

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 1350

02/06/2023 Authored by Tabke
The bill was read for the first time and referred to the Committee on Transportation Finance and Policy
03/09/2023 Adoption of Report: Amended and re-referred to the Committee on Judiciary Finance and Civil Law
03/20/2023 Adoption of Report: Placed on the General Register
Read for the Second Time

- 1.1 A bill for an act
- 1.2 relating to public safety; making various policy changes, including to veterans'
- 1.3 license plates, dealer licenses and records, USDOT numbers, and driver's license
- 1.4 applications; amending Minnesota Statutes 2022, sections 168.1235, subdivision
- 1.5 1; 168.1253, subdivision 3; 168.185; 168.27, subdivisions 11, 16; 168A.11,
- 1.6 subdivision 3; 169A.60, subdivision 13; 171.06, subdivision 3; 171.0605,
- 1.7 subdivisions 3, 5; 171.12, by adding a subdivision; repealing Minnesota Statutes
- 1.8 2022, sections 168.345, subdivision 1; 171.06, subdivision 3a.
- 1.9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.10 Section 1. Minnesota Statutes 2022, section 168.1235, subdivision 1, is amended to read:
- 1.11 Subdivision 1. **General requirements; fees.** (a) The commissioner shall issue a special
- 1.12 plate emblem for each plate to an applicant who:
- 1.13 (1) is a member of a congressionally chartered veterans service organization and is a
- 1.14 registered owner of a passenger automobile, pickup truck, van, or self-propelled recreational
- 1.15 vehicle;
- 1.16 (2) pays the registration tax required by law;
- 1.17 (3) pays a fee in the amount specified for special plates under section 168.12, subdivision
- 1.18 5, for each set of two plates, and any other fees required by this chapter; and
- 1.19 (4) complies with this chapter and rules governing the registration of motor vehicles and
- 1.20 licensing of drivers.
- 1.21 (b) The additional fee is payable at the time of initial application for the special plate
- 1.22 emblem and when the plates must be replaced or renewed. An applicant must not be issued
- 1.23 more than two sets of special plate emblems for motor vehicles listed in paragraph (a) and
- 1.24 registered to the applicant.

(c) The applicant must present a valid card indicating membership in the American Legion or, Veterans of Foreign Wars, or Disabled American Veterans.

Sec. 2. Minnesota Statutes 2022, section 168.1253, subdivision 3, is amended to read:

Subd. 3. **No fee.** The commissioner shall issue a set of Gold Star plates, or a single plate for a motorcycle, to an eligible person free of charge, and shall replace the plate or plates without charge if they become damaged. If the eligible person requests personalized Gold Star plates, the commissioner must not charge the fees listed in section 168.12, subdivision 2a.

Sec. 3. Minnesota Statutes 2022, section 168.185, is amended to read:

168.185 USDOT NUMBERS.

(a) Except as provided in paragraph (d), an owner of a truck or truck-tractor having a gross vehicle weight of more than 10,000 pounds, as defined in section 169.011, subdivision 32, shall report to the commissioner at the time of registration its USDOT carrier number. ~~A person subject to this paragraph who does not have a USDOT number shall apply for the number at the time of registration by completing a form MCS-150 Motor Carrier Identification Report, issued by the Federal Motor Carrier Safety Administration, or comparable document as determined by the commissioner. The commissioner shall not assign a USDOT carrier number to a vehicle owner who is not subject to this paragraph.~~

(b) Assigned USDOT numbers must be displayed as required by section 221.031, subdivision 6. The vehicle owner shall notify the commissioner if there is a change to the owner's USDOT number.

(c) If an owner fails to report or apply for a USDOT number, the commissioner shall suspend the owner's registration.

(d) This section does not apply to (1) a farm truck that is not used in interstate commerce, (2) a vehicle that is not used in intrastate commerce or interstate commerce, or (3) a vehicle that is owned and used solely in the transaction of official business by the federal government, the state, or any political subdivision.

Sec. 4. Minnesota Statutes 2022, section 168.27, subdivision 11, is amended to read:

Subd. 11. **Dealers' licenses; location change notice; fee.** (a) Application for a dealer's license or notification of a change of location of the place of business on a dealer's license

3.1 must include a street address, not a post office box, and is subject to the commissioner's
3.2 approval.

3.3 (b) Upon the filing of an application for a dealer's license and the proper fee, unless the
3.4 application on its face appears to be invalid, the commissioner shall grant a 90-day temporary
3.5 license. During the 90-day period following issuance of the temporary license, the
3.6 commissioner shall inspect the place of business site and insure compliance with this section
3.7 and rules adopted under this section.

3.8 (c) The commissioner may extend the temporary license 30 days to allow the temporarily
3.9 licensed dealer to come into full compliance with this section and rules adopted under this
3.10 section.

3.11 (d) In no more than ~~120~~ 180 days following issuance of the temporary license, the dealer
3.12 license must either be granted or denied.

3.13 (e) A license must be denied under the following conditions:

3.14 (1) ~~The license must be denied~~ if within the previous ten years the applicant was enjoined
3.15 due to a violation of section 325F.69 or convicted of violating section 325E.14, 325E.15,
3.16 325E.16, or 325F.69, or convicted under section 609.53 of receiving or selling stolen
3.17 vehicles, or convicted of violating United States Code, title 49, sections 32701 to 32711 or
3.18 pleaded guilty, entered a plea of nolo contendere or no contest, or has been found guilty in
3.19 a court of competent jurisdiction of any charge of failure to pay state or federal income or
3.20 sales taxes or felony charge of forgery, embezzlement, obtaining money under false pretenses,
3.21 theft by swindle, extortion, conspiracy to defraud, or bribery; or

3.22 (2) ~~A license must be denied~~ if the applicant has had a dealer license revoked within the
3.23 previous ten years.

3.24 (f) A license may be denied if a dealer is not in compliance with location requirements
3.25 under subdivision 10 or has intentionally misrepresented any information on the dealer
3.26 license application that would be grounds for suspension or revocation under subdivision
3.27 12.

3.28 ~~(f)~~ (g) If the application is approved, the commissioner shall license the applicant as a
3.29 dealer for one year from the date the temporary license is granted and issue a certificate of
3.30 license that must include a distinguishing number of identification of the dealer. The license
3.31 must be displayed in a prominent place in the dealer's licensed place of business.

3.32 ~~(g)~~ (h) Each initial application for a license must be accompanied by a fee of \$100 in
3.33 addition to the annual fee. The annual fee is \$150. The initial fees and annual fees must be

paid into the state treasury and credited to the general fund except that \$50 of each initial and annual fee must be paid into the vehicle services operating account in the special revenue fund under section 299A.705.

Sec. 5. Minnesota Statutes 2022, section 168.27, subdivision 16, is amended to read:

Subd. 16. **Dealer plates: distinguishing number, fee, tax, use.** (a) The registrar shall issue to every motor vehicle dealer, upon a request from the motor vehicle dealer licensed as provided in subdivision 2 or 3, one or more plates displaying a general distinguishing number. This subdivision does not apply to a scrap metal processor, a used vehicle parts dealer, or a vehicle salvage pool. The fee for each of the first four plates is \$75 per registration year, of which \$60 must be paid to the registrar and the remaining \$15 is payable as sales tax on motor vehicles under section 297B.035. For each additional plate, the dealer shall pay the registrar a fee of \$25 and a sales tax on motor vehicles of \$15 per registration year. The registrar shall deposit the tax in the state treasury to be credited as provided in section 297B.09. Replacement plates are subject to the fees in section 168.12. Motor vehicles, new or used, owned by the motor vehicle dealership and bearing the number plate, except vehicles leased to the user who is not an employee of the dealer during the term of the lease, held for hire, or ~~customarily~~ used by the dealer as a tow truck, service truck, or parts vehicle, may be driven upon the streets and highways of this state:

(1) by the motor vehicle dealer or dealer's spouse, or any full-time employee of the motor vehicle dealer for either private or business purposes;

(2) by a part-time employee when the use is directly related to a particular business transaction of the dealer;

(3) for demonstration purposes by any prospective buyer for a period of 48 hours or in the case of a truck, truck-tractor, or semitrailer, for a period of seven days; or

(4) in a promotional event that lasts no longer than four days in which at least three motor vehicles are involved.

(b) A new or used motor vehicle sold by the motor vehicle dealer and bearing the motor vehicle dealer's number plate may be driven upon the public streets and highways for a period of 72 hours by the buyer for either of the following purposes: (1) removing the vehicle from this state for registration in another state, or (2) permitting the buyer to use the motor vehicle before the buyer receives number plates pursuant to registration. Use of a motor vehicle by the buyer under clause (2) before the buyer receives number plates pursuant to

5.1 registration constitutes a use of the public streets or highways for the purpose of the time
5.2 requirements for registration of motor vehicles.

5.3 Sec. 6. Minnesota Statutes 2022, section 168A.11, subdivision 3, is amended to read:

5.4 Subd. 3. **Records.** Every dealer shall maintain for three years at an established place of
5.5 business a record in the form the department prescribes of every vehicle bought, sold, or
5.6 exchanged, or received for sale or exchange, which shall be open to inspection by a
5.7 representative of the department or peace officer during ~~reasonable business hours~~ established
5.8 inspection hours listed on the initial dealer license application or as noted on the dealer
5.9 record. With respect to motor vehicles subject to the provisions of section 325E.15, the
5.10 record shall include either the true mileage as stated by the previous owner or the fact that
5.11 the previous owner stated the actual cumulative mileage was unknown; the record also shall
5.12 include either the true mileage the dealer stated upon transferring the vehicle or the fact the
5.13 dealer stated the mileage was unknown.

5.14 Sec. 7. Minnesota Statutes 2022, section 169A.60, subdivision 13, is amended to read:

5.15 Subd. 13. **Special registration plates.** (a) At any time during the effective period of an
5.16 impoundment order, a violator or registered owner may apply to the commissioner for new
5.17 registration plates, which must bear a special series of numbers or letters so as to be readily
5.18 identified by traffic law enforcement officers. ~~The commissioner may authorize the issuance~~
5.19 ~~of special plates if:~~

5.20 ~~(1) the violator has a qualified licensed driver whom the violator must identify;~~

5.21 ~~(2) the violator or registered owner has a limited license issued under section 171.30;~~

5.22 ~~(3) the registered owner is not the violator and the registered owner has a valid or limited~~
5.23 ~~driver's license;~~

5.24 ~~(4) a member of the registered owner's household has a valid driver's license; or~~

5.25 ~~(5) the violator has been reissued a valid driver's license.~~

5.26 (b) The commissioner may not issue new registration plates for that vehicle subject to
5.27 plate impoundment for a period of at least one year from the date of the impoundment order.
5.28 In addition, if the owner is the violator, new registration plates may not be issued for the
5.29 vehicle unless the person has been reissued a valid driver's license in accordance with chapter
5.30 171.

6.1 (c) A violator may not apply for new registration plates for a vehicle at any time before
6.2 the person's driver's license is reinstated.

6.3 (d) The commissioner may issue the special plates on payment of a \$50 fee for each
6.4 vehicle for which special plates are requested, except that a person who paid the fee required
6.5 under paragraph (f) must not be required to pay an additional fee if the commissioner issued
6.6 an impoundment order pursuant to paragraph (g).

6.7 (e) Paragraphs (a) to (d) notwithstanding, the commissioner must issue upon request
6.8 new registration plates for any vehicle owned by a violator or registered owner for which
6.9 the registration plates have been impounded if:

6.10 (1) the impoundment order is rescinded;

6.11 (2) the vehicle is transferred in compliance with subdivision 14; or

6.12 (3) the vehicle is transferred to a Minnesota automobile dealer licensed under section
6.13 168.27, a financial institution that has submitted a repossession affidavit, or a government
6.14 agency.

6.15 (f) Notwithstanding paragraphs (a) to (d), the commissioner, upon request and payment
6.16 of a \$100 fee for each vehicle for which special plates are requested, must issue new
6.17 registration plates for any vehicle owned by a violator or registered owner for which the
6.18 registration plates have been impounded if the violator becomes a program participant in
6.19 the ignition interlock program under section 171.306. This paragraph does not apply if the
6.20 registration plates have been impounded pursuant to paragraph (g).

6.21 (g) The commissioner shall issue a registration plate impoundment order for new
6.22 registration plates issued pursuant to paragraph (f) if, before a program participant in the
6.23 ignition interlock program under section 171.306 has been restored to full driving privileges,
6.24 the program participant:

6.25 (1) either voluntarily or involuntarily ceases to participate in the program for more than
6.26 30 days; or

6.27 (2) fails to successfully complete the program as required by the Department of Public
6.28 Safety due to:

6.29 (i) two or more occasions of the participant's driving privileges being withdrawn for
6.30 violating the terms of the program, unless the withdrawal is determined to be caused by an
6.31 error of the department or the interlock provider; or

6.32 (ii) violating the terms of the contract with the provider as determined by the provider.

7.1 Sec. 8. Minnesota Statutes 2022, section 171.06, subdivision 3, is amended to read:

7.2 Subd. 3. **Contents of application; other information.** (a) An application must:

7.3 (1) state the full name, date of birth, sex, and either (i) the residence address of the
7.4 applicant, or (ii) designated address under section 5B.05;

7.5 (2) as may be required by the commissioner, contain a description of the applicant and
7.6 any other facts pertaining to the applicant, the applicant's driving privileges, and the
7.7 applicant's ability to operate a motor vehicle with safety;

7.8 (3) state:

7.9 (i) the applicant's Social Security number; or

7.10 (ii) if the applicant does not have a Social Security number and is applying for a
7.11 Minnesota identification card, instruction permit, or class D provisional or driver's license,
7.12 that the applicant certifies that the applicant is not eligible for a Social Security number;

7.13 (4) contain a notification to the applicant of the availability of a living will/health care
7.14 directive designation on the license under section 171.07, subdivision 7; and

7.15 (5) include a method for the applicant to:

7.16 (i) request a veteran designation on the license under section 171.07, subdivision 15,
7.17 and the driving record under section 171.12, subdivision 5a;

7.18 (ii) indicate a desire to make an anatomical gift under subdivision 3b, paragraph (e);

7.19 (iii) as applicable, designate document retention as provided under section 171.12,
7.20 subdivision 3c; ~~and~~

7.21 (iv) indicate emergency contacts as provided under section 171.12, subdivision 5b; and

7.22 (v) indicate caretaker information as provided under section 171.12, subdivision 5c.

7.23 (b) Applications must be accompanied by satisfactory evidence demonstrating:

7.24 (1) identity, date of birth, and any legal name change if applicable; and

7.25 (2) for driver's licenses and Minnesota identification cards that meet all requirements of
7.26 the REAL ID Act:

7.27 (i) principal residence address in Minnesota, including application for a change of address,
7.28 unless the applicant provides a designated address under section 5B.05;

7.29 (ii) Social Security number, or related documentation as applicable; and

7.30 (iii) lawful status, as defined in Code of Federal Regulations, title 6, section 37.3.

8.1 (c) An application for an enhanced driver's license or enhanced identification card must
8.2 be accompanied by:

8.3 (1) satisfactory evidence demonstrating the applicant's full legal name and United States
8.4 citizenship; and

8.5 (2) a photographic identity document.

8.6 (d) A valid Department of Corrections or Federal Bureau of Prisons identification card
8.7 containing the applicant's full name, date of birth, and photograph issued to the applicant
8.8 is an acceptable form of proof of identity in an application for an identification card,
8.9 instruction permit, or driver's license as a secondary document for purposes of Minnesota
8.10 Rules, part 7410.0400, and successor rules.

8.11 Sec. 9. Minnesota Statutes 2022, section 171.0605, subdivision 3, is amended to read:

8.12 Subd. 3. **Evidence; lawful status.** Only a form of documentation identified under
8.13 subdivision 2, paragraph (a), clauses (2) to (10), or a document issued by a federal agency
8.14 that demonstrates the applicant's lawful status are satisfactory evidence of an applicant's
8.15 lawful status under section 171.06, subdivision 3, paragraph (b), clause (2).

8.16 Sec. 10. Minnesota Statutes 2022, section 171.0605, subdivision 5, is amended to read:

8.17 Subd. 5. **Evidence; residence in Minnesota.** (a) Submission of two forms of
8.18 documentation from the following is satisfactory evidence of an applicant's principal
8.19 residence address in Minnesota under section 171.06, subdivision 3, paragraph (b):

8.20 (1) a home utility services bill issued no more than 12 months before the application;

8.21 (2) a home utility services hook-up work order issued no more than 12 months before
8.22 the application;

8.23 (3) United States bank or financial information issued no more than 12 months before
8.24 the application, with account numbers redacted, including:

8.25 (i) a bank account statement;

8.26 (ii) a credit card or debit card statement;

8.27 (iii) a brokerage account statement; ~~or~~

8.28 (iv) a money market account statement;

8.29 (v) a Health Savings Account statement; or

8.30 (vi) a retirement account statement;

9.1 (4) a certified transcript from a United States high school, if issued no more than 180
9.2 days before the application;

9.3 (5) a certified transcript from a Minnesota college or university, if issued no more than
9.4 180 days before the application;

9.5 (6) a student summary report from a United States high school signed by a school
9.6 principal or designated authority and issued no more than 180 days before the application;

9.7 ~~(6)~~ (7) an employment pay stub issued no more than 12 months before the application
9.8 that lists the employer's name and address;

9.9 ~~(7)~~ (8) a Minnesota unemployment insurance benefit statement issued no more than 12
9.10 months before the application;

9.11 ~~(8)~~ (9) a statement from an assisted living facility licensed under chapter 144G, nursing
9.12 home licensed under chapter 144A, or a boarding care facility licensed under sections 144.50
9.13 to 144.56, that was issued no more than 12 months before the application;

9.14 ~~(9)~~ (10) a current policy or card for health, automobile, homeowner's, or renter's
9.15 insurance;

9.16 ~~(10)~~ (11) a federal or state income tax return for the most recent tax filing year;

9.17 ~~(11)~~ (12) a Minnesota property tax statement for the current or prior calendar year or a
9.18 proposed Minnesota property tax notice for the current year that shows the applicant's
9.19 principal residential address both on the mailing portion and the portion stating what property
9.20 is being taxed;

9.21 ~~(12)~~ (13) a Minnesota vehicle certificate of title;

9.22 ~~(13)~~ (14) a filed property deed or title for current residence;

9.23 ~~(14)~~ (15) a Supplemental Security Income award statement issued no more than 12
9.24 months before the application;

9.25 ~~(15)~~ (16) mortgage documents for the applicant's principal residence;

9.26 ~~(16)~~ (17) a residential lease agreement for the applicant's principal residence issued no
9.27 more than 12 months before the application;

9.28 (18) an affidavit of residence for an applicant whose principal residence is a group home,
9.29 communal living arrangement, cooperative, or a religious order issued no more than 90
9.30 days before the application;

10.1 (19) an assisted living or nursing home statement issued no more than 90 days before
10.2 the application;

10.3 ~~(17)~~ (20) a valid driver's license, including an instruction permit, issued under this
10.4 chapter;

10.5 ~~(18)~~ (21) a valid Minnesota identification card;

10.6 ~~(19)~~ (22) an unexpired Minnesota professional license;

10.7 ~~(20)~~ (23) an unexpired Selective Service card;

10.8 ~~(21)~~ (24) military orders that are still in effect at the time of application;

10.9 ~~(22)~~ (25) a cellular phone bill issued no more than 12 months before the application; or

10.10 ~~(23)~~ (26) a valid license issued pursuant to the game and fish laws.

10.11 (b) In lieu of one of the two documents required by paragraph (a), an applicant under
10.12 the age of 18 may use a parent or guardian's proof of principal residence as provided in this
10.13 paragraph. The parent or guardian of the applicant must provide a document listed under
10.14 paragraph (a) that includes the parent or guardian's name and the same address as the address
10.15 on the document provided by the applicant. The parent or guardian must also certify that
10.16 the applicant is the child of the parent or guardian and lives at that address.

10.17 (c) A document under paragraph (a) must include the applicant's name and principal
10.18 residence address in Minnesota.

10.19 (d) For purposes of this section, Internet service and cable service are utilities under this
10.20 section and Minnesota Rules, part 7410.0410, subpart 4a.

10.21 Sec. 11. Minnesota Statutes 2022, section 171.12, is amended by adding a subdivision to
10.22 read:

10.23 Subd. 5c. **Caretaker information.** (a) Upon request by an applicant for a driver's license,
10.24 instruction permit, or Minnesota identification card under section 171.06, subdivision 3,
10.25 the commissioner must maintain electronic records of names and contact information for
10.26 up to three individuals receiving exclusive care from the applicant. The request must be
10.27 made on a form prescribed by the commissioner. The commissioner must make the form
10.28 available on the department's website. The form must include a notice as described in section
10.29 13.04, subdivision 2.

10.30 (b) A person who has provided caretaker information under this subdivision may change,
10.31 add, or delete the information at any time. Notwithstanding sections 171.06, subdivision 2;

11.1 and 171.061, the commissioner or a driver's license agent must not charge a fee for a
11.2 transaction described in this paragraph.

11.3 (c) Caretaker data are classified as private data on individuals, as defined in section
11.4 13.02, subdivision 12, except that the commissioner may share caretaker information with
11.5 law enforcement agencies to notify the cared-for individuals regarding an emergency.

11.6 Sec. 12. **REPEALER.**

11.7 Minnesota Statutes 2022, sections 168.345, subdivision 1; and 171.06, subdivision 3a,
11.8 are repealed.

168.345 USE OF VEHICLE REGISTRATION INFORMATION.

Subdivision 1. **Information by telephone.** Information about vehicle registrations shall not be furnished on the telephone to any person except the personnel of law enforcement agencies and the personnel of governmental motor vehicle and registration offices.

171.06 APPLICATION FOR LICENSE, PERMIT, IDENTIFICATION CARD; FEES.

Subd. 3a. **Middle name.** For the purposes of subdivision 3, and section 171.07, subdivision 1, the full name of a married applicant may include, at the option of the applicant, the applicant's family name prior to marriage instead of the applicant's given middle name, notwithstanding the middle name specified on the applicant's marriage certificate.