

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 221

(SENATE AUTHORS: LATZ)

DATE
01/17/2019

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OFFICIAL STATUS
Introduction and first reading
Referred to Judiciary and Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to driving while impaired; modifying how license plates are impounded
1.3 and reissued under the DWI law; providing criminal penalties; amending Minnesota
1.4 Statutes 2018, sections 169A.37, subdivision 1; 169A.60, subdivisions 4, 5.

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

1.6 Section 1. Minnesota Statutes 2018, section 169A.37, subdivision 1, is amended to read:

1.7 Subdivision 1. **Crime described.** It is a crime for a person:

1.8 (1) to fail to comply with an impoundment order under section 169A.60 (administrative
1.9 plate impoundment);

1.10 (2) to file a false statement under section 169A.60, subdivision 7, 8, or 14;

1.11 (3) to operate a self-propelled motor vehicle on a street or highway when the vehicle is
1.12 subject to an impoundment order issued under section 169A.60, unless specially coded
1.13 plates have been issued for the vehicle pursuant to section 169A.60, subdivision 13;

1.14 (4) to fail to notify the commissioner of the impoundment order when requesting new
1.15 plates;

1.16 (5) who is subject to a plate impoundment order under section 169A.60, to drive, operate,
1.17 or be in control of any motor vehicle during the impoundment period, unless the vehicle is
1.18 employer-owned and is not required to be equipped with an ignition interlock device pursuant
1.19 to section 171.306, subdivision 4, paragraph (b), or Laws 2013, chapter 127, section 70, or
1.20 has specially coded plates issued pursuant to section 169A.60, subdivision 13, and the person
1.21 is validly licensed to drive; ~~or~~

2.1 (6) who is the transferee of a motor vehicle and who has signed a sworn statement under
 2.2 section 169A.60, subdivision 14, to allow the previously registered owner to drive, operate,
 2.3 or be in control of the vehicle during the impoundment period; or

2.4 (7) to intentionally remove all or a portion of or to otherwise obliterate or damage a
 2.5 permanent sticker affixed on and invalidating a registration plate under section 169A.60,
 2.6 subdivision 4.

2.7 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to crimes
 2.8 committed on or after that date.

2.9 Sec. 2. Minnesota Statutes 2018, section 169A.60, subdivision 4, is amended to read:

2.10 Subd. 4. **Peace officer as agent for notice of impoundment.** On behalf of the
 2.11 commissioner, a peace officer issuing a notice of intent to revoke and of revocation for a
 2.12 plate impoundment violation shall also serve a notice of intent to impound and an order of
 2.13 impoundment. On behalf of the commissioner, a peace officer who is arresting a person for
 2.14 or charging a person with a plate impoundment violation described in subdivision 1,
 2.15 paragraph (d), clause (5), shall also serve a notice of intent to impound and an order of
 2.16 impoundment. If the vehicle involved in the plate impoundment violation is accessible to
 2.17 the officer at the time the impoundment order is issued, the officer shall seize the registration
 2.18 plates subject to the impoundment order. The officer shall destroy all plates seized or
 2.19 impounded under this section. Alternatively, the officer may invalidate the plates by affixing
 2.20 a permanent sticker on them. The officer shall send to the commissioner copies of the notice
 2.21 of intent to impound and the order of impoundment and a notice that registration plates
 2.22 impounded and seized under this section have been destroyed or have been affixed with the
 2.23 permanent sticker.

2.24 Sec. 3. Minnesota Statutes 2018, section 169A.60, subdivision 5, is amended to read:

2.25 Subd. 5. **Temporary permit.** If the motor vehicle is registered to the violator and the
 2.26 plate impoundment violation is predicated on the results of a chemical test of the violator's
 2.27 breath or on a refusal to submit to a chemical test, the officer shall issue a temporary vehicle
 2.28 permit that is valid for ~~seven~~ 14 days when the officer issues the notices under subdivision
 2.29 4. The temporary permit is valid for 45 days if the violator submits to a chemical test of
 2.30 the violator's blood or urine. If the motor vehicle is registered in the name of another, the
 2.31 officer shall issue a temporary vehicle permit that is valid for 45 days when the notices are
 2.32 issued under subdivision 3. The permit must be in a form determined by the registrar and

- 3.1 whenever practicable must be posted on the left side of the inside rear window of the vehicle.
- 3.2 A permit is valid only for the vehicle for which it is issued.