

This Document can be made available in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 2484

03/08/2016 Authored by Anderson, M.; Draskowski and Dettmer
The bill was read for the first time and referred to the Committee on Transportation Policy and Finance

1.1 A bill for an act
1.2 relating to public safety; modifying the punishment available for certain traffic
1.3 regulation convictions; amending Minnesota Statutes 2014, sections 169.89,
1.4 subdivision 2; 171.18, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2014, section 169.89, subdivision 2, is amended to read:

1.7 Subd. 2. **Petty misdemeanor penalty; no jury trial.** A person charged with a petty
1.8 misdemeanor is not entitled to a jury trial but shall be tried by a judge without a jury. If
1.9 convicted, the person is not subject to imprisonment but ~~shall be punished by a fine of~~
1.10 ~~not more than \$300~~ must select one of two possible punishments: (1) eight hours of
1.11 community service; or (2) driver's license suspension for one day. For a second and each
1.12 subsequent conviction under this subdivision, the punishment duration available must
1.13 consist of twice as many hours or days as the punishment duration available at the time
1.14 of the most recent preceding conviction.

1.15 **EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to
1.16 violations committed on or after that date.

1.17 Sec. 2. Minnesota Statutes 2014, section 171.18, subdivision 1, is amended to read:

1.18 Subdivision 1. **Offenses.** (a) The commissioner may suspend the license of a driver
1.19 without preliminary hearing upon a showing by department records or other sufficient
1.20 evidence that the licensee:

1.21 (1) has committed an offense for which mandatory revocation of license is required
1.22 upon conviction;

2.1 (2) has been convicted by a court for violating a provision of chapter 169 or
 2.2 an ordinance regulating traffic, other than a conviction for a petty misdemeanor, and
 2.3 department records show that the violation contributed in causing an accident resulting in
 2.4 the death or personal injury of another, or serious property damage;

2.5 (3) is an habitually reckless or negligent driver of a motor vehicle;

2.6 (4) is an habitual violator of the traffic laws;

2.7 (5) is incompetent to drive a motor vehicle as determined in a judicial proceeding;

2.8 (6) has permitted an unlawful or fraudulent use of the license;

2.9 (7) has committed an offense in another state that, if committed in this state, would
 2.10 be grounds for suspension;

2.11 (8) has committed a violation of section 169.444, subdivision 2, paragraph (a),
 2.12 within five years of a prior conviction under that section;

2.13 (9) has committed a violation of section 171.22, except that the commissioner may
 2.14 not suspend a person's driver's license based solely on the fact that the person possessed a
 2.15 fictitious or fraudulently altered Minnesota identification card;

2.16 (10) has failed to appear in court as provided in section 169.92, subdivision 4;

2.17 (11) has failed to report a medical condition that, if reported, would have resulted in
 2.18 cancellation of driving privileges;

2.19 (12) has been found to have committed an offense under section 169A.33; ~~or~~

2.20 (13) has paid or attempted to pay a fee required under this chapter for a license or
 2.21 permit by means of a dishonored check issued to the state or a driver's license agent,
 2.22 which must be continued until the registrar determines or is informed by the agent that the
 2.23 dishonored check has been paid in full; or

2.24 (14) has been convicted of a petty misdemeanor by a court for violating a provision
 2.25 of chapter 169 or an ordinance regulating traffic, as provided in section 169.89, subdivision
 2.26 2, clause (2).

2.27 However, an action taken by the commissioner under clause (2) or (5) must conform to the
 2.28 recommendation of the court when made in connection with the prosecution of the licensee.

2.29 (b) The commissioner may not suspend the driver's license of an individual under
 2.30 paragraph (a) who was convicted of a violation of section 171.24, subdivision 1, whose
 2.31 license was under suspension at the time solely because of the individual's failure to
 2.32 appear in court or failure to pay a fine.

2.33 **EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to
 2.34 violations committed on or after that date.