

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
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Our File No. 1067

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 9-6-84
DATE FOR REVIEW 9-15-84
DATE DUE 9-20-84

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

Approved September 20, 1984 (CR) Disapproved _____ Returned to Agency _____

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

Date filed w/Secretary of State 9-24-84 Revisor approved 9/10/84 disapproved _____

✓ Rule as Adopted

✓ Rule as Proposed

✓ Order Adopting 7.5.84 Date

✓ Notice of Intent to Solicit Outside Opinion SR. 7.26.82.

✓ Order for rulemaking
N/A date of Hearing

N/A Certificate of Board's Authorizing Resolution

✓ Notice of rulemaking + Addendum re 1984 APA changes
✓ Sufficiency contains small biz statement

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

✓ Mailing list Certificate

✓ Publication in State Register
5.21.84 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

ATTN: John B. Bjork
Special Assistant Attorney General

DATE: September 24, 1984

FROM : Larry D. Starns LDS
Special Assistant Attorney General

PHONE: 297-3493

SUBJECT: In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Requirements for the Approval of Motor Vehicle Equipment Used and Sold in Minnesota.

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.

LDS:slz

Encs.

cc: Ms. Kathy Burek
Mr. Duane Harves

9/27 this was erroneously addressed to John Bjork. should have gone to Jeff Bilcik. Pub. Saf. advised

AG copy.

Department of Public Safety

State Patrol Division

Adopted Rules Governing Requirements for Motor Vehicle Lighting Devices, Safety Glazing Materials, and Towing Devices

Rules as Adopted

7425.0110 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part except in those instances when the context clearly indicates a different meaning.

Subp. 2. **After-market equipment.** "After-market equipment" means equipment other than "original equipment" as defined in subpart 31.

Subp. 3. **ANSI.** "ANSI" means American National Standards Institute.

Subp. 4. **Auxiliary driving lamp.** "Auxiliary driving lamp" means a lighting device that is mounted to provide illumination forward of the vehicle and that supplements the upper beam of a standard headlamp system. It is not intended for use alone or with the lower beam of a standard headlamp system.

Subp. 5. **Auxiliary lamps.** "Auxiliary lamps" means lighting devices on a motor vehicle used to supplement the other road lighting devices. They include those lamps sold commercially as driving lamps, passing lamps, fog lamps, auxiliary low-beam lamps, and motorcycle auxiliary front lamps.

Subp. 6. **Auxiliary low-beam lamp.** "Auxiliary low-beam lamp" means a type of lamp that supplements the lower beam of a standard headlamp system. It is not intended for use alone or with the upper beam of a standard headlamp system.

Subp. 7. **Auxiliary passing lamp.** "Auxiliary passing lamp" means an auxiliary low-beam lamp.

Subp. 8. **Backup lamp.** "Backup lamp" means a lamp used to furnish general illumination to the rear of a vehicle when it is in rearward motion and to provide a warning signal to

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pedestrians and other drivers when the vehicle is backing up or is about to back up.

Subp. 9. **Bicycle lighting devices.** "Bicycle lighting devices" includes:

A. a headlamp which is an electric lamp used to provide general illumination ahead of a nonmotorized bicycle and also to serve as a warning light to approaching motorists;

B. a rear red reflector which indicates the presence of the bicycle to an approaching driver by reflecting the light from the headlamps of a vehicle approaching from the rear; and

C. side reflectors, reflectorized pedals, and reflectorized tires which are devices designed to conform with the reflectorization requirements of applicable regulations issued by the Consumer Product Safety Commission.

Subp. 10. **Bulb.** "Bulb" means an indivisible assembly containing a source of light and normally used in a lamp.

Subp. 11. **Clearance lamp.** "Clearance lamp" means a lamp used on the upper left and right sides of the vehicle or load, and which shows to the front or rear to indicate the overall width of the vehicle or load.

Subp. 12. **Combination clearance and side marker lamp.** "Combination clearance and side marker lamp" means a single lamp which, when properly positioned and oriented, fulfills the requirements of both a clearance lamp and a side marker lamp.

Subp. 13. **Combination device.** "Combination device" includes:

A. a combination lamp so constructed and connected that from one position on a vehicle it serves two or more of the lighting functions described in this part; and

B. combination switches and flashers so constructed and connected as to serve two or more of the functions of a turn-signal switch or flasher or hazard-warning switch or flasher.

Subp. 14. **Commissioner.** "Commissioner" means the commissioner of public safety of the state of Minnesota.

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Subp. 15. **Disabled vehicle warning device.** "Disabled vehicle warning device" means a device that is placed on the roadway to warn the driver of an approaching vehicle of a stationary vehicle hazard. "Disabled vehicle warning device" includes:

A. an emergency reflective triangle which is an equilateral triangle, each side of which displays both a daytime and nighttime warning area;

B. a portable red reflector device which is a holder with two reflex reflectors on each side, one above the other;

C. a flare which is a liquid burning device consisting of a vessel with a wick;

D. a fusee which consists of a solid fuel enclosed in a waterproof combustible tube and only used as a temporary or auxiliary signal flare; and

E. an electric emergency lantern which is a device capable of displaying a red light, either flashing or steady-burning.

Subp. 16. **Driving lamp.** "Driving lamp" means an auxiliary driving lamp.

Subp. 17. **Flashing warning lamp.** "Flashing warning lamp" means a lamp: used for authorized emergency, maintenance, and service vehicles; which may be directionally aimed; and, in which the light sources are turned on and off, interrupting the circuit and producing a repetitive flash of light.

Subp. 18. **Fog lamp.** "Fog lamp" means a lighting device mounted to provide illumination forward of the vehicle under conditions of rain, snow, dust, or fog. A fog lamp is an adverse weather lamp.

Subp. 19. **Front cornering lamp.** "Front cornering lamp" means a steady-burning lamp used in conjunction with the turn-signal system to supplement the headlamps by providing additional illumination in the direction of turn.

Subp. 20. **Hazard-warning signal flasher.** "Hazard-warning signal flasher" means a device which, as long as it is turned on, causes all the required signal lamps to flash that are

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listed in the description for hazard-warning signal switch.

Subp. 21. **Hazard-warning signal switch.** "Hazard-warning signal switch" means a driver-controlled device which causes at least one turn-signal lamp on the left and right to the front and on the left and right to the rear of the vehicle to flash simultaneously to indicate to the approaching driver the presence of a vehicular traffic hazard.

Subp. 22. **Headlamp assembly and optical unit.** "Headlamp assembly and optical unit" includes:

A. a sealed-beam headlamp housing assembly which is a major lighting assembly used to provide mounting and aiming adjustment for one or more sealed-beam units or replaceable bulb headlamps that provide general illumination ahead of the vehicle; and either

B. a sealed-beam headlamp unit which is a mechanically aimable, integral, indivisible, hermetically sealed optical assembly;

C. a mechanically aimable headlamp unit in which an O ring is used to seal an indexed replaceable bulb to the assembly; or

D. a mechanically aimable, hermetically sealed lens and reflector assembly with indexed replaceable bulb.

Subp. 23. **Headlamp beam-switching device.** "Headlamp beam-switching device" includes:

A. a driver-controlled headlamp beam-switching device used to select the upper or lower beam headlamp circuit; and

B. a semiautomatic headlamp beam-switching device providing either automatic or manual control of beam switching at the option of the driver. When the control is automatic, the headlamps switch from the upper beam to the lower beam when illuminated by the headlamps of an approaching car and switch back to the upper beam when the road ahead is dark. When the control is manual, the driver may obtain either beam manually regardless of the condition of lights ahead of the vehicle.

Subp. 24. **Identification lamps.** "Identification lamps" means lamps that are used in groups of three in a horizontal

row, that show to the front or rear or both, and that are mounted as near as practicable to the vertical centerline and the top of the vehicle to identify certain types of vehicles.

Subp. 25. **License plate lamp.** "License plate lamp" means a lamp used to illuminate the license plate on the rear of a vehicle.

Subp. 26. **Lighting device.** "Lighting device" means any device mounted on or in conjunction with a vehicle to furnish or regulate illumination or to mark or identify a vehicle or to serve as a signal or warning either by self-illumination or by reflected light. Interior lighting devices, such as dome, dash, and map lights intended only for interior illumination, placed inside the vehicle, and not intended to serve as a signal or to be seen by persons outside the vehicle, are not considered lighting devices within the scope of this chapter.

Subp. 27. **Motorcycle auxiliary front lamp.** "Motorcycle auxiliary front lamp" means a unit, including sealed beam, intended to supplement either the upper or the lower beam from a motorcycle headlamp system.

Subp. 28. **Motorcycle headlamp.** "Motorcycle headlamp" means a major lighting device used to provide general illumination ahead of the motorcycle.

Subp. 29. **Motorcycle turn-signal lamp.** "Motorcycle turn-signal lamp" means the signaling element of a motorcycle turn-signal system which indicates a change in direction by giving a flashing light on the side toward which the turn will be made.

Subp. 30. **Optical unit.** "Optical unit" means an integral and indivisible assembly consisting of a lens, reflector, and light source.

Subp. 31. **Original equipment.** "Original equipment" means an item of motor vehicle equipment which was installed in or on a motor vehicle at the time of its delivery to the first purchaser if:

A. the item of equipment was installed on or in the motor vehicle at the time of its delivery to a dealer or

distributor; or

B. the item of equipment was installed by the dealer or distributor with the express authorization of the motor vehicle manufacturer.

Subp. 32. **Parking lamps.** "Parking lamps," whether separate or in combination with other lamps, means lamps on both the left and right of the front of the vehicle which shine to the front and are intended to mark the vehicle when parked. In addition, these front lamps may serve as a reserve front position-indicating system in the event of headlamp failure. For rear parking lamps, see tail lamps.

Subp. 33. **Passing lamp.** "Passing lamp" means an auxiliary passing lamp.

Subp. 34. **Rear cornering lamp.** "Rear cornering lamp" means a lamp aimed and so connected as to illuminate an area to the side and rear of the vehicle only when the vehicle is moving backward or about to move backward.

Subp. 35. **Reflex reflector.** "Reflex reflector" means a lighting device used on vehicles to indicate a vehicle's presence to an approaching driver by reflecting the light from the headlamps of the approaching vehicle. This device may use a system of cube corners or, as a side marker only, a system of lens-mirror reflexes.

Subp. 36. **SAE.** "SAE" means Society of Automotive Engineers, Inc.

Subp. 37. **SAE standard or recommended practice.** "SAE standard or recommended practice" means a vehicle equipment standard or recommended practice contained in a SAE Standards Handbook published by the Society of Automotive Engineers, Inc.

Subp. 38. **Safety glass.** "Safety glass" means glazing materials so constructed, treated, or combined with other materials as to reduce, in comparison with ordinary sheet, float, or plate glass, the likelihood of injury to persons by objects from exterior sources or by the glazing materials when cracked or broken. The term also includes rigid and flexible safety glazing plastics.

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Subp. 39. **School bus warning-signal devices.** "School bus warning-signal devices" includes:

A. flashing red signal lamps which are alternately flashing lamps mounted horizontally both front and rear and intended to identify a vehicle as a school bus and to inform other users of the highway that the school bus is stopped on the highway to take on or discharge school children;

B. flashing amber signal lamps which are alternately flashing lamps mounted horizontally both front and rear and intended to identify a vehicle as a school bus and to prewarn by informing other users of the highway that the school bus is about to stop to take on or discharge school children;

C. a white strobe lamp which is a 360-degree double-flash lamp mounted on top of a school bus and used only when atmospheric conditions or terrain restrict visibility of the flashing warning-signal lamps; and

D. a stop arm which is an auxiliary device used to signal that a school bus has stopped to load or discharge passengers. It supplements the flashing red signal lamps. It may have alternately flashing, red lamps and it may be reflectorized.

Subp. 40. **Side marker lamps.** "Side marker lamps" means lamps that show to the side of the vehicle and are mounted on the permanent structure of the vehicle as near as practicable to the front and rear edges to indicate the overall length of the vehicle. Additional lamps may also be mounted at intermediate locations on the sides of the vehicle.

Subp. 41. **Side turn-signal lamps.** "Side turn-signal lamps" means lighting devices mounted on the side at or near the front of a vehicle and used as part of the turn-signal system to indicate a change in direction by giving a supplementary flashing, warning signal on the side toward which the vehicle operator intends to turn or maneuver.

Subp. 42. **Spot lamp.** "Spot lamp" means a lamp that provides a substantially parallel beam of light and which can be aimed at will. These lamps are not intended as substitutes for

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headlamps or as auxiliary lamps for road lighting, but are intended for use in emergencies and under conditions when a concentrated, controllable light beam is advantageous.

Subp. 43. **Stop lamp.** "Stop lamp" means a lamp giving a steady light to the rear of a vehicle or train of vehicles to indicate the intention of the operator of a vehicle to stop or diminish speed by braking.

Subp. 44. **Supplemental high-mounted stop and rear turn-signal lamps.** "Supplemental high-mounted stop and rear turn-signal lamps" means additional rear-facing lamps mounted high and possibly forward of the required tail, stop, and rear turn-signal lamps. They are intended to project a signal through intervening vehicles to operators of following vehicles.

Subp. 45. **Tail lamp or rear-position lamp.** "Tail lamp" or "rear-position lamp" means a lamp used to designate the rear of a vehicle by a steady-burning, low intensity light. Tail lamps are also used as rear parking lamps.

Subp. 46. **360-degree emergency warning-signal lamps.** "360-degree emergency warning-signal lamps" means devices that project light through a 360-degree arc in a regularly repeating pattern of flashes and that are designed for use on authorized emergency, maintenance, and service vehicles. The 360-degree emergency warning-signal lamps are used to signal other drivers to stop, to yield right-of-way, or to indicate the existence of a hazardous situation.

Subp. 47. **Towing device.** "Towing device" includes:

A. a coupling which is that part of the trailer-connecting mechanism by which the connection is actually made but which does not include any structural member, extension of the trailer frame, or brake actuator;

B. a hitch which is that part of a connecting mechanism including the ball support platform and ball and those components that extend and are attached to the towing vehicle;

C. a fifth wheel which is a load-carrying mechanical or structural towing device, including a kingpin and load-bearing plate-type device, that, when in use, serves as a

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primary connecting system for a semitrailer;

D. a saddle mount which is a device designed and constructed to be readily demountable and used in drive-away, tow-away operations to perform the functions of a conventional fifth wheel;

E. a tow bar which is a beam-type device fastened between the towing vehicle and the towed vehicle and used to transmit longitudinal loads between the vehicles; and

F. a safety chain which is a flexible tension member including chain, cable, or wire rope, and the attaching means, connected from the front of the trailer or trailer tongue to the rear of the towing vehicle for the purpose of retaining connection between the towing vehicle and the towed vehicle in the event the trailer coupling or ball should fail.

Subp. 48. **Turn-signal lamp.** "Turn-signal lamp" means the signaling element of a turn-signal system which indicates a change in direction by a flashing light indicating the side toward which the turn will be made. Turn-signal lamps may be flashed simultaneously as a vehicular traffic hazard-warning signal.

Subp. 49. **Turn-signal flasher.** "Turn-signal flasher" means a device that causes all the required signal lamps to flash when it is turned on.

Subp. 50. **Turn-signal switch.** "Turn-signal switch" means that part of a turn-signal system by which the vehicle operator causes the signal lamps to function.

Subp. 51. **Turn-signal system.** A "turn-signal system" consists of a turn-signal switch, a flasher unit, two or more turn-signal lamps, and one or two indicator lights.

Subp. 52. **VESC.** "VESC" means Vehicle Equipment Safety Commission.

Subp. 53. **Warning lamp alternating flasher.** "Warning lamp alternating flasher" means a device that alternately flashes warning-signal lamps used on authorized emergency vehicles or school buses.

7425.0150 PURPOSE.

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The purpose of this chapter is to prescribe requirements for motor vehicle lighting devices, safety glazing materials, and towing devices, which are not federally regulated and that are used on vehicles in Minnesota.

7425.0160 SCOPE.

The scope of this chapter is intended to be consistent with Minnesota Statutes, sections 169.222, 169.223, 169.44, 169.467 to 169.469, 169.48 to 169.52, 169.53 to 169.66, 169.71, subdivision 4, 169.74, and 169.75.

7425.0500 FEDERALLY REGULATED EQUIPMENT; INCORPORATION BY REFERENCE.

A lighting device, safety glazing material, or towing device certified by the manufacturer to meet applicable federal motor vehicle safety standards in Code of Federal Regulations, title 49, sections 571.108, 571.125, and 571.205 adopted under the National Traffic and Motor Vehicle Safety Act of 1966, United States Code, title 15, sections 1381 to 1431, is approved by the commissioner of public safety and hereby incorporated by reference.

7425.0600 NONFEDERALLY REGULATED EQUIPMENT.

Before the device is offered for sale, every manufacturer who sells or offers for sale a lighting device or other safety equipment, component, or assembly not subject to and not certified in compliance with an applicable federal motor vehicle safety standard incorporated by reference in this chapter and of a type for which approval is required, must have laboratory test data showing compliance with the standards or recommended practices prescribed by this chapter. Tests may be conducted by the manufacturer.

7425.0700 TEST REPORTS.

The commissioner at any time may request from the manufacturer a copy of the test or other supporting data on a lighting device, glazing material, or towing device showing proof of compliance with this chapter and additional evidence

that due care was established in maintaining compliance during production. If the manufacturer fails to provide proof of compliance within 30 days following the request, the commissioner shall prohibit the sale of the device in Minnesota until acceptable proof of compliance is received.

7425.0800 COMPLIANCE.

The commissioner shall require manufacturers of nonfederally regulated equipment to submit proof of compliance with this chapter signed by a responsible official of the manufacturer, or the manufacturer, under Minnesota Statutes, section 169.468, subdivision 2, may submit an unexpired certificate of approval or notice of compliance from the American Association of Motor Vehicle Administrators provided the certificate or notice shows proof of compliance with the rules, standards, and recommended practices adopted in this chapter.

7425.0900 EXPIRATION OF APPROVAL OF MOTOR VEHICLE EQUIPMENT.

Approval for the sale of nonfederally regulated equipment expires after five years unless the manufacturer requests reapproval, in which case the manufacturer shall submit proof of current compliance in accordance with part 7425.0800 that the item as then being manufactured conforms to this chapter.

7425.1000 TESTING.

The commissioner may purchase equipment sold for use on vehicles and test or retest the equipment for conformance with applicable requirements.

7425.1100 FEE WAIVED.

The fee authorized to be set and collected by the commissioner under Minnesota Statutes, section 169.468, subdivision 2, for costs connected with tests and approval of equipment submitted without certification or notification by the American Association of Motor Vehicle Administrators is hereby waived.

7425.2000 GENERAL REQUIREMENTS.

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Subpart 1. **Compliance.** Vehicle lighting equipment must conform to the general requirements listed in subparts 2 to 5.

Subp. 2. **Relation to statutes.** Lighting devices and components listed in part 7425.2100 must comply with the standard, recommended practice, or regulation stipulated for each device. A SAE standard or recommended practice is incorporated by reference to the extent that the standard or recommended practice is consistent with Minnesota statutory requirements delineated in parts 7425.0150 and 7425.0160.

Subp. 3. **Original and replacement equipment.** Original lighting equipment for a vehicle and after-market equipment made or sold for replacement of original lighting equipment must comply with the rules, federal regulations, standards, or recommended practices incorporated by reference in this chapter or the standards, recommended practices, or requirements in effect when the vehicle was manufactured.

Subp. 4. **Nonreplacement equipment.** After-market lighting equipment not made or sold for replacement of original equipment must comply with this chapter or the standards, recommended practices, or requirements in effect at the time, or up to one year prior to the time, that the equipment was manufactured.

Subp. 5. **Terms.** The words "it is recommended that," "recommendations," "should," or similar terms appearing in the SAE standards and recommended practices incorporated by reference in part 7425.2100 set forth a requirement except as otherwise expressly provided in this chapter. Items referred to as "a matter of information" or "attention is called to" in the SAE standards and recommended practices are not mandatory except as otherwise expressly provided in this chapter.

7425.2100 INCORPORATIONS BY REFERENCE OF STANDARDS FOR LIGHTING DEVICES.

Subpart 1. **Incorporations by reference.** Each of the following standards, recommended practices, and regulations are incorporated by reference for the lighting device indicated:

A. auxiliary driving lamp: SAE standard J581a, "Auxiliary Driving Lamps-SAE J581a," revised 1980, 1983 SAE

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Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

B. auxiliary low-beam lamp: SAE standard J582 SEP81, "Auxiliary Low Beam Lamp-SAE J582 SEP81," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

C. auxiliary passing lamp: SAE standard J582, "Electric Supplementary Passing Lamp-SAE J582," SAE Handbook 1973, published by Society of Automotive Engineers, Inc. (New York, NY, 1973);

D. backup lamp: Code of Federal Regulations, title 49, section 571.108;

E. bicycle rear red reflector: SAE standard J594f, "Reflex Reflectors-SAE J594f," revised January 1977, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

F. bicycle side reflector: Code of Federal Regulations, title 16, part 1512 (1983);

G. bicycle reflectorized pedal: Code of Federal Regulations, title 16, part 1512 (1983);

H. bicycle reflectorized tire: Code of Federal Regulations, title 16, part 1512 (1983);

I. clearance lamp: Code of Federal Regulations, title 49, section 571.108;

J. driving lamp: SAE standard J581a, "Auxiliary Driving Lamps-SAE J581a," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

K. electric emergency lantern: SAE standard J596, "Electric Emergency Lanterns-SAE J596," SAE Handbook 1978, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1978);

L. emergency reflective triangle: Code of Federal Regulations, title 49, section 571.125;

M. flare: SAE standard J597, "Liquid Burning Emergency Flares-SAE J597," SAE Handbook 1978, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1978);

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N. flashing warning lamp: SAE standard J595b, "Flashing Warning Lamps for Authorized Emergency, Maintenance and Service Vehicles-SAE J595b," revised July 1964, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

O. fog lamp: SAE standard J583 MAY81, "Front Fog Lamps-SAE J583 MAY81," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

P. front cornering lamp: SAE recommended practice J852b, "Cornering Lamps-SAE J852b," revised February 1965, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

Q. fusee: Code of Federal Regulations, title 49, section 393.95 (1983);

R. hazard warning signal flasher: Code of Federal Regulations, title 49, section 571.108;

S. hazard warning signal switch: Code of Federal Regulations, title 49, section 571.108;

T. headlamp assembly and optical unit: Code of Federal Regulations, title 49, section 571.108;

U. headlamp beam switching device: Code of Federal Regulations, title 49, section 571.108;

V. identification lamps: Code of Federal Regulations, title 49, section 571.108;

W. license plate lamp: Code of Federal Regulations, title 49, section 571.108;

X. motorcycle auxiliary front lamp: SAE recommended practice J1306 JUN80, "Motorcycle Auxiliary Front Lamps-SAE J1306 JUN80," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

Y. motorcycle headlamp: Code of Federal Regulations, title 49, section 571.108;

Z. motorcycle turn-signal lamp: Code of Federal Regulations, title 49, section 571.108;

AA. parking lamp: Code of Federal Regulations, title 49, section 571.108;

BB. portable red reflector: SAE recommended practice J774c, "Emergency Warning Device-SAE J774c," revised January 1971, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

CC. rear cornering lamp: SAE recommended practice J1373 JUN82, "Rear Cornering Lamp-SAE J1373 JUN82," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

DD. rear turn-signal lamp: SAE recommended practice J186a, "Supplemental High Mounted Stop and Rear Turn Signal Lamps-SAE J186a," revised September 1977, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

EE. reflex reflector: Code of Federal Regulations, title 49, section 571.108;

FF. safety glass: Code of Federal Regulations, title 49, section 571.205;

GG. school bus prewarning flashing amber signal lamp: Code of Federal Regulations, title 49, section 571.108;

HH. school bus stop-warning flashing red signal lamp: Code of Federal Regulations, title 49, section 571.108;

II. school bus stop arm: SAE recommended practice J1133a, "School Bus Stop Arm-SAE J1133a," revised November 1977, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

JJ. school bus white strobe lamp: Minnesota Statutes, section 169.64, subdivision 7;

KK. side marker lamp: Code of Federal Regulations, title 49, section 571.108;

LL. side turn-signal lamp: SAE recommended practice J914b, "Side Turn Signal Lamps-SAE J914b," revised July 1978, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

MM. spot lamp: SAE standard J591b, "Spot Lamps-SAE J591b," revised December 1972, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

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NN. stop lamp: Code of Federal Regulations, title 49, section 571.108;

OO. supplemental high-mounted stop lamp: Code of Federal Regulations, title 49, section 571.108;

PP. tail or rear-position lamp: Code of Federal Regulations, title 49, section 571.108;

QQ. 360-degree emergency warning signal lamp: SAE recommended practice J845, "360 Deg Emergency Warning Lamp-SAE J845," reaffirmed without change May 1972, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

RR. turn-signal flasher: Code of Federal Regulations, title 49, section 571.108;

SS. turn-signal lamp: Code of Federal Regulations, title 49, section 571.108;

TT. turn-signal switch: Code of Federal Regulations, title 49, section 571.108;

UU. turn-signal system: Code of Federal Regulations, title 49, section 571.108;

VV. warning lamp alternating flasher: SAE recommended practice J1054, "Warning Lamp Alternating Flashers-SAE J1054," revised January 1977, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983).

Subp. 2. **Availability of SAE standards.** The SAE standards and recommended practices incorporated by reference in subpart 1 are available for inspection and copying at the Hill Reference Library, 80 W. Fourth Street, St. Paul, Minnesota 55102.

Subp. 3. **Frequency of changes to SAE standards.** The SAE standards and recommended practices incorporated by reference in subpart 1 are not subject to frequent changes.

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7425.2200 MODEL DESIGNATION.

Each lighting device must be marked with a model designation which differentiates one model from another unless the only differences are:

A. right- and left-hand mounting;

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B. housing finish;

C. housing material;

D. mounting methods;

E. lens color;

F. lens material;

G. number of bulbs;

H. type of bulbs;

I. number of wiring connections; and

J. functions.

7425.2300 IDENTIFICATION AND MARKING REQUIREMENTS.

Subpart 1. **In general.** Lighting devices must be marked and identified to conform with the requirements in subparts 2 to 9.

Subp. 2. **Federally regulated lighting devices.** Lighting devices required by federal regulations to conform to Code of Federal Regulations, title 49, section 571.108 must be marked according to these federal requirements. Federally regulated equipment may also be marked according to subparts 3 to 5, except as may be prohibited by Code of Federal Regulations, title 49, section 571.108.

Subp. 3. **Nonfederally regulated lighting equipment; incorporation by reference.** Nonfederally regulated lighting equipment must be marked according to SAE recommended practice J759 MAR82, "Lighting Identification Code-J759 MAR82," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983), specifying permanent markings to identify device manufacturer, model, year, and functions. This recommended practice is hereby incorporated by reference. The SAE recommended practice J759 MAR82 is available for copying and inspection at the Hill Reference Library, 80 W. Fourth Street, St. Paul, Minnesota 55102. It is not subject to frequent change. FFS

Subp. 4. **Removable bulb.** Each removable bulb must be marked so as to identify the bulb manufacturer and also with the model designation or trade number. The design voltage and either the wattage or ampere rating may be shown instead of model designation or trade number. Bulb markings must be

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model designation or trade number. Bulb markings must be indelible and readable without magnification. In cases of private branding, a means of tracing the actual manufacturer must be provided by the owner of the private brand.

Subp. 5. **Optical unit and assembly.** In addition to the manufacturer's name, initials, or lettered trademark, each optical unit and assembly not covered by a lens or filter when in use must have marked on the lens the function code of the SAE standard or recommended practice to which the lamp complies.

Subp. 6. **Location.** Lamp and reflex reflector markings sufficient to identify the device as approved, must be located so as to be visible without the removal of any part of the vehicle on which it is installed. Flasher units, built-in signal switches, built-in headlamp housing assemblies, and headlamp beam-switching devices must have the identification marking on the exterior or on the wiring harness, but the markings are not required to be visible on the equipment as installed. Sealed-beam headlamp optical units may have model markings located so as to not be visible as installed on a vehicle, but the manufacturer's name, initials, or lettered trademark, and the lamp designation markings, must be visible on the lens.

Subp. 7. **Orientation markings.** For orientation markings, each lamp model and separable component and each reflex reflector that may be rotated or installed in an orientation that does not comply with the applicable standards incorporated by reference in this chapter, must be marked so that the installer and a person inspecting the installed device may readily identify when the equipment is not properly oriented.

Subp. 8. **Other markings.** Markings that are not required and not prohibited by Code of Federal Regulations, title 49, subpart 571.108, may also be applied but must not detract from or change the meaning of the required markings.

Subp. 9. **Permanent markings.** Markings that are required must be applied so as to be legible for the life of the device.

7425.2400 CONSTRUCTION OF NON-FEDERALLY REGULATED DEVICES.

Subpart 1. **In general.** Nonfederally regulated devices must be constructed to meet the requirements in subparts 2 to 8.

Subp. 2. **Convenient adjustments.** Lamps must be so constructed that bulb or lens replacements and aiming adjustments may conveniently be made by one person with ordinary hand tools.

Subp. 3. **Free from hazard.** Lighting devices must be so constructed as to present no unreasonable personal hazard to a qualified person servicing the unit.

Subp. 4. **Aim.** Lamp mountings must be so arranged that the aim of the lamp will not be disturbed under ordinary conditions of service. The range of aiming adjustment for any lamp requiring aim must be plus or minus four degrees in both the vertical and horizontal planes except as otherwise specified by the applicable SAE standard or recommended practice incorporated by reference in this chapter.

Subp. 5. **Replacement.** Lamps must be so constructed that an optical unit or bulb can be replaced without disturbing the aim of the lamp.

Subp. 6. **Attachment and removal.** The means of fastening split or solid rims or trim rings must be readily accessible and means must be provided for easy removal of lens-retaining rings when snap or lock rings are used.

Subp. 7. **Gaskets.** Gaskets must be constructed of a durable material which will retain shape and resiliency.

Subp. 8. **Electrical wiring.** The electrical wiring must be securely connected and protected from abrasion.

7425.2500 SPECIFICATIONS FOR INDIVIDUAL LIGHTING DEVICES.

Subpart 1. **In general.** In addition to complying with standards incorporated by reference in this chapter, the requirements for individual devices are listed in subparts 2 to 11.

Subp. 2. **Bicycle headlamp.** Bicycle headlamp intensity above horizontal must not be greater than 250 candela. The lamp housing must be constructed so that a bulb and battery can be readily replaced. The headlamp must project a distinct beam of

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white light of uniform pattern.

Subp. 3. **Combination lamp.** In combination lamps, the requirements for each individual function must be met independently of any other function.

Subp. 4. **Electric emergency lantern.** Electric emergency lanterns, when placed on any clean, dry, paved road surface, must not tip or slide in a 40 mile-per-hour wind. To test these devices, three sample lanterns regularly marketed and sold must be chilled at a temperature of minus 20 degrees Fahrenheit for 12 hours, after which they must be placed in operation for 12 hours. Failure of two of the three samples to operate or to meet the intensity requirements of SAE standard J596 for electric emergency lanterns, incorporated by reference in part 7425.2100, subpart 1, item L, during the test is an automatic rejection.

Subp. 5. **Fusee.** Fusees must conform to the requirements in Code of Federal Regulations, title 49, section 393.95(j) (1983) for fusees. The color emitted must be red.

Subp. 6. **Alternate replacement bulb.** Each bulb designed or marketed as an alternate replacement must comply with the SAE standards or recommended practices incorporated by reference in this chapter applicable for that type of bulb to permit a lighting device in which it is an alternate replacement to continue to conform to this chapter.

Subp. 7. **Replacement lens.** Replacement lenses, when installed in the housings for which they are designed, must meet the mechanical test requirements for dust, moisture, vibration, and warpage specified in the standards or recommended practices incorporated in this chapter and applicable to the lamp. If gaskets, sealant, or other parts are supplied with the lens, the requirements must be met using the materials supplied.

The photometric and color requirements of this chapter that were in effect at the time the latest lamp was last manufactured must be met for each function performed. Instructions listing the original lamps or the year and model of the vehicles on which the replacement lenses are designed to be installed must

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be included with the lens, the retail packaging for the lens, or in a catalog readily available where the lens is sold or offered for sale.

Subp. 8. **School bus warning-lamp system.** Requirements for operating school bus warning-lamp systems are specified in parts 3520.5200 to 3520.5230 and 3520.5580.

Subp. 9. **Spot lamp.** Spot lamps must be mechanically or electrically aimed and operated from the inside of the vehicle. This requirement does not apply to those lamps designed for use as utility lights and mounted on public utilities vehicles and on authorized emergency, maintenance, and service vehicles.

Subp. 10. **Alternately flashing warning lamp.** Alternately flashing warning lamps may be used only on authorized emergency vehicles and school buses.

Subp. 11. **Installation of flashing warning lamp.** The installation recommendations in SAE standard J595b for flashing warning lamps, incorporated by reference at part 7425.2100, subpart 1, item O, on authorized emergency vehicles are not mandatory for law enforcement vehicles when determined not practicable by the affected law enforcement agency.

7425.2600 NONSTANDARD LIGHTING DEVICES.

Subpart 1. **In general.** The following device descriptions and requirements in subparts 2 to 7 are for lighting devices permitted or required by Minnesota Statutes for use and for which there are no published SAE standards or federal standards in effect. Approval is not required.

Subp. 2. **Courtesy lamp.** A courtesy lamp, providing a low intensity white to yellow light used to aid visibility when a person is entering or exiting a vehicle, must not exceed 15 candlepower in any direction outboard of the vehicle and must not be visible outboard unless the door is opened.

Subp. 3. **Emergency vehicle flashing white lamp.** An emergency vehicle flashing white lamp, that may be used by an authorized emergency vehicle to display a flashing white light in addition to a flashing red light, does not include flashing headlamps during times when the headlamps are required for

visibility. The flash rate, duration, and intensity must follow the SAE standard J595b incorporated by reference at part 7425.2100, subpart 1, item N, or SAE recommended practice J845 incorporated by reference at part 7425.2100, subpart 1, item QQ, as applicable to emergency vehicle warning lamps, except that when used as a traffic signal priority device it must flash as authorized by the commissioner. The white light must be at least four times the intensity required for a red warning light in SAE standard J595b or SAE recommended practice J845, as applicable to the lamp type.

Subp. 4. **Fender lamp or side cowl lamp.** A fender lamp or side cowl lamp providing a low intensity white light, must not exceed one candlepower intensity in any direction.

Subp. 5. **School bus white strobe lamp.** A school bus white strobe lamp must be certified to the commissioner by the manufacturer, as provided in Minnesota Statutes, section 169.64, subdivision 7.

Subp. 6. **Volunteer fireman lamp.** A volunteer fireman lamp, providing a single steady-burning red light mounted facing forward on the front of a vehicle, must follow the performance requirements for stop lamps, incorporated by reference in part 7425.2100, subpart 1, item NN, or in effect at the time of manufacture. This type of lamp does not include a reflex reflector.

Subp. 7. **Volunteer ambulance driver lamp.** A volunteer ambulance driver lamp is the same type lamp as a volunteer fireman lamp and must comply with the requirements in subpart 6.

7425.5000 SPECIFICATIONS FOR SAFETY GLAZING MATERIAL; INCORPORATION BY REFERENCE.

Safety glass and plastic must comply with the specifications in Code of Federal Regulations, title 49, section 571.205 which is incorporated by reference, and with Minnesota Statutes, section 169.71, subdivision 4, as applicable to type of material, location on the vehicle, performance, and markings. Material that complies with the applicable standard incorporated by reference in this part is approved by the commissioner.

7425.6000 SPECIFICATIONS FOR TRAILER AND SEMITRAILER TOWING DEVICES; INCORPORATIONS BY REFERENCE.

Subpart 1. **Federally regulated towing devices.** Federally regulated towing devices must comply with the requirements in Code of Federal Regulations, title 49, section 393.70 or 393.71 (1983) which are both incorporated by reference, as applicable according to the towing method.

Subp. 2. **Nonfederally regulated towing devices.** Nonfederally regulated towing devices must comply with the performance, identification, and installation requirements of the regulations in item A, B, or C which are all incorporated by reference, as applicable according to the vehicle type and weight and the towing method.

A. Hitches and couplings for trailers and semitrailers with a gross vehicle weight rating of 10,000 pounds or less must comply with the requirements in VESC regulation V-5, "Minimum Requirements for Motor Vehicle Connecting Devices and Towing Methods," revised July 1977, Vehicle Equipment Safety Commission (Washington, D.C., 1977), which is hereby incorporated by reference. VESC regulation V-5 is available through the Minitex interlibrary loan system. It is not subject to frequent change. } FFS

B. Towbars and fifth wheel connecting devices for semitrailers with a gross vehicle weight rating of 30,000 pounds or less and towbar connections not covered by VESC regulation V-5 must comply with the requirement in VESC regulation VESC-19, "Performance Requirements for Fifth Wheel Vehicle Connecting Devices and Towing Methods," approved July 1980 by the VESC-19 Committee, Vehicle Equipment Safety Commission (Alexandria, VA, 1980), which is hereby incorporated by reference. VESC regulation VESC-19 is available through the Minitex interlibrary loan system. It is not subject to frequent change. } FFS

C. Towing devices not covered by VESC regulation VESC-19 or V-5 must comply with the requirements in Code of Federal Regulations, title 49, section 393.70 or 393.71 (1983), incorporated by reference in subpart 1.

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Subp. 3. **Towing devices.** Towing devices are not required to be registered or certified. Devices that comply with subpart 1 or 2 are approved by the commissioner. No other towing devices are approved.

Repealer. Minnesota Rules, parts 7425.0100; 7425.0200; 7425.0300; 7425.0400 are repealed.

APPROVED BY THE REVISOR OF STATUTES OFFICE BY:

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
SEP 24 1984
Joan Anderson Growe
Secretary of State
9:10 AM

APPROVED AS TO LEGALITY
September 20, 1984
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY Jerry D. James
SPECIAL ASSISTANT ATTORNEY GENERAL

OFFICE OF THE REVISOR OF STATUTES

Proposed Rule

RD356

Agency: Department of Public Safety

Agency Contact: Diane Dybevik, Assistant to the Commissioner

Rule Numbers: Parts 7425.0110; 7425.0150; 7425.0160; 7425.0500; 7425.0600; 7425.0700; 7425.0800; 7425.0900; 7425.1000; 7425.1100; 7425.2000; 7425.2100; 7425.2200; 7425.2300; 7425.2400; 7425.2500; 7425.2600; 7425.5000; 7425.6000

Title: Proposed Rules Governing Requirements for Motor Vehicle Lighting Devices, Safety Glazing Materials, and Towing Devices.

Type of Rules: Permanent

Incorporations by Reference:

Rule Number:	Material Incorporated:
7425.2100, items A, B, E, J, N-P, X, BB, CC, DD, II, LL, MM, QQ, VV, and 7425.2300, subpart 3.	1983 SAE HANDBOOK, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983)
7425.2100, item C.	SAE HANDBOOK 1973, published by Society of Automotive Engineers, Inc. (New York, NY, 1973)
7425.2100, items K and M.	SAE HANDBOOK 1978, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1978)
7425.6000, subpart 2, item A.	VESC regulation V-5, "Minimum Requirements for Motor Vehicle Connecting Devices and Towing Methods," revised July 1977, Vehicle Equipment Safety Commission (Washington, D.C., 1977)
7425.6000, subpart 2, item B.	VESC regulation VESC-19, "Performance Requirements for Fifth Wheel Vehicle Connecting Devices and Towing Methods," approved July 1980 by the VESC-19 Committee, Vehicle Equipment Safety Commission (Alexandria, VA, 1980)

Duplication of Statutory Language: None

The attached rules are approved as to form.

Steven C. Cross
Revisor of Statutes

Ron Ray
Assistant Revisor

Phone: 296-0945

Date: April 5, 1984

Rules as Proposed (all new material)

7425.0110 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part except in those instances when the context clearly indicates a different meaning.

Subp. 2. **After-market equipment.** "After-market equipment" means equipment other than "original equipment" as defined in subpart 31.

Subp. 3. **ANSI.** "ANSI" means American National Standards Institute.

Subp. 4. **Auxiliary driving lamp.** "Auxiliary driving lamp" means a lighting device that is mounted to provide illumination forward of the vehicle and that supplements the upper beam of a standard headlamp system. It is not intended for use alone or with the lower beam of a standard headlamp system.

Subp. 5. **Auxiliary lamps.** "Auxiliary lamps" means lighting devices on a motor vehicle used to supplement the other road lighting devices. They include those lamps sold commercially as driving lamps, passing lamps, fog lamps, auxiliary low-beam lamps, and motorcycle auxiliary front lamps.

Subp. 6. **Auxiliary low-beam lamp.** "Auxiliary low-beam lamp" means a type of lamp that supplements the lower beam of a standard headlamp system. It is not intended for use alone or with the upper beam of a standard headlamp system.

Subp. 7. **Auxiliary passing lamp.** "Auxiliary passing lamp" means an auxiliary low-beam lamp.

Subp. 8. **Backup lamp.** "Backup lamp" means a lamp used to furnish general illumination to the rear of a vehicle when it is in rearward motion and to provide a warning signal to pedestrians and other drivers when the vehicle is backing up or is about to back up.

Subp. 9. **Bicycle lighting devices.** "Bicycle lighting devices" includes:

A. a headlamp which is an electric lamp used to provide general illumination ahead of a nonmotorized bicycle and also to serve as a warning light to approaching motorists;

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B. a rear red reflector which indicates the presence of the bicycle to an approaching driver by reflecting the light from the headlamps of a vehicle approaching from the rear; and

C. side reflectors, reflectorized pedals, and reflectorized tires which are devices designed to conform with the reflectorization requirements of applicable regulations issued by the Consumer Product Safety Commission.

Subp. 10. **Bulb.** "Bulb" means an indivisible assembly containing a source of light and normally used in a lamp.

Subp. 11. **Clearance lamp.** "Clearance lamp" means a lamp used on the upper left and right sides of the vehicle or load, and which shows to the front or rear to indicate the overall width of the vehicle or load.

Subp. 12. **Combination clearance and side marker lamp.** "Combination clearance and side marker lamp" means a single lamp which, when properly positioned and oriented, fulfills the requirements of both a clearance lamp and a side marker lamp.

Subp. 13. **Combination device.** "Combination device" includes:

A. a combination lamp so constructed and connected that from one position on a vehicle it serves two or more of the lighting functions described in this part; and

B. combination switches and flashers so constructed and connected as to serve two or more of the functions of a turn-signal switch or flasher or hazard-warning switch or flasher.

Subp. 14. **Commissioner.** "Commissioner" means the commissioner of public safety of the state of Minnesota.

Subp. 15. **Disabled vehicle warning device.** "Disabled vehicle warning device" means a device that is placed on the roadway to warn the driver of an approaching vehicle of a stationary vehicle hazard. "Disabled vehicle warning device" includes:

A. an emergency reflective triangle which is an equilateral triangle, each side of which displays both a daytime

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and nighttime warning area;

B. a portable red reflector device which is a holder with two reflex reflectors on each side, one above the other;

C. a flare which is a liquid burning device consisting of a vessel with a wick;

D. a fusee which consists of a solid fuel enclosed in a waterproof combustible tube and only used as a temporary or auxiliary signal flare; and

E. an electric emergency lantern which is a device capable of displaying a red light, either flashing or steady-burning.

Subp. 16. **Driving lamp.** "Driving lamp" means an auxiliary driving lamp.

Subp. 17. **Flashing warning lamp.** "Flashing warning lamp" means a lamp: used for authorized emergency, maintenance, and service vehicles; which may be directionally aimed; and, in which the light sources are turned on and off, interrupting the circuit and producing a repetitive flash of light.

Subp. 18. **Fog lamp.** "Fog lamp" means a lighting device mounted to provide illumination forward of the vehicle under conditions of rain, snow, dust, or fog. A fog lamp is an adverse weather lamp.

Subp. 19. **Front cornering lamp.** "Front cornering lamp" means a steady-burning lamp used in conjunction with the turn-signal system to supplement the headlamps by providing additional illumination in the direction of turn.

Subp. 20. **Hazard-warning signal flasher.** "Hazard-warning signal flasher" means a device which, as long as it is turned on, causes all the required signal lamps to flash that are listed in the description for hazard-warning signal switch.

Subp. 21. **Hazard-warning signal switch.** "Hazard-warning signal switch" means a driver-controlled device which causes at least one turn-signal lamp on the left and right to the front and on the left and right to the rear of the vehicle to flash simultaneously to indicate to the approaching driver the presence of a vehicular traffic hazard.

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Subp. 22. **Headlamp assembly and optical unit.** "Headlamp assembly and optical unit" includes:

A. a sealed-beam headlamp housing assembly which is a major lighting assembly used to provide mounting and aiming adjustment for one or more sealed-beam units or replaceable bulb headlamps that provide general illumination ahead of the vehicle; and either

B. a sealed-beam headlamp unit which is a mechanically aimable, integral, indivisible, hermetically sealed optical assembly;

C. a mechanically aimable headlamp unit in which an O ring is used to seal an indexed replaceable bulb to the assembly; or

D. a mechanically aimable, hermetically sealed lens and reflector assembly with indexed replaceable bulb.

Subp. 23. **Headlamp beam-switching device.** "Headlamp beam-switching device" includes:

A. a driver-controlled headlamp beam-switching device used to select the upper or lower beam headlamp circuit; and

B. a semiautomatic headlamp beam-switching device providing either automatic or manual control of beam switching at the option of the driver. When the control is automatic, the headlamps switch from the upper beam to the lower beam when illuminated by the headlamps of an approaching car and switch back to the upper beam when the road ahead is dark. When the control is manual, the driver may obtain either beam manually regardless of the condition of lights ahead of the vehicle.

Subp. 24. **Identification lamps.** "Identification lamps" means lamps that are used in groups of three in a horizontal row, that show to the front or rear or both, and that are mounted as near as practicable to the vertical centerline and the top of the vehicle to identify certain types of vehicles.

Subp. 25. **License plate lamp.** "License plate lamp" means a lamp used to illuminate the license plate on the rear of a vehicle.

Subp. 26. **Lighting device.** "Lighting device" means any

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device mounted on or in conjunction with a vehicle to furnish or regulate illumination or to mark or identify a vehicle or to serve as a signal or warning either by self-illumination or by reflected light. Interior lighting devices, such as dome, dash, and map lights intended only for interior illumination, placed inside the vehicle, and not intended to serve as a signal or to be seen by persons outside the vehicle, are not considered lighting devices within the scope of this chapter.

Subp. 27. **Motorcycle auxiliary front lamp.** "Motorcycle auxiliary front lamp" means a unit, including sealed beam, intended to supplement either the upper or the lower beam from a motorcycle headlamp system.

Subp. 28. **Motorcycle headlamp.** "Motorcycle headlamp" means a major lighting device used to provide general illumination ahead of the motorcycle.

Subp. 29. **Motorcycle turn-signal lamp.** "Motorcycle turn-signal lamp" means the signaling element of a motorcycle turn-signal system which indicates a change in direction by giving a flashing light on the side toward which the turn will be made.

Subp. 30. **Optical unit.** "Optical unit" means an integral and indivisible assembly consisting of a lens, reflector, and light source.

Subp. 31. **Original equipment.** "Original equipment" means an item of motor vehicle equipment which was installed in or on a motor vehicle at the time of its delivery to the first purchaser if:

A. the item of equipment was installed on or in the motor vehicle at the time of its delivery to a dealer or distributor; or

B. the item of equipment was installed by the dealer or distributor with the express authorization of the motor vehicle manufacturer.

Subp. 32. **Parking lamps.** "Parking lamps," whether separate or in combination with other lamps, means lamps on both the left and right of the front of the vehicle which shine to

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the front and are intended to mark the vehicle when parked. In addition, these front lamps may serve as a reserve front position-indicating system in the event of headlamp failure. For rear parking lamps, see tail lamps.

Subp. 33. **Passing lamp.** "Passing lamp" means an auxiliary passing lamp.

Subp. 34. **Rear cornering lamp.** "Rear cornering lamp" means a lamp aimed and so connected as to illuminate an area to the side and rear of the vehicle only when the vehicle is moving backward or about to move backward.

Subp. 35. **Reflex reflector.** "Reflex reflector" means a lighting device used on vehicles to indicate a vehicle's presence to an approaching driver by reflecting the light from the headlamps of the approaching vehicle. This device may use a system of cube corners or, as a side marker only, a system of lens-mirror reflexes.

Subp. 36. **SAE.** "SAE" means Society of Automotive Engineers, Inc.

Subp. 37. **SAE standard or recommended practice.** "SAE standard or recommended practice" means a vehicle equipment standard or recommended practice contained in a SAE Standards Handbook published by the Society of Automotive Engineers, Inc.

Subp. 38. **Safety glass.** "Safety glass" means glazing materials so constructed, treated, or combined with other materials as to reduce, in comparison with ordinary sheet, float, or plate glass, the likelihood of injury to persons by objects from exterior sources or by the glazing materials when cracked or broken. The term also includes rigid and flexible safety glazing plastics.

Subp. 39. **School bus warning-signal devices.** "School bus warning-signal devices" includes:

A. flashing red signal lamps which are alternately flashing lamps mounted horizontally both front and rear and intended to identify a vehicle as a school bus and to inform other users of the highway that the school bus is stopped on the highway to take on or discharge school children;

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B. flashing amber signal lamps which are alternately flashing lamps mounted horizontally both front and rear and intended to identify a vehicle as a school bus and to prewarn by informing other users of the highway that the school bus is about to stop to take on or discharge school children;

C. a white strobe lamp which is a 360-degree double-flash lamp mounted on top of a school bus and used only when atmospheric conditions or terrain restrict visibility of the flashing warning-signal lamps; and

D. a stop arm which is an auxiliary device used to signal that a school bus has stopped to load or discharge passengers. It supplements the flashing red signal lamps. It may have alternately flashing, red lamps and it may be reflectorized.

Subp. 40. **Side marker lamps.** "Side marker lamps" means lamps that show to the side of the vehicle and are mounted on the permanent structure of the vehicle as near as practicable to the front and rear edges to indicate the overall length of the vehicle. Additional lamps may also be mounted at intermediate locations on the sides of the vehicle.

Subp. 41. **Side turn-signal lamps.** "Side turn-signal lamps" means lighting devices mounted on the side at or near the front of a vehicle and used as part of the turn-signal system to indicate a change in direction by giving a supplementary flashing, warning signal on the side toward which the vehicle operator intends to turn or maneuver.

Subp. 42. **Spot lamp.** "Spot lamp" means a lamp that provides a substantially parallel beam of light and which can be aimed at will. These lamps are not intended as substitutes for headlamps or as auxiliary lamps for road lighting, but are intended for use in emergencies and under conditions when a concentrated, controllable light beam is advantageous.

Subp. 43. **Stop lamp.** "Stop lamp" means a lamp giving a steady light to the rear of a vehicle or train of vehicles to indicate the intention of the operator of a vehicle to stop or diminish speed by braking.

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Subp. 44. **Supplemental high-mounted stop and rear turn-signal lamps.** "Supplemental high-mounted stop and rear turn-signal lamps" means additional rear-facing lamps mounted high and possibly forward of the required tail, stop, and rear turn-signal lamps. They are intended to project a signal through intervening vehicles to operators of following vehicles.

Subp. 45. **Tail lamp or rear-position lamp.** "Tail lamp" or "rear-position lamp" means a lamp used to designate the rear of a vehicle by a steady-burning, low intensity light. Tail lamps are also used as rear parking lamps.

Subp. 46. **360-degree emergency warning-signal lamps.** "360-degree emergency warning-signal lamps" means devices that project light through a 360-degree arc in a regularly repeating pattern of flashes and that are designed for use on authorized emergency, maintenance, and service vehicles. The 360-degree emergency warning-signal lamps are used to signal other drivers to stop, to yield right-of-way, or to indicate the existence of a hazardous situation.

Subp. 47. **Towing device.** "Towing device" includes:

A. a coupling which is that part of the trailer-connecting mechanism by which the connection is actually made but which does not include any structural member, extension of the trailer frame, or brake actuator;

B. a hitch which is that part of a connecting mechanism including the ball support platform and ball and those components that extend and are attached to the towing vehicle;

C. a fifth wheel which is a load-carrying mechanical or structural towing device, including a kingpin and load-bearing plate-type device, that, when in use, serves as a primary connecting system for a semitrailer;

D. a saddle mount which is a device designed and constructed to be readily demountable and used in drive-away, tow-away operations to perform the functions of a conventional fifth wheel;

E. a tow bar which is a beam-type device fastened between the towing vehicle and the towed vehicle and used to

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transmit longitudinal loads between the vehicles; and

F. a safety chain which is a flexible tension member including chain, cable, or wire rope, and the attaching means, connected from the front of the trailer or trailer tongue to the rear of the towing vehicle for the purpose of retaining connection between the towing vehicle and the towed vehicle in the event the trailer coupling or ball should fail.

Subp. 48. **Turn-signal lamp.** "Turn-signal lamp" means the signaling element of a turn-signal system which indicates a change in direction by a flashing light indicating the side toward which the turn will be made. Turn-signal lamps may be flashed simultaneously as a vehicular traffic hazard-warning signal.

Subp. 49. **Turn-signal flasher.** "Turn-signal flasher" means a device that causes all the required signal lamps to flash when it is turned on.

Subp. 50. **Turn-signal switch.** "Turn-signal switch" means that part of a turn-signal system by which the vehicle operator causes the signal lamps to function.

Subp. 51. **Turn-signal system.** A "turn-signal system" consists of a turn-signal switch, a flasher unit, two or more turn-signal lamps, and one or two indicator lights.

Subp. 52. **VESC.** "VESC" means Vehicle Equipment Safety Commission.

Subp. 53. **Warning lamp alternating flasher.** "Warning lamp alternating flasher" means a device that alternately flashes warning-signal lamps used on authorized emergency vehicles or school buses.

7425.0150 PURPOSE.

The purpose of this chapter is to prescribe requirements for motor vehicle lighting devices, safety glazing materials, and towing devices, which are not federally regulated and that are used on vehicles in Minnesota.

7425.0160 SCOPE.

The scope of this chapter is intended to be consistent with

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Minnesota Statutes, sections 169.222, 169.223, 169.44, 169.467 to 169.469, 169.48 to 169.52, 169.53 to 169.66, 169.71, subdivision 4, 169.74, and 169.75.

7425.0500 FEDERALLY REGULATED EQUIPMENT; INCORPORATION BY REFERENCE.

A lighting device, safety glazing material, or towing device certified by the manufacturer to meet applicable federal motor vehicle safety standards in Code of Federal Regulations, title 49, sections 571.108, 571.125, and 571.205 adopted under the National Traffic and Motor Vehicle Safety Act of 1966, United States Code, title 15, sections 1381 to 1431, is approved by the commissioner of public safety and hereby incorporated by reference.

7425.0600 NONFEDERALLY REGULATED EQUIPMENT.

Before the device is offered for sale, every manufacturer who sells or offers for sale a lighting device or other safety equipment, component, or assembly not subject to and not certified in compliance with an applicable federal motor vehicle safety standard incorporated by reference in this chapter and of a type for which approval is required, must have laboratory test data showing compliance with the standards or recommended practices prescribed by this chapter. Tests may be conducted by the manufacturer.

7425.0700 TEST REPORTS.

The commissioner at any time may request from the manufacturer a copy of the test or other supporting data on a lighting device, glazing material, or towing device showing proof of compliance with this chapter and additional evidence that due care was established in maintaining compliance during production. If the manufacturer fails to provide proof of compliance within 30 days following the request, the commissioner shall prohibit the sale of the device in Minnesota until acceptable proof of compliance is received.

7425.0800 COMPLIANCE.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

The commissioner shall require manufacturers of nonfederally regulated equipment to submit proof of compliance with this chapter signed by a responsible official of the manufacturer, or the manufacturer, under Minnesota Statutes, section 169.468, subdivision 2, may submit an unexpired certificate of approval or notice of compliance from the American Association of Motor Vehicle Administrators provided the certificate or notice shows proof of compliance with the rules, standards, and recommended practices adopted in this chapter.

7425.0900 EXPIRATION OF APPROVAL OF MOTOR VEHICLE EQUIPMENT.

Approval for the sale of nonfederally regulated equipment expires after five years unless the manufacturer requests reapproval, in which case the manufacturer shall submit proof of current compliance in accordance with part 7425.0800 that the item as then being manufactured conforms to this chapter.

7425.1000 TESTING.

The commissioner may purchase equipment sold for use on vehicles and test or retest the equipment for conformance with applicable requirements.

7425.1100 FEE WAIVED.

The fee authorized to be set and collected by the commissioner under Minnesota Statutes, section 169.468, subdivision 2, for costs connected with tests and approval of equipment submitted without certification or notification by the American Association of Motor Vehicle Administrators is hereby waived.

7425.2000 GENERAL REQUIREMENTS.

Subpart 1. **Compliance.** Vehicle lighting equipment must conform to the general requirements listed in subparts 2 to 5.

Subp. 2. **Relation to statutes.** Lighting devices and components listed in part 7425.2100 must comply with the standard, recommended practice, or regulation stipulated for each device. A SAE standard or recommended practice is

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incorporated by reference to the extent that the standard or recommended practice is consistent with Minnesota statutory requirements delineated in parts 7425.0150 and 7425.0160.

Subp. 3. **Original and replacement equipment.** Original lighting equipment for a vehicle and after-market equipment made or sold for replacement of original lighting equipment must comply with the rules, federal regulations, standards, or recommended practices incorporated by reference in this chapter or the standards, recommended practices, or requirements in effect when the vehicle was manufactured.

Subp. 4. **Nonreplacement equipment.** After-market lighting equipment not made or sold for replacement of original equipment must comply with this chapter or the standards, recommended practices, or requirements in effect at the time, or up to one year prior to the time, that the equipment was manufactured.

Subp. 5. **Terms.** The words "it is recommended that," "recommendations," "should," or similar terms appearing in the SAE standards and recommended practices incorporated by reference in part 7425.2100 set forth a requirement except as otherwise expressly provided in this chapter. Items referred to as "a matter of information" or "attention is called to" in the SAE standards and recommended practices are not mandatory except as otherwise expressly provided in this chapter.

7425.2100 INCORPORATIONS BY REFERENCE OF STANDARDS FOR LIGHTING DEVICES.

Each of the following standards, recommended practices, and regulations are incorporated by reference for the lighting device indicated:

A. auxiliary driving lamp: SAE standard J581a, "Auxiliary Driving Lamps-SAE J581a," revised 1980, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

B. auxiliary low-beam lamp: SAE standard J582 SEP81, "Auxiliary Low Beam Lamp-SAE J582 SEP81," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

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C. auxiliary passing lamp: SAE standard J582, "Electric Supplementary Passing Lamp-SAE J582," SAE Handbook 1973, published by Society of Automotive Engineers, Inc. (New York, NY, 1973);

D. backup lamp: Code of Federal Regulations, title 49, section 571.108;

E. bicycle rear red reflector: SAE standard J594f, "Reflex Reflectors-SAE J594f," revised January 1977, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

F. bicycle side reflector: Code of Federal Regulations, title 16, part 1512 (1983);

G. bicycle reflectorized pedal: Code of Federal Regulations, title 16, part 1512 (1983);

H. bicycle reflectorized tire: Code of Federal Regulations, title 16, part 1512 (1983);

I. clearance lamp: Code of Federal Regulations, title 49, section 571.108;

J. driving lamp: SAE standard J581a, "Auxiliary Driving Lamps-SAE J581a," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

K. electric emergency lantern: SAE standard J596, "Electric Emergency Lanterns-SAE J596," SAE Handbook 1978, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1978);

L. emergency reflective triangle: Code of Federal Regulations, title 49, section 571.125;

M. flare: SAE standard J597, "Liquid Burning Emergency Flares-SAE J597," SAE Handbook 1978, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1978);

N. flashing warning lamp: SAE standard J595b, "Flashing Warning Lamps for Authorized Emergency, Maintenance and Service Vehicles-SAE J595b," revised July 1964, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

O. fog lamp: SAE standard J583 MAY81, "Front Fog

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Lamps-SAE J583 MAY81," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

P. front cornering lamp: SAE recommended practice J852b, "Cornering Lamps-SAE J852b," revised February 1965, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

Q. fusee: Code of Federal Regulations, title 49, section 393.95 (1983);

R. hazard warning signal flasher: Code of Federal Regulations, title 49, section 571.108;

S. hazard warning signal switch: Code of Federal Regulations, title 49, section 571.108;

T. headlamp assembly and optical unit: Code of Federal Regulations, title 49, section 571.108;

U. headlamp beam switching device: Code of Federal Regulations, title 49, section 571.108;

V. identification lamps: Code of Federal Regulations, title 49, section 571.108;

W. license plate lamp: Code of Federal Regulations, title 49, section 571.108;

X. motorcycle auxiliary front lamp: SAE recommended practice J1306 JUN80, "Motorcycle Auxiliary Front Lamps-SAE J1306 JUN80," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

Y. motorcycle headlamp: Code of Federal Regulations, title 49, section 571.108;

Z. motorcycle turn-signal lamp: Code of Federal Regulations, title 49, section 571.108;

AA. parking lamp: Code of Federal Regulations, title 49, section 571.108;

BB. portable red reflector: SAE recommended practice J774c, "Emergency Warning Device-SAE J774c," revised January 1971, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

CC. rear cornering lamp: SAE recommended practice J1373 JUN82, "Rear Cornering Lamp-SAE J1373 JUN82," 1983 SAE

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Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

DD. rear turn-signal lamp: SAE recommended practice J186a, "Supplemental High Mounted Stop and Rear Turn Signal Lamps-SAE J186a," revised September 1977, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

EE. reflex reflector: Code of Federal Regulations, title 49, section 571.108;

FF. safety glass: Code of Federal Regulations, title 49, section 571.205;

GG. school bus prewarning flashing amber signal lamp: Code of Federal Regulations, title 49, section 571.108;

HH. school bus stop-warning flashing red signal lamp: Code of Federal Regulations, title 49, section 571.108;

II. school bus stop arm: SAE recommended practice J1133a, "School Bus Stop Arm-SAE J1133a," revised November 1977, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

JJ. school bus white strobe lamp: Minnesota Statutes, section 169.64, subdivision 7;

KK. side marker lamp: Code of Federal Regulations, title 49, section 571.108;

LL. side turn-signal lamp: SAE recommended practice J914b, "Side Turn Signal Lamps-SAE J914b," revised July 1978, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

MM. spot lamp: SAE standard J591b, "Spot Lamps-SAE J591b," revised December 1972, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

NN. stop lamp: Code of Federal Regulations, title 49, section 571.108;

OO. supplemental high-mounted stop lamp: Code of Federal Regulations, title 49, section 571.108;

PP. tail or rear-position lamp: Code of Federal Regulations, title 49, section 571.108;

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QQ. 360-degree emergency warning signal lamp: SAE recommended practice J845, "360 Deg Emergency Warning Lamp-SAE J845," reaffirmed without change May 1972, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

RR. turn-signal flasher: Code of Federal Regulations, title 49, section 571.108;

SS. turn-signal lamp: Code of Federal Regulations, title 49, section 571.108;

TT. turn-signal switch: Code of Federal Regulations, title 49, section 571.108;

UU. turn-signal system: Code of Federal Regulations, title 49, section 571.108;

VV. warning lamp alternating flasher: SAE recommended practice J1054, "Warning Lamp Alternating Flashers-SAE J1054," revised January 1977, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983).

7425.2200 MODEL DESIGNATION.

Each lighting device must be marked with a model designation which differentiates one model from another unless the only differences are:

A. right- and left-hand mounting;

B. housing finish;

C. housing material;

D. mounting methods;

E. lens color;

F. lens material;

G. number of bulbs;

H. type of bulbs;

I. number of wiring connections; and

J. functions.

7425.2300 IDENTIFICATION AND MARKING REQUIREMENTS.

Subpart 1. **In general.** Lighting devices must be marked and identified to conform with the requirements in subparts 2 to

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Subp. 2. **Federally regulated lighting devices.** Lighting devices required by federal regulations to conform to Code of Federal Regulations, title 49, section 571.108 must be marked according to these federal requirements. Federally regulated equipment may also be marked according to subparts 3 to 5, except as may be prohibited by Code of Federal Regulations, title 49, section 571.108.

Subp. 3. **Nonfederally regulated lighting equipment; incorporation by reference.** Nonfederally regulated lighting equipment must be marked according to SAE recommended practice J759 MAR82, "Lighting Identification Code-J759 MAR82," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983), specifying permanent markings to identify device manufacturer, model, year, and functions. This recommended practice is hereby incorporated by reference.

Subp. 4. **Removable bulb.** Each removable bulb must be marked so as to identify the bulb manufacturer and also with the model designation or trade number. The design voltage and either the wattage or ampere rating may be shown instead of model designation or trade number. Bulb markings must be indelible and readable without magnification. In cases of private branding, a means of tracing the actual manufacturer must be provided by the owner of the private brand.

Subp. 5. **Optical unit and assembly.** In addition to the manufacturer's name, initials, or lettered trademark, each optical unit and assembly not covered by a lens or filter when in use must have marked on the lens the function code of the SAE standard or recommended practice to which the lamp complies.

Subp. 6. **Location.** Lamp and reflex reflector markings sufficient to identify the device as approved, must be located so as to be visible without the removal of any part of the vehicle on which it is installed. Flasher units, built-in signal switches, built-in headlamp housing assemblies, and headlamp beam-switching devices must have the identification marking on the exterior or on the wiring harness, but the

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markings are not required to be visible on the equipment as installed. Sealed-beam headlamp optical units may have model markings located so as to not be visible as installed on a vehicle, but the manufacturer's name, initials, or lettered trademark, and the lamp designation markings, must be visible on the lens.

Subp. 7. **Orientation markings.** For orientation markings, each lamp model and separable component and each reflex reflector that may be rotated or installed in an orientation that does not comply with the applicable standards incorporated by reference in this chapter, must be marked so that the installer and a person inspecting the installed device may readily identify when the equipment is not properly oriented.

Subp. 8. **Other markings.** Markings that are not required and not prohibited by Code of Federal Regulations, title 49, subpart 571.108, may also be applied but must not detract from or change the meaning of the required markings.

Subp. 9. **Permanent markings.** Markings that are required must be applied so as to be legible for the life of the device.

7425.2400 CONSTRUCTION OF NONFEDERALLY REGULATED DEVICES.

Subpart 1. **In general.** Nonfederally regulated devices must be constructed to meet the requirements in subparts 2 to 8.

Subp. 2. **Convenient adjustments.** Lamps must be so constructed that bulb or lens replacements and aiming adjustments may conveniently be made by one person with ordinary hand tools.

Subp. 3. **Free from hazard.** Lighting devices must be so constructed as to present no unreasonable personal hazard to a qualified person servicing the unit.

Subp. 4. **Aim.** Lamp mountings must be so arranged that the aim of the lamp will not be disturbed under ordinary conditions of service. The range of aiming adjustment for any lamp requiring aim must be plus or minus four degrees in both the vertical and horizontal planes except as otherwise specified by the applicable SAE standard or recommended practice incorporated by reference in this chapter.

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Subp. 5. **Replacement.** Lamps must be so constructed that an optical unit or bulb can be replaced without disturbing the aim of the lamp.

Subp. 6. **Attachment and removal.** The means of fastening split or solid rims or trim rings must be readily accessible and means must be provided for easy removal of lens-retaining rings when snap or lock rings are used.

Subp. 7. **Gaskets.** Gaskets must be constructed of a durable material which will retain shape and resiliency.

Subp. 8. **Electrical wiring.** The electrical wiring must be securely connected and protected from abrasion.

7425.2500 SPECIFICATIONS FOR INDIVIDUAL LIGHTING DEVICES.

Subpart 1. **In general.** In addition to complying with standards incorporated by reference in this chapter, the requirements for individual devices are listed in subparts 2 to 11.

Subp. 2. **Bicycle headlamp.** Bicycle headlamp intensity above horizontal must not be greater than 250 candela. The lamp housing must be constructed so that a bulb and battery can be readily replaced. The headlamp must project a distinct beam of white light of uniform pattern.

Subp. 3. **Combination lamp.** In combination lamps, the requirements for each individual function must be met independently of any other function.

Subp. 4. **Electric emergency lantern.** Electric emergency lanterns, when placed on any clean, dry, paved road surface, must not tip or slide in a 40 mile-per-hour wind. To test these devices, three sample lanterns regularly marketed and sold must be chilled at a temperature of minus 20 degrees Fahrenheit for 12 hours, after which they must be placed in operation for 12 hours. Failure of two of the three samples to operate or to meet the intensity requirements of SAE standard J596 for electric emergency lanterns, incorporated by reference in part 7425.2100, item L, during the test is an automatic rejection.

Subp. 5. **Fusee.** Fusees must conform to the requirements in Code of Federal Regulations, title 49, section 393.95(j)

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(1983) for fusees. The color emitted must be red.

Subp. 6. **Alternate replacement bulb.** Each bulb designed or marketed as an alternate replacement must comply with the SAE standards or recommended practices incorporated by reference in this chapter applicable for that type of bulb to permit a lighting device in which it is an alternate replacement to continue to conform to this chapter.

Subp. 7. **Replacement lens.** Replacement lenses, when installed in the housings for which they are designed, must meet the mechanical test requirements for dust, moisture, vibration, and warpage specified in the standards or recommended practices incorporated in this chapter and applicable to the lamp. If gaskets, sealant, or other parts are supplied with the lens, the requirements must be met using the materials supplied.

The photometric and color requirements of this chapter that were in effect at the time the latest lamp was last manufactured must be met for each function performed. Instructions listing the original lamps or the year and model of the vehicles on which the replacement lenses are designed to be installed must be included with the lens, the retail packaging for the lens, or in a catalog readily available where the lens is sold or offered for sale.

Subp. 8. **School bus warning-lamp system.** Requirements for operating school bus warning-lamp systems are specified in parts 3520.5200 to 3520.5230 and 3520.5580.

Subp. 9. **Spot lamp.** Spot lamps must be mechanically or electrically aimed and operated from the inside of the vehicle. This requirement does not apply to those lamps designed for use as utility lights and mounted on public utilities vehicles and on authorized emergency, maintenance, and service vehicles.

Subp. 10. **Alternately flashing warning lamp.** Alternately flashing warning lamps may be used only on authorized emergency vehicles and school buses.

Subp. 11. **Installation of flashing warning lamp.** The installation recommendations in SAE standard J595b for flashing warning lamps, incorporated by reference at part 7425.2100, item

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O, on authorized emergency vehicles are not mandatory for law enforcement vehicles when determined not practicable by the affected law enforcement agency.

7425.2600 NONSTANDARD LIGHTING DEVICES.

Subpart 1. **In general.** The following device descriptions and requirements in subparts 2 to 7 are for lighting devices permitted or required by Minnesota Statutes for use and for which there are no published SAE standards or federal standards in effect. Approval is not required.

Subp. 2. **Courtesy lamp.** A courtesy lamp, providing a low intensity white to yellow light used to aid visibility when a person is entering or exiting a vehicle, must not exceed 15 candlepower in any direction outboard of the vehicle and must not be visible outboard unless the door is opened.

Subp. 3. **Emergency vehicle flashing white lamp.** An emergency vehicle flashing white lamp, that may be used by an authorized emergency vehicle to display a flashing white light in addition to a flashing red light, does not include flashing headlamps during times when the headlamps are required for visibility. The flash rate, duration, and intensity must follow the SAE standard J595b incorporated by reference at part 7425.2100, item N, or SAE recommended practice J845 incorporated by reference at part 7425.2100, item QQ, as applicable to emergency vehicle warning lamps, except that when used as a traffic signal priority device it must flash as authorized by the commissioner. The white light must be at least four times the intensity required for a red warning light in SAE standard J595b or SAE recommended practice J845, as applicable to the lamp type.

Subp. 4. **Fender lamp or side cowl lamp.** A fender lamp or side cowl lamp providing a low intensity white light, must not exceed one candlepower intensity in any direction.

Subp. 5. **School bus white strobe lamp.** A school bus white strobe lamp must be certified to the commissioner by the manufacturer, as provided in Minnesota Statutes, section 169.64, subdivision 7.

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Subp. 6. **Volunteer fireman lamp.** A volunteer fireman lamp, providing a single steady-burning red light mounted facing forward on the front of a vehicle, must follow the performance requirements for stop lamps, incorporated by reference in part 7425.2100, item NN, or in effect at the time of manufacture. This type of lamp does not include a reflex reflector.

Subp. 7. **Volunteer ambulance driver lamp.** A volunteer ambulance driver lamp is the same type lamp as a volunteer fireman lamp and must comply with the requirements in subpart 6.

7425.5000 SPECIFICATIONS FOR SAFETY GLAZING MATERIAL; INCORPORATION BY REFERENCE.

Safety glass and plastic must comply with the specifications in Code of Federal Regulations, title 49, section 571.205 which is incorporated by reference, and with Minnesota Statutes, section 169.71, subdivision 4, as applicable to type of material, location on the vehicle, performance, and markings. Material that complies with the applicable standard incorporated by reference in this part is approved by the commissioner.

7425.6000 SPECIFICATIONS FOR TRAILER AND SEMITRAILER TOWING DEVICES; INCORPORATIONS BY REFERENCE.

Subpart 1. **Federally regulated towing devices.** Federally regulated towing devices must comply with the requirements in Code of Federal Regulations, title 49, section 393.70 or 393.71 (1983) which are both incorporated by reference, as applicable according to the towing method.

Subp. 2. **Nonfederally regulated towing devices.** Nonfederally regulated towing devices must comply with the performance, identification, and installation requirements of the regulations in item A, B, or C which are all incorporated by reference, as applicable according to the vehicle type and weight and the towing method.

A. Hitches and couplings for trailers and semitrailers with a gross vehicle weight rating of 10,000 pounds or less must comply with the requirements in VESC regulation V-5, "Minimum Requirements for Motor Vehicle Connecting Devices

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and Towing Methods," revised July 1977, Vehicle Equipment Safety Commission (Washington, D.C., 1977), which is hereby incorporated by reference.

B. Towbars and fifth wheel connecting devices for semitrailers with a gross vehicle weight rating of 30,000 pounds or less and towbar connections not covered by VESC regulation V-5 must comply with the requirement in VESC regulation VESC-19, "Performance Requirements for Fifth Wheel Vehicle Connecting Devices and Towing Methods," approved July 1980 by the VESC-19 Committee, Vehicle Equipment Safety Commission (Alexandria, VA, 1980), which is hereby incorporated by reference.

C. Towing devices not covered by VESC regulation VESC-19 or V-5 must comply with the requirements in Code of Federal Regulations, title 49, section 393.70 or 393.71 (1983), incorporated by reference in subpart 1.

Subp. 3. **Towing devices.** Towing devices are not required to be registered or certified. Devices that comply with subpart 1 or 2 are approved by the commissioner. No other towing devices are approved.

Repealer. Minnesota Rules, parts 7425.0100; 7425.0200; 7425.0300; 7425.0400 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 Requirements for the Approval of Motor Vehicle Equipment Used and Sold in Minnesota.

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 May 21, 1984, with an addendum published on May 28, 1984 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 May 18, 1984. 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 Minnesota Rules Parts 7425.0110-7425.6000 are adopted this 5th day of July, 1984, pursuant to authority vested in me by Minn. Stat. Section 299A.01, subd. 6. and Minn. Stat. sections 169.222, 169.223, 169.44, 169.467, 169.469, 169.48 to 169.52, 169.53 to 169.66, 169.71, subd. 4, 169.74, and 169.75.

STATE OF MINNESOTA

Paul J. Tschida

PAUL J. TSCHIDA
COMMISSIONER OF PUBLIC SAFETY

ACDKHF0018

Department of Public Safety
State Patrol Division

Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules Governing Vehicle Safety Equipment

Notice is hereby given that the State Department of Public Safety is seeking information or opinions from sources outside the agency in preparing to amend existing rules governing vehicle safety equipment, including lighting devices, brake fluids, and sirens.

The promulgation of these rules is authorized by various sections throughout Minnesota Statutes Chapter 169, which require the agency to promulgate specifications and standards for vehicle equipment.

The State 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:

Major Glen Gramse
State Patrol
107 Transportation Bldg.
St. Paul, MN 55155

Oral statements will be received during regular business hours over the telephone at (612) 296-8052 and in person at the above address.

All statements of information and comment shall be accepted until September 30, 1982. Any written material received by the State 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
County of Scott
First Judicial District

Notice of Filing Fees for County Law Library

Pursuant to laws of Minnesota 1982, Chapter 576, the Scott County Law Library Board of Trustees announces the Law Library fees to be collected in the District, County and Probate Courts of Scott County.

Civil Suits	
Plaintiff/Petitioner	$ 5.00
Defendants/Respondents/Intervenors (jointly or separately)	5.00
Probate Court—Petitioner	5.00

These fees shall be in effect from July 1, 1982 to June 30, 1983.

Dated: July 2, 1982

Anthony Worm
County Commissioners

Dated: June 29, 1982

Philip T. Kanning, Chairman,
Board of Trustees

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Requirements for the Approval of Motor Vehicle Equipment Used and Sold in Minnesota.

ORDER FOR NOTICE OF INTENT TO ADOPT RULES WITHOUT PUBLIC HEARING

IT IS ORDERED this 1st day of May, 1984, 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
State Patrol Division

In The Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Requirements for the Approval of Motor Vehicle Equipment Used and Sold in Minnesota.

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. Sections 14.21 through 14.28.

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. Sections 14.13 through 14.20.

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

Diane Dybevik
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. Sections 169.222, 169.223, 169.44, 169.467, 169.469, 169.48 to 169.52, 169.53 to 169.66, 169.71, subd. 4, 169.74, and 169.75. 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 free from the Department of Public Safety upon request to the above address.

You are hereby advised, pursuant to Minn. Stat. Section 14.115, "Small business consideration in rulemaking," that the proposed rules may have an impact on some small businesses in Minnesota. The rules may affect and benefit small businesses because it will no longer be necessary to obtain State testing and approval of vehicle equipment prior to sale and the corresponding testing/approval fee is eliminated. Federally regulated equipment is automatically approved and approval of nonfederally regulated equipment is streamlined.

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 14.11, subdivision 1. Any costs incurred by local jurisdictions in the permit issuance process can be recovered through imposition of a fee authorized by the rules.

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

STATE OF MINNESOTA

4/3/84
DATE

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

ACDKHF0008

Rules as Proposed (all new material)

7425.0110 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part except in those instances when the context clearly indicates a different meaning.

Subp. 2. **After-market equipment.** "After-market equipment" means equipment other than "original equipment" as defined in subpart 31.

Subp. 3. **ANSI.** "ANSI" means American National Standards Institute.

Subp. 4. **Auxiliary driving lamp.** "Auxiliary driving lamp" means a lighting device that is mounted to provide illumination forward of the vehicle and that supplements the upper beam of a standard headlamp system. It is not intended for use alone or with the lower beam of a standard headlamp system.

Subp. 5. **Auxiliary lamps.** "Auxiliary lamps" means lighting devices on a motor vehicle used to supplement the other road lighting devices. They include those lamps sold commercially as driving lamps, passing lamps, fog lamps, auxiliary low-beam lamps, and motorcycle auxiliary front lamps.

Subp. 6. **Auxiliary low-beam lamp.** "Auxiliary low-beam lamp" means a type of lamp that supplements the lower beam of a standard headlamp system. It is not intended for use alone or with the upper beam of a standard headlamp system.

Subp. 7. **Auxiliary passing lamp.** "Auxiliary passing lamp" means an auxiliary low-beam lamp.

Subp. 8. **Backup lamp.** "Backup lamp" means a lamp used to furnish general illumination to the rear of a vehicle when it is in rearward motion and to provide a warning signal to pedestrians and other drivers when the vehicle is backing up or is about to back up.

Subp. 9. **Bicycle lighting devices.** "Bicycle lighting devices" includes:

A. a headlamp which is an electric lamp used to provide general illumination ahead of a nonmotorized bicycle and also to serve as a warning light to approaching motorists;

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B. a rear red reflector which indicates the presence of the bicycle to an approaching driver by reflecting the light from the headlamps of a vehicle approaching from the rear; and

C. side reflectors, reflectorized pedals, and reflectorized tires which are devices designed to conform with the reflectorization requirements of applicable regulations issued by the Consumer Product Safety Commission.

Subp. 10. **Bulb.** "Bulb" means an indivisible assembly containing a source of light and normally used in a lamp.

Subp. 11. **Clearance lamp.** "Clearance lamp" means a lamp used on the upper left and right sides of the vehicle or load, and which shows to the front or rear to indicate the overall width of the vehicle or load.

Subp. 12. **Combination clearance and side marker lamp.** "Combination clearance and side marker lamp" means a single lamp which, when properly positioned and oriented, fulfills the requirements of both a clearance lamp and a side marker lamp.

Subp. 13. **Combination device.** "Combination device" includes:

A. a combination lamp so constructed and connected that from one position on a vehicle it serves two or more of the lighting functions described in this part; and

B. combination switches and flashers so constructed and connected as to serve two or more of the functions of a turn-signal switch or flasher or hazard-warning switch or flasher.

Subp. 14. **Commissioner.** "Commissioner" means the commissioner of public safety of the state of Minnesota.

Subp. 15. **Disabled vehicle warning device.** "Disabled vehicle warning device" means a device that is placed on the roadway to warn the driver of an approaching vehicle of a stationary vehicle hazard. "Disabled vehicle warning device" includes:

A. an emergency reflective triangle which is an equilateral triangle, each side of which displays both a daytime

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and nighttime warning area;

B. a portable red reflector device which is a holder with two reflex reflectors on each side, one above the other;

C. a flare which is a liquid burning device consisting of a vessel with a wick;

D. a fusee which consists of a solid fuel enclosed in a waterproof combustible tube and only used as a temporary or auxiliary signal flare; and

E. an electric emergency lantern which is a device capable of displaying a red light, either flashing or steady-burning.

Subp. 16. **Driving lamp.** "Driving lamp" means an auxiliary driving lamp.

Subp. 17. **Flashing warning lamp.** "Flashing warning lamp" means a lamp: used for authorized emergency, maintenance, and service vehicles; which may be directionally aimed; and, in which the light sources are turned on and off, interrupting the circuit and producing a repetitive flash of light.

Subp. 18. **Fog lamp.** "Fog lamp" means a lighting device mounted to provide illumination forward of the vehicle under conditions of rain, snow, dust, or fog. A fog lamp is an adverse weather lamp.

Subp. 19. **Front cornering lamp.** "Front cornering lamp" means a steady-burning lamp used in conjunction with the turn-signal system to supplement the headlamps by providing additional illumination in the direction of turn.

Subp. 20. **Hazard-warning signal flasher.** "Hazard-warning signal flasher" means a device which, as long as it is turned on, causes all the required signal lamps to flash that are listed in the description for hazard-warning signal switch.

Subp. 21. **Hazard-warning signal switch.** "Hazard-warning signal switch" means a driver-controlled device which causes at least one turn-signal lamp on the left and right to the front and on the left and right to the rear of the vehicle to flash simultaneously to indicate to the approaching driver the presence of a vehicular traffic hazard.

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Subp. 22. **Headlamp assembly and optical unit.** "Headlamp assembly and optical unit" includes:

A. a sealed-beam headlamp housing assembly which is a major lighting assembly used to provide mounting and aiming adjustment for one or more sealed-beam units or replaceable bulb headlamps that provide general illumination ahead of the vehicle; and either

B. a sealed-beam headlamp unit which is a mechanically aimable, integral, indivisible, hermetically sealed optical assembly;

C. a mechanically aimable headlamp unit in which an O ring is used to seal an indexed replaceable bulb to the assembly; or

D. a mechanically aimable, hermetically sealed lens and reflector assembly with indexed replaceable bulb.

Subp. 23. **Headlamp beam-switching device.** "Headlamp beam-switching device" includes:

A. a driver-controlled headlamp beam-switching device used to select the upper or lower beam headlamp circuit; and

B. a semiautomatic headlamp beam-switching device providing either automatic or manual control of beam switching at the option of the driver. When the control is automatic, the headlamps switch from the upper beam to the lower beam when illuminated by the headlamps of an approaching car and switch back to the upper beam when the road ahead is dark. When the control is manual, the driver may obtain either beam manually regardless of the condition of lights ahead of the vehicle.

Subp. 24. **Identification lamps.** "Identification lamps" means lamps that are used in groups of three in a horizontal row, that show to the front or rear or both, and that are mounted as near as practicable to the vertical centerline and the top of the vehicle to identify certain types of vehicles.

Subp. 25. **License plate lamp.** "License plate lamp" means a lamp used to illuminate the license plate on the rear of a vehicle.

Subp. 26. **Lighting device.** "Lighting device" means any

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device mounted on or in conjunction with a vehicle to furnish or regulate illumination or to mark or identify a vehicle or to serve as a signal or warning either by self-illumination or by reflected light. Interior lighting devices, such as dome, dash, and map lights intended only for interior illumination, placed inside the vehicle, and not intended to serve as a signal or to be seen by persons outside the vehicle, are not considered lighting devices within the scope of this chapter.

Subp. 27. **Motorcycle auxiliary front lamp.** "Motorcycle auxiliary front lamp" means a unit, including sealed beam, intended to supplement either the upper or the lower beam from a motorcycle headlamp system.

Subp. 28. **Motorcycle headlamp.** "Motorcycle headlamp" means a major lighting device used to provide general illumination ahead of the motorcycle.

Subp. 29. **Motorcycle turn-signal lamp.** "Motorcycle turn-signal lamp" means the signaling element of a motorcycle turn-signal system which indicates a change in direction by giving a flashing light on the side toward which the turn will be made.

Subp. 30. **Optical unit.** "Optical unit" means an integral and indivisible assembly consisting of a lens, reflector, and light source.

Subp. 31. **Original equipment.** "Original equipment" means an item of motor vehicle equipment which was installed in or on a motor vehicle at the time of its delivery to the first purchaser if:

A. the item of equipment was installed on or in the motor vehicle at the time of its delivery to a dealer or distributor; or

B. the item of equipment was installed by the dealer or distributor with the express authorization of the motor vehicle manufacturer.

Subp. 32. **Parking lamps.** "Parking lamps," whether separate or in combination with other lamps, means lamps on both the left and right of the front of the vehicle which shine to

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the front and are intended to mark the vehicle when parked. In addition, these front lamps may serve as a reserve front position-indicating system in the event of headlamp failure. For rear parking lamps, see tail lamps.

Subp. 33. **Passing lamp.** "Passing lamp" means an auxiliary passing lamp.

Subp. 34. **Rear cornering lamp.** "Rear cornering lamp" means a lamp aimed and so connected as to illuminate an area to the side and rear of the vehicle only when the vehicle is moving backward or about to move backward.

Subp. 35. **Reflex reflector.** "Reflex reflector" means lighting device used on vehicles to indicate a vehicle's presence to an approaching driver by reflecting the light from the headlamps of the approaching vehicle. This device may use a system of cube corners or, as a side marker only, a system of lens-mirror reflexes.

Subp. 36. **SAE.** "SAE" means Society of Automotive Engineers, Inc.

Subp. 37. **SAE standard or recommended practice.** "SAE standard or recommended practice" means a vehicle equipment standard or recommended practice contained in a SAE Standards Handbook published by the Society of Automotive Engineers, Inc.

Subp. 38. **Safety glass.** "Safety glass" means glazing materials so constructed, treated, or combined with other materials as to reduce, in comparison with ordinary sheet, float, or plate glass, the likelihood of injury to persons by objects from exterior sources or by the glazing materials when cracked or broken. The term also includes rigid and flexible safety glazing plastics.

Subp. 39. **School bus warning-signal devices.** "School bus warning-signal devices" includes:

A. flashing red signal lamps which are alternately flashing lamps mounted horizontally both front and rear and intended to identify a vehicle as a school bus and to inform other users of the highway that the school bus is stopped on the highway to take on or discharge school children;

B. flashing amber signal lamps which are alternately flashing lamps mounted horizontally both front and rear and intended to identify a vehicle as a school bus and to prewarn by informing other users of the highway that the school bus is about to stop to take on or discharge school children;

C. a white strobe lamp which is a 360-degree double-flash lamp mounted on top of a school bus and used only when atmospheric conditions or terrain restrict visibility of the flashing warning-signal lamps; and

D. a stop arm which is an auxiliary device used to signal that a school bus has stopped to load or discharge passengers. It supplements the flashing red signal lamps. It may have alternately flashing, red lamps and it may be reflectorized.

Subp. 40. **Side marker lamps.** "Side marker lamps" means lamps that show to the side of the vehicle and are mounted on the permanent structure of the vehicle as near as practicable to the front and rear edges to indicate the overall length of the vehicle. Additional lamps may also be mounted at intermediate locations on the sides of the vehicle.

Subp. 41. **Side turn-signal lamps.** "Side turn-signal lamps" means lighting devices mounted on the side at or near the front of a vehicle and used as part of the turn-signal system to indicate a change in direction by giving a supplementary flashing, warning signal on the side toward which the vehicle operator intends to turn or maneuver.

Subp. 42. **Spot lamp.** "Spot lamp" means a lamp that provides a substantially parallel beam of light and which can be aimed at will. These lamps are not intended as substitutes for headlamps or as auxiliary lamps for road lighting, but are intended for use in emergencies and under conditions when a concentrated, controllable light beam is advantageous.

Subp. 43. **Stop lamp.** "Stop lamp" means a lamp giving a steady light to the rear of a vehicle or train of vehicles to indicate the intention of the operator of a vehicle to stop or diminish speed by braking.

Subp. 44. **Supplemental high-mounted stop and rear turn-signal lamps.** "Supplemental high-mounted stop and rear turn-signal lamps" means additional rear-facing lamps mounted high and possibly forward of the required tail, stop, and rear turn-signal lamps. They are intended to project a signal through intervening vehicles to operators of following vehicles.

Subp. 45. **Tail lamp or rear-position lamp.** "Tail lamp" or "rear-position lamp" means a lamp used to designate the rear of a vehicle by a steady-burning, low intensity light. Tail lamps are also used as rear parking lamps.

Subp. 46. **360-degree emergency warning-signal lamps.** "360-degree emergency warning-signal lamps" means devices that project light through a 360-degree arc in a regularly repeating pattern of flashes and that are designed for use on authorized emergency, maintenance, and service vehicles. The 360-degree emergency warning-signal lamps are used to signal other drivers to stop, to yield right-of-way, or to indicate the existence of a hazardous situation.

Subp. 47. **Towing device.** "Towing device" includes:

A. a coupling which is that part of the trailer-connecting mechanism by which the connection is actually made but which does not include any structural member, extension of the trailer frame, or brake actuator;

B. a hitch which is that part of a connecting mechanism including the ball support platform and ball and those components that extend and are attached to the towing vehicle;

C. a fifth wheel which is a load-carrying mechanical or structural towing device, including a kingpin and load-bearing plate-type device, that, when in use, serves as a primary connecting system for a semitrailer;

D. a saddle mount which is a device designed and constructed to be readily demountable and used in drive-away, tow-away operations to perform the functions of a conventional fifth wheel;

E. a tow bar which is a beam-type device fastened between the towing vehicle and the towed vehicle and used to

transmit longitudinal loads between the vehicles; and

F. a safety chain which is a flexible tension member including chain, cable, or wire rope, and the attaching means, connected from the front of the trailer or trailer tongue to the rear of the towing vehicle for the purpose of retaining connection between the towing vehicle and the towed vehicle in the event the trailer coupling or ball should fail.

Subp. 48. **Turn-signal lamp.** "Turn-signal lamp" means the signaling element of a turn-signal system which indicates a change in direction by a flashing light indicating the side toward which the turn will be made. Turn-signal lamps may be flashed simultaneously as a vehicular traffic hazard-warning signal.

Subp. 49. **Turn-signal flasher.** "Turn-signal flasher" means a device that causes all the required signal lamps to flash when it is turned on.

Subp. 50. **Turn-signal switch.** "Turn-signal switch" means that part of a turn-signal system by which the vehicle operator causes the signal lamps to function.

Subp. 51. **Turn-signal system.** A "turn-signal system" consists of a turn-signal switch, a flasher unit, two or more turn-signal lamps, and one or two indicator lights.

Subp. 52. **VESC.** "VESC" means Vehicle Equipment Safety Commission.

Subp. 53. **Warning lamp alternating flasher.** "Warning lamp alternating flasher" means a device that alternately flashes warning-signal lamps used on authorized emergency vehicles or school buses.

7425.0150 PURPOSE.

The purpose of this chapter is to prescribe requirements for motor vehicle lighting devices, safety glazing materials, and towing devices, which are not federally regulated and that are used on vehicles in Minnesota.

7425.0160 SCOPE.

The scope of this chapter is intended to be consistent with

Minnesota Statutes, sections 169.222, 169.223, 169.44, 169.467 to 169.469, 169.48 to 169.52, 169.53 to 169.66, 169.71, subdivision 4, 169.74, and 169.75.

7425.0500 FEDERALLY REGULATED EQUIPMENT; INCORPORATION BY REFERENCE.

A lighting device, safety glazing material, or towing device certified by the manufacturer to meet applicable federal motor vehicle safety standards in Code of Federal Regulations, title 49, sections 571.108, 571.125, and 571.205 adopted under the National Traffic and Motor Vehicle Safety Act of 1966, United States Code, title 15, sections 1381 to 1431, is appr[illegible] by the commissioner of public safety and hereby incorporated by reference.

7425.0600 NONFEDERALLY REGULATED EQUIPMENT.

Before the device is offered for sale, every manufacturer who sells or offers for sale a lighting device or other safety equipment, component, or assembly not subject to and not certified in compliance with an applicable federal motor vehicle safety standard incorporated by reference in this chapter and of a type for which approval is required, must have laboratory test data showing compliance with the standards or recommended practices prescribed by this chapter. Tests may be conducted by the manufacturer.

7425.0700 TEST REPORTS.

The commissioner at any time may request from the manufacturer a copy of the test or other supporting data on a lighting device, glazing material, or towing device showing proof of compliance with this chapter and additional evidence that due care was established in maintaining compliance during production. If the manufacturer fails to provide proof of compliance within 30 days following the request, the commissioner shall prohibit the sale of the device in Minnesota until acceptable proof of compliance is received.

7425.0800 COMPLIANCE.

The commissioner shall require manufacturers of nonfederally regulated equipment to submit proof of compliance with this chapter signed by a responsible official of the manufacturer, or the manufacturer, under Minnesota Statutes, section 169.468, subdivision 2, may submit an unexpired certificate of approval or notice of compliance from the American Association of Motor Vehicle Administrators provided the certificate or notice shows proof of compliance with the rules, standards, and recommended practices adopted in this chapter.

7425.0900 EXPIRATION OF APPROVAL OF MOTOR VEHICLE EQUIPMENT.

Approval for the sale of nonfederally regulated equipment expires after five years unless the manufacturer requests reapproval, in which case the manufacturer shall submit proof of current compliance in accordance with part 7425.0800 that the item as then being manufactured conforms to this chapter.

7425.1000 TESTING.

The commissioner may purchase equipment sold for use on vehicles and test or retest the equipment for conformance with applicable requirements.

7425.1100 FEE WAIVED.

The fee authorized to be set and collected by the commissioner under Minnesota Statutes, section 169.468, subdivision 2, for costs connected with tests and approval of equipment submitted without certification or notification by the American Association of Motor Vehicle Administrators is hereby waived.

7425.2000 GENERAL REQUIREMENTS.

Subpart 1. **Compliance.** Vehicle lighting equipment must conform to the general requirements listed in subparts 2 to 5.

Subp. 2. **Relation to statutes.** Lighting devices and components listed in part 7425.2100 must comply with the standard, recommended practice, or regulation stipulated for each device. A SAE standard or recommended practice is

incorporated by reference to the extent that the standard or recommended practice is consistent with Minnesota statutory requirements delineated in parts 7425.0150 and 7425.0160.

Subp. 3. **Original and replacement equipment.** Original lighting equipment for a vehicle and after-market equipment made or sold for replacement of original lighting equipment must comply with the rules, federal regulations, standards, or recommended practices incorporated by reference in this chapter or the standards, recommended practices, or requirements in effect when the vehicle was manufactured.

Subp. 4. **Nonreplacement equipment.** After-market lighting equipment not made or sold for replacement of original equipment must comply with this chapter or the standards, recommended practices, or requirements in effect at the time, or up to one year prior to the time, that the equipment was manufactured.

Subp. 5. **Terms.** The words "it is recommended that," "recommendations," "should," or similar terms appearing in the SAE standards and recommended practices incorporated by reference in part 7425.2100 set forth a requirement except as otherwise expressly provided in this chapter. Items referred to as "a matter of information" or "attention is called to" in the SAE standards and recommended practices are not mandatory except as otherwise expressly provided in this chapter.

7425.2100 INCORPORATIONS BY REFERENCE OF STANDARDS FOR LIGHTING DEVICES.

Each of the following standards, recommended practices, and regulations are incorporated by reference for the lighting device indicated:

A. auxiliary driving lamp: SAE standard J581a, "Auxiliary Driving Lamps-SAE J581a," revised 1980, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

B. auxiliary low-beam lamp: SAE standard J582 SEP81, "Auxiliary Low Beam Lamp-SAE J582 SEP81," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

C. auxiliary passing lamp: SAE standard J582, "Electric Supplementary Passing Lamp-SAE J582," SAE Handbook 1973, published by Society of Automotive Engineers, Inc. (New York, NY, 1973);

D. backup lamp: Code of Federal Regulations, title 49, section 571.108;

E. bicycle rear red reflector: SAE standard J594f, "Reflex Reflectors-SAE J594f," revised January 1977, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

F. bicycle side reflector: Code of Federal Regulations, title 16, part 1512 (1983);

G. bicycle reflectorized pedal: Code of Federal Regulations, title 16, part 1512 (1983);

H. bicycle reflectorized tire: Code of Federal Regulations, title 16, part 1512 (1983);

I. clearance lamp: Code of Federal Regulations, title 49, section 571.108;

J. driving lamp: SAE standard J581a, "Auxiliary Driving Lamps-SAE J581a," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

K. electric emergency lantern: SAE standard J596, "Electric Emergency Lanterns-SAE J596," SAE Handbook 1978, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1978);

L. emergency reflective triangle: Code of Federal Regulations, title 49, section 571.125;

M. flare: SAE standard J597, "Liquid Burning Emergency Flares-SAE J597," SAE Handbook 1978, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1978);

N. flashing warning lamp: SAE standard J595b, "Flashing Warning Lamps for Authorized Emergency, Maintenance and Service Vehicles-SAE J595b," revised July 1964, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

O. fog lamp: SAE standard J583 MAY81, "Front Fog

Lamps-SAE J583 MAY81," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

P. front cornering lamp: SAE recommended practice J852b, "Cornering Lamps-SAE J852b," revised February 1965, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

Q. fusee: Code of Federal Regulations, title 49, section 393.95 (1983);

R. hazard warning signal flasher: Code of Federal Regulations, title 49, section 571.108;

S. hazard warning signal switch: Code of Federal Regulations, title 49, section 571.108;

T. headlamp assembly and optical unit: Code of Federal Regulations, title 49, section 571.108;

U. headlamp beam switching device: Code of Federal Regulations, title 49, section 571.108;

V. identification lamps: Code of Federal Regulations, title 49, section 571.108;

W. license plate lamp: Code of Federal Regulations, title 49, section 571.108;

X. motorcycle auxiliary front lamp: SAE recommended practice J1306 JUN80, "Motorcycle Auxiliary Front Lamps-SAE J1306 JUN80," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

Y. motorcycle headlamp: Code of Federal Regulation title 49, section 571.108;

Z. motorcycle turn-signal lamp: Code of Federal Regulations, title 49, section 571.108;

AA. parking lamp: Code of Federal Regulations, title 49, section 571.108;

BB. portable red reflector: SAE recommended practice J774c, "Emergency Warning Device-SAE J774c," revised January 1971, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

CC. rear cornering lamp: SAE recommended practice J1373 JUN82, "Rear Cornering Lamp-SAE J1373 JUN82," 1983 SAE

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Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

DD. rear turn-signal lamp: SAE recommended practice J186a, "Supplemental High Mounted Stop and Rear Turn Signal Lamps-SAE J186a," revised September 1977, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

EE. reflex reflector: Code of Federal Regulations, title 49, section 571.108;

FF. safety glass: Code of Federal Regulations, title 49, section 571.205;

GG. school bus prewarning flashing amber signal lamp: Code of Federal Regulations, title 49, section 571.108;

HH. school bus stop-warning flashing red signal lamp: Code of Federal Regulations, title 49, section 571.108;

II. school bus stop arm: SAE recommended practice J1133a, "School Bus Stop Arm-SAE J1133a," revised November 1977, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

JJ. school bus white strobe lamp: Minnesota Statutes, section 169.64, subdivision 7;

KK. side marker lamp: Code of Federal Regulations, title 49, section 571.108;

LL. side turn-signal lamp: SAE recommended practice J914b, "Side Turn Signal Lamps-SAE J914b," revised July 1978, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

MM. spot lamp: SAE standard J591b, "Spot Lamps-SAE J591b," revised December 1972, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

NN. stop lamp: Code of Federal Regulations, title 49, section 571.108;

OO. supplemental high-mounted stop lamp: Code of Federal Regulations, title 49, section 571.108;

PP. tail or rear-position lamp: Code of Federal Regulations, title 49, section 571.108;

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QQ. 360-degree emergency warning signal lamp: SAE recommended practice J845, "360 Deg Emergency Warning Lamp-SAE J845," reaffirmed without change May 1972, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

RR. turn-signal flasher: Code of Federal Regulations, title 49, section 571.108;

SS. turn-signal lamp: Code of Federal Regulations, title 49, section 571.108;

TT. turn-signal switch: Code of Federal Regulations, title 49, section 571.108;

UU. turn-signal system: Code of Federal Regulations, title 49, section 571.108;

VV. warning lamp alternating flasher: SAE recommended practice J1054, "Warning Lamp Alternating Flashers-SAE J1054," revised January 1977, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983).

7425.2200 MODEL DESIGNATION.

Each lighting device must be marked with a model designation which differentiates one model from another unless the only differences are:

A. right- and left-hand mounting;

B. housing finish;

C. housing material;

D. mounting methods;

E. lens color;

F. lens material;

G. number of bulbs;

H. type of bulbs;

I. number of wiring connections; and

J. functions.

7425.2300 IDENTIFICATION AND MARKING REQUIREMENTS.

Subpart 1. In general. Lighting devices must be marked and identified to conform with the requirements in subparts 2 to

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Subp. 2. **Federally regulated lighting devices.** Lighting devices required by federal regulations to conform to Code of Federal Regulations, title 49, section 571.108 must be marked according to these federal requirements. Federally regulated equipment may also be marked according to subparts 3 to 5, except as may be prohibited by Code of Federal Regulations, title 49, section 571.108.

Subp. 3. **Nonfederally regulated lighting equipment; incorporation by reference.** Nonfederally regulated lighting equipment must be marked according to SAE recommended practice J759 MAR82, "Lighting Identification Code-J759 MAR82," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983), specifying permanent markings to identify device manufacturer, model, year, and functions. This recommended practice is hereby incorporated by reference.

Subp. 4. **Removable bulb.** Each removable bulb must be marked so as to identify the bulb manufacturer and also with the model designation or trade number. The design voltage and either the wattage or ampere rating may be shown instead of model designation or trade number. Bulb markings must be indelible and readable without magnification. In cases of private branding, a means of tracing the actual manufacturer must be provided by the owner of the private brand.

Subp. 5. **Optical unit and assembly.** In addition to the manufacturer's name, initials, or lettered trademark, each optical unit and assembly not covered by a lens or filter when in use must have marked on the lens the function code of the SAE standard or recommended practice to which the lamp complies.

Subp. 6. **Location.** Lamp and reflex reflector markings sufficient to identify the device as approved, must be located so as to be visible without the removal of any part of the vehicle on which it is installed. Flasher units, built-in signal switches, built-in headlamp housing assemblies, and headlamp beam-switching devices must have the identification marking on the exterior or on the wiring harness, but the

markings are not required to be visible on the equipment as installed. Sealed-beam headlamp optical units may have model markings located so as to not be visible as installed on a vehicle, but the manufacturer's name, initials, or lettered trademark, and the lamp designation markings, must be visible on the lens.

Subp. 7. **Orientation markings.** For orientation markings, each lamp model and separable component and each reflex reflector that may be rotated or installed in an orientation that does not comply with the applicable standards incorporated by reference in this chapter, must be marked so that the installer and a person inspecting the installed device may readily identify when the equipment is not properly oriented.

Subp. 8. **Other markings.** Markings that are not required and not prohibited by Code of Federal Regulations, title 49, subpart 571.108, may also be applied but must not detract from or change the meaning of the required markings.

Subp. 9. **Permanent markings.** Markings that are required must be applied so as to be legible for the life of the device.

7425.2400 CONSTRUCTION OF NONFEDERALLY REGULATED DEVICES.

Subpart 1. **In general.** Nonfederally regulated devices must be constructed to meet the requirements in subparts 2 to 8.

Subp. 2. **Convenient adjustments.** Lamps must be so constructed that bulb or lens replacements and aiming adjustments may conveniently be made by one person with ordinary hand tools.

Subp. 3. **Free from hazard.** Lighting devices must be so constructed as to present no unreasonable personal hazard to a qualified person servicing the unit.

Subp. 4. **Aim.** Lamp mountings must be so arranged that the aim of the lamp will not be disturbed under ordinary conditions of service. The range of aiming adjustment for any lamp requiring aim must be plus or minus four degrees in both the vertical and horizontal planes except as otherwise specified by the applicable SAE standard or recommended practice incorporated by reference in this chapter.

Subp. 5. **Replacement.** Lamps must be so constructed that an optical unit or bulb can be replaced without disturbing the aim of the lamp.

Subp. 6. **Attachment and removal.** The means of fastening split or solid rims or trim rings must be readily accessible and means must be provided for easy removal of lens-retaining rings when snap or lock rings are used.

Subp. 7. **Gaskets.** Gaskets must be constructed of a durable material which will retain shape and resiliency.

Subp. 8. **Electrical wiring.** The electrical wiring must be securely connected and protected from abrasion.

7425.2500 SPECIFICATIONS FOR INDIVIDUAL LIGHTING DEVICES.

Subpart 1. **In general.** In addition to complying with standards incorporated by reference in this chapter, the requirements for individual devices are listed in subparts 2 to 11.

Subp. 2. **Bicycle headlamp.** Bicycle headlamp intensity above horizontal must not be greater than 250 candela. The lamp housing must be constructed so that a bulb and battery can be readily replaced. The headlamp must project a distinct beam of white light of uniform pattern.

Subp. 3. **Combination lamp.** In combination lamps, the requirements for each individual function must be met independently of any other function.

Subp. 4. **Electric emergency lantern.** Electric emergency lanterns, when placed on any clean, dry, paved road surface, must not tip or slide in a 40 mile-per-hour wind. To test these devices, three sample lanterns regularly marketed and sold must be chilled at a temperature of minus 20 degrees Fahrenheit for 12 hours, after which they must be placed in operation for 12 hours. Failure of two of the three samples to operate or to meet the intensity requirements of SAE standard J596 for electric emergency lanterns, incorporated by reference in part 7425.2100, item L, during the test is an automatic rejection.

Subp. 5. **Fusee.** Fusees must conform to the requirements in Code of Federal Regulations, title 49, section 393.95(j)

(1983) for fusees. The color emitted must be red.

Subp. 6. **Alternate replacement bulb.** Each bulb designed or marketed as an alternate replacement must comply with the SAE standards or recommended practices incorporated by reference in this chapter applicable for that type of bulb to permit a lighting device in which it is an alternate replacement to continue to conform to this chapter.

Subp. 7. **Replacement lens.** Replacement lenses, when installed in the housings for which they are designed, must meet the mechanical test requirements for dust, moisture, vibration, and warpage specified in the standards or recommended practices incorporated in this chapter and applicable to the lamp. If gaskets, sealant, or other parts are supplied with the lens, the requirements must be met using the materials supplied.

The photometric and color requirements of this chapter that were in effect at the time the latest lamp was last manufactured must be met for each function performed. Instructions listing the original lamps or the year and model of the vehicles on which the replacement lenses are designed to be installed must be included with the lens, the retail packaging for the lens, or in a catalog readily available where the lens is sold or offered for sale.

Subp. 8. **School bus warning-lamp system.** Requirements for operating school bus warning-lamp systems are specified in parts 3520.5200 to 3520.5230 and 3520.5580.

Subp. 9. **Spot lamp.** Spot lamps must be mechanically or electrically aimed and operated from the inside of the vehicle. This requirement does not apply to those lamps designed for use as utility lights and mounted on public utilities vehicles and on authorized emergency, maintenance, and service vehicles.

Subp. 10. **Alternately flashing warning lamp.** Alternately flashing warning lamps may be used only on authorized emergency vehicles and school buses.

Subp. 11. **Installation of flashing warning lamp.** The installation recommendations in SAE standard J595b for flashing warning lamps, incorporated by reference at part 7425.2100, item

O, on authorized emergency vehicles are not mandatory for law enforcement vehicles when determined not practicable by the affected law enforcement agency.

7425.2600 NONSTANDARD LIGHTING DEVICES.

Subpart 1. **In general.** The following device descriptions and requirements in subparts 2 to 7 are for lighting devices permitted or required by Minnesota Statutes for use and for which there are no published SAE standards or federal standards in effect. Approval is not required.

Subp. 2. **Courtesy lamp.** A courtesy lamp, providing a low intensity white to yellow light used to aid visibility when a person is entering or exiting a vehicle, must not exceed 15 candlepower in any direction outboard of the vehicle and must not be visible outboard unless the door is opened.

Subp. 3. **Emergency vehicle flashing white lamp.** An emergency vehicle flashing white lamp, that may be used by an authorized emergency vehicle to display a flashing white light in addition to a flashing red light, does not include flashing headlamps during times when the headlamps are required for visibility. The flash rate, duration, and intensity must follow the SAE standard J595b incorporated by reference at part 7425.2100, item N, or SAE recommended practice J845 incorporated by reference at part 7425.2100, item QQ, as applicable to emergency vehicle warning lamps, except that when used as a traffic signal priority device it must flash as authorized by the commissioner. The white light must be at least four times the intensity required for a red warning light in SAE standard J595b or SAE recommended practice J845, as applicable to the lamp type.

Subp. 4. **Fender lamp or side cowl lamp.** A fender lamp or side cowl lamp providing a low intensity white light, must not exceed one candlepower intensity in any direction.

Subp. 5. **School bus white strobe lamp.** A school bus white strobe lamp must be certified to the commissioner by the manufacturer, as provided in Minnesota Statutes, section 169.64, subdivision 7.

Subp. 6. **Volunteer fireman lamp.** A volunteer fireman lamp, providing a single steady-burning red light mounted facing forward on the front of a vehicle, must follow the performance requirements for stop lamps, incorporated by reference in part 7425.2100, item NN, or in effect at the time of manufacture. This type of lamp does not include a reflex reflector.

Subp. 7. **Volunteer ambulance driver lamp.** A volunteer ambulance driver lamp is the same type lamp as a volunteer fireman lamp and must comply with the requirements in subpart 6.

7425.5000 SPECIFICATIONS FOR SAFETY GLAZING MATERIAL; INCORPORATION BY REFERENCE.

Safety glass and plastic must comply with the specifications in Code of Federal Regulations, title 49, section 571.205 which is incorporated by reference, and with Minnesota Statutes, section 169.71, subdivision 4, as applicable to type of material, location on the vehicle, performance, and markings. Material that complies with the applicable standard incorporated by reference in this part is approved by the commissioner.

7425.6000 SPECIFICATIONS FOR TRAILER AND SEMITRAILER TOWING DEVICES; INCORPORATIONS BY REFERENCE.

Subpart 1. **Federally regulated towing devices.** Federally regulated towing devices must comply with the requirements in Code of Federal Regulations, title 49, section 393.70 or 393.71 (1983) which are both incorporated by reference, as applicable according to the towing method.

Subp. 2. **Nonfederally regulated towing devices.** Nonfederally regulated towing devices must comply with the performance, identification, and installation requirements of the regulations in item A, B, or C which are all incorporated by reference, as applicable according to the vehicle type and weight and the towing method.

A. Hitches and couplings for trailers and semitrailers with a gross vehicle weight rating of 10,000 pounds or less must comply with the requirements in VESC regulation V-5, "Minimum Requirements for Motor Vehicle Connecting Devices

and Towing Methods," revised July 1977, Vehicle Equipment Safety Commission (Washington, D.C., 1977), which is hereby incorporated by reference.

B. Towbars and fifth wheel connecting devices for semitrailers with a gross vehicle weight rating of 30,000 pounds or less and towbar connections not covered by VESC regulation V-5 must comply with the requirement in VESC regulation VESC-19, "Performance Requirements for Fifth Wheel Vehicle Connecting Devices and Towing Methods," approved July 1980 by the VESC-19 Committee, Vehicle Equipment Safety Commission (Alexandria, VA, 1980), which is hereby incorporated by reference.

C. Towing devices not covered by VESC regulation VESC-19 or V-5 must comply with the requirements in Code of Federal Regulations, title 49, section 393.70 or 393.71 (1983), incorporated by reference in subpart 1.

Subp. 3. **Towing devices.** Towing devices are not required to be registered or certified. Devices that comply with subpart 1 or 2 are approved by the commissioner. No other towing devices are approved.

Repealer. Minnesota Rules, parts 7425.0100; 7425.0200; 7425.0300; 7425.0400 are repealed.

Department of Public Safety

Driver and Vehicle Services Division

State Patrol Division

Addendum to Notice of Intent to Adopt Rules Without a Public Hearing

In the matter of proposed adoption of rules of the State Department of Public Safety governing drivers licenses and motor vehicle records and name of applicant published at State Register, Volume 8, Number 47, page 2465 May 21, 1984 (8 S.R. 2465), and rules governing requirements for the approval of motor vehicle equipment used and sold in Minnesota published at State Register, Volume 8, Number 47, page 2467, May 21, 1984 (8 S.R. 2467), and the following notification is added pursuant to Laws 1984, Chapter 640, Section 12:

--If 25 (not 7) or more persons submit a written request for a public hearing within the 30 day comment period, a public hearing will be held under the provisions of section 14.14 to 14.20.

--Any person commenting on the rules or requesting a hearing should identify the portion of the rules addressed, give the reason for comment or hearing request, and specify any change proposed.

--Any person requesting a public hearing should state his or her name and address in addition to the foregoing information.

The comment period is extended to June 29, 1984.

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Requirements for the Approval of Motor Vehicle Equipment Used and Sold in Minnesota.

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

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

That on the 18th day of May, 1984, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the Notice of Intent to Adopt Rules Without Public Hearing and Addendum 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.

LeeAnn K. Aitkin

Subscribed and sworn to before me

this 18th day of May.

1984

Robert G. Knutson

ROBERT G. KNUTSON
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES APRIL 11, 1990

ACDKHF0011

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Requirements for the Approval of Motor Vehicle Equipment Used and Sold in Minnesota.

CERTIFICATE OF MAILING LIST

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minn. Stat. Section 14.14 subdivision 1, 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 15th day of May, 1984.

Diane Dykeruk

ACDKHF0010

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

Board of Directors
Alpha Homes, Inc.
P.O. Box 475
Spicer, MN 56288

Amer. Bapt. Homes/Up. Midwest
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Eden Prairie, MN 55344

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Anoka Cnty Comm. Heath &
Social Services Dept.
Courthouse, 4th Floor
Anoka, MN 55303

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Evansville, MN 56326

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Mpls, MN 55416

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2850 Metro Drive, Suite 429
Mpls, MN 55420

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Victoria, MN 55386

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St. Paul, MN 55101

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MN Dept. Economic Development
480 Cedar St.
St. Paul, MN 55101

Charles Schaffer
MN Dept. Economic Development
480 Cedar St.
St. Paul, MN 55101

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Mpls, MN 55413

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Room 911, Capitol Sq. Bldg.
St. Paul, MN 55101

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Wayzata, MN 55391

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Winona, MN 55987

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Willmar, MN 56201

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St. Paul, MN 55101

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St. Paul, MN 55117

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Minneapolis Tribune
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Willmar, MN 56201

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Windom, MN 56101

Robert Carstenbrock
-Police Chief
Winona City Hall
4th & Lafayette St.
Winona, MN 55987

Woodvale Homes, Inc.
Box 1047
Austin, MN 55912

Woodvale Management Svcs.
Box 1047
Austin, MN 55912

Jerry Kennan
Region Nine Dev. Commission
410 S. 5th St., PO Box 3367
Mankato, MN 56001

H. LeRoy DeBoom
3945 Zarthan Ave.
Mpls, MN 55416

Marlis Johnson
Box 3367, Region 9
Mankato, MN 56001

Rodney Watkins
105 University Road
Cloquet, MN 55720

Kathy R. Van Kleeck
Motorcycle Industry Council
1235 Jefferson Davis Hwy #1410
Arlington VA 22202

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St. Paul, MN 55101

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State Regulatory Division
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Sacramento, CA 95814

Lawrence F. Henneberger
Arent, Fox, Kintner, Plotkin and Kahn
Washington Square
1050 Connecticut Ave. N.W.
Washington, D.C. 20036

Department of Public Safety
State Patrol Division

Proposed Rules Governing Requirements for Motor Vehicle Lighting Devices, Safety Glazing Materials, and Towing Devices

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. Sections 14.21 through 14.28.

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 25 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. Sections 14.13 through 14.20.

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

Diane Dybevik
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. Sections 169.222, 169.223, 169.44, 169.467, 169.469, 169.48 to 169.52, 169.53 to 169.66, 169.71, subd. 4, 169.74, and 169.75. 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 free from the Department of Public Safety upon request to the above address.

You are hereby advised, pursuant to Minn. Stat. Section 14.115, "Small business consideration in rulemaking," that the proposed rules may have an impact on some small businesses in Minnesota. The rules may affect and benefit small businesses because it will no longer be necessary to obtain State testing and approval of vehicle equipment prior to sale and the corresponding testing/approval fee is eliminated. Federally regulated equipment is automatically approved and approval of nonfederally regulated equipment is streamlined.

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

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.

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 14.11, subdivision 1. Any costs incurred by local jurisdictions in the permit issuance process can be recovered through imposition of a fee authorized by the rules.

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

Paul J. Tschida
Commissioner of Public Safety

Rules as Proposed (all new material)

7425.0100 DEFINITIONS.

Subpart 1. Scope. The terms used in this chapter have the meanings given them in this part except in those instances when the context clearly indicates a different meaning.

Subp. 2. After-market equipment. "After-market equipment" means equipment other than "original equipment" as defined in subpart 31.

Subp. 3. ANSI. "ANSI" means American National Standards Institute.

Subp. 4. Auxiliary driving lamp. "Auxiliary driving lamp" means a lighting device that is mounted to provide illumination forward of the vehicle and that supplements the upper beam of a standard headlamp system. It is not intended for use alone or with the lower beam of a standard headlamp system.

Subp. 5. Auxiliary lamps. "Auxiliary lamps" means lighting devices on a motor vehicle used to supplement the other road lighting devices. They include those lamps sold commercially as driving lamps, passing lamps, fog lamps, auxiliary low-beam lamps, and motorcycle auxiliary front lamps.

Subp. 6. Auxiliary low-beam lamp. "Auxiliary low-beam lamp" means a type of lamp that supplements the lower beam of a standard headlamp system. It is not intended for use alone or with the upper beam of a standard headlamp system.

Subp. 7. Auxiliary passing lamp. "Auxiliary passing lamp" means an auxiliary low-beam lamp.

Subp. 8. Backup lamp. "Backup lamp" means a lamp used to furnish general illumination to the rear of a vehicle when it is in rearward motion and to provide a warning signal to pedestrians and other drivers when the vehicle is backing up or is about to back up.

Subp. 9. Bicycle lighting devices. "Bicycle lighting devices" includes:

A. a headlamp which is an electric lamp used to provide general illumination ahead of a nonmotorized bicycle and also to serve as a warning light to approaching motorists;

B. a rear red reflector which indicates the presence of the bicycle to an approaching driver by reflecting the light from the headlamps of a vehicle approaching from the rear; and

C. side reflectors, reflectorized pedals, and reflectorized tires which are devices designed to conform with the reflectorization requirements of applicable regulations issued by the Consumer Product Safety Commission.

Subp. 10. Bulb. "Bulb" means an indivisible assembly containing a source of light and normally used in a lamp.

Subp. 11. Clearance lamp. "Clearance lamp" means a lamp used on the upper left and right sides of the vehicle or load, and which shows to the front or rear to indicate the overall width of the vehicle or load.

Subp. 12. Combination clearance and side marker lamp. "Combination clearance and side marker lamp" means a single lamp which, when properly positioned and oriented, fulfills the requirements of both a clearance lamp and a side marker lamp.

Subp. 13. Combination device. "Combination device" includes:

A. a combination lamp so constructed and connected that from one position on a vehicle it serves two or more of the lighting functions described in this part; and

B. combination switches and flashers so constructed and connected as to serve two or more of the functions of a turn-signal switch or flasher or hazard-warning switch or flasher.

Subp. 14. Commissioner. "Commissioner" means the commissioner of public safety of the state of Minnesota.

Subp. 15. Disabled vehicle warning device. "Disabled vehicle warning device" means a device that is placed on the roadway to warn the driver of an approaching vehicle of a stationary vehicle hazard. "Disabled vehicle warning device" includes:

A. an emergency reflective triangle which is an equilateral triangle, each side of which displays both a daytime and nighttime warning area;

B. a portable red reflector device which is a holder with two reflex reflectors on each side, one above the other;

C. a flare which is a liquid burning device consisting of a vessel with a wick;

D. a fusee which consists of a solid fuel enclosed in a waterproof combustible tube and only used as a temporary or auxiliary signal flare; and

E. an electric emergency lantern which is a device capable of displaying a red light, either flashing or steady-burning.

Subp. 16. Driving lamp. "Driving lamp" means an auxiliary driving lamp.

Subp. 17. Flashing warning lamp. "Flashing warning lamp" means a lamp: used for authorized emergency, maintenance, and service vehicles; which may be directionally aimed; and, in which the light sources are turned on and off, interrupting the circuit and producing a repetitive flash of light.

Subp. 18. Fog lamp. "Fog lamp" means a lighting device mounted to provide illumination forward of the vehicle under conditions of rain, snow, dust, or fog. A fog lamp is an adverse weather lamp.

Subp. 19. Front cornering lamp. "Front cornering lamp" means a steady-burning lamp used in conjunction with the turn-signal system to supplement the headlamps by providing additional illumination in the direction of turn.

Subp. 20. Hazard-warning signal flasher. "Hazard-warning signal flasher" means a device which, as long as it is turned on, causes all the required signal lamps to flash that are listed in the description for hazard-warning signal switch.

Subp. 21. Hazard-warning signal switch. "Hazard-warning signal switch" means a driver-controlled device which causes at least one turn-signal lamp on the left and right to the front and on the left and right to the rear of the vehicle to flash simultaneously to indicate to the approaching driver the presence of a vehicular traffic hazard.

Subp. 22. Headlamp assembly and optical unit. "Headlamp assembly and optical unit" includes:

A. a sealed-beam headlamp housing assembly which is a major lighting assembly used to provide mounting and aiming adjustment for one or more sealed-beam units or replaceable bulb headlamps that provide general illumination ahead of the vehicle; and either

B. a sealed-beam headlamp unit which is a mechanically aimable, integral, indivisible, hermetically sealed optical assembly;

C. a mechanically aimable headlamp unit in which an O ring is used to seal an indexed replaceable bulb to the assembly; or

D. a mechanically aimable, hermetically sealed lens and reflector assembly with indexed replaceable bulb.

Subp. 23. Headlamp beam-switching device. "Headlamp beam-switching device" includes:

A. a driver-controlled headlamp beam-switching device used to select the upper or lower beam headlamp circuit; and

B. a semiautomatic headlamp beam-switching device providing either automatic or manual control of beam switching at the option of the driver. When the control is automatic, the headlamps switch from the upper beam to the lower beam when illuminated by the headlamps of an approaching car and switch back to the upper beam when the road ahead is dark. When the control is manual, the driver may obtain either beam manually regardless of the condition of lights ahead of the vehicle.

Subp. 24. Identification lamps. "Identification lamps" means lamps that are used in groups of three in a horizontal row, that show to the front or rear or both, and that are mounted as near as practicable to the vertical centerline and the top of the vehicle to identify certain types of vehicles.

Subp. 25. License plate lamp. "License plate lamp" means a lamp used to illuminate the license plate on the rear of a vehicle.

Subp. 26. Lighting device. "Lighting device" means any device mounted on or in conjunction with a vehicle to furnish or regulate illumination or to mark or identify a vehicle or to serve as a signal or warning either by self-illumination or by reflected light. Interior lighting devices, such as dome, dash, and map lights intended only for interior illumination, placed inside the vehicle, and not intended to serve as a signal or to be seen by persons outside the vehicle, are not considered lighting devices within the scope of this chapter.

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Subp. 27. Motorcycle auxiliary front lamp. "Motorcycle auxiliary front lamp" means a unit, including sealed beam, intended to supplement either the upper or the lower beam from a motorcycle headlamp system.

Subp. 28. Motorcycle headlamp. "Motorcycle headlamp" means a major lighting device used to provide general illumination ahead of the motorcycle.

Subp. 29. Motorcycle turn-signal lamp. "Motorcycle turn-signal lamp" means the signaling element of a motorcycle turn-signal system which indicates a change in direction by giving a flashing light on the side toward which the turn will be made.

Subp. 30. Optical unit. "Optical unit" means an integral and indivisible assembly consisting of a lens, reflector, and light source.

Subp. 31. Original equipment. "Original equipment" means an item of motor vehicle equipment which was installed in or on a motor vehicle at the time of its delivery to the first purchaser if:

A. the item of equipment was installed on or in the motor vehicle at the time of its delivery to a dealer or distributor; or

B. the item of equipment was installed by the dealer or distributor with the express authorization of the motor vehicle manufacturer.

Subp. 32. Parking lamps. "Parking lamps," whether separate or in combination with other lamps, means lamps on both the left and right of the front of the vehicle which shine to the front and are intended to mark the vehicle when parked. In addition, these front lamps may serve as a reserve front position-indicating system in the event of headlamp failure. For rear parking lamps, see tail lamps.

Subp. 33. Passing lamp. "Passing lamp" means an auxiliary passing lamp.

Subp. 34. Rear cornering lamp. "Rear cornering lamp" means a lamp aimed and so connected as to illuminate an area to the side and rear of the vehicle only when the vehicle is moving backward or about to move backward.

Subp. 35. Reflex reflector. "Reflex reflector" means a lighting device used on vehicles to indicate a vehicle's presence to an approaching driver by reflecting the light from the headlamps of the approaching vehicle. This device may use a system of cube corners or, as a side marker only, a system of lens-mirror reflexes.

Subp. 36. SAE. "SAE" means Society of Automotive Engineers, Inc.

Subp. 37. SAE standard or recommended practice. "SAE standard or recommended practice" means a vehicle equipment standard or recommended practice contained in a SAE Standards Handbook published by the Society of Automotive Engineers, Inc.

Subp. 38. Safety glass. "Safety glass" means glazing materials so constructed, treated, or combined with other materials as to reduce, in comparison with ordinary sheet, float, or plate glass, the likelihood of injury to persons by objects from exterior sources or by the glazing materials when cracked or broken. The term also includes rigid and flexible safety glazing plastics.

Subp. 39. School bus warning-signal devices. "School bus warning-signal devices" includes:

A. flashing red signal lamps which are alternately flashing lamps mounted horizontally both front and rear and intended to identify a vehicle as a school bus and to inform other users of the highway that the school bus is stopped on the highway to take on or discharge school children;

B. flashing amber signal lamps which are alternately flashing lamps mounted horizontally both front and rear and intended to identify a vehicle as a school bus and to prewarn by informing other users of the highway that the school bus is about to stop to take on or discharge school children;

C. a white strobe lamp which is a 360-degree double-flash lamp mounted on top of a school bus and used only when atmospheric conditions or terrain restrict visibility of the flashing warning-signal lamps; and

D. a stop arm which is an auxiliary device used to signal that a school bus has stopped to load or discharge passengers. It supplements the flashing red signal lamps. It may have alternately flashing, red lamps and it may be reflectorized.

Subp. 40. Side marker lamps. "Side marker lamps" means lamps that show to the side of the vehicle and are mounted on the permanent structure of the vehicle as near as practicable to the front and rear edges to indicate the overall length of the vehicle. Additional lamps may also be mounted at intermediate locations on the sides of the vehicle.

Subp. 41. Side turn-signal lamps. "Side turn-signal lamps" means lighting devices mounted on the side at or near the front of a vehicle and used as part of the turn-signal system to indicate a change in direction by giving a supplementary flashing, warning signal on the side toward which the vehicle operator intends to turn or maneuver.

Subp. 42. Spot lamp. "Spot lamp" means a lamp that provides a substantially parallel beam of light and which can be aimed at will. These lamps are not intended as substitutes for headlamps or as auxiliary lamps for road lighting, but are intended for use in emergencies and under conditions when a concentrated, controllable light beam is advantageous.

Subp. 43. Stop lamp. "Stop lamp" means a lamp giving a steady light to the rear of a vehicle or train of vehicles to indicate the intention of the operator of a vehicle to stop or diminish speed by braking.

Subp. 44. Supplemental high-mounted stop and rear turn-signal lamps. "Supplemental high-mounted stop and rear turn-signal lamps" means additional rear-facing lamps mounted high and possibly forward of the required tail, stop, and rear turn-signal lamps. They are intended to project a signal through intervening vehicles to operators of following vehicles.

Subp. 45. Tail lamp or rear-position lamp. "Tail lamp" or "rear-position lamp" means a lamp used to designate the rear of a vehicle by a steady-burning, low intensity light. Tail lamps are also used as rear parking lamps.

Subp. 46. 360-degree emergency warning-signal lamps. "360-degree emergency warning-signal lamps" means devices that project light through a 360-degree arc in a regularly repeating pattern of flashes and that are designed for use on authorized emergency, maintenance, and service vehicles. The 360-degree emergency warning-signal lamps are used to signal other drivers to stop, to yield right-of-way, or to indicate the existence of a hazardous situation.

Subp. 47. Towing device. "Towing device" includes:

A. a coupling which is that part of the trailer-connecting mechanism by which the connection is actually made but which does not include any structural member, extension of the trailer frame, or brake actuator;

B. a hitch which is that part of a connecting mechanism including the ball support platform and ball and those components that extend and are attached to the towing vehicle;

C. a fifth wheel which is a load-carrying mechanical or structural towing device, including a kingpin and load-bearing plate-type device, that, when in use, serves as a primary connecting system for a semitrailer;

D. a saddle mount which is a device designed and constructed to be readily demountable and used in drive-away, tow-away operations to perform the functions of a conventional fifth wheel;

E. a tow bar which is a beam-type device fastened between the towing vehicle and the towed vehicle and used to transmit longitudinal loads between the vehicles; and

F. a safety chain which is a flexible tension member including chain, cable, or wire rope, and the attaching means, connected from the front of the trailer or trailer tongue to the rear of the towing vehicle for the purpose of retaining connection between the towing vehicle and the towed vehicle in the event the trailer coupling or ball should fail.

Subp. 48. Turn-signal lamp. "Turn-signal lamp" means the signaling element of a turn-signal system which indicates a change in direction by a flashing light indicating the side toward which the turn will be made. Turn-signal lamps may be flashed simultaneously as a vehicular traffic hazard-warning signal.

Subp. 49. Turn-signal flasher. "Turn-signal flasher" means a device that causes all the required signal lamps to flash when it is turned on.

Subp. 50. Turn-signal switch. "Turn-signal switch" means that part of a turn-signal system by which the vehicle operator causes the signal lamps to function.

Subp. 51. Turn-signal system. A "turn-signal system" consists of a turn-signal switch, a flasher unit, two or more turn-signal lamps, and one or two indicator lights.

Subp. 52. VESC. "VESC" means Vehicle Equipment Safety Commission.

Subp. 53. Warning lamp alternating flasher. "Warning lamp alternating flasher" means a device that alternately flashes warning-signal lamps used on authorized emergency vehicles or school buses.

7425.0150 PURPOSE.

The purpose of this chapter is to prescribe requirements for motor vehicle lighting devices, safety glazing materials, and towing devices, which are not federally regulated and that are used on vehicles in Minnesota.

7425.0160 SCOPE.

The scope of this chapter is intended to be consistent with Minnesota Statutes, sections 169.222, 169.223, 169.44, 169.467 to 169.469, 169.48 to 169.52, 169.53 to 169.66, 169.71, subdivision 4, 169.74, and 169.75.

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7425.0500 FEDERALLY REGULATED EQUIPMENT; INCORPORATION BY REFERENCE.

A lighting device, safety glazing material, or towing device certified by the manufacturer to meet applicable federal motor vehicle safety standards in Code of Federal Regulations, title 49, sections 571.108, 571.125, and 571.205 adopted under the National Traffic and Motor Vehicle Safety Act of 1966, United States Code, title 15, sections 1381 to 1431, is approved by the commissioner of public safety and hereby incorporated by reference.

7425.0600 NONFEDERALLY REGULATED EQUIPMENT.

Before the device is offered for sale, every manufacturer who sells or offers for sale a lighting device or other safety equipment, component, or assembly not subject to and not certified in compliance with an applicable federal motor vehicle safety standard incorporated by reference in this chapter and of a type for which approval is required, must have laboratory test data showing compliance with the standards or recommended practices prescribed by this chapter. Tests may be conducted by the manufacturer.

7425.0700 TEST REPORTS.

The commissioner at any time may request from the manufacturer a copy of the test or other supporting data on a lighting device, glazing material, or towing device showing proof of compliance with this chapter and additional evidence that due care was established in maintaining compliance during production. If the manufacturer fails to provide proof of compliance within 30 days following the request, the commissioner shall prohibit the sale of the device in Minnesota until acceptable proof of compliance is received.

7425.0800 COMPLIANCE.

The commissioner shall require manufacturers of nonfederally regulated equipment to submit proof of compliance with this chapter signed by a responsible official of the manufacturer, or the manufacturer, under Minnesota Statutes, section 169.468, subdivision 2, may submit an unexpired certificate of approval or notice of compliance from the American Association of Motor Vehicle Administrators provided the certificate or notice shows proof of compliance with the rules, standards, and recommended practices adopted in this chapter.

7425.0900 EXPIRATION OF APPROVAL OF MOTOR VEHICLE EQUIPMENT.

Approval for the sale of nonfederally regulated equipment expires after five years unless the manufacturer requests reapproval, in which case the manufacturer shall submit proof of current compliance in accordance with part 7425.0800 that the item as then being manufactured conforms to this chapter.

7425.1000 TESTING.

The commissioner may purchase equipment sold for use on vehicles and test or retest the equipment for conformance with applicable requirements.

7425.1100 FEE WAIVED.

The fee authorized to be set and collected by the commissioner under Minnesota Statutes, section 169.468, subdivision 2, for costs connected with tests and approval of equipment submitted without certification or notification by the American Association of Motor Vehicle Administrators is hereby waived.

7425.2000 GENERAL REQUIREMENTS.

Subpart 1. Compliance. Vehicle lighting equipment must conform to the general requirements listed in subparts 2 to 5.

Subp. 2. Relation to statutes. Lighting devices and components listed in part 7425.2100 must comply with the standard, recommended practice, or regulation stipulated for each device. A SAE standard or recommended practice is incorporated by reference to the extent that the standard or recommended practice is consistent with Minnesota statutory requirements delineated in parts 7425.0150 and 7425.0160.

Subp. 3. Original and replacement equipment. Original lighting equipment for a vehicle and after-market equipment made or sold for replacement of original lighting equipment must comply with the rules, federal regulations, standards, or recommended practices incorporated by reference in this chapter or the standards, recommended practices, or requirements in effect when the vehicle was manufactured.

Subp. 4. Nonreplacement equipment. After-market lighting equipment not made or sold for replacement of original equipment must comply with this chapter or the standards, recommended practices, or requirements in effect at the time, or up to one year prior to the time, that the equipment was manufactured.

Subp. 5. Terms. The words "it is recommended that," "recommendations," "should," or similar terms appearing in the SAE standards and recommended practices incorporated by reference in part 7425.2100 set forth a requirement except as

otherwise expressly provided in this chapter. Items referred to as "a matter of information" or "attention is called to" in the SAE standards and recommended practices are not mandatory except as otherwise expressly provided in this chapter.

7425.2100 INCORPORATIONS BY REFERENCE OF STANDARDS FOR LIGHTING DEVICES.

Each of the following standards, recommended practices, and regulations are incorporated by reference for the lighting device indicated:

A. auxiliary driving lamp: SAE standard J581a, "Auxiliary Driving Lamps-SAE J581a," revised 1980, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

B. auxiliary low-beam lamp: SAE standard J582 SEP81, "Auxiliary Low Beam Lamp-SAE J582 SEP81," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

C. auxiliary passing lamp: SAE standard J582, "Electric Supplementary Passing Lamp-SAE J582," SAE Handbook 1973, published by Society of Automotive Engineers, Inc. (New York, NY, 1973);

D. backup lamp: Code of Federal Regulations, title 49, section 571.108;

E. bicycle rear red reflector: SAE standard J594f, "Reflex Reflectors-SAE J594f," revised January 1977, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

F. bicycle side reflector: Code of Federal Regulations, title 16, part 1512 (1983);

G. bicycle reflectorized pedal: Code of Federal Regulations, title 16, part 1512 (1983);

H. bicycle reflectorized tire: Code of Federal Regulations, title 16, part 1512 (1983);

I. clearance lamp: Code of Federal Regulations, title 49, section 571.108;

J. driving lamp: SAE standard J581a, "Auxiliary Driving Lamps-SAE J581a," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

K. electric emergency lantern: SAE standard J 596, "Electric Emergency Lanterns-SAE J596," SAE Handbook 1978, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1978);

L. emergency reflective triangle: Code of Federal Regulations, title 49, section 571.125;

M. flare: SAE standard J597, "Liquid Burning Emergency Flares-SAE J597," SAE Handbook 1978, published by Society of Automoive Engineers, Inc. (Warrendale, PA, 1978);

N. flashing warning lamp: SAE standard J595b, "Flashing Warning Lamps for Authorized Emergency, Maintenance and Service Vehicles-SAE J595b," revised July 1964, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

O. fog lamp: SAE standard J583 MAY81, "Front Fog Lamps-SAE J583 MAY81," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

P. front cornering lamp: SAE recommended practice J852b, "Cornering Lamps-SAE J852b," revised February 1965, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

Q. fusee: Code of Federal Regulations, title 49, section 393.95 (1983);

R. hazard warning signal flasher: Code of Federal Regulations, title 49, section 571.108;

S. hazard warning signal switch: Code of Federal Regulations, title 49, section 571.108;

T. headlamp assembly and optical unit: Code of Federal Regulations, title 49, section 571.108;

U. headlamp beam switching device: Code of Federal Regulations, title 49, section 571.108;

V. identification lamps: Code of Federal Regulations, title 49, section 571.108;

W. license plate lamp: Code of Federal Regulations, title 49, section 571.108;

X. motorcycle auxiliary front lamp: SAE recommended practice J1306 JUN80, "Motorcycle Auxiliary Front Lamps-SAE J1306 JUN80," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

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Y. motorcycle headlamp: Code of Federal Regulations, title 49, section 571.108;

Z. motorcycle turn-signal lamp: Code of Federal Regulations, title 49, section 571.108;

AA. parking lamp: Code of Federal Regulations, title 49, section 571.108;

BB. portable red reflector: SAE recommended practice J774c, "Emergency Warning Device-SAE J774c," revised January 1971, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

CC. rear cornering lamp: SAE recommended practice J1373 JUN82, "Rear Cornering Lamp-SAE J1373 JUN82," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

DD. rear turn-signal lamp: SAE recommended practice J186a, "Supplemental High Mounted Stop and Rear Turn Signal Lamps-SAE J186a," revised September 1977, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

EE. reflex reflector: Code of Federal Regulations, title 49, section 571.108;

FF. safety glass: Code of Federal Regulations, title 49, section 571.205;

GG. school bus prewarning flashing amber signal lamp: Code of Federal Regulations, title 49, section 571.108;

HH. school bus stop-warning flashing red signal lamp: Code of Federal Regulations, title 49, section 571.108;

II. school bus stop arm: SAE recommended practice J1133a, "School Bus Stop Arm-SAE J1133a," revised November 1977, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

JJ. school bus white strobe lamp: Minnesota Statutes, section 169.64, subdivision 7;

KK. side marker lamp: Code of Federal Regulations, title 49, section 571.108;

LL. side turn-signal lamp: SAE recommended practice J914b, "Side Turn Signal Lamps-SAE J914b," revised July 1978, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

MM. spot lamp: SAE standard J591b, "Spot Lamps-SAE J591b," revised December 1972, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

NN. stop lamp: Code of Federal Regulations, title 49, section 571.108;

OO. supplemental high-mounted stop lamp: Code of Federal Regulations, title 49, section 571.108;

PP. tail or rear-position lamp: Code of Federal Regulations, title 49, section 571.108;

QQ. 360-degree emergency warning signal lamp: SAE recommended practice J845, "360 Deg Emergency Warning Lamp-SAE J845," reaffirmed without change May 1972, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983);

RR. turn-signal flasher: Code of Federal Regulations, title 49, section 571.108;

SS. turn-signal lamp: Code of Federal Regulations, title 49, section 571.108;

TT. turn-signal switch: Code of Federal Regulations, title 49, section 571.108;

UU. turn-signal system: Code of Federal Regulations, title 49, section 571.108;

VV. warning lamp alternating flasher: SAE recommended practice J1054, "Warning Lamp Alternating Flashers-SAE J1054," revised January 1977, 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983).

[illegible]ODEL DESIGNATION.

Each lighting device must be marked with a model designation which differentiates one model from another unless the only differences are:

A. right- and left-hand mounting;

B. housing finish;

C. housing material;

D. mounting methods;

E. lens color;

F. lens material;

G. number of bulbs;

H. type of bulbs;

I. number of wiring connections; and

J. functions.

7425.2300 IDENTIFICATION AND MARKING REQUIREMENTS.

Subpart 1. In general. Lighting devices must be marked and identified to conform with the requirements in subparts 2 to 9.

Subp. 2. Federally regulated lighting devices. Lighting devices required by federal regulations to conform to Code of Federal Regulations, title 49, section 571.108 must be marked according to these federal requirements. Federally regulated equipment may also be marked according to subparts 3 to 5, except as may be prohibited by Code of Federal Regulations, title 49, section 571.108.

Subp. 3. Nonfederally regulated lighting equipment; incorporation by reference. Nonfederally regulated lighting equipment must be marked according to SAE recommended practice J759 MAR82, "Lighting Identification Code-J759 MAR82," 1983 SAE Handbook, published by Society of Automotive Engineers, Inc. (Warrendale, PA, 1983), specifying permanent markings to identify device manufacturer, model, year, and functions. This recommended practice is hereby incorporated by reference.

Subp. 4. Removable bulb. Each removable bulb must be marked so as to identify the bulb manufacturer and also with the model designation or trade number. The design voltage and either the wattage or ampere rating may be shown instead of model designation or trade number. Bulb markings must be indelible and readable without magnification. In cases of private branding, a means of tracing the actual manufacturer must be provided by the owner of the private brand.

Subp. 5. Optical unit and assembly. In addition to the manufacturer's name, initials, or lettered trademark, each optical unit and assembly not covered by a lens or filter when in use must have marked on the lens the function code of the SAE standard or recommended practice to which the lamp complies.

Subp. 6. Location. Lamp and reflex reflector markings sufficient to identify the device as approved, must be located so as to be visible without the removal of any part of the vehicle on which it is installed. Flasher units, built-in signal switches, built-in headlamp housing assemblies, and headlamp beam-switching devices must have the identification marking on the exterior or on the wiring harness, but the markings are not required to be visible on the equipment as installed. Sealed-beam headlamp optical units may have model markings located so as to not be visible as installed on a vehicle, but the manufacturer's name, initials, or lettered trademark, and the lamp designation markings, must be visible on the lens.

Subp. 7. Orientation markings. For orientation markings, each lamp model and separable component and each reflex reflector that may be rotated or installed in an orientation that does not comply with the applicable standards incorporated by reference in this chapter, must be marked so that the installer and a person inspecting the installed device may readily identify when the equipment is not properly oriented.

Subp. 8. Other markings. Markings that are not required and not prohibited by Code of Federal Regulations, title 49, subpart 571.108, may also be applied but must not detract from or change the meaning of the required markings.

Subp. 9. Permanent markings. Markings that are required must be applied so as to be legible for the life of the device.

7425.2400 CONSTRUCTION OF NONFEDERALLY REGULATED DEVICES.

Subpart 1. In general. Nonfederally regulated devices must be constructed to meet the requirements in subparts 2 to 8.

Subp. 2. Convenient adjustments. Lamps must be so constructed that bulb or lens replacements and aiming adjustments may conveniently be made by one person with ordinary hand tools.

Subp. 3. Free from hazard. Lighting devices must be so constructed as to present no unreasonable personal hazard to a qualified person servicing the unit.

Subp. 4. Aim. Lamp mountings must be so arranged that the aim of the lamp will not be disturbed under ordinary conditions of service. The range of aiming adjustment for any lamp requiring aim must be plus or minus four degrees in both the vertical and horizontal planes except as otherwise specified by the applicable SAE standard or recommended practice incorporated by reference in this chapter.

Subp. 5. Replacement. Lamps must be so constructed that an optical unit or bulb can be replaced without disturbing the aim of the lamp.

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Subp. 6. Attachment and removal. The means of fastening split or solid rims or trim rings must be readily accessible and means must be provided for easy removal of lens-retaining rings when snap or lock rings are used.

Subp. 7. Gaskets. Gaskets must be constructed of a durable material which will retain shape and resiliency.

Subp. 8. Electrical wiring. The electrical wiring must be securely connected and protected from abrasion.

7425.2500 SPECIFICATIONS FOR INDIVIDUAL LIGHTING DEVICES.

Subpart 1. In general. In addition to complying with standards incorporated by reference in this chapter, the requirements for individual devices are listed in subparts 2 to 11.

Subp. 2. Bicycle headlamp. Bicycle headlamp intensity above horizontal must not be greater than 250 candela. The lamp housing must be constructed so that a bulb and battery can be readily replaced. The headlamp must project a distinct beam of white light of uniform pattern.

Subp. 3. Combination lamp. In combination lamps, the requirements for each individual function must be met independently of any other function.

Subp. 4. Electric emergency lantern. Electric emergency lanterns, when placed on any clean, dry, paved road surface, must not tip or slide in a 40 mile-per-hour wind. To test these devices, three sample lanterns regularly marketed and sold must be chilled at a temperature of minus 20 degrees Fahrenheit for 12 hours, after which they must be placed in operation for 12 hours. Failure of two of the three samples to operate or to meet the intensity requirements of SAE standard J596 for electric emergency lanterns, incorporated by reference in part 7425.2100, item L, during the test is an automatic rejection.

Subp. 5. Fusee. Fusees must conform to the requirements in Code of Federal Regulations, title 49, section 393.95(j) (1983) for fusees. The color emitted must be red.

Subp. 6. Alternate replacement of bulb. Each bulb designed or marketed as an alternate replacement must comply with the SAE standards or recommended practices incorporated by reference in this chapter applicable for that type of bulb to permit a lighting device in which it is an alternate replacement to continue to conform to this chapter.

Subp. 7. Replacement lens. Replacement lenses, when installed in the housings for which they are designed, must meet the mechanical test requirements for dust, moisture, vibration, and warpage specified in the standards or recommended practices incorporated in this chapter and applicable to the lamp. If gaskets, sealant, or other parts are supplied with the lens, the requirements must be met using the materials supplied.

The photometric and color requirements of this chapter that were in effect at the time the latest lamp was last manufactured must be met for each function performed. Instructions listing the original lamps or the year and model of the vehicles on which the replacement lenses are designed to be installed must be included with the lens, the retail packaging for the lens, or in a catalog readily available where the lens is sold or offered for sale.

Subp. 8. School bus warning-lamp system. Requirements for operating school bus warning-lamp systems are specified in parts 3520.5200 to 3520.5230 and 3520.5580.

Subp. 9. Spot lamp. Spot lamps must be mechanically or electrically aimed and operated from the inside of the vehicle. This requirement does not apply to those lamps designed for use as utility lights and mounted on public utilities vehicles and on authorized emergency, maintenance, and service vehicles.

Subp. 10. Alternately flashing warning lamp. Alternately flashing warning lamps may be used only on authorized emergency vehicles and school buses.

Subp. 11. Installation of flashing warning lamp. The installation recommendations in SAE standard J595b for flashing warning lamps, incorporated by reference at part 7425.2100, item O, on authorized emergency vehicles are not mandatory for law enforcement vehicles when determined not practicable by the affected law enforcement agency.

7425.2600 NONSTANDARD LIGHTING DEVICES.

Subpart 1. In general. The following device descriptions and requirements in subparts 2 to 7 are for lighting devices permitted or required by Minnesota Statutes for use and for which there are no published SAE standards or federal standards in effect. Approval is not required.

Subp. 2. Courtesy lamp. A courtesy lamp, providing a low intensity white to yellow light used to aid visibility when a person is entering or exiting a vehicle, must not exceed 15 candlepower in any direction outboard of the vehicle and must not be visible outboard unless the door is opened.

Subp. 3. Emergency vehicle flashing white lamp. An emergency vehicle flashing white lamp, that may be used by an authorized emergency vehicle to display a flashing white light in addition to a flashing red light, does not include flashing headlamps during times when the headlamps are required for visibility. The flash rate, duration, and intensity must follow the

SAE standard J595b incorporated by reference at part 7425.2100, item N, or SAE recommended practice J845 incorporated by reference at part 7425.2100, item QQ, as applicable to emergency vehicle warning lamps, except that when used as a traffic signal priority device it must flash as authorized by the commissioner. The white light must be at least four times the intensity required for a red warning light in SAE standard J595b or SAE recommended practice J845, as applicable to the lamp type.

Subp. 4. Fender lamp or side cowl lamp. A fender lamp or side cowl lamp providing a low intensity white light, must not exceed one candlepower intensity in any direction.

Subp. 5. School bus white strobe lamp. A school bus white strobe lamp must be certified to the commissioner by the manufacturer, as provided in Minnesota Statutes, section 169.64, subdivision 7.

Subp. 6. Volunteer fireman lamp. A volunteer fireman lamp, providing a single steady-burning red light mounted facing forward on the front of a vehicle, must follow the performance requirements for stop lamps, incorporated by reference in part 7425.2100, item NN, or in effect at the time of manufacture. This type of lamp does not include a reflex reflector.

Subp. 7. Volunteer ambulance driver lamp. A volunteer ambulance driver lamp is the same type lamp as a volunteer fireman lamp and must comply with the requirements in subpart 6.

7425.5000 SPECIFICATIONS FOR SAFETY GLAZING MATERIAL; INCORPORATION BY REFERENCE.

Safety glass and plastic must comply with the specifications in Code of Federal Regulations, title 49, section 571.205 which is incorporated by reference, and with Minnesota Statutes, section 169.71, subdivision 4, as applicable to type of material, location on the vehicle, performance, and markings. Material that complies with the applicable standard incorporated by reference in this part is approved by the commissioner.

7425.6000 SPECIFICATIONS FOR TRAILER AND SEMITRAILER TOWING DEVICES; INCORPORATIONS BY REFERENCE.

Subpart 1. Federally regulated towing devices. Federally regulated towing devices must comply with the requirements in Code of Federal Regulations, title 49, section 393.70 or 393.71 (1983) which are both incorporated by reference, as applicable according to the towing method.

Subp. 2. Nonfederally regulated towing devices. Nonfederally regulated towing devices must comply with the performance, identification, and installation requirements of the regulations in item A, B, or C which are all incorporated by reference, as applicable according to the vehicle type and weight and the towing method.

A. Hitches and couplings for trailers and semitrailers with a gross vehicle weight rating of 10,000 pounds or less must comply with the requirements in VESC regulation V-5, "Minimum Requirements for Motor Vehicle Connecting Devices and Towing Methods," revised July 1977, Vehicle Equipment Safety Commission (Washington, D.C., 1977), which is hereby incorporated by reference.

B. Towbars and fifth wheel connecting devices for semitrailers with a gross vehicle weight rating of 30,000 pounds or less and towbar connections not covered by VESC regulation V-5 must comply with the requirement in VESC regulation VESC-19, "Performance Requirements for Fifth Wheel Vehicle Connecting Devices and Towing Methods," approved July 1980 by the VESC-19 Committee, Vehicle Equipment Safety Commission (Alexandria, VA, 1980), which is hereby incorporated by reference.

C. Towing devices not covered by VESC regulation VESC-19 or V-5 must comply with the requirements in Code of Federal Regulations, title 49, section 393.70 or 393.71 (1983), incorporated by reference in subpart 1.

Subp. 3. Towing devices. Towing devices are not required to be registered or certified. Devices that comply with subpart 1 or 2 are approved by the commissioner. No other towing devices are approved.

Repealer. Minnesota Rules, parts 7425-0100; 7425.0200; 7425.0300; 7425.0400 are repealed.

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.

Department of Public Safety
Driver and Vehicle Services Division
State Patrol Division

Addendum to Notice of Intent to Adopt Rules without a Public Hearing

Proposed Rules Published May 21, 1984 Governing Drivers' Licenses and Motor Vehicle Records

In the matter of proposed adoption of rules of the State Department of Public Safety governing drivers' licenses and motor vehicle records and name of applicant published at *State Register*, Volume 8, Number 47, page 2465 May 21, 1984 (8 S.R. 2465), and rules governing requirements for the approval of motor vehicle equipment used and sold in Minnesota published at *State Register*, Volume 8, Number 47, page 2467, May 21, 1984 (8 S.R. 2467), and the following notification is added pursuant to Laws 1984, Chapter 640, Section 12:

—If 25 (not 7) or more persons submit a written request for a public hearing within the 30 day comment period, a public hearing will be held under the provisions of sections 14.14 to 14.20.

—Any person commenting on the rules or requesting a hearing should identify the portion of the rules addressed, give the reason for comment or hearing request, and specify any change proposed.

—Any person requesting a public hearing should state his or her name and address in addition to the foregoing information.

The comment period is extended to June 29, 1984.

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Requirements for the Approval of Motor Vehicle Equipment Used and Sold in Minnesota.

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 May 21, 1984, with an addendum published on May 28, 1984, 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 May 18, 1984.

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. Sections 169.222, 169.223, 169.44, 169.467, 169.469, 169.48 to 169.52, 169.53 to 169.66, 169.71, subd. 4, 169.74, and 169.75.

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, no requests for public hearing were received, no public comments were received, and there were no requests for Notice of Submission to the Attorney General.

4. An addendum was published one week after publication of the Notice of Intent to Adopt Rules Without Hearing and the proposed rules, in order to comply with Laws 1984 Chapter 640, Sec. 12. The original notice, drafted and submitted to the State Register at about the same time as Chapter 640 was enacted, contained some but not all of the items required by Sec. 12. In the addendum, notification was made of those additional items, and the 30-day comment period was extended to 30 days from the publication date of the addendum.

5. The rules are modified to comply with Laws 1984, Chapter 640, Sec. 3, which specifies how incorporations by reference must be cited. The proposed rules were drafted by the Revisor prior to enactment of Chapter 640 and did not contain the incorporation by reference information required by Sec. 3.

6. No substantive modifications were made to the rules as proposed.

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, including substantial compliance with Laws 1984, Chapter 640.

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

5. Therefore, the proposed rules as modified are adopted.

STATE OF MINNESOTA

July 6, 1984
DATE

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

ACDKHF0015

STATE OF MINNESOTA
DEPARMTENT OF PUBLIC SAFETY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Requirements for the Approval of Motor Vehicle Equipment Used and Sold in Minnesota.

STATEMENT OF NEED AND RESONABLENESS

The above captioned rules amend existing rules of the Department of Public Safety regulating items of vehicle equipment for sale and use in Minnesota. These rules were originally adopted in 1959 by the Department of Highways, and they were readopted by the Department of Public Safety in 1974 pursuant to the statutory transfer of functions effected in 1969 by the creation of the Department of Public Safety.

These rules are needed to ensure that vehicle lighting devices and other items of vehicle equipment meet minimum standards of performance. Defective or substandard vehicle equipment poses a serious threat to highway safety. Uniform standards for type, usage, and quality enhance highway safety and at the same time make it possible for motor vehicle equipment manufacturers to legally market their products in all states. These rules are also needed to update the existing rules to state of the art standards and to federally required standards.

The need for and reasonableness of the substantive portion of each rule is explained in the following paragraphs:

7425.0110 defines terms as used in 7425.0110 to 7425.6000.

7425.0500 grants approval for federally regulated equipment meeting the federal standards for sale and use in Minnesota. Federal law prohibits states from requiring pre-sale approval of federally regulated items of vehicle equipment. States are also pre-empted from setting standards not identical to existing federal standards. An opinion issued by the National Highway Traffic Safety Administration (NHTSA) published in the January 7, 1982, Federal Register states, "Congress intended NHTSA to play the exclusive role in ensuring compliance of new motor vehicles and equipment with the FMVSS (Federal Motor Vehicle Safety Standards)... Whenever a federal motor vehicle safety standard... is in effect, no state or political subdivision of a state shall have any authority either to establish, or to continue in effect, with respect to any motor vehicle . . . equipment, any safety standard applicable to the same aspect of such . . . equipment which is not identical to the federal standard." This position is further stated in the Motor Vehicle Safety and Cost Savings Authorization Act of 1982 as reported by the Committee of Energy and Commerce, May 19, 1982. Appellate court decisions have also upheld this position in Truck Safety Equipment Institute v. Kane, 466F. Supp. 1242 (M.D. PA. 1979).

7425.0600, 7425.0700, 7425.0800 specify the parameters of compliance requirements for manufacturers of non-federally regulated vehicle equipment and provides the mechanism through which the Commissioner may prohibit the sale of any device if the manufacturer fails to provide proof of compliance with these rules. As authorized by Minn. Stat. 169.468, manufacturers are required to submit proof of compliance and to have test data showing compliance with these rules before the equipment is offered for sale in Minnesota. Test results or certificates of approval issued by the American Association of Motor Vehicle

Administrators (AAMVA) are authorized. Minn. Stat. 169.468 also gives the Commissioner the discretion to require testing and approval of new vehicle equipment for which federal safety standards do not exist. Since Federal preemption has been in existance it has been the department's experience that most of this equipment is submitted with AAMVA certification. Therefore mandatory presale testing is eliminated. Self testing is allowed. While actual pre-sale approval is not required it is necessary to require compliance with these rules in order to provide the enforcement mechanism necessary to maintain the consistent level of standards intended for highway safety purposes.

7425.0900 establishes a five year period of validity for approval of non-federally regulated equipment, after which proof of compliance must be submitted. This rule is needed in order to maintain a degree of currency without being unreasonably frequent with reapproval. This rule prevents approvals and the equipment from becoming outdated and therefore possibly unsafe by the standards in force at the time.

7425.1000 allows the commissioner to purchase and test equipment to verify compliance with these rules. This rule is needed to give the department the tools it needs to enforce the rules, especially since the testing and approval process is relaxed.

7425.1100 waives the statutory authorized fee for equipment approval. Minn. Stat. 169.468 authorizes the Commissioner to set and collect a reasonable fee for testing and approval of equipment. The existing vehicle equipment rules specify a fee, however it has not been collected since federal preemption and AAMVA certification has been in existance. Federal law prohibits states from charging a fee for approval of federally regulated equipment. Under existing federal and state statutory structure, and as indicated in the listing of equipment in rule 7425.2100, a great many items of equipment are federally regulated. Of those that are not, the vast majority are approved via AAMVA certification, for which the fee is waived by statute.

7425.2000 establishes general requirements which must be met by all items of equipment regulated by these rules. Each device must comply with the standards adopted in 7425.2100. This rule clarifies the inclusion of original, replacement and after market equipment in the compliance requirements, a differentiation which was not clearly dileniated in the previous rules.

7425.2100 incorporates by reference a nationally recognized standard for each item of vehicle equipment covered by these rules. For federally regulated equipment, the federal standard is incorporated; for non-federally regulated equipment, another standard (often a Society of Automotive Engineers (S.A.E.) Standard) is incorporated. This rule clearly dileniates the specific items of equipment covered by these rules and the specific standard that applies to each item.

7425.2200 requires, with certain exceptions, a model designation on lighting devices. The model designation is necessary to identify each device. This requirement serves as a means of enforcement of the applicable requirements of the rules.

7425.2300 establishes identification and marking requirements for all lighting devices. Federally regulated devices must be marked to conform with federal requirements. Non-federally regulated devices must be marked in accordance with S.A.E. marking requirements. Markings are necessary to properly identify lighting devices for enforcement purposes as well as aid in repairs and servicing.

7425.2400 establishes minimum construction standards for non-federally regulated devices. These standards are intended to provide greater safety by making repairs as easy as possible and preventing premature failure of the device.

7425.2500 establishes additional requirements not elsewhere covered in the rules for certain specific devices. These requirements are intended to insure proper performance and usage of these devices.

7425.2600 establishes requirements for lighting devices permitted under Minnesota Statutes for which no nationally recognized standards exist. Since these are not covered in federal regulations, SAE or other nationally recognized standard, it is necessary to specify requirements in this rule to provide for safe manufacturing and operating standards.

7425.5000 adopts federal standards for safety glass. This is included for clarity, since federal standards take precedance.

7425.6000 incorporates standards for towing devices. Federal standards are adopted for federally requlated devices. Vehicle Equipment Safety Commission Standards (VESC) are adopted for non-federally regulated towing devices.

These rules may have some impact on small businesses, and the department has considered the methods for reducing the impact as required by Minn. Stat. 14.115, Subd. 2. The universe of small businesses potentially affected by these rules are manufacturers of vehicle equipment and lighting devices. These rules will benefit small business because less stringent schedules, compliance and reporting requirements are implemented and requirements are simplified. It will no longer be necessary to obtain pre-sale approval of vehicle equipment. Manufacturers of federally regulated equipment are automatically approved, pursuant to federal law, and manufacturers of non federally regulated equipment are required to submit self-test data as proof of compliance. The state approval process is eliminated, therefore the previously required testing approval fee is dropped and the fiscal impact is eliminated.

PCXRULE01

9-6-84

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Requirements for the Approval of Motor Vehicle Equipment Used and Sold in Minnesota.

STATEMENT OF COMPLIANCE WITH RULEMAKING PROCEDURES

I, Special Assistant Attorney General Jeff Bilcik, 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.

9/4/84
DATED

SPECIAL ASSISTANT ATTORNEY GENERAL

ACDKDF0001