

A bill for an act

relating to transportation; modifying or adding provisions relating to highways, motor vehicles, traffic regulations, drivers' licenses, transit, railroads, motor carriers, and other transportation-related programs or activities; imposing penalties; requiring reports; amending Minnesota Statutes 2006, sections 86B.825, subdivision 5; 123B.88, subdivision 3; 161.081, subdivision 3, as amended, by adding subdivisions; 168.011, subdivision 7; 168.012, subdivision 1; 168.013, subdivision 1e; 168.021, subdivisions 1, 2; 168.09, subdivision 7; 168.185; 168A.03, subdivision 1; 168A.05, subdivision 9; 168B.051, subdivision 2; 168B.06, subdivisions 1, 3; 168B.07, by adding subdivisions; 168B.08, subdivision 1; 168B.087, subdivision 1; 169.01, subdivisions 55, 76, by adding subdivisions; 169.18, subdivisions 1, 5, by adding a subdivision; 169.224; 169.67, subdivision 3; 169.781, subdivisions 1, 2, 5; 169.79; 169.801; 169.82, subdivision 3; 169.826, subdivision 1a; 169.85, subdivision 1; 169.86, by adding a subdivision; 169A.03, subdivision 23; 171.01, subdivisions 35, 46; 171.02, by adding a subdivision; 171.03; 171.055, subdivisions 1, 2; 171.0701; 171.13, by adding a subdivision; 171.165, subdivision 2; 171.321, subdivision 1; 174.02, subdivision 2; 174.03, subdivision 1; 174.24, by adding a subdivision; 174.64, subdivisions 2, 4; 174.66; 221.011, subdivisions 8, 23, by adding subdivisions; 221.025; 221.026; 221.031, subdivision 1; 221.0314, subdivision 9a; 221.036, subdivisions 1, 3; 221.131; 221.132; 221.141, subdivision 4; 221.185; 221.221, subdivision 3; 221.291, subdivision 4; 299D.03, subdivision 1; 299D.06; 473.1465, by adding a subdivision; 473.388, subdivision 2; Minnesota Statutes 2007 Supplement, sections 168.017, subdivision 3; 169.443, subdivision 9; 171.02, subdivision 2; Laws 2002, chapter 393, section 85; Laws 2008, chapter 152, article 2, sections 1; 3, subdivision 2; article 3, sections 1; 6; 8; article 6, section 7; proposing coding for new law in Minnesota Statutes, chapters 123B; 169; 171; 174; 219; 221; repealing Minnesota Statutes 2006, sections 168B.087, subdivision 2; 169.145; 174.65; 221.011, subdivisions 24, 25, 28, 29, 38, 39, 41, 44, 45; 221.0252, subdivision 7; 221.072; 221.111; 221.121; 221.122; 221.123; 221.131, subdivisions 2a, 3; 221.141, subdivision 6; 221.151; 221.152; 221.153, subdivisions 1, 2; 221.161; 221.171; 221.172, subdivisions 3, 4, 5, 6, 7, 8; 221.296, subdivisions 3, 4, 5, 6, 7, 8.

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

ARTICLE 1

TRANSPORTATION POLICY

Section 1. Minnesota Statutes 2006, section 86B.825, subdivision 5, is amended to read:

Subd. 5. **No legal title without certificate.** A person acquiring a watercraft, required to have a certificate of title under this section, through a sale or gift does not acquire a right, title, claim, or interest in the watercraft until the person has been issued a certificate of title to the watercraft or has received a manufacturer's or importer's certificate. A waiver or estoppel does not operate in favor of that person against another person who has obtained possession of the certificate of title or manufacturer's or importer's certificate for the watercraft for valuable consideration.

Sec. 2. Minnesota Statutes 2006, section 123B.88, subdivision 3, is amended to read:

Subd. 3. **Transportation services contracts; requirements.** (a) The board may contract for the furnishing of authorized transportation under section 123B.52, and may purchase gasoline and furnish same to a contract carrier for use in the performance of a contract with the school district for transportation of school children to and from school.

(b) An initiated transportation service contract shall include by contract language, addendum, or supplementary information terms addressing:

(1) a summary of school bus driver training requirements, including the minimum number of preservice training hours and the minimum number of in-service training hours;

(2) a driver recruitment and retention plan, including an explanation of:

(i) the actions the contractor has taken or will take to recruit qualified drivers for the transportation services contract;

(ii) the process for screening applicants to be certain that they meet the school bus driver requirements of federal law, of state law, and of the transportation service contract, including federal and state-controlled substance and alcohol testing requirements;

(iii) the training that drivers receive prior to assignment to transportation service; and
(iv) the actions of the employer to retain qualified drivers to meet requirements of the transportation services contract, including an explanation of wage rates and employee benefits and policies on compensated absences such as paid vacations, holidays, and sick leave;

(3) the reporting to the local school district of all school bus accidents;

(4) the reporting to the local school district of all school bus driver-reported traffic convictions, based upon the requirement of commercial drivers to report traffic convictions

to their employer under Federal Motor Carrier Safety Administration regulation in Code of Federal Regulations, title 49, section 383.31;

(5) the reporting within one week to the local school district the results of any Minnesota State Patrol inspection of school buses being regularly utilized for the transportation under the transportation contract;

(6) the school bus driver employee turnover ratio, defined as the total number of school bus drivers employed during the most recent school year divided by the daily average number of school bus drivers employed during the same regular school year, within bus garage location or other reasonable basis. The turnover rate may exclude those drivers whose employment is terminated or who are otherwise removed for cause from service; and

(7) the date of hire of the employer's current employees identified by their job classifications, which may include any relevant prior experience. Summer and other regular school breaks should not be considered interruptions to employment.

(c) Notwithstanding section 123B.52, a school district may award a transportation contract in the interest of student safety and cost-effectiveness.

EFFECTIVE DATE. This section is effective July 1, 2008.

Sec. 3. **[123B.915] SCHOOL BUS DRIVERS.**

Subdivision 1. Driver pay. School bus driver employees must be paid for the actual time worked. If a route pay system or hourly estimation is used, school bus driver employees must be scheduled and paid for actual time for required inspection of buses.

Subd. 2. Right to refuse. School bus drivers who document needed bus repairs shall have the right to refuse to operate the bus immediately for a safety-related repair, which meets the out-of-service definition of Minnesota Rules, part 7470.0600. In this situation, the driver shall be provided an alternate bus, if available, and time to inspect it. The driver shall not be penalized in any way for fees, fines, or consequences incurred by the employer for delays or failure to provide the transportation service in a timely manner in this situation. Nothing in this section may diminish the rights, pay, or benefits of drivers covered by a collective bargaining agreement with an exclusive representative.

EFFECTIVE DATE. This section is effective July 1, 2008.

Sec. 4. Minnesota Statutes 2006, section 168.011, subdivision 7, is amended to read:

Subd. 7. Passenger automobile. (a) "Passenger automobile" means any motor vehicle designed and used for carrying not more than 15 individuals, including the driver.

(b) "Passenger automobile" does not include motorcycles, motor scooters, buses, school buses, or commuter vans as defined in section 168.126.

(c) "Passenger automobile" includes, but is not limited to:

(1) pickup trucks and vans, including those vans designed to carry passengers, with a manufacturer's nominal rated carrying capacity of one ton; ~~and~~

(2) neighborhood electric vehicles, as defined in section 169.01, subdivision 91; and

(3) medium-speed electric vehicles, as defined in section 169.01, subdivision 94.

Sec. 5. Minnesota Statutes 2006, section 168.012, subdivision 1, is amended to read:

Subdivision 1. **Vehicles exempt from tax, fees, or plate display.** (a) The following vehicles are exempt from the provisions of this chapter requiring payment of tax and registration fees, except as provided in subdivision 1c:

(1) vehicles owned and used solely in the transaction of official business by the federal government, the state, or any political subdivision;

(2) vehicles owned and used exclusively by educational institutions and used solely in the transportation of pupils to and from those institutions;

(3) vehicles used solely in driver education programs at nonpublic high schools;

(4) vehicles owned by nonprofit charities and used exclusively to transport disabled persons for charitable, religious, or educational purposes;

(5) ambulances owned by ambulance services licensed under section 144E.10, the general appearance of which is unmistakable; and

(6) vehicles owned by a commercial driving school licensed under section 171.34, or an employee of a commercial driving school licensed under section 171.34, and the vehicle is used exclusively for driver education and training.

(b) Vehicles owned by the federal government, municipal fire apparatuses including fire-suppression support vehicles, police patrols, and ambulances, the general appearance of which is unmistakable, are not required to register or display number plates.

(c) Unmarked vehicles used in general police work, liquor investigations, or arson investigations, and passenger automobiles, pickup trucks, and buses owned or operated by the Department of Corrections, must be registered and must display appropriate license number plates, furnished by the registrar at cost. Original and renewal applications for these license plates authorized for use in general police work and for use by the Department of Corrections must be accompanied by a certification signed by the appropriate chief of police if issued to a police vehicle, the appropriate sheriff if issued to a sheriff's vehicle, the commissioner of corrections if issued to a Department of Corrections vehicle, or the appropriate officer in charge if issued to a vehicle of any other law enforcement agency.

The certification must be on a form prescribed by the commissioner and state that the vehicle will be used exclusively for a purpose authorized by this section.

(d) Unmarked vehicles used by the Departments of Revenue and Labor and Industry, fraud unit, in conducting seizures or criminal investigations must be registered and must display passenger vehicle classification license number plates, furnished at cost by the registrar. Original and renewal applications for these passenger vehicle license plates must be accompanied by a certification signed by the commissioner of revenue or the commissioner of labor and industry. The certification must be on a form prescribed by the commissioner and state that the vehicles will be used exclusively for the purposes authorized by this section.

(e) Unmarked vehicles used by the Division of Disease Prevention and Control of the Department of Health must be registered and must display passenger vehicle classification license number plates. These plates must be furnished at cost by the registrar. Original and renewal applications for these passenger vehicle license plates must be accompanied by a certification signed by the commissioner of health. The certification must be on a form prescribed by the commissioner and state that the vehicles will be used exclusively for the official duties of the Division of Disease Prevention and Control.

(f) Unmarked vehicles used by staff of the Gambling Control Board in gambling investigations and reviews must be registered and must display passenger vehicle classification license number plates. These plates must be furnished at cost by the registrar. Original and renewal applications for these passenger vehicle license plates must be accompanied by a certification signed by the board chair. The certification must be on a form prescribed by the commissioner and state that the vehicles will be used exclusively for the official duties of the Gambling Control Board.

(g) Each state hospital and institution for persons who are mentally ill and developmentally disabled may have one vehicle without the required identification on the sides of the vehicle. The vehicle must be registered and must display passenger vehicle classification license number plates. These plates must be furnished at cost by the registrar. Original and renewal applications for these passenger vehicle license plates must be accompanied by a certification signed by the hospital administrator. The certification must be on a form prescribed by the commissioner and state that the vehicles will be used exclusively for the official duties of the state hospital or institution.

(h) Each county social service agency may have vehicles used for child and vulnerable adult protective services without the required identification on the sides of the vehicle. The vehicles must be registered and must display passenger vehicle classification license number plates. These plates must be furnished at cost by the registrar. Original

and renewal applications for these passenger vehicle license plates must be accompanied by a certification signed by the agency administrator. The certification must be on a form prescribed by the commissioner and state that the vehicles will be used exclusively for the official duties of the social service agency.

~~(g)~~ (i) All other motor vehicles must be registered and display tax-exempt number plates, furnished by the registrar at cost, except as provided in subdivision 1c. All vehicles required to display tax-exempt number plates must have the name of the state department or political subdivision, nonpublic high school operating a driver education program, ~~or~~ licensed commercial driving school, or other qualifying organization or entity, plainly displayed on both sides of the vehicle; ~~except that each state hospital and institution for persons who are mentally ill and developmentally disabled may have one vehicle without the required identification on the sides of the vehicle, and county social service agencies may have vehicles used for child and vulnerable adult protective services without the required identification on the sides of the vehicle.~~ This identification must be in a color giving contrast with that of the part of the vehicle on which it is placed and must endure throughout the term of the registration. The identification must not be on a removable plate or placard and must be kept clean and visible at all times; except that a removable plate or placard may be utilized on vehicles leased or loaned to a political subdivision or to a nonpublic high school driver education program.

Sec. 6. Minnesota Statutes 2007 Supplement, section 168.017, subdivision 3, is amended to read:

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

(1) the application is an original rather than renewal application; ~~or~~

(2) the application is for quarterly registration under section 168.018; or

~~(2)~~ (3) the applicant is a licensed motor vehicle lessor under section 168.27 and the vehicle is leased or rented for periods of time of not more than 28 days, in which case the applicant may apply for initial or renewed registration of a vehicle for a period of four or more months, with the month of expiration to be designated by the applicant at the time of registration.

~~However,~~ (b) To qualify for ~~this the~~ the exemption under paragraph (a), clause (3), the applicant must (1) present the application to the registrar at St. Paul, or a designated deputy registrar office, and (2) stamp in red, on the certificate of title, the phrase "The

expiration month of this vehicle is " with the blank filled in with the month of expiration as if the vehicle is being registered for a period of 12 calendar months.

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

Sec. 7. Minnesota Statutes 2006, section 168.021, subdivision 1, is amended to read:

Subdivision 1. **Disability plates; application.** (a) When a motor vehicle registered under section 168.017, a motorcycle, a truck having a manufacturer's nominal rated capacity of one ton and resembling a pickup truck, or a self-propelled recreational vehicle is owned or primarily operated by a permanently physically disabled person or a custodial parent or guardian of a permanently physically disabled minor, the owner may apply for and secure from the commissioner (1) immediately, a temporary permit valid for 30 days if the applicant is eligible for the disability plates issued under this section and (2) two disability plates with attached emblems, one plate to be attached to the front, and one to the rear of the motor vehicle.

(b) The commissioner shall not issue more than one set of plates to any owner of a motor vehicle at the same time unless ~~all motor vehicles have been specifically modified for and are used exclusively by a permanently physically disabled person~~ the state council on disability approves the issuance of a second set of plates to a motor vehicle owner.

(c) When the owner first applies for the disability plates, the owner must submit a medical statement in a format approved by the commissioner under section 169.345, or proof of physical disability provided for in that section.

(d) No medical statement or proof of disability is required when an owner of a motor vehicle applies for plates for one or more motor vehicles that are specially modified for and used exclusively by permanently physically disabled persons.

(e) The owner of a motor vehicle may apply for and secure (i) immediately, a permit valid for 30 days, if the applicant is eligible to receive the disability plates issued under this section, and (ii) a set of disability plates for a motor vehicle if:

(1) the owner employs a permanently physically disabled person who would qualify for disability plates under this section; and

(2) the owner furnishes the motor vehicle to the physically disabled person for the exclusive use of that person in the course of employment.

Sec. 8. Minnesota Statutes 2006, section 168.021, subdivision 2, is amended to read:

Subd. 2. **Plate design; furnished by commissioner.** The commissioner shall design and furnish two disability plates with attached emblems to ~~each~~ an eligible owner. The emblem must bear the internationally accepted wheelchair symbol, as designated in section 16B.61, subdivision 5, approximately three inches square. The emblem must be large enough to be visible plainly from a distance of 50 feet. An applicant eligible for disability plates shall pay the motor vehicle registration fee authorized by sections 168.013 and 168.09.

Sec. 9. Minnesota Statutes 2006, section 168.09, subdivision 7, is amended to read:

Subd. 7. **Display of temporary permit; ~~special plates.~~** (a) A vehicle that displays a ~~special Minnesota~~ plate issued under ~~section 168.021; 168.12, subdivision 2, 2a, 2b, 2c, or 2d; 168.123; 168.124; 168.125; 168.126; 168.128; or 168.129;~~ chapter 168 may display a temporary permit in conjunction with expired registration if:

(1) the current registration tax and all other fees and taxes have been paid in full; and

(2) the plate ~~requires replacement under section 168.12, subdivision 1, paragraph (d), clause (3)~~ has been applied for.

(b) A vehicle ~~that is registered under section 168.10~~ may display a temporary permit in conjunction with expired registration, with or without a registration plate, if:

(1) the plates have been applied for ~~and;~~

(2) the registration tax ~~has~~ and other fees and taxes have been paid in full, ~~as provided for in section 168.10;~~ and

~~(2)~~ (3) either the vehicle is used solely as a collector vehicle while displaying the temporary permit and not used for general transportation purposes or the vehicle was issued a 21-day permit under section 168.092, subdivision 1.

(c) The permit is valid for a period of 60 days. The permit must be in a format prescribed by the commissioner and whenever practicable must be posted upon the driver's side of the rear window on the inside of the vehicle. The permit is valid only for the vehicle for which it was issued to allow a reasonable time for the new plates to be manufactured and delivered to the applicant. The permit may be only issued by the commissioner or by a deputy registrar under section 168.33.

Sec. 10. Minnesota Statutes 2006, section 168.185, is amended to read:

168.185

~~registrar~~ 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 ~~registrar~~ commissioner. The ~~registrar~~ commissioner shall not assign a USDOT carrier number to a vehicle owner who is not subject to this paragraph.

(b) Assigned USDOT numbers need not be displayed on the outside of the vehicle, but must be made available upon request of an authorized agent of the ~~registrar~~ commissioner, peace officer, other employees of the State Patrol authorized in chapter 299D, or employees of the Minnesota Department of Transportation. The vehicle owner shall notify the ~~registrar~~ 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 ~~registrar~~ commissioner shall suspend the owner's registration.

~~(d) Until October 1, 2003, paragraphs (a) to (c) do not apply to an agricultural fertilizer or agricultural chemical retailer while exclusively engaged in delivering fertilizer or agricultural chemicals to a farmer for on-farm use. 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. 11. Minnesota Statutes 2006, section 168A.03, subdivision 1, is amended to read:

Subdivision 1. **No certificate issued.** The registrar shall not issue a certificate of title for:

(1) a vehicle owned by the United States;

(2) a vehicle owned by a nonresident and not required by law to be registered in this state;

(3) a vehicle owned by a nonresident and regularly engaged in the interstate transportation of persons or property for which a currently effective certificate of title has been issued in another state;

(4) a vehicle moved solely by animal power;

(5) an implement of husbandry;

(6) special mobile equipment;

(7) a self-propelled wheelchair or invalid tricycle;

(8) a trailer (i) having a gross weight of 4,000 pounds or less unless a secured party holds an interest in the trailer or a certificate of title was previously issued by this state or

any other state or (ii) designed primarily for agricultural purposes except a recreational vehicle or a manufactured home, both as defined in section 168.011, subdivisions 8 and 25; (9) a snowmobile; and (10) a spotter truck, as defined in section 169.01, subdivision 7a.

EFFECTIVE DATE. This section is effective the day following final enactment and expires June 30, 2013.

Sec. 12. Minnesota Statutes 2006, section 168A.05, subdivision 9, is amended to read:

Subd. 9. **Neighborhood electric vehicle and medium-speed electric vehicles; certificate required.** Neighborhood electric vehicles and medium-speed electric vehicles, as defined in section 169.01, ~~subdivision~~ subdivisions 91 and 94, must be titled as specified in section 168A.02. The department shall not issue a title for a neighborhood electric vehicle or a medium-speed electric vehicle (1) that lacks a vehicle identification number, and (2) for which a manufacturer's certificate of origin clearly labeling the vehicle as a neighborhood electric vehicle or similar designation has not been issued. The department shall not issue a vehicle identification number to a homemade neighborhood electric or low-speed vehicle or retrofitted golf cart, and such vehicles do not qualify as neighborhood electric vehicles.

Sec. 13. Minnesota Statutes 2006, section 168B.051, subdivision 2, is amended to read:

Subd. 2. **Sale after 45 days or title transfer.** ~~An~~ (a) If an unauthorized vehicle is impounded, other than by the city of Minneapolis or the city of St. Paul, the impounded vehicle is eligible for disposal or sale under section 168B.08, the earlier of:

(1) 45 days after notice to the owner, if the vehicle is determined to be an unauthorized vehicle that was not impounded by the city of Minneapolis or the city of St. Paul; or

(2) the date of a voluntary written title transfer by the registered owner to the impound lot operator.

(b) A voluntary written title transfer constitutes a waiver by the registered owner of any right, title, and interest in the vehicle.

Sec. 14. Minnesota Statutes 2006, section 168B.06, subdivision 1, is amended to read:

Subdivision 1. ~~**Contents; Written notice given within five days of impound.**~~ (a) When an impounded vehicle is taken into custody, the unit of government or impound lot operator taking it into custody shall give written notice of the taking within five days to the registered vehicle owner and any lienholders.

11.1 (b) The notice ~~shall~~ must:

11.2 (1) set forth the date and place of the taking;

11.3 (2) provide the year, make, model, and serial number of the impounded motor
11.4 vehicle, if such information can be reasonably obtained, and the place where the vehicle
11.5 is being held;

11.6 ~~(2)~~ (3) inform the owner and any lienholders of their right to reclaim the vehicle
11.7 under section 168B.07, ~~and;~~

11.8 ~~(3)~~ (4) state that failure of the owner or lienholders to:

11.9 (i) exercise their right to reclaim the vehicle and contents within the appropriate time
11.10 allowed under section 168B.051, subdivision 1, 1a, or 2, ~~shall be deemed~~ and under the
11.11 conditions set forth in section 168B.07, subdivision 1, constitutes a waiver by them of all
11.12 right, title, and interest in the vehicle and contents and a consent to the transfer of title to
11.13 and disposal or sale of the vehicle and contents pursuant to section 168B.08; or

11.14 (ii) exercise their right to reclaim the contents of the vehicle within the appropriate
11.15 time allowed and under the conditions set forth in section 168B.07, subdivision 3,
11.16 constitutes a waiver by them of all right, title, and interest in the contents and consent to
11.17 sell or dispose of the contents under section 168B.08; and

11.18 (5) state that a vehicle owner who provides to the impound lot operator
11.19 documentation from a government or nonprofit agency or legal aid office that the owner
11.20 is homeless, receives relief based on need, is eligible for legal aid services, or has a
11.21 household income at or below 50 percent of state median income has the unencumbered
11.22 right to retrieve any and all contents without charge.

11.23 Sec. 15. Minnesota Statutes 2006, section 168B.06, subdivision 3, is amended to read:

11.24 Subd. 3. **Unauthorized vehicle; second notice.** If an unauthorized vehicle remains
11.25 unclaimed after 30 days from the date the notice was sent under subdivision 2, a second
11.26 notice ~~shall~~ must be sent by certified mail, return receipt requested, to the registered owner,
11.27 if any, of the unauthorized vehicle and to

12.1 (2) "relief based on need" includes, but is not limited to, receipt of MFIP and
12.2 Diversionary Work Program, medical assistance, general assistance, general assistance
12.3 medical care, emergency general assistance, Minnesota supplemental aid (MSA),
12.4 MSA-emergency assistance, MinnesotaCare, Supplemental Security Income, energy
12.5 assistance, emergency assistance, Food Stamps, earned income tax credit, or Minnesota
12.6 working family tax credit.

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

12.10 (c) At any time before the expiration of the waiting periods provided in section
12.11 168B.051, a registered owner who provides documentation from a government or
12.12 nonprofit agency or legal aid office that the registered owner is homeless, receives relief
12.13 based on need, is eligible for legal aid services, or has a household income at or below 50
12.14 percent of state median income has the unencumbered right to retrieve any and all contents
12.15 without charge and regardless of whether the registered owner pays incurred charges or
12.16 fees, transfers title, or reclaims the vehicle.

12.17 (d) At any time before the expiration of the waiting periods provided in section
12.18 168B.051, a registered owner other than a registered owner described in paragraph (c)
12.19 has the unencumbered right to retrieve the following contents: medicine; medical-related
12.20 items and equipment; clothing; eyeglasses; educational materials; and legal documents,
12.21 including, but not limited to, a driver's license, identification, passports, insurance
12.22 documents, any other documents related to a pending or concluded judicial or
12.23 administrative proceeding, tax returns, and documents indicating receipt of or eligibility
12.24 for public benefit programs. This provision does not prohibit the return of other contents
12.25 at the discretion of the impound lot operator.

12.26 (e) An impound lot operator is not required to return any contents to a person who is
12.27 not the registered owner of the impounded vehicle, other than legal documents. Legal
12.28 documents include, but are not limited to, driver's license, identification, passports,
12.29 insurance documents, any other documents related to a pending or concluded judicial or
12.30 administrative proceeding, and tax returns. An impound lot operator is not required to
12.31 return any contents to a person who is not the registered owner after the expiration of
12.32 the waiting periods provided in section 168B.051, or if the registered owner voluntarily
12.33 transfers title to the impound lot operator under section 168B.051, subdivision 2.

Subd. 4. **Waiver of rights.** The failure of the registered owner or lienholders to exercise the right to reclaim the vehicle before the expiration of the waiting periods provided under section 168B.051 constitutes a waiver of all right, title, and interest in the vehicle and a consent to the transfer of title to, and disposal or sale of, the vehicle under section 168B.08. The failure of the registered owner to exercise the right provided under subdivision 3 constitutes a waiver of all right, title, and interest in the contents and a consent to the transfer of title to, and disposal or sale of, the contents under section 168B.08.

Sec. 18. Minnesota Statutes 2006, section 168B.08, subdivision 1, is amended to read:

Subdivision 1. **Auction or sale.** (a) If an abandoned or unauthorized vehicle ~~and contents~~ taken into custody by a unit of government or any impound lot is not reclaimed under section 168B.07, subdivision 1, it may be disposed of or sold at auction or sale when eligible pursuant to sections 168B.06 and 168B.07. If the contents of an abandoned or unauthorized vehicle taken into custody by a unit of government or any impound lot is not reclaimed under section 168B.07, subdivision 3, it may be disposed of or sold at auction or sale when eligible pursuant to sections 168B.06 and 168B.07.

(b) The purchaser shall be given a receipt in a form prescribed by the registrar of motor vehicles which shall be sufficient title to dispose of the vehicle. The receipt shall also entitle the purchaser to register the vehicle and receive a certificate of title, free and clear of all liens and claims of ownership. Before such a vehicle is issued a new certificate of title it must receive a motor vehicle safety check.

Sec. 19. Minnesota Statutes 2006, section 168B.087, subdivision 1, is amended to read:

Subdivision 1. **Deficiency claim.** (a) The ~~nonpublic~~ impound lot operator has a deficiency claim against the registered owner of the vehicle for the reasonable costs of services provided in the towing, storage, and inspection of the vehicle minus the proceeds of the sale or auction, except as provided in paragraph (c).

(b) The claim for storage costs may not exceed the costs of:

- (1) 25 days storage, for a vehicle described in section 168B.051, subdivision 1; ~~and~~
- (2) 15 days storage, for a vehicle described in section 168B.051, subdivision 1a; and
- (3) 55 days storage, for a vehicle described in section 168B.051, subdivision 2.

(c) A public impound lot operator is prohibited from:

- (1) filing a deficiency claim against a registered owner whom the operator knows:
 - (i) is homeless;
 - (ii) receives relief based on need, as defined in section 168B.07; or

14.1 (iii) has a household income at or below 50 percent of state median income; or
14.2 (2) recovering a deficiency from a registered owner who demonstrates that the
14.3 owner, at the time the deficiency claim was filed:
14.4 (i) was homeless;
14.5 (ii) received relief based on need, as defined in section 168B.07; or
14.6 (iii) had a household income at or below 50 percent of state median income.

14.7 Sec. 20. Minnesota Statutes 2006, section 169.01, is amended by adding a subdivision
14.8 to read:

14.9 Subd. 7a. **Spotter truck.** "Spotter truck" means a truck-tractor with a manufacturer's
14.10 certificate of origin "not for on road use" specification, used exclusively for staging or
14.11 shuttling trailers in the course of a truck freight operation or freight shipping operation.

14.12 **EFFECTIVE DATE.** This section is effective the day following final enactment
14.13 and expires June 30, 2013.

14.14 Sec. 21. Minnesota Statutes 2006, section 169.01, subdivision 55, is amended to read:

14.15 Subd. 55. **Implement of husbandry.** "Implement of husbandry" ~~has the meaning~~
14.16 ~~given in section 168A.01, subdivision 8~~ means a self-propelled or towed vehicle designed
14.17 or adapted to be used exclusively for timber-harvesting, agricultural, horticultural, or
14.18 livestock-raising operations.

14.19 Sec. 22. Minnesota Statutes 2006, section 169.01, subdivision 76, is amended to read:

14.20 Subd. 76. **Hazardous materials.** "Hazardous materials" means ~~those materials~~
14.21 ~~found to be hazardous for the purposes of the federal Hazardous Materials Transportation~~
14.22 ~~Act and that require the motor vehicle~~ any material that has been designated as hazardous
14.23 under United States Code, title 49, section 5103, and is required to be placarded under
14.24 Code of Federal Regulations, title 49, ~~parts 100-185~~ part 172, subpart F, or any quantity of
14.25 a material listed as a select agent or toxin in Code of Federal Regulations, title 42, part 73.

14.26 Sec. 23. Minnesota Statutes 2006, section 169.01, is amended by adding a subdivision
14.27 to read:

14.28 Subd. 93.

