

A bill for an act

relating to crimes; providing penalty for careless driving resulting in death; providing for revocation of violator's driver's license; amending Minnesota Statutes 2008, sections 169.13, by adding a subdivision; 171.17, subdivision 1; 171.30, subdivision 2a.

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

Section 1. Minnesota Statutes 2008, section 169.13, is amended by adding a subdivision to read:

Subd. 4. Careless driving resulting in death. (a) A person who drives, operates, or halts a vehicle anywhere in this state, carelessly or heedlessly in disregard of the rights or safety of others, including the driver or passenger of the vehicle, which results in the death of any person is guilty of a gross misdemeanor.

(b) Notwithstanding section 609.035 or 609.04 or other law to the contrary, a prosecution for or a conviction, juvenile adjudication, or finding of a violation of this section is not a bar to a conviction, juvenile adjudication, finding of a violation, or punishment for any other crime, delinquent act, or juvenile petty offense as part of the same conduct.

(c) The court may not stay the execution of the driver's license revocation provisions of section 171.17, subdivision 1, paragraph (a), clause (9), or section 171.30, subdivision 2a, clause (4), resulting from a violation of paragraph (a).

Sec. 2. Minnesota Statutes 2008, section 171.17, subdivision 1, is amended to read:

Subdivision 1. **Offenses.** (a) The department shall immediately revoke the license of a driver upon receiving a record of the driver's conviction of:

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(1) manslaughter resulting from the operation of a motor vehicle or criminal vehicular homicide or injury under section 609.21;

(2) a violation of section 169A.20 or 609.487;

(3) a felony in the commission of which a motor vehicle was used;

(4) failure to stop and disclose identity and render aid, as required under section 169.09, in the event of a motor vehicle accident, resulting in the death or personal injury of another;

(5) perjury or the making of a false affidavit or statement to the department under any law relating to the ownership or operation of a motor vehicle;

(6) except as this section otherwise provides, three charges of violating within a period of 12 months any of the provisions of chapter 169 or of the rules or municipal ordinances enacted in conformance with chapter 169, for which the accused may be punished upon conviction by imprisonment;

(7) two or more violations, within five years, of the misdemeanor offense described in section 169.444, subdivision 2, paragraph (a);

(8) the gross misdemeanor offense described in section 169.444, subdivision 2, paragraph (b);

(9) a violation of an offense described in section 169.13, subdivision 4, which must be revoked for one year;

~~(9)~~ (10) an offense in another state that, if committed in this state, would be grounds for revoking the driver's license; or

~~(10)~~ (11) a violation of an applicable speed limit by a person driving in excess of 100 miles per hour. ~~The person's license, which must be revoked for six months for a violation of this clause,~~ or for a longer minimum period of time applicable under section 169A.53, 169A.54, or 171.174.

(b) The department shall immediately revoke the school bus endorsement of a driver upon receiving a record of the driver's conviction of the misdemeanor offense described in section 169.443, subdivision 7.

Sec. 3. Minnesota Statutes 2008, section 171.30, subdivision 2a, is amended to read:

Subd. 2a. **Other waiting periods.** Notwithstanding subdivision 2, a limited license shall not be issued for a period of:

(1) 15 days, to a person whose license or privilege has been revoked or suspended for a violation of section 169A.20, sections 169A.50 to 169A.53, or a statute or ordinance from another state in conformity with either of those sections;

(2) 90 days, to a person who submitted to testing under sections 169A.50 to 169A.53 if the person's license or privilege has been revoked or suspended for a second violation within ten years or a third or subsequent violation of section 169A.20, sections 169A.50 to 169A.53, or a statute or ordinance from another state in conformity with either of those sections;

(3) 180 days, to a person who refused testing under sections 169A.50 to 169A.53 if the person's license or privilege has been revoked or suspended for a second violation within ten years or a third or subsequent violation of sections 169A.20, 169A.50 to 169A.53, or a statute or ordinance from another state in conformity with either of those sections; ~~or~~

(4) 180 days, to a person whose license or privilege has been revoked for violating section 169.13, subdivision 4, for committing careless driving resulting in death, or a statute or ordinance from another state in conformity with that section, and then only upon the written recommendation of district or juvenile court; or

~~(4)~~ (5) one year, to a person whose license or privilege has been revoked or suspended for committing manslaughter resulting from the operation of a motor vehicle, committing criminal vehicular homicide or injury under section 609.21, or violating a statute or ordinance from another state in conformity with either of those offenses.