

State of Minnesota

H. F. No. 3134

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02/28/2022 Adoption of Report: Re-referred to the Committee on Judiciary Finance and Civil Law

resulting from taking the vehicle into custody within ~~15 or 45~~ the number of days; as applicable under section 168B.051, ~~subdivision 1, 1a, or 2, after the date of the notice required by section 168B.06.~~

Sec. 4. Minnesota Statutes 2020, section 168B.07, subdivision 3, is amended to read:

Subd. 3. **Retrieval of contents.** (a) For purposes of this subdivision:

(1) "contents" does not include any permanently affixed mechanical or nonmechanical automobile parts; automobile body parts; or automobile accessories, including audio or video players; and

(2) "relief based on need" includes, but is not limited to, receipt of MFIP and Diversionary Work Program, medical assistance, general assistance, emergency general assistance, Minnesota supplemental aid, MSA-emergency assistance, MinnesotaCare, Supplemental Security Income, energy assistance, emergency assistance, Supplemental Nutrition Assistance Program (SNAP) benefits, earned income tax credit, or Minnesota working family tax credit.

(b) A unit of government or impound lot operator ~~shall~~ must establish reasonable procedures for retrieval of vehicle contents, and may establish reasonable procedures to protect the safety and security of the impound lot and its personnel.

(c) At any time before the expiration of the waiting periods provided in section 168B.051, a registered owner who provides proof of identity and documentation from a government or nonprofit agency or legal aid office that the registered owner is homeless, receives relief based on need, or is eligible for legal aid services, has the unencumbered right to retrieve any and all contents without charge and regardless of whether the registered owner pays incurred charges or fees, transfers title, or reclaims the vehicle.

(d) A nonpublic operator who denies a request of a registered owner to retrieve vehicle contents after the owner presents the information required under paragraph (c) must, at the time of denial, provide the owner with a written statement with the specific reasons for the denial.

Sec. 5. Minnesota Statutes 2020, section 168B.07, is amended by adding a subdivision to read:

Subd. 5. **Remedy.** (a) If a nonpublic operator refuses to return the contents of a vehicle to a registered owner who has complied with subdivision 3, the owner has a cause of action against the operator for injunctive relief plus reasonable attorney fees and costs.

- 3.1 (b) If a nonpublic operator sells or disposes of the contents of a vehicle after the registered
3.2 owner has presented the information required under subdivision 3, in violation of subdivision
3.3 3 or section 168B.051, subdivision 3, the operator is liable to the registered owner for
3.4 additional statutory damages of \$1,000 plus reasonable attorney fees and costs.