

S.F. No. 1097 and H.F. No. 192, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

The following document shows the differences between S.F. No. 1097, the second engrossment, and H.F. No. 192, the first engrossment.

May 3, 2018

Patrick D. Murphy
Chief Clerk, House of Representatives

Explanation of Comparison Reports

When a Senate File is received from the Senate, it is given its first reading and must be referred to the appropriate standing committee or division under Rule 1.11.

But if the House File companion of that Senate File has already been reported out of Committee and given its second reading and is on the General Register, the Senate File must be referred to the Chief Clerk for comparison pursuant to Rule 1.15.

The Chief Clerk reports whether the bills were found to be identical or not identical. Once the bills have been compared and the differences have been reported, the Senate File is given its second reading and is substituted for the House File. The House File is then considered withdrawn.

Pursuant to rule 3.33, if the bills are not identical and the chief author of the bill wishes to use the House language, the chief author must give notice of their intent to substitute the House language when the bill is placed on the Calendar for the Day or the Fiscal Calendar. If the chief author of the bill wishes to keep the Senate language, no action is required.

1.1 A bill for an act
 1.2 relating to public safety; enhancing penalties and establishing minimum fines for
 1.3 repeat violations of driving without a valid license; amending Minnesota Statutes
 1.4 2016, section 171.24.

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

1.6 Section 1. Minnesota Statutes 2016, section 171.24, is amended to read:
 1.7 **171.24 VIOLATIONS; DRIVING WITHOUT VALID LICENSE.**

1.8 Subdivision 1. **Driving after suspension; misdemeanor.** Except as otherwise provided
 1.9 in subdivision 5, a person is guilty of a misdemeanor if:

1.10 (1) the person's driver's license or driving privilege has been suspended;
 1.11 (2) the person has been given notice of or reasonably should know of the suspension;
 1.12 and

1.13 (3) the person disobeys the order by operating in this state any motor vehicle, the
 1.14 operation of which requires a driver's license, while the person's license or privilege is
 1.15 suspended.

1.16 Subd. 2. **Driving after revocation; misdemeanor.** Except as otherwise provided in
 1.17 subdivision 5, a person is guilty of a misdemeanor if:

1.18 (1) the person's driver's license or driving privilege has been revoked;
 1.19 (2) the person has been given notice of or reasonably should know of the revocation;
 1.20 and

2.1 (3) the person disobeys the order by operating in this state any motor vehicle, the
 2.2 operation of which requires a driver's license, while the person's license or privilege is
 2.3 revoked.

2.4 Subd. 3. **Driving after cancellation; misdemeanor.** Except as otherwise provided in
 2.5 subdivision 5, a person is guilty of a misdemeanor if:

2.6 (1) the person's driver's license or driving privilege has been canceled;
 2.7 (2) the person has been given notice of or reasonably should know of the cancellation;
 2.8 and

2.9 (3) the person disobeys the order by operating in this state any motor vehicle, the
 2.10 operation of which requires a driver's license, while the person's license or privilege is
 2.11 canceled.

2.12 Subd. 4. **Driving after disqualification; misdemeanor.** Except as otherwise provided
 2.13 in subdivision 5, a person is guilty of a misdemeanor if the person:

2.14 (1) has been disqualified from holding a commercial driver's license or been denied the
 2.15 privilege to operate a commercial motor vehicle;

1.1 A bill for an act
 1.2 relating to public safety; enhancing penalties and establishing minimum fines for
 1.3 repeat violations of driving without a valid license; amending Minnesota Statutes
 1.4 2016, section 171.24.

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

1.6 Section 1. Minnesota Statutes 2016, section 171.24, is amended to read:
 1.7 **171.24 VIOLATIONS; DRIVING WITHOUT VALID LICENSE.**

1.8 Subdivision 1. **Driving after suspension; misdemeanor.** Except as otherwise provided
 1.9 in subdivision 5, a person is guilty of a misdemeanor if:

1.10 (1) the person's driver's license or driving privilege has been suspended;
 1.11 (2) the person has been given notice of or reasonably should know of the suspension;
 1.12 and

1.13 (3) the person disobeys the order by operating in this state any motor vehicle, the
 1.14 operation of which requires a driver's license, while the person's license or privilege is
 1.15 suspended.

1.16 Subd. 2. **Driving after revocation; misdemeanor.** Except as otherwise provided in
 1.17 subdivision 5, a person is guilty of a misdemeanor if:

1.18 (1) the person's driver's license or driving privilege has been revoked;
 1.19 (2) the person has been given notice of or reasonably should know of the revocation;
 1.20 and

2.1 (3) the person disobeys the order by operating in this state any motor vehicle, the
 2.2 operation of which requires a driver's license, while the person's license or privilege is
 2.3 revoked.

2.4 Subd. 3. **Driving after cancellation; misdemeanor.** Except as otherwise provided in
 2.5 subdivision 5, a person is guilty of a misdemeanor if:

2.6 (1) the person's driver's license or driving privilege has been canceled;
 2.7 (2) the person has been given notice of or reasonably should know of the cancellation;
 2.8 and

2.9 (3) the person disobeys the order by operating in this state any motor vehicle, the
 2.10 operation of which requires a driver's license, while the person's license or privilege is
 2.11 canceled.

2.12 Subd. 4. **Driving after disqualification; misdemeanor.** Except as otherwise provided
 2.13 in subdivision 5, a person is guilty of a misdemeanor if the person:

2.14 (1) has been disqualified from holding a commercial driver's license or been denied the
 2.15 privilege to operate a commercial motor vehicle;

2.16 (2) has been given notice of or reasonably should know of the disqualification; and
 2.17 (3) disobeys the order by operating in this state a commercial motor vehicle while the
 2.18 person is disqualified to hold the license or privilege.

2.19 Subd. 5. **Gross misdemeanor violations.** (a) A person is guilty of a gross misdemeanor
 2.20 if:

2.21 (1) the person's driver's license or driving privilege has been canceled or denied under
 2.22 section 171.04, subdivision 1, clause (10);

2.23 (2) the person has been given notice of or reasonably should know of the cancellation
 2.24 or denial; and

2.25 (3) the person disobeys the order by operating in this state any motor vehicle, the
 2.26 operation of which requires a driver's license, while the person's license or privilege is
 2.27 canceled or denied.

2.28 (b) A person is guilty of a gross misdemeanor if the person:

2.29 (1) violates this section and causes a collision resulting in substantial bodily harm, as
 2.30 defined in section 609.02, subdivision 7a, or death to another; or

3.1 (2) violates this section within ten years of the first of two prior convictions under this
 3.2 section;
 3.3 and at the time of the violation the person's driver's license or driving privilege has been
 3.4 suspended, revoked, or canceled or the person has been disqualified from holding a
 3.5 commercial driver's license or been denied the privilege to operate a commercial motor
 3.6 vehicle:

3.7 (i) pursuant to section 169.89, subdivision 5; 169A.52; 169A.54; 171.05, subdivision
 3.8 2b, paragraph (d); 171.13, subdivision 3 or 4; 171.17, subdivision 1, clause (1) or (10);
 3.9 171.177; 171.18, subdivision 1, clause (2), (3), (4), (5), or (11); 171.32; or 260B.225,
 3.10 subdivision 9; or a violation of section 169.13; 169.21; 169.444; 609.19, subdivision 1,
 3.11 clause (2); or 609.487, subdivisions 3 to 5; or any violation of chapter 169A; or

3.12 (ii) pursuant to a law from another state similar to those described in item (i).

3.13 Subd. 6. **Responsibility for prosecution.** (a) The attorney in the jurisdiction in which
 3.14 the violation occurred who is responsible for prosecution of misdemeanor violations of this
 3.15 section is also responsible for prosecution of gross misdemeanor violations of this section.

3.16 (b) Nothing in this section or section 609.035 or 609.04 shall limit the power of the state
 3.17 to prosecute or punish a person for conduct that constitutes any other crime under any other
 3.18 law of this state.

3.19 Subd. 7. **Sufficiency of notice.** (a) Notice of revocation, suspension, cancellation, or
 3.20 disqualification is sufficient if personally served, or if mailed by first class mail to the
 3.21 person's last known address or to the address listed on the person's driver's license. Notice
 3.22 is also sufficient if the person was informed that revocation, suspension, cancellation, or

2.16 (2) has been given notice of or reasonably should know of the disqualification; and
 2.17 (3) disobeys the order by operating in this state a commercial motor vehicle while the
 2.18 person is disqualified to hold the license or privilege.

2.19 Subd. 5. **Gross misdemeanor violations.** (a) A person is guilty of a gross misdemeanor
 2.20 if:

2.21 (1) the person's driver's license or driving privilege has been canceled or denied under
 2.22 section 171.04, subdivision 1, clause (10);

2.23 (2) the person has been given notice of or reasonably should know of the cancellation
 2.24 or denial; and

2.25 (3) the person disobeys the order by operating in this state any motor vehicle, the
 2.26 operation of which requires a driver's license, while the person's license or privilege is
 2.27 canceled or denied.

2.28 (b) A person is guilty of a gross misdemeanor if the person:

2.29 (1) violates this section;
 2.30 (i) and causes a collision resulting in substantial bodily harm, as defined in section
 2.31 609.02, subdivision 7a, or death to another; or

3.1 (ii) within ten years of the first of two prior convictions under this section; and
 3.2 (2) at the time of the violation the person's driver's license or driving privilege has been
 3.3 suspended, revoked, or canceled or the person has been disqualified from holding a
 3.4 commercial driver's license or been denied the privilege to operate a commercial motor
 3.5 vehicle:

3.6 (i) pursuant to section 169.89, subdivision 5; 169A.52; 169A.54; 171.05, subdivision
 3.7 2b, paragraph (d); 171.13, subdivision 3 or 4; 171.17, subdivision 1, clause (1) or (10);
 3.8 171.177; 171.18, subdivision 1, clause (2), (3), (4), (5), or (11); 171.32; or 260B.225,
 3.9 subdivision 9; or a violation of section 169.13; 169.21; 169.444; 609.19, subdivision 1,
 3.10 clause (2); or 609.487, subdivisions 3 to 5; or any violation of chapter 169A; or

3.11 (ii) pursuant to a law from another state similar to those described in item (i).

3.12 Subd. 6. **Responsibility for prosecution.** (a) The attorney in the jurisdiction in which
 3.13 the violation occurred who is responsible for prosecution of misdemeanor violations of this
 3.14 section is also responsible for prosecution of gross misdemeanor violations of this section.

3.15 (b) Nothing in this section or section 609.035 or 609.04 shall limit the power of the state
 3.16 to prosecute or punish a person for conduct that constitutes any other crime under any other
 3.17 law of this state.

3.18 Subd. 7. **Sufficiency of notice.** (a) Notice of revocation, suspension, cancellation, or
 3.19 disqualification is sufficient if personally served, or if mailed by first class mail to the
 3.20 person's last known address or to the address listed on the person's driver's license. Notice
 3.21 is also sufficient if the person was informed that revocation, suspension, cancellation, or
 3.22

- 3.23 disqualification would be imposed upon a condition occurring or failing to occur, and where
3.24 the condition has in fact occurred or failed to occur.
- 3.25 (b) It is not a defense that a person failed to file a change of address with the post office,
3.26 or failed to notify the Department of Public Safety of a change of name or address as required
3.27 under section 171.11.
- 3.28 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to offenses
3.29 committed on or after that date.

- 3.22 disqualification would be imposed upon a condition occurring or failing to occur, and where
3.23 the condition has in fact occurred or failed to occur.
- 3.24 (b) It is not a defense that a person failed to file a change of address with the post office,
3.25 or failed to notify the Department of Public Safety of a change of name or address as required
3.26 under section 171.11.
- 3.27 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to offenses
3.28 committed on or after that date.