

Sec. 4. Minnesota Statutes 1986, section 176A.04, is amended to read:

176A.04 GENERAL POWERS.

For the purpose of exercising the specific powers granted in this chapter and effectuating the other purposes of this chapter, the fund:

- (a) may sue and be sued;
- (b) may have a seal and alter it at will;
- (c) may make, amend, and repeal rules relating to the conduct of the business of the fund;
- (d) may enter into contracts relating to the administration of the fund;
- (e) may rent, lease, buy, or sell property in its own name and may construct or repair buildings necessary to provide space for its operations;
- (f) may declare a dividend when there is an excess of assets over liabilities, and minimum surplus requirements as consistent with chapter 60A;
- (g) may pay medical expenses, rehabilitation expenses, compensation due claimants of insured employers, pay salaries, and pay administrative and other expenses;
- (h) may hire personnel and set salaries and compensation; and
- (i) may perform all other functions and exercise all other powers of a domestic mutual insurance company that are necessary ~~or~~, appropriate, or convenient to administer the fund.

Sec. 5. EFFECTIVE DATE.

This act is effective the day following final enactment.

Approved May 11, 1987

CHAPTER 73—H.F.No. 29

An act relating to traffic regulations; requiring motor vehicle operators to use child passenger restraint system when transporting child under age of four; assessing court costs to violator under certain conditions; imposing penalty; amending Minnesota Statutes 1986, section 169.685, subdivision 5, and by adding a subdivision.

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

Section 1. Minnesota Statutes 1986, section 169.685, subdivision 5, is amended to read:

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

Subd. 5. (a) ~~Every parent or legal guardian of a child under the age of four years residing in this state~~ motor vehicle operator, when transporting ~~the a child under the age of four~~ on the streets and highways of this state in a motor vehicle that is owned by the parent or guardian and was equipped with factory-installed seat belts, shall equip and install for use in the motor vehicle, according to the manufacturer's instructions, a child passenger restraint system meeting federal motor vehicle safety standards.

(b) ~~No parent or legal guardian of a child under the age of four years residing in this state~~ motor vehicle operator who is operating a motor vehicle on the streets and highways of this state may transport ~~the a child under the age of four~~ in a seat of ~~the a~~ motor vehicle that was equipped with a factory-installed seat belt, unless the child is securely properly fastened in the child passenger restraint system. Any ~~parent or legal guardian~~ motor vehicle operator who violates the provisions of this subdivision is guilty of a petty misdemeanor and may be sentenced to pay a fine of not more than \$25. ~~No penalty under clause (a) of this subdivision may be applied to a person who shows satisfactory evidence to the county court or violations bureau, in person or by mail, of having purchased or otherwise obtained the use of a child restraint system meeting federal motor vehicle safety standards, within 30 days of the violation. No fine may be imposed for a violation which is not a second or subsequent violation within a one-year period. A fine for a violation of this subdivision which is a petty misdemeanor may not exceed \$25.~~

Sec. 2. Minnesota Statutes 1986, section 169.685, is amended by adding a subdivision to read:

Subd. 6. (a) This section does not apply to:

(1) a person transporting a child in an emergency medical vehicle while in the performance of official duties and when the physical or medical needs of the child make the use of a child passenger restraint system unreasonable or when a child passenger restraint system is not available;

(2) a peace officer transporting a child while in the performance of official duties and when a child passenger restraint system is not available, provided that a seat belt must be substituted; and

(3) a person while operating a motor vehicle for hire, including a taxi, airport limousine, and bus, but excluding a rented, leased, or borrowed motor vehicle.

(b) A child passenger restraint system is not required for a child who cannot, in the judgment of a licensed physician, be safely transported in a child passenger restraint system because of a medical condition, body size, or physical disability. A motor vehicle operator claiming exemption for a child under this paragraph must possess a typewritten statement from the physician stating that the child cannot be safely transported in a child passenger restraint system. The statement must give the name and birth date of the child, be dated within the

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

previous six months, and be made on the physician's letterhead or contain the physician's name, address, and telephone number. A person charged with violating subdivision 5 may not be convicted if the person produces the physician's statement in court or in the office of the arresting officer.

Approved May 11, 1987

CHAPTER 74—H.F.No. 510

An act relating to Dakota county; providing for the creation, organization, powers, and duties of a personnel system; authorizing the county to provide certain services to the Dakota county historical society; proposing coding for new law as Minnesota Statutes, chapter 383D.

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

Section 1. [383D.21] PERSONNEL ADMINISTRATION SYSTEM; RESOLUTION TO ESTABLISH SYSTEM.

The Dakota county board may establish a county personnel administration system by a resolution creating an employee relations department, establishing its effective date and appointing a personnel board of appeals pursuant to section 10.

Sec. 2. [383D.22] DEFINITIONS.

Subdivision 1. For the purpose of sections 1 to 15, unless the context clearly indicates that a different meaning is intended, the terms defined in this section have the following meanings.

Subd. 2. "Appointing authority" means an official, employee, board, or commission, or other person or body empowered by law, ordinance, or resolution to make an appointment to a position as a county employee within the scope of sections 1 to 15.

Subd. 3. "Director" means the director of the employee relations department.

Subd. 4. "Employee relations department" means the employee relations director and the employees engaged in the administration of the employee relations department.

Subd. 5. "Board of appeals" means the personnel board of appeals established pursuant to section 10.

Subd. 6. "Classified service" means all positions existing on the effective date of this act or subsequently created that are under the jurisdiction of the employee relations department pursuant to section 3, subdivision 1.

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