossing the roadway and be constantly alert for danger. They shall stand between the children and approaching traffic with at least one foot remaining on the curb or shoulder.

11 MCAR S 1.0069 Procedure at railroad crossings.

The patrol flag shall never be used at railroad crossings. The patrol member shall direct children to remain at least a distance of 20 feet from the nearest railroad track until the patrol member has completed an inspection to see if there are any approaching trains. When there are no approaching trains, the children shall be directed to cross the tracks by the patrol member who shall remain at the proper position until all have crossed.

11 MCAR S 1.0070 School bus safety patrol procedures.

A. School bus crossing at railroad tracks. Patrol members shall motion the bus across the railroad tracks in the following manner:

1. Patrol members shall take a position so as to have a clear view of the railroad track in both directions.

2. If a train is approaching the crossing, the patrol member shall not cross the tracks but shall face the bus at a safe distance from the tracks and give the signal for the bus not to proceed by holding up both hands above his or her head.

3. When the railroad track is clear and safe for crossing, the patrol member shall cross the tracks and signal, with a forward motion of an upraised arm, for the driver to proceed across the tracks to a point at least 2-1/2 bus lengths beyond the tracks, where the patrol member shall reenter the bus.

B. Crossing roadways from a school bus.

1. The driver of a school bus is responsible for the safety of the children, and the presence of a school bus safety patrol member in no way relieves the driver of such responsibility.

2. In directing pupils across the roadway after alighting from the bus, the patrol member shall escort the pupils to a position at least ten feet in front of the bus. When it is ascertained that there is no approaching traffic, the patrol member shall step out one pace beyond the fender line of the bus and extend the flag into the opposite lane at a 45 degree angle and direct the pupils to proceed across the roadway.

3. The patrol member shall not escort each pupil across the roadway, but shall remain at the designated post near the front of the bus.

4. Crossing the roadway behind the bus shall never be permitted.

11 MCAR S 1.0071 Police officer, traffic signal control.

A. Traffic controlled intersections. At intersections where traffic is controlled by a police officer, a traffic signal, or

both, the patrol member shall direct the crossing of the children in conformity with the direction of the signal or the police officer.

B. Intersections not regularly controlled. At intersections where there is no regular traffic control, the traffic may be sufficiently heavy to require the special assignment of a police officer at times when children are going to and from school. When this is done, the patrol member should cooperate with police officers.

Repealer. SafAd 72 and 73 are repealed.

APPROVED AS TO LEGALITY

May 31 19 83

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY Ted A. Martinez
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 31 1983
Joan Anderson Growe
Secretary of State

11:35AM

OFFICE OF THE REVISOR OF STATUTES

Proposed Rule

RD298

Agency: Department of Public Safety

Division: Administration

Agency Contact: Diane Hamilton

Rule Numbers: 4 MCAR SS 1.0065-1.0071

Title: School Safety Patrol; Identification, Signals, Equipment Standards, and Procedures

Type of Rules: Permanent

Incorporations by Reference: None
Rule Number: Material Incorporated:

Duplication of Statutory Language: None
Rule Number: Statutory Section Duplicated:

The attached rules are approved as to form.

Steven C. Cross
Revisor of Statutes

Ward P. Gronfield
Deputy Revisor
Phone: 296-0945
Date: December 2, 1982

Rules as Proposed

~~SafAd 65~~ 11 MCAR S 1.0065 Purpose and scope.

~~(a)~~ A. Purpose. The purpose of ~~this regulation~~ 11 MCAR SS 1.0065-1.0071 is to establish the method of identification and signals for school safety patrol, including equipment standards and proper usage procedures.

~~(b)~~ B. Scope. The scope of ~~this regulation~~ 11 MCAR SS 1.0065-1.0071 is intended to be consistent with the provisions of Minnesota Statutes ~~(1971)~~, section 126.15.

~~SafAd 66~~ 11 MCAR S 1.0066 School safety patrol flag and pole.

Each school safety patrol flag shall meet the following standards:

~~(a)~~ A. The flag shall be blaze orange in color with an octagonal of yellow bearing the word "STOP" in black letters.

~~(b)~~ B. The flag shall be 24 inches in width at the bottom.

~~(c)~~ C. The inside edge of the flag shall be 21 inches in length.

~~(d)~~ D. The outside edge of the flag shall be 27 inches in length.

~~(e)~~ E. The octagonal center of yellow shall measure at least 9-1/2 inches from side to side and the black letters of the word "STOP" shall be in a block type at least three inches in height.

~~(f)~~ F. The letters of the word "SCHOOL" appearing above the word "STOP" shall be in block type at least 1-1/8 inches in height.

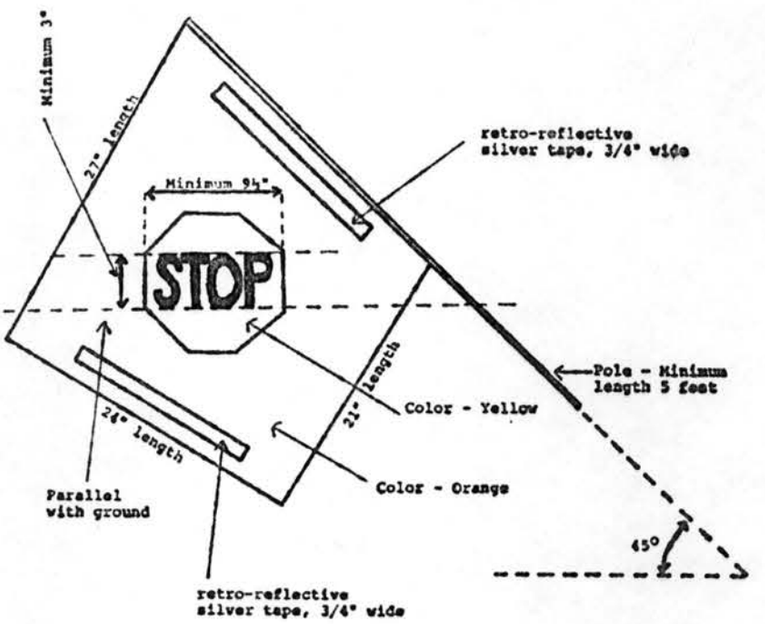
~~(g)~~ G. The letters of the word "PATROL" appearing below the word "STOP" shall be in block type at least 1-1/8 inches in height.

~~(h)~~ H. The octagon shall be affixed to the flag in such a manner that the bottom side of the octagon and the word "STOP" shall be parallel with the ground when the pole is held at a 45 degree upward angle, as illustrated ~~on the drawing attached to and made part of this regulation~~ in exhibit 11 MCAR S 1.0066 H.-1.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

Exhibit 11 MCAR S 1.0066 H.-1.

School safety patrol flag illustration.



~~(i)~~ I. The octagonal yellow field shall be centered equidistantly from the sides and bottom of the flag.

~~(j)~~ J. Both sides of the flag shall be identical.

~~(k)~~ K. Retro-reflective material may be applied to the flag if the school administrator deems such application is necessary and feasible. If reflectorized, such application must be accomplished in conformance with the following specifications:

~~(1)~~ 1. Two, three-fourths inch strips of retro-reflective silver tape shall be either pressed on or sewn on both sides of the flag.

~~(2)~~ 2. The top strip shall be placed three inches from the top (pole) edge of the flag; and the bottom strip shall be placed three inches from the bottom (opposite) edge of the flag. Both strips shall be centered equidistantly from the sides, and must be a minimum of eight inches in length.

~~(l)~~ L. The flag shall be attached to a lightweight pole with a minimum length of five feet. Longer or extension poles may be used at crossings on unusually wide streets. Weights may be attached to the bottom of the flag to hold it in a vertical position in windy weather in order to be visible to the

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approaching drivers.

~~SafAd 67~~ 11 MCAR S 1.0067 Equipment worn by patrol member.

~~(a)~~ A. Sam Browne belt. The Sam Browne belt, vest, or sash with pole socket worn by a school safety patrol member shall be made of leather, web, or plastic material. ~~When possible,~~ This equipment shall be worn over outer garments while on duty. Color may be white or blaze orange.

~~(b)~~ B. Safety patrol badge. The school safety patrol badge may be worn by each patrol member while on duty. This badge shall be attached to the Sam Browne belt, vest, or sash in such position as to be plainly visible.

~~SafAd 68~~ 11 MCAR S 1.0068 Position and procedure at street intersection or crossing.

A school patrol member must comply with the following procedures at street intersections and crossings:

~~(a)~~ A. The patrol member shall stand on the road shoulder or curb (not in the roadway) where ~~he shall observe~~ traffic shall be observed approaching ~~traffic~~ from all directions.

~~(b)~~ B. The patrol member shall instruct the children to remain in place until ~~he~~ sees a break or lull in traffic is seen. During this time, except when actually issuing directions to the children, ~~he~~ the patrol member shall stand erect and at attention with the flag staff resting on the ground in a vertical position ~~at~~ to the right of ~~his~~ the right foot. In this latter position ~~he~~ the patrol member will more readily be observed by drivers of approaching vehicles.

~~(c)~~ C. When a lull occurs in traffic ~~the patrol member shall raise~~ the flag shall be raised vertically upward over the patrol member's head for a period of four seconds, to alert any oncoming traffic.

~~(d)~~ D. When the lanes of roadway are clear of traffic the patrol member shall extend the flag into ~~his~~ the traffic lane at an angle of approximately 45 degrees upward. This will be the signal for all the children to start crossing the street. Holding the flag at a 45 degree angle will place it above the

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

heads of the children. ~~If~~ With two patrol members ~~are used~~ at one intersection, each member shall make a quarter turn in the direction of the oncoming traffic ~~on his side of the street or road~~ with at least one foot remaining on the curb or shoulder.

~~(e)~~ E. While children are crossing the street in a column, the patrol member shall keep ~~his~~ this position while watching or facing approaching traffic.

~~(f)~~ F. If ~~his~~ the patrol member's view of traffic is obstructed by parked ~~cars~~ vehicles, the patrol member may step into the street a sufficient distance to obtain a clear view, but not ~~more than one pace~~ into the street beyond the ~~fender line of the~~ parked ~~cars~~ vehicles. After the children have completed crossing the street, the patrol member shall return to ~~his~~ the original position on the shoulder or curb.

~~(g)~~ G. Under no circumstances shall the flag ever be waved or misused in any manner.

~~(h)~~ H. There shall be ~~one or more~~ at least two patrol members at each crossing. ~~When two are used,~~ One patrol member shall operate as sender on the side from which the children gather, and the other shall take a similar position on the opposite side of the roadway and operate as the receiver.

~~(i) At least two patrol members shall be used at a particular crossing when, in the opinion of local law enforcement officials, traffic is such that more than one patrol member is needed for the safety of the school children.~~

~~(j)~~ I. Patrol members shall continually watch oncoming traffic while children are crossing the roadway and be constantly alert for danger. They shall stand between the children and approaching traffic with at least one foot remaining on the curb or shoulder.

~~SafAd 69 11 MCAR S 1.0069 Procedure at railroad crossings.~~

~~(a)~~ The patrol flag shall never be used at railroad crossings.

~~(b)~~ The patrol member shall direct children to remain at least a distance of 20 feet from the nearest railroad track until ~~he~~ the patrol member has completed ~~his~~ an inspection to see if there are any approaching trains. When there are no approaching

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trains, ~~he shall direct~~ the children shall be directed to cross the tracks ~~and~~ by the patrol member who shall remain at ~~his~~ the proper position until all have crossed.

~~SafAd 70~~ 11 MCAR S 1.0070 School bus safety patrol procedures.

~~(a)~~ A. School bus crossing at railroad tracks. Patrol members shall motion the bus across the railroad tracks in the following manner:

~~(1)~~ 1. Patrol members shall take a position so as to have a clear view of the railroad track in both directions.

~~(2)~~ 2. If a train is approaching the crossing, the patrol member shall not cross the tracks but shall face the bus at a safe distance from the tracks and give the signal for the bus not to proceed by holding up both hands above his or her head.

~~(3)~~ 3. When the railroad track is clear and safe for crossing, the patrol member shall cross the tracks and signal, with a forward motion of ~~his~~ an upraised arm, for the driver to proceed across the tracks to a point at least 2-1/2 bus lengths beyond the tracks, where the patrol member shall reenter the bus.

~~(b)~~ B. Crossing roadways from a school bus.

~~(1)~~ 1. The driver of a school bus is responsible for the safety of the children, and the presence of a school bus safety patrol member in no way relieves ~~him~~ the driver of such responsibility.

~~(2)~~ 2. In directing pupils across the roadway after alighting from the bus, the patrol member shall escort the pupils to a position at least ten feet in front of the bus. When ~~he has~~ it is ascertained that there is no approaching traffic, ~~he~~ the patrol member shall step out one pace beyond the fender line of the bus and extend ~~his~~ the flag into the opposite lane at a 45 degree angle and direct the pupils to proceed across the roadway.

~~(3)~~ 3. The patrol member shall not escort each pupil across the roadway, but shall remain at ~~his~~ the designated post near the front of the bus.

~~(4)~~ 4. Crossing the roadway behind the bus shall never be

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

permitted.

~~SafAd 71~~ 11 MCAR S 1.0071 Police officer, traffic signal control.

~~(a)~~ A. Traffic controlled intersections. At intersections where traffic is controlled by a police officer, a traffic signal, or both, the patrol member shall direct the crossing of the children in conformity with the direction of the signal or the police officer.

~~(b)~~ B. Intersections not regularly controlled. At intersections where there is no regular traffic control, the traffic may be sufficiently heavy to require the special assignment of a police officer at times when children are going to and from school. When this is done, the patrol member should cooperate with police officers.

Repealer. SafAd 72 and 73 are repealed.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing the Method of Identification and Signals for School Safety Patrol.

ORDER ADOPTING RULES

Notice of the Commissioner's intent to adopt the above-entitled rules without a public hearing was published in the State Register on January 31, 1983, and was sent by the United States mail to all persons on the list maintained by the agency pursuant to Minn. Stat. section 14.22, on January 28, 1983. After affording interested and affected persons an opportunity to submit comments for 30 days after Notice, receiving fewer than seven written requests for a public hearing within the 30-day comment period, reviewing and considering the comments, and determining the need for and reasonableness of the above captioned rules.

NOW, THEREFORE, IT IS ORDERED that these rules, identified as 11 MCAR Sections 1.0065 through 1.0071 are adopted this 29th day of April, 19 83, pursuant to authority vested in me by Minn. Stat. Section 299A.01, subd. 6. and Minn. Stat. section 126.15.

STATE OF MINNESOTA

Paul J. Tschida

PAUL J. TSCHIDA
COMMISSIONER OF PUBLIC SAFETY

ACDKHF0018

If adopted, the rules in question would seek formally to establish the above-referenced procedures and safeguards for the Minnesota Board of Nursing Home Administrators.

Any persons desiring to submit data or views on these subjects should address their comments, by October 15, 1982, whether written or oral to:

Phillip C. Newberg
Executive Director
Mn. Bd. of Examiners for Nursing Home Administrators
717 Delaware Street, S.E. (Room 340)
Minneapolis, Mn. 55414
Tele: (612) 296-5406

All written submissions will become part of the record in any subsequent hearing.

Dated: August 11, 1982

Phillip C. Newberg
Executive Director
Minnesota Board of Nursing Home Administrators

Department of Public Safety
Safety Administration Division

Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules of the Department of Public Safety Governing Method of Identification and Signals for School Safety Patrols in Minnesota

Notice is hereby given that the Department of Public Safety is seeking information or opinions from sources outside the agency in preparing to promulgate rules governing identification, signals, equipment and usage procedures for school safety patrols. Such rulemaking would amend existing rules of the department identified as SafAd 65-73.

The promulgation of these rules is authorized by *Minn. Stat.* § 126.15, which requires the agency to prescribe the method of identification and signals to be used by school safety patrols.

The Department of Public Safety requests information and comments concerning the subject matter of these rules. Interested or affected persons or groups may submit statements of information or comment orally or in writing. Written statements should be addressed to:

Harlan Olson, Director
Office of Information
Department of Public Safety
318 Transportation Building
St. Paul, Mn. 55155

Oral statements will be received during regular business hours over the telephone at (612) 296-6652 and in person at the above address.

All statements of information and comment shall be accepted until September 24, 1982. Any written material received by the Department of Public Safety shall become part of the record in the event that the rules are promulgated.

John P. Sopsic
Commissioner of Public Safety

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing the Method of Identification and Signals for School Safety Patrol.

ORDER FOR NOTICE OF INTENT TO ADOPT RULES WITHOUT PUBLIC HEARING

IT IS ORDERED this 10th day of January, 1983, that a Notice of Intent to Adopt Rules Without Public Hearing in the above-entitled matter be given to all persons who have registered their names with the State Department of Public Safety for that purpose and be published in the State Register.

STATE OF MINNESOTA

Paul J. Tschida

PAUL J. TSCHIDA
COMMISSIONER OF PUBLIC SAFETY

ACDKHF0006

Department of Public Safety
Administration Division

In The Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing the Method of Identification and Signals for School Safety Patrol.

NOTICE OF INTENT TO ADOPT RULES WITHOUT A HEARING

Notice is hereby given that the State Department of Public Safety is proposing to adopt the above entitled rules without a public hearing. The Commissioner of Public Safety has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow procedures set forth in Minn. Stat. Section 15.0412, Subdivision 4h.

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. The proposed rules may be modified prior to final adoption if modifications are supported by the data and views submitted to the Department of Public Safety and do not result in a substantial change in the proposed language.

Unless seven or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment period, a public hearing will not be held. The written request must be specific on which rule(s) a hearing is desired. Identification of the particular objection, the suggested modifications, and the reasons or data relied upon to support the suggested modifications are desired. In the event a public hearing is required, the department will proceed according to the provisions of Minn. Stat. 15.0412, subdivision 4-4f.

Persons who wish to submit comments or a written request for a public hearing, or persons who wish to receive a copy of this notice and/or a copy of the proposed rules, should address their correspondence to the address below and include the name of the rulemaking:

Diane Hamilton
Department of Public Safety
211 Transportation Building
St. Paul, MN 55155

The Department's authority to adopt the proposed rules is contained in Minn. Stat. Section 126.15. A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available from the Department of Public Safety upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this Notice, the Statement of Need and Reasonableness, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written request to the above address.

Please be advised that Minn. Stat. Chapter 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. Minn. Stat. Section 10A.01, subdivision 11 defines a lobbyist as any individual: (a) engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or (b) who spends more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

The department estimates that there will be no cost to local public bodies in the state to implement the rules for the two years immediately following their adoption, within the meaning of Minnesota Statutes Section 15.0412, subdivision 7.

A copy of the proposed rules is attached to this notice.

STATE OF MINNESOTA

Jan 14, 1983
DATE

Paul J. Tschida
PAUL J. TSCHIDA
COMMISSIONER OF PUBLIC SAFETY

ACDKHF0008

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing the Method of Identification and Signals for School Safety Patrol.

AFFIDAVIT OF MAILING NOTICE OF INTENT TO ADOPT RULES WITHOUT PUBLIC HEARING

LeeAnn Aitkin, being first duly sworn, deposes and says:

That on the 28th day of January, 1983, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the Notice of Intent to Adopt Rules Without Public Hearing by depositing in the State of Minnesota Central Mail System for United States mailing, a copy thereof, properly enveloped, with postage prepaid, on all persons and associations who have requested that their names be placed on file with the State Department of Public Safety for the purpose of receiving notice of the proposed adoption of rules by this department, mailing list A. In addition, discretionary notice was served on all persons and associations contained on mailing list B.

LeeAnn Aitkin

Subscribed and sworn to before me

this 27th day of January.

1983

Dorothy F. Gerlach

DOROTHY F. GERLACH
NOTARY PUBLIC - MINNESOTA
RAMSEY COUNTY
My commission expires Feb. 4, 1987

ACDKHF0011

Mailing List A - School Sat. Patrol

AID Homes, Inc./Horizon Apts.
1094 Waterloo Ave.
West St. Paul, MN 55118

Board of Directors
Alpha Homes, Inc.
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Safety Information Section
Department of Public Safety
318 Transportation Building
St. Paul, Minnesota 55155

Mr. Jerry Pavek
Director, Pupil Transportation
Dept of Education
Capitol Square Building
St. Paul, Minnesota 55155

Mr. Ralph Potvin
American Legion
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Brainerd, Minnesota 56401

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Minneapolis, Minnesota 55410

Mr. Leonz Schooley, Manager
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Chief of Police
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Silver Bay, Minnesota 55614

Mr. Henry Winterhalter
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Director of Safety
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Executive Sect'y - MSBOA
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Lino Lakes, Minnesota 55014

Ms. Sally Reed, School Patrol Advisor
Souix Trails Elementary School
2801 River Hills Drive
Burnsville, Minnesota

Mr. LaPatka, Principal
Lino Lakes Elementary School
Circle Pines, Minnesota 55014

33 copies

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing the Method of Identification and Signals for School Safety Patrol.

CERTIFICATE OF MAILING LIST

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minn. Stat. 15.0412, subd. 4, that their names be placed on file with and maintained by the State Department of Public Safety for the purpose of receiving notice of the proposed adoption of rules by this department, is accurate and complete as of 9:00 A.M., this 26th day of January, 1983.

Diane Lybeck

Department of Public Safety
Administration Division

Proposed Rules Governing the Method of Identification and Signals for School Safety Patrol

Notice of Intent to Adopt Rules without a Hearing

Notice is hereby given that the State Department of Public Safety is proposing to adopt the above entitled rules without a public hearing. The Commissioner of Public Safety has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow procedures set forth in Minn. Stat. § 15.0412, subdivision 4h.

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. The proposed rules may be modified prior to final adoption if modifications are supported by the data and views submitted to the Department of Public Safety and do not result in a substantial change in the proposed language.

Unless seven or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment period, a public hearing will not be held. The written request must be specific on which rule(s) a hearing is desired. Identification of the particular objection, the suggested modifications, and the reasons or data relied upon to support the suggested modifications are desired. In the event a public hearing is required, the department will proceed according to the provisions of Minn. Stat. § 15.0412, subdivision 4-4f.

Persons who wish to submit comments or a written request for a public hearing, or persons who wish to receive a copy of this notice and/or a copy of the proposed rules, should address their correspondence to the address below and include the name of the rulemaking:

Diane Hamilton
Department of Public Safety
211 Transportation Building
St. Paul, MN 55155

The department's authority to adopt the proposed rules is contained in Minn. Stat. § 126.15. A statement of need and reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available from the Department of Public Safety upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the statement of need and reasonableness, all written comments received, and the final rules as adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written request to the above address.

Please be advised that Minn. Stat. chapter 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. Minn. Stat. § 10A.01, subdivision 11 defines a lobbyist as any individual: (a) engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or (b) who spends more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

The department estimates that there will be no cost to local public bodies in the state to implement the rules for the two years immediately following their adoption, within the meaning of Minnesota Statutes § 15.0412, subdisivion 7.

A copy of the proposed rules is attached to this notice.

Paul J. Tschida
Commissioner of Public Safety

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Rules as Proposed

~~SafAd 65~~ 11 MCAR § 1.0065 Purpose and scope.

~~(a)~~ A. Purpose. The purpose of ~~this regulation~~ 11 MCAR §§ 1.0065-1.0071 is to establish the method of identification and signals for school safety patrol, including equipment standards and proper usage procedures.

~~(b)~~ B. Scope. The scope of ~~this regulation~~ 11 MCAR §§ 1.0065-1.0071 is intended to be consistent with the provisions of Minnesota Statutes ~~(1971)~~, section 126.15.

~~SafAd 66~~ 11 MCAR § 1.0066 School safety patrol flag and pole.

Each school safety patrol flag shall meet the following standards:

~~(a)~~ A. The flag shall be blaze orange in color with an octagonal of yellow bearing the word "STOP" in black letters.

~~(b)~~ B. The flag shall be 24 inches in width at the bottom.

~~(c)~~ C. The inside edge of the flag shall be 21 inches in length.

~~(d)~~ D. The outside edge of the flag shall be 27 inches in length.

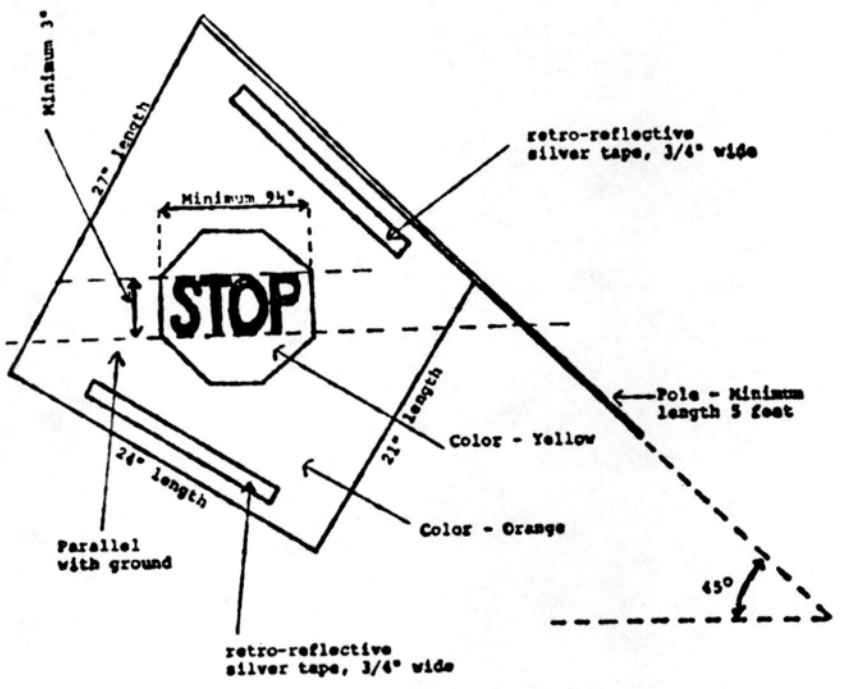
~~(e)~~ E. The octagonal center of yellow shall measure at least 9½ inches from side to side and the black letters of the word "STOP" shall be in a block type at least three inches in height.

~~(f)~~ F. The letters of the word "SCHOOL" appearing above the word "STOP" shall be in block type at least 1⅛ inches in height.

~~(g)~~ G. The letters of the word "PATROL" appearing below the word "STOP" shall be in block type at least 1⅛ inches in height.

~~(h)~~ H. The octagon shall be affixed to the flag in such a manner that the bottom side of the octagon and the word "STOP" shall be parallel with the ground when the pole is held at a 45 degree upward angle, as illustrated ~~on the drawing attached to and made part of this regulation~~ in exhibit 11 MCAR § 1.0066 H.-1.

Exhibit 11 MCAR § 1.0066 H.-1.
School safety patrol flag illustration.



Octagon is sample for illustration purposes only.
Size and exact placement not drawn to scale.

~~(i)~~ I. The octagonal yellow field shall be centered equidistantly from the sides and bottom of the flag.

~~(j)~~ J. Both sides of the flag shall be identical.

~~(k)~~ K. Retro-reflective material may be applied to the flag if the school administrator deems such application is necessary and feasible. If reflectorized, such application must be accomplished in conformance with the following specifications:

~~(1)~~ 1. Two, three-fourths inch strips of retro-reflective silver tape shall be either pressed on or sewn on both sides of the flag.

~~(2)~~ 2. The top strip shall be placed three inches from the top (pole) edge of the flag; and the bottom strip shall be placed three inches from the bottom (opposite) edge of the flag. Both strips shall be centered equidistantly from the sides, and must be a minimum of eight inches in length.

~~(l)~~ L. The flag shall be attached to a lightweight pole with a minimum length of five feet. Longer or extension poles may be used at crossings on unusually wide streets. Weights may be attached to the bottom of the flag to hold it in a vertical position in windy weather in order to be visible to the approaching drivers.

~~SafAd 67~~ **11 MCAR § 1.0067 Equipment worn by patrol member.**

~~(a)~~ A. Sam Browne belt. The Sam Browne belt, vest, or sash with pole socket worn by a school safety patrol member shall be made of leather, web, or plastic material. ~~When possible,~~ This equipment shall be worn over outer garments while on duty. Color may be white or blaze orange.

~~(b)~~ B. Safety patrol badge. The school safety patrol badge may be worn by each patrol member while on duty. This badge shall be attached to the Sam Browne belt, vest, or sash in such position as to be plainly visible.

~~SafAd 68~~ **11 MCAR § 1.0068 Position and procedure at street intersection or crossing.**

A school patrol member must comply with the following procedures at street intersections and crossings:

~~(a)~~ A. The patrol member shall stand on the road shoulder or curb (not in the roadway) where ~~he shall observe~~ traffic shall be observed approaching ~~traffic~~ from all directions.

~~(b)~~ B. The patrol member shall instruct the children to remain in place until ~~he sees~~ a break or lull in traffic is seen. During this time, except when actually issuing directions to the children, ~~he~~ the patrol member shall stand erect and at attention with the flag staff resting on the ground in a vertical position ~~at~~ to the right of ~~his~~ the right foot. In this latter position ~~he~~ the patrol member will more readily be observed by drivers of approaching vehicles.

~~(c)~~ C. When a lull occurs in traffic ~~the patrol member shall raise~~ the flag shall be raised vertically upward over the patrol member's head for a period of four seconds, to alert any oncoming traffic.

~~(d)~~ D. When the lanes of roadway are clear of traffic the patrol member shall extend the flag into ~~his~~ the traffic lane at an angle of approximately 45 degrees upward. This will be the signal for all the children to start crossing the street. Holding the flag at a 45 degree angle will place it above the heads of the children. ~~If~~ With two patrol members ~~are used~~ at one intersection, each member shall make a quarter turn in the direction of the oncoming traffic ~~on his side of the street or road~~ with at least one foot remaining on the curb or shoulder.

~~(e)~~ E. While children are crossing the street in a column, the patrol member shall keep ~~his~~ this position while watching or facing approaching traffic.

~~(f)~~ F. If ~~his~~ the patrol member's view of traffic is obstructed by parked ~~cars~~ vehicles, the patrol member may step into the street a sufficient distance to obtain a clear view, but not ~~more than one pace~~ into the street beyond the ~~fender line of the~~ parked ~~cars~~ vehicles. After the children have completed crossing the street, the patrol member shall return to ~~his~~ the original position on the shoulder or curb.

~~(g)~~ G. Under no circumstances shall the flag ever be waved or misused in any manner.

~~(h)~~ H. There shall be ~~one or more~~ at least two patrol members at each crossing. ~~When two are used,~~ One patrol member shall operate as sender on the side from which the children gather, and the other shall take a similar position on the opposite side of the roadway and operate as the receiver.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

~~(i) At least two patrol members shall be used at a particular crossing when, in the opinion of local law enforcement officials, traffic is such that more than one patrol member is needed for the safety of the school children.~~

~~(j)~~ I. Patrol members shall continually watch oncoming traffic while children are crossing the roadway and be constantly alert for danger. They shall stand between the children and approaching traffic with at least one foot remaining on the curb or shoulder.

~~SafAd 69~~ 11 MCAR § 1.0069 **Procedure at railroad crossings.**

~~(a)~~ The patrol flag shall never be used at railroad crossings. ~~(b)~~ The patrol member shall direct children to remain at least a distance of 20 feet from the nearest railroad track until ~~he~~ the patrol member has completed ~~his~~ an inspection to see if there are any approaching trains. When there are no approaching trains, ~~he shall direct~~ the children shall be directed to cross the tracks ~~and~~ by the patrol member who shall remain at ~~his~~ the proper position until all have crossed.

~~SafAd 70~~ 11 MCAR § 1.0070 **School bus safety patrol procedures.**

~~(a)~~ A. School bus crossing at railroad tracks~~:~~. Patrol members shall motion the bus across the railroad tracks in the following manner:

~~(1)~~ 1. Patrol members shall take a position so as to have a clear view of the railroad track in both directions.

~~(2)~~ 2. If a train is approaching the crossing, the patrol member shall not cross the tracks but shall face the bus at a safe distance from the tracks and give the signal for the bus not to proceed by holding up both hands above his or her head.

~~(3)~~ 3. When the railroad track is clear and safe for crossing, the patrol member shall cross the tracks and signal, with a forward motion of ~~his~~ an upraised arm, for the driver to proceed across the tracks to a point at least 2½ bus lengths beyond the tracks, where the patrol member shall reenter the bus.

~~(b)~~ B. Crossing roadways from a school bus.

~~(1)~~ 1. The driver of a school bus is responsible for the safety of the children, and the presence of a school bus safety patrol member in no way relieves ~~him~~ the driver of such responsibility.

~~(2)~~ 2. In directing pupils across the roadway after alighting from the bus, the patrol member shall escort the pupils to a position at least ten feet in front of the bus. When ~~he has~~ it is ascertained that there is no approaching traffic, ~~he~~ the patrol member shall step out one pace beyond the fender line of the bus and extend ~~his~~ the flag into the opposite lane at a 45 degree angle and direct the pupils to proceed across the roadway.

~~(3)~~ 3. The patrol member shall not escort each pupil across the roadway, but shall remain at ~~his~~ the designated post near the front of the bus.

~~(4)~~ 4. Crossing the roadway behind the bus shall never be permitted.

~~SafAd 71~~ 11 MCAR § 1.0071 **Police officer, traffic signal control.**

~~(a)~~ A. Traffic controlled intersections. At intersections where traffic is controlled by a police officer, a traffic signal, or both, the patrol member shall direct the crossing of the children in conformity with the direction of the signal or the police officer.

~~(b)~~ B. Intersections not regularly controlled. At intersections where there is no regular traffic control, the traffic may be sufficiently heavy to require the special assignment of a police officer at times when children are going to and from school. When this is done, the patrol member should cooperate with police officers.

Repealer. SafAd 72 and 73 are repealed.

Department of Public Safety
Bureau of Criminal Apprehension

Proposed Rules Governing the Possession or Ownership of Machine Guns and Short-Barrelled Shotguns

Notice of Intent to Adopt Rules without a Hearing

Notice is hereby given that the State Department of Public Safety is proposing to adopt the above entitled rules without a public hearing. The Commissioner of Public Safety has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow procedures set forth in Minn. Stat. § 15.0412, subdivision 4h.

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing the Method of Identification and Signals for School Safety Patrol.

FINDINGS OF FACT AND CONCLUSIONS

Notice of the Commissioner's intent to adopt the above captioned rules without a public hearing was published in the State Register on January 31, 1983, and was sent by the United States Mail to all persons on the list maintained by the Department of Public Safety pursuant to Minnesota Statutes section 14.14 subdivision 1, on January 28, 1983.

After affording interested and affected persons an opportunity to submit comments for 30 days after Notice, having received fewer than seven requests for a public hearing within the 30 day comment period, and having reviewed and considered the comments, I find the following:

FINDINGS OF FACT

1. The authority of the Department of Public Safety to promulgate these rules is contained in Minn. Stat. Section 126.15.

2. The Statement of Need and Reasonableness for these rules sets forth the need for and reasonableness of the rules to be adopted, and is incorporated into these findings and becomes a part hereof as though fully set forth herein.

3. During the 30 day public comment period, 4 requests for public hearing were received, along with specific comments and requests for modifications.

4. There were no requests for notification of submission of the rules to the Attorney General.

5. All 4 public commentors addressed the same issues. They requested that a private sponsor's decal or logo be allowed to be affixed to the school patrol flag, that the patrol member be allowed to stand at "parade rest" (rather than at "attention") during the time the children are lining up to await crossing the street, and that "one" (rather than "two") patrol member be the minimum required at an intersection.

CONCLUSIONS

1. The Commissioner of Public Safety gave due, timely and adequate legal notice of his intent to adopt rules without a public hearing.

2. The Commissioner of Public Safety has statutory authority to promulgate the proposed rules.

3. The Commissioner of Public Safety has fulfilled all relevant, substantive and procedural requirements of law and rule.

4. The Commissioner of Public Safety has demonstrated the need for and reasonableness of the proposed rules by an affirmative presentation of facts.

5. The rules as proposed for adoption are modified to incorporate one public comment suggestion. In 11 MCAR 1.0066, a subsection is added to read, "A private sponsor's decal or logo no larger than 4" x 3", may be affixed to the flag, but no portion of said logo shall be within the octagonal yellow field." It will not impair safety and it will save certain school districts considerable amounts of money, since these sponsors donate to their school safety patrol program.

6. The other two suggestions are not adopted. To allow a patrol member to stand at parage rest could lead to playing at the street corner and prevent the patrol member from being in clear view of traffic. "Attention" is not intended to mean military type stature. It merely means attention to the job being performed and a certain degree of decorum and discipline, to set a safety example for the other children. Two patrol members must be the minimum number at a crossing for safety reasons. It is better to have none than only one. Patrolling a busy intersection is too much responsibility for one child and could instill a false sense of security and safety, when in fact problems could occur that are beyond the ability of one child to handle.

STATE OF MINNESOTA

April 29, 1983
DATE

Paul J. Tschida
PAUL J. TSCHIDA
COMMISSIONER OF PUBLIC SAFETY

ACDKDN0013

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Method of Identification and Signals for School Safety Patrol.

STATEMENT OF NEED AND REASONABLENESS

The above captioned rules are amendments to existing rules of the Department of Public Safety. The existing rules, entitled METHOD OF IDENTIFICATION AND SIGNALS FOR SCHOOL SAFETY PATROL IN MINNESOTA were originally adopted and approved March 4, 1976 and since then have not been amended.

The purpose of these rules is to comply with Minnesota Statutes, section 126.15, which requires the Commissioner of Public Safety to prescribe a uniform method of identification and signals to be used by school safety patrols throughout the state. These rules establish uniformity which readily identifies members of the school safety patrol and provides uniformity in procedures to be followed and equipment which is used. The proposed amendments to these rules predominantly update and clarify language and change certain requirements to provide greater safety for both the patrol member and children. The substantive provisions of the amendments to each rule are discussed below.

11 MCAR SS 1.0065 thru 1.0071 removes all sexist language from the rules because school patrol members include both girls and boys (1.0068A, B, C, D, E, F; 1.0069A; 1.0070A 2, 3; 1.0070B 1, 2, 3).

11 MCAR S 1.0066 L makes it clearer and encourages patrol members to use longer poles at intersections on wide streets. Previously only the minimum length of poles was addressed. With more crossings being protected on multi-lane roadways, the need for extended or longer poles is necessary for visibility by drivers who are traveling in lanes other than the right hand lanes closest to the shoulder or curb. Traffic lane widths have increased from 10 to 12 feet in recent years making the crossing distance on multi four-lane roadway with parking lanes a minimum of 64 feet. Although there has never been a traffic death in Minnesota at an intersection protected by a school safety patrol member, the hazards are increased on wider roadways unless all drivers can readily see the patrol flags.

11 MCAR 1.0067A mandates the wearing of the specified uniform. Previously this was discretionary. The purpose is to prescribe a uniform method of identification. Since the Sam Browne belt, vest or sash are part of the identification they should be worn and visible to the drivers of vehicles at all times patrol members are on duty.

11 MCAR S 1.0068 D, F & I allows the school patrol member to step off the curb with one foot. Most patrol members have a tendency to do this in order to be more visible to motorists. The change would allow such action without being in violation of the rule. There have been no reports that this adds danger to the patrol members on duty. It does in fact increase their sense of adding protection. However, stepping beyond the parked vehicle endangers patrol members because they are then in the traffic lane and this is prohibited. Adequate visibility and better protection is possible by not going beyond the parked vehicles.

11 MCAR S 1.0068 H requires at least two patrol members to be present at all guarded intersections. There is too much responsibility to expect one child to guard an intersection safely with wider streets and increased traffic volume. Furthermore, drivers of vehicles regularly look to their right to observe devices that control or regulate traffic. Children crossing at intersections protected by school safety patrols are confident of their safety when directed to cross by a patrol member, however, it is impossible for one patrol member to adequately observe traffic approaching from four directions, control the children, and assure a safe crossing. With two safety patrol members at every intersection it is no longer necessary to have old section (I).

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In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing the Method of Identification and Signals for School Safety Patrol.

STATEMENT OF COMPLIANCE WITH RULEMAKING PROCEDURES

I, Special Assistant Attorney General James Early, do hereby declare that I have examined the rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed. Any exceptions are noted below.

May 13, 1983
DATED

James B. Early
SPECIAL ASSISTANT ATTORNEY GENERAL

ACDKDF0001