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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 1095

03/04/2013 Authored by Metsa, Erhardt, Hornstein, Beard and Anzele
The bill was read for the first time and referred to the Committee on Transportation Policy
03/13/2013 Adoption of Report: Pass and re-referred to the Committee on Public Safety Finance and Policy
03/21/2013 Adoption of Report: Pass and Read Second Time

A bill for an act

1.1 relating to public safety; motor vehicles; clarifying registration rules and periods;
1.2 modifying rules pertaining to trip permits; modifying the design for veterans
1.3 special plates; modifying record retention requirements; making changes to
1.4 conform with federal requirements; authorizing background checks of certain
1.5 department employees; clarifying language pertaining to senior identification
1.6 cards; making technical corrections; amending Minnesota Statutes 2012, sections
1.7 168.017, subdivisions 2, 3; 168.053, subdivision 1; 168.123, subdivision 2;
1.8 168.183, subdivision 1; 168.187, subdivision 17; 168.27, subdivisions 10, 11,
1.9 by adding a subdivision; 168A.153, subdivisions 1, 2; 171.01, subdivision 49b;
1.10 171.07, subdivisions 3a, 4; proposing coding for new law in Minnesota Statutes,
1.11 chapter 171; repealing Minnesota Statutes 2012, section 168.094.

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

1.13 Section 1. Minnesota Statutes 2012, section 168.017, subdivision 2, is amended to read:

1.14 Subd. 2. 12 uniform registration periods. There are established 12 registration
1.15 periods, each to be designated by a calendar month and to start on the first day of such
1.16 month and end on the last day of the 12th month from the date of commencing. The
1.17 registrar shall administer the monthly series system of registration to distribute the work
1.18 of registering vehicles described in subdivision 1 as uniformly as practicable through the
1.19 calendar year. The registrar shall register all vehicles subject to registration under the
1.20 monthly series system for a minimum period of 12 consecutive calendar months.

1.21 Sec. 2. Minnesota Statutes 2012, section 168.017, subdivision 3, is amended to read:

1.22 Subd. 3. Exceptions. (a) The registrar shall register all vehicles subject to registration
1.23 under the monthly series system for a period of 12 consecutive calendar months, unless:

1.24 (1) the application is an original rather than renewal application under section
1.25 168.127; or
1.26

2.1 (2) the applicant is a licensed motor vehicle lessor under section 168.27 and the
 2.2 vehicle is leased or rented for periods of time of not more than 28 days, in which case the
 2.3 applicant may apply for initial or renewed registration of a vehicle for a period of four
 2.4 or more months, the month of expiration to be designated by the applicant at the time of
 2.5 registration. To qualify for this exemption, the applicant must present the application to the
 2.6 registrar at St. Paul, or a designated deputy registrar office. Subsequent registration periods
 2.7 when the applicant is not a qualified motor vehicle lessor under this subdivision must be for
 2.8 a period of 12 months commencing from the last month for which registration was issued.

2.9 ~~(b) In any instance except that of a licensed motor vehicle lessor, the registrar shall~~
 2.10 ~~not approve registering the vehicle subject to the application for a period of less than three~~
 2.11 ~~months, except when the registrar determines that to do otherwise will help to equalize~~
 2.12 ~~the registration and renewal work load of the department.~~

2.13 Sec. 3. Minnesota Statutes 2012, section 168.053, subdivision 1, is amended to read:

2.14 Subdivision 1. **Application; fee; penalty.** Any person, firm, or corporation engaged
 2.15 in the business of transporting motor vehicles owned by another, by delivering, by
 2.16 drive-away or towing methods, either singly or by means of the full mount method, the
 2.17 saddle mount method, the tow bar method, or any other combination thereof, and under
 2.18 their own power, vehicles over the highways of the state from the manufacturer or any
 2.19 other point of origin, to any point of destination, within or without the state, shall make
 2.20 application to the registrar for a drive-away in-transit license. This application for annual
 2.21 license shall be accompanied by a registration fee of \$250 and contain such information as
 2.22 the registrar may require. Upon the filing of the application and the payment of the fee,
 2.23 the registrar shall issue to each drive-away operator a drive-away in-transit license plate,
 2.24 which must be carried and displayed on the power unit consistent with section 169.79 and
 2.25 the plate shall remain on the vehicle while being operated within the state Minnesota.
 2.26 The license plate issued under this subdivision is not valid for the purpose of permanent
 2.27 vehicle registration and is not valid outside Minnesota. Additional drive-away in-transit
 2.28 license plates desired by any drive-away operator may be secured from the registrar of
 2.29 motor vehicles upon the payment of a fee of \$5 for each set of additional license plates.
 2.30 Any person, firm, or corporation engaging in the business as a drive-away operator, of
 2.31 transporting and delivering by means of full mount method, the saddle mount method, the
 2.32 tow bar method, or any combination thereof, and under their own power, motor vehicles,
 2.33 who fails or refuses to file or cause to be filed an application, as is required by law, and to
 2.34 pay the fees therefor as the law requires, shall be found guilty of violating the provisions of
 2.35 sections 168.053 to 168.057; and, upon conviction, fined not less than \$50, and not more

3.1 than \$100, and all costs of court. Each day so operating without securing the license and
3.2 plates as required therein shall constitute a separate offense within the meaning thereof.

3.3 Sec. 4. Minnesota Statutes 2012, section 168.123, subdivision 2, is amended to read:

3.4 Subd. 2. **Design.** The commissioner of veterans affairs shall design the emblem for
3.5 the veterans' special plates, subject to the approval of the commissioner, that satisfy the
3.6 following requirements:

3.7 (a) For a Vietnam veteran who served after July 1, 1961, and before July 1, 1978,
3.8 in the active military service in a branch of the armed forces of the United States or a
3.9 nation or society allied with the United States the special plates must bear the inscription
3.10 "VIETNAM VET." and the letters "V" and "V" with the first letter directly above the
3.11 second letter and both letters just preceding the first numeral of the special plate number.

3.12 (b) For a veteran stationed on the island of Oahu, Hawaii, or offshore, during the
3.13 attack on Pearl Harbor on December 7, 1941, the special plates must bear the inscription
3.14 "PEARL HARBOR SURVIVOR." and the letters "P" and "H" with the first letter directly
3.15 above the second letter and both letters just preceding the first numeral of the special
3.16 plate number.

3.17 (c) For a veteran who served during World War I or World War II, the plates must
3.18 bear the inscription "WORLD WAR VET." and:

3.19 (1) for a World War I veteran, the characters "W" and "I" with the first character
3.20 directly above the second character and both characters just preceding the first numeral
3.21 of the special plate number; or

3.22 (2) for a World War II veteran, the characters "W" and "I" with the first character
3.23 directly above the second character and both characters just preceding the first numeral of
3.24 the special plate number.

3.25 (d) For a veteran who served during the Korean Conflict, the special plates must
3.26 bear the inscription "KOREAN VET." and the letters "K" and "V" with the first letter
3.27 directly above the second letter and both letters just preceding the first numeral of the
3.28 special plate number.

3.29 (e) For a combat wounded veteran who is a recipient of the Purple Heart medal, the
3.30 plates must bear the inscription "COMBAT WOUNDED VET" and have a facsimile or an
3.31 emblem of the official Purple Heart medal and the letters "C" over "W" with the first letter
3.32 directly over the second letter just preceding the first numeral of the special plate number.

3.33 A member of the United States armed forces who is serving actively in the military
3.34 and who is a recipient of the Purple Heart medal is also eligible for this license plate.
3.35 The commissioner of public safety shall ensure that information regarding the required

4.1 proof of eligibility for any applicant under this paragraph who has not yet been issued
4.2 military discharge papers is distributed to the public officials responsible for administering
4.3 this section.

4.4 (f) For a Persian Gulf War veteran, the plates must bear the inscription "GULF
4.5 WAR VET." ~~and the letters "G" and "W" with the first letter directly above the second~~
4.6 ~~letter and both letters just preceding the first numeral of the special plate number.~~ For
4.7 the purposes of this section, "Persian Gulf War veteran" means a person who served on
4.8 active duty after August 1, 1990, in a branch of the armed forces of the United States or
4.9 a nation or society allied with the United States or the United Nations during Operation
4.10 Desert Shield, Operation Desert Storm, or other military operation in the Persian Gulf
4.11 area combat zone as designated in United States Presidential Executive Order No. 12744,
4.12 dated January 21, 1991.

4.13 (g) For a veteran who served in the Laos War after July 1, 1961, and before July 1,
4.14 1978, the special plates must bear the inscription "LAOS WAR VET." ~~and the letters "L"~~
4.15 ~~and "V" with the first letter directly above the second letter and both letters just preceding~~
4.16 ~~the first numeral of the special plate number.~~

4.17 (h) For a veteran who is the recipient of:

4.18 (1) the Iraq Campaign Medal, the special plates must be inscribed with a facsimile of
4.19 that medal and must bear the inscription "IRAQ WAR VET" directly below the special
4.20 plate number;

4.21 (2) the Afghanistan Campaign Medal, the special plates must be inscribed with a
4.22 facsimile of that medal and must bear the inscription "AFGHAN WAR VET" directly
4.23 below the special plate number;

4.24 (3) the Global War on Terrorism Expeditionary Medal, the special plates must
4.25 be inscribed with a facsimile of that medal and must bear the inscription "GWOT
4.26 VETERAN" directly below the special plate number; or

4.27 (4) the Armed Forces Expeditionary Medal, the special plates must bear an
4.28 appropriate inscription that includes a facsimile of that medal.

4.29 (i) For a veteran who is the recipient of the Global War on Terrorism Service Medal,
4.30 the special plates must be inscribed with a facsimile of that medal and must bear the
4.31 inscription "GWOT VETERAN" directly below the special plate number. In addition,
4.32 any member of the National Guard or other military reserves who has been ordered to
4.33 federally funded state active service under United States Code, title 32, as defined in
4.34 section 190.05, subdivision 5b, and who is the recipient of the Global War on Terrorism
4.35 Service Medal, is eligible for the license plate described in this paragraph, irrespective of
4.36 whether that person qualifies as a veteran under section 197.447.

5.1 (j) For a veteran who is the recipient of the Korean Defense Service Medal,
 5.2 the special plates must be inscribed with a facsimile of that medal and must bear the
 5.3 inscription "KOREAN DEFENSE SERVICE" directly below the special plate number.

5.4 (k) For a veteran who is a recipient of the Bronze Star medal, the plates must bear
 5.5 the inscription "BRONZE STAR VET" and have a facsimile or an emblem of the official
 5.6 Bronze Star medal.

5.7 (l) For a veteran who is a recipient of the Silver Star medal, the plates must bear
 5.8 the inscription "SILVER STAR VET" and have a facsimile or an emblem of the official
 5.9 Silver Star medal.

5.10 Sec. 5. Minnesota Statutes 2012, section 168.183, subdivision 1, is amended to read:

5.11 Subdivision 1. **Payment of taxes.** All trucks, truck-tractors, ~~trailers and semitrailers,~~
 5.12 trucks using combination, and buses which comply with all of the provisions of section
 5.13 168.181, subdivision 1, clause (6), but are excluded from the exemptions ~~provided therein~~
 5.14 solely because of the intrastate temporary nature of their movement in this state, ~~owned~~
 5.15 ~~by nonresidents owning or operating circuses, carnivals or similar amusement attractions~~
 5.16 ~~or concessions~~ shall be required to comply with all laws and rules as to the payment of
 5.17 taxes applicable to like vehicles owned by Minnesota residents ~~but such,~~ except that
 5.18 nonresidents may make application to pay ~~such~~ the tax for each vehicle proportionate
 5.19 to the number of months or fraction thereof ~~such~~ the vehicles are in this state. For the
 5.20 purposes of this subdivision, buses do not include charter buses that are considered
 5.21 proratable vehicles under section 168.187, subdivision 4.

5.22 Sec. 6. Minnesota Statutes 2012, section 168.187, subdivision 17, is amended to read:

5.23 Subd. 17. **Trip permit.** Subject to agreements or arrangements made or entered into
 5.24 pursuant to subdivision 7, the commissioner may issue trip permits for use of Minnesota
 5.25 highways by individual vehicles, on an occasional basis, for periods not to exceed 120
 5.26 hours in compliance with rules promulgated pursuant to subdivision 23 and upon payment
 5.27 of a fee of \$15. For the purposes of this subdivision, "on an occasional basis" means
 5.28 no more than one permit per vehicle within a 30-day period, which begins the day a
 5.29 permit is effective.

5.30 Sec. 7. Minnesota Statutes 2012, section 168.27, is amended by adding a subdivision
 5.31 to read:

6.1 Subd. 3d. **Used vehicle parts dealer.** A used vehicle parts dealer licensee may sell,
6.2 solicit, or advertise the sale of used parts and the remaining scrap metals, but is prohibited
6.3 from selling any new or used motor vehicles for use at retail or for resale to a dealer.

6.4 Sec. 8. Minnesota Statutes 2012, section 168.27, subdivision 10, is amended to read:

6.5 Subd. 10. **Place of business.** (a) All licensees under this section shall have an
6.6 established place of business which shall include as a minimum:

6.7 (1) For a new motor vehicle dealer, the following:

6.8 (i) a commercial building owned or under lease by the licensee. The lease must
6.9 be for a minimum term of one year. The building must contain office space where the
6.10 books, records, and files necessary to conduct the business are kept and maintained with
6.11 personnel available during normal business hours. Dealership business hours must be
6.12 conspicuously posted on the place of doing business and readily viewable by the public;

6.13 (ii) a bona fide contract or franchise (A) in effect with a manufacturer or distributor
6.14 of the new motor vehicles the dealer proposes to sell, broker, wholesale, or auction, or (B)
6.15 in effect with the first-stage manufacturer or distributor of new motor vehicles purchased
6.16 from a van converter or modifier which the dealer proposes to sell, broker, wholesale, or
6.17 auction, or (C) in effect with the final-stage manufacturer of the new type A, B, or C motor
6.18 homes which the dealer proposes to sell, broker, wholesale, or auction;

6.19 (iii) a facility for the repair and servicing of motor vehicles and the storage of parts
6.20 and accessories, not to exceed ten miles distance from the principal place of business. The
6.21 service may be provided through contract with bona fide operators actually engaged
6.22 in the services;

6.23 (iv) an area either indoors or outdoors to display motor vehicles that is owned or
6.24 under lease by the licensee; and

6.25 (v) a sign readily viewable by the public that clearly identifies the dealership by name.

6.26 (2) For a used motor vehicle dealer, the following:

6.27 (i) a commercial building owned or under lease by the licensee. The lease must
6.28 be for a minimum term of one year. The building must contain office space where the
6.29 books, records, and files necessary to conduct the business are kept and maintained with
6.30 personnel available during normal business hours or automatic telephone answering
6.31 service during normal business hours. Dealership business hours must be conspicuously
6.32 posted on the place of doing business and readily viewable by the public;

6.33 (ii) an area either indoors or outdoors to display motor vehicles which is owned or
6.34 under lease by the licensee; and

7.1 (iii) a sign readily viewable by the public that clearly identifies the dealership by
7.2 name.

7.3 (3) For a motor vehicle lessor, the following: a commercial office space where the
7.4 books, records, and files necessary to conduct the business are kept and maintained with
7.5 personnel available during normal business hours or an automatic telephone answering
7.6 service during normal business hours. Business hours must be conspicuously posted on
7.7 the place of doing business and readily viewable by the public. The office space must be
7.8 owned or under lease for a minimum term of one year by the licensee.

7.9 (4) For a motor vehicle wholesaler, the following: a commercial office space where
7.10 the books, records, and files necessary to conduct the business are kept and maintained
7.11 with personnel available during normal business hours or an automatic telephone
7.12 answering service during normal business hours. The office space must be owned or under
7.13 lease for a minimum term of one year by the licensee.

7.14 (5) For a motor vehicle auctioneer, the following: a permanent enclosed commercial
7.15 building, within or without the state, on a permanent foundation, owned or under lease
7.16 by the licensee. The lease must be for a minimum term of one year. The building must
7.17 contain office space where the books, records, and files necessary to conduct the business
7.18 are kept and maintained with personnel available during normal business hours or an
7.19 automatic telephone answering service during normal business hours.

7.20 (6) For a motor vehicle broker, the following: a commercial office space where
7.21 books, records, and files necessary to conduct business are kept and maintained with
7.22 personnel available during normal business hours, or an automatic telephone answering
7.23 service available during normal business hours. A sign, clearly identifying the motor
7.24 vehicle broker by name and listing the broker's business hours, must be posted in a location
7.25 and manner readily viewable by a member of the public visiting the office space. The
7.26 office space must be owned or under lease for a minimum term of one year by the licensee.

7.27 (7) For a limited use vehicle license holder, the following: a commercial office space
7.28 where books, records, and files necessary to conduct nonprofit charitable activities are kept
7.29 and maintained with personnel available during normal business hours, or an automatic
7.30 telephonic answering service available during normal business hours. The office space
7.31 must be owned or under lease for a minimum term of one year by the licensee.

7.32 (b) If a new or used motor vehicle dealer maintains more than one place of doing
7.33 business in a county, the separate places must be listed on the application. If additional
7.34 places of business are maintained outside of one county, separate licenses must be
7.35 obtained for each county.

8.1 (c) If a motor vehicle lessor, wholesaler, auctioneer, or motor vehicle broker
8.2 maintains more than one permanent place of doing business, either in one or more
8.3 counties, the separate places must be listed in the application, but only one license is
8.4 required. If a lessor proposes to sell previously leased or rented vehicles or if a broker
8.5 proposes to establish an office at a location outside the seven-county metropolitan area, as
8.6 defined in section 473.121, subdivision 2, other than cities of the first class, the lessor or
8.7 broker must obtain a license for each nonmetropolitan area county in which the lessor's
8.8 sales are to take place or where the broker proposes to locate an office.

8.9 (d) If a motor vehicle dealer, lessor, wholesaler, or motor vehicle broker does not
8.10 have direct access to a public road or street, any privately owned roadway providing
8.11 access to a public road or street must be clearly identified and adequately maintained.

8.12 (e) A new or used motor vehicle dealer may establish a temporary place of business
8.13 outside the county where it maintains its licensed location to sell horse trailers exclusively
8.14 without obtaining an additional license.

8.15 (f) A new or used motor vehicle dealer may establish a temporary place of business
8.16 outside the county where it maintains its licensed location to sell recreational vehicles
8.17 exclusively without obtaining an additional license if:

8.18 (1) the dealer establishes a temporary place of business for the sale of recreational
8.19 vehicles not more than four times during any calendar year;

8.20 (2) each temporary place of business other than an official county fair or the
8.21 Minnesota State Fair within the seven-county metropolitan area, as defined in section
8.22 473.121, subdivision 2, is established jointly with at least four other recreational vehicle
8.23 dealers;

8.24 (3) each temporary place of business other than an official county fair outside
8.25 the seven-county metropolitan area, as defined in section 473.121, subdivision 2, is
8.26 established jointly with at least one other recreational vehicle dealer;

8.27 (4) each establishment of a temporary place of business for the sale of recreational
8.28 vehicles is for no more than 12 consecutive days; and

8.29 (5) the dealer notifies the registrar of motor vehicles of each temporary place of
8.30 business for the sale of recreational vehicles.

8.31 Sec. 9. Minnesota Statutes 2012, section 168.27, subdivision 11, is amended to read:

8.32 Subd. 11. **Dealers' licenses; location change notice; fee.** (a) Application for
8.33 a dealer's license or notification of a change of location of the place of business on a
8.34 dealer's license must include a street address, not a post office box, and is subject to the
8.35 commissioner's approval.

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

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

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

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

9.12 (1) The license must be denied if within the previous ten years the applicant was
 9.13 enjoined due to a violation of section 325F.69 or convicted of violating section 325E.14,
 9.14 325E.15, 325E.16, or 325F.69, or convicted under section 609.53 of receiving or selling
 9.15 stolen vehicles, or convicted of violating United States Code, title 15, sections 1981 to
 9.16 1991 or pleaded guilty, entered a plea of nolo contendere or no contest, or has been found
 9.17 guilty in a court of competent jurisdiction of any charge of failure to pay state or federal
 9.18 income or sales taxes or felony charge of forgery, embezzlement, obtaining money under
 9.19 false pretenses, theft by swindle, extortion, conspiracy to defraud, or bribery.

9.20 ~~(2) The license must also be denied if within the previous year the applicant has been~~
 9.21 ~~denied a dealer license.~~

9.22 ~~(3)~~ (2) A license must also be denied if the applicant has had a dealer license
 9.23 revoked within the previous ten years.

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

9.28 (g) Each initial application for a license must be accompanied by a fee of \$100 in
 9.29 addition to the annual fee. The annual fee is \$150. The initial fees and annual fees must
 9.30 be paid into the state treasury and credited to the general fund except that \$50 of each
 9.31 initial and annual fee must be paid into the vehicle services operating account in the
 9.32 special revenue fund under section 299A.705.

9.33 Sec. 10. Minnesota Statutes 2012, section 168A.153, subdivision 1, is amended to read:

9.34 Subdivision 1. **Older model vehicle.** (a) A dealer who buys an older model vehicle
 9.35 to dismantle or destroy must:

10.1 (1) obtain the certificate of title or verify ownership on the department's electronic
 10.2 record;

10.3 (2) notify any secured parties; and

10.4 (3) retain the certificate of title or a copy of the motor vehicle record.

10.5 (b) A dealer who buys an older model vehicle to be dismantled dismantle or
 10.6 destroyed shall report to destroy must notify the department within 30 ten days including.
 10.7 The notification must be made electronically as prescribed by the registrar, and must
 10.8 include the vehicle's license plate number and identification number, and the seller's
 10.9 name and driver's license number.

10.10 (c) The records and information retained or submitted under paragraphs (a) and (b)
 10.11 shall be kept and maintained in a manner consistent with the requirements of section
 10.12 168A.11, subdivision 3.

10.13 Sec. 11. Minnesota Statutes 2012, section 168A.153, subdivision 2, is amended to read:

10.14 Subd. 2. **Late-model or high-value vehicle.** (a) A dealer who buys a late-model or
 10.15 high-value vehicle to be dismantled dismantle or destroyed shall destroy must:

10.16 (1) obtain the certificate of title;

10.17 (2) notify the any secured party parties, if any, and the commissioner in the manner
 10.18 prescribed in subdivision 3. The dealer must then properly destroy the certificate of
 10.19 title; and

10.20 (3) retain the certificate of title or a copy of the motor vehicle record.

10.21 (b) A dealer who buys a late-model or high-value vehicle to dismantle or destroy
 10.22 must notify the department within ten days. The notification must be made electronically
 10.23 as prescribed by the registrar, must include the vehicle's license plate number and
 10.24 identification number, and must include the seller's name and driver's license number.

10.25 (c) The records and information retained or submitted under paragraphs (a) and (b)
 10.26 shall be kept and maintained in a manner consistent with the requirements of section
 10.27 168A.11, subdivision 3.

10.28 Sec. 12. Minnesota Statutes 2012, section 171.01, subdivision 49b, is amended to read:

10.29 Subd. 49b. **Valid medical examiner's certificate.** (a) "Valid medical examiner's
 10.30 certificate" means a record, on a form prescribed by the department:

10.31 (1) of a medical examiner's examination of a person who holds or is applying for a
 10.32 class A, class B, or class C commercial driver's license;

10.33 (2) upon which the medical examiner attests that the applicant or license holder is
 10.34 physically qualified to drive a commercial motor vehicle; and

11.1 (3) that is not expired.

11.2 (b) A valid medical examiner's certificate must be issued by a medical examiner
 11.3 who is certified by the Federal Motor Carrier Administration and listed on the National
 11.4 Registry of Certified Medical Examiners.

11.5 **EFFECTIVE DATE.** The section is effective May 1, 2014.

11.6 Sec. 13. **[171.017] BACKGROUND INVESTIGATIONS; DEPARTMENT**
 11.7 **EMPLOYEES.**

11.8 Subdivision 1. **Background checks authorized.** The commissioner shall
 11.9 investigate the criminal history background of any current or prospective employees of the
 11.10 department being considered for any position with the department that has or will have:

11.11 (1) the ability to create or modify records of applicants for enhanced drivers' licenses
 11.12 under section 171.01, subdivision 31a, or enhanced identification cards under section
 11.13 171.01, subdivision 31b;

11.14 (2) the ability to issue enhanced drivers' licenses under section 171.01, subdivision
 11.15 31a, or enhanced identification cards under section 171.01, subdivision 31b; or

11.16 (3) the ability to administer knowledge or skills tests under section 171.13 to an
 11.17 applicant for a commercial driver's license.

11.18 Subd. 2. **Procedure.** (a) The commissioner must request a criminal history
 11.19 background check from the superintendent of the Bureau of Criminal Apprehension on all
 11.20 individuals specified in subdivision 1. A request under this section must be accompanied
 11.21 by an executed criminal history consent form, including fingerprints, signed by the current
 11.22 or prospective employee being investigated.

11.23 (b) After receiving a request under paragraph (a), the superintendent of the Bureau
 11.24 of Criminal Apprehension shall perform the background check required under subdivision
 11.25 1. The superintendent shall retrieve criminal history data as defined in section 13.87,
 11.26 conduct a search of the national criminal records repository, and provide wants and
 11.27 warrant information from federal and state repositories. The superintendent is authorized
 11.28 to exchange fingerprints with the Federal Bureau of Investigation for purposes of the
 11.29 criminal history check. The superintendent shall return the results of the background
 11.30 checks to the commissioner to determine whether:

11.31 (1) the employee or applicant for employment specified in subdivision 1, clause (1)
 11.32 or (2), has committed a disqualifying crime under Code of Federal Regulations, title
 11.33 49, section 1572.103; or

12.1 (2) the employee or applicant for employment specified in subdivision 1, clause (3),
 12.2 has a conviction of the type specified by Code of Federal Regulations, title 49, section
 12.3 384.228(j).

12.4 (c) The superintendent shall recover the cost to the bureau of a background check
 12.5 through a fee charged to the commissioner.

12.6 Subd. 3. **Notification by other criminal justice agencies.** Criminal justice
 12.7 agencies, as defined by section 13.02, subdivision 3a, shall provide the commissioner
 12.8 with information they possess and that the commissioner requires for the purposes of
 12.9 determining the employment suitability of current or prospective employees subject to
 12.10 this section.

12.11 Subd. 4. **Annual background checks in certain instances.** Consistent with Code
 12.12 of Federal Regulations, title 49, section 384.228, the commissioner shall request and the
 12.13 superintendent shall conduct annual background checks for the department employees
 12.14 specified in subdivision 1, clause (3). Annual background checks under this subdivision
 12.15 shall be performed in a manner consistent with subdivisions 2 and 3.

12.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

12.17 Sec. 14. Minnesota Statutes 2012, section 171.07, subdivision 3a, is amended to read:

12.18 Subd. 3a. **Identification cards for seniors.** A Minnesota identification card issued
 12.19 to an applicant 65 years of age or over shall be of a distinguishing color and plainly
 12.20 marked "senior." The fee for the card issued to an applicant 65 years of age or over shall
 12.21 be one-half the required fee for a class D driver's license rounded down to the nearest
 12.22 quarter dollar. A Minnesota identification card or a Minnesota driver's license issued to a
 12.23 person 65 years of age or over shall be valid identification for the purpose of qualifying
 12.24 for reduced rates, free licenses or services provided by any board, commission, agency or
 12.25 institution that is wholly or partially funded by state appropriations. This subdivision does
 12.26 not apply to an enhanced identification card issued to an applicant age 65 or older.

12.27 Sec. 15. Minnesota Statutes 2012, section 171.07, subdivision 4, is amended to read:

12.28 Subd. 4. **Expiration.** (a) Except as otherwise provided in this subdivision, the
 12.29 expiration date of Minnesota identification cards of applicants under the age of 65 shall be
 12.30 the birthday of the applicant in the fourth year following the date of issuance of the card.

12.31 (b) A Minnesota identification cards card issued to applicants an applicant age 65 or
 12.32 over older shall be valid for the lifetime of the applicant, except that for the purposes of
 12.33 this paragraph, "Minnesota identification card" does not include an enhanced identification
 12.34 card issued to an applicant age 65 or older.

13.1 (c) The expiration date for an Under-21 identification card is the cardholder's 21st
13.2 birthday. The commissioner shall issue an identification card to a holder of an Under-21
13.3 identification card who applies for the card, pays the required fee, and presents proof of
13.4 identity and age, unless the commissioner determines that the applicant is not qualified
13.5 for the identification card.

13.6 Sec. 16. **REPEALER.**

13.7 Minnesota Statutes 2012, section 168.094, is repealed.

168.094 ONE-WAY TRIP PERMIT.

Subdivision 1. **Application, fee, requirements.** Whenever a person seeks to operate a motor vehicle or tow a manufactured home owned by a nonresident upon the highways of this state solely for the purpose of transporting it from a point outside the state to another point outside the state, and such vehicle is not otherwise exempt from registration and taxation as provided by law, such owner shall not be required to register the vehicle and pay the tax but in lieu thereof shall apply to the registrar for a one-way trip permit and pay a fee of \$10. Unless such act of transportation also requires approval by the commissioner of transportation as provided in section 169.86, such person may be permitted to proceed with such vehicle into the state, not to exceed 35 miles, to the nearest city wherein a deputy registrar is located before securing such permit. The application for permit shall be in such form and contain such information as the registrar may determine. Any motor vehicle operated under such permit shall carry no load. As used in this section, "person" includes a natural person, firm, copartnership, association, or corporation.

Subd. 2. **Proceeds to highway user fund.** Fees collected pursuant to subdivision 1 shall be paid into the state treasury and credited to the highway user tax distribution fund.