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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3719

03/30/2016 Authored by Mullery

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 transportation; allowing towing of vehicle involved in a collision
1.3 where operator is cited for driving without a license or insurance; creating gross
1.4 misdemeanor for multiple violations of driving without a valid license; amending
1.5 Minnesota Statutes 2014, sections 168B.035, subdivision 3; 171.24, subdivision
1.6 5.

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

1.8 Section 1. Minnesota Statutes 2014, section 168B.035, subdivision 3, is amended to
1.9 read:

1.10 Subd. 3. **Towing prohibited.** (a) A towing authority may not tow a motor vehicle
1.11 because:

1.12 (1) the vehicle has expired registration tabs that have been expired for less than
1.13 90 days; or

1.14 (2) the vehicle is at a parking meter on which the time has expired and the vehicle
1.15 has fewer than five unpaid parking tickets.

1.16 (b) A towing authority may tow a motor vehicle, notwithstanding paragraph (a), if:

1.17 (1) the vehicle is parked in violation of snow emergency regulations;

1.18 (2) the vehicle is parked in a rush-hour restricted parking area;

1.19 (3) the vehicle is blocking a driveway, alley, or fire hydrant;

1.20 (4) the vehicle is parked in a bus lane, or at a bus stop, during hours when parking
1.21 is prohibited;

1.22 (5) the vehicle is parked within 30 feet of a stop sign and visually blocking the
1.23 stop sign;

1.24 (6) the vehicle is parked in a disability transfer zone or disability parking space
1.25 without a disability parking certificate or disability license plates;

2.1 (7) the vehicle is parked in an area that has been posted for temporary restricted
 2.2 parking (i) at least 12 hours in advance in a home rule charter or statutory city having a
 2.3 population under 50,000, or (ii) at least 24 hours in advance in another political subdivision;

2.4 (8) the vehicle is parked within the right-of-way of a controlled-access highway or
 2.5 within the traveled portion of a public street when travel is allowed there;

2.6 (9) the vehicle is unlawfully parked in a zone that is restricted by posted signs to
 2.7 use by fire, police, public safety, or emergency vehicles;

2.8 (10) the vehicle is unlawfully parked on property at the Minneapolis-St. Paul
 2.9 International Airport owned by the Metropolitan Airports Commission;

2.10 (11) a law enforcement official has probable cause to believe that the vehicle is
 2.11 stolen, or that the vehicle constitutes or contains evidence of a crime and impoundment is
 2.12 reasonably necessary to obtain or preserve the evidence;

2.13 (12) the driver, operator, or person in physical control of the vehicle is taken into
 2.14 custody and the vehicle is impounded for safekeeping;

2.15 (13) a law enforcement official has probable cause to believe that the owner,
 2.16 operator, or person in physical control of the vehicle has failed to respond to five or more
 2.17 citations for parking or traffic offenses;

2.18 (14) the vehicle is unlawfully parked in a zone that is restricted by posted signs
 2.19 to use by taxicabs;

2.20 (15) the vehicle is unlawfully parked and prevents egress by a lawfully parked vehicle;

2.21 (16) the vehicle is parked, on a school day during prohibited hours, in a school zone
 2.22 on a public street where official signs prohibit parking; ~~or~~

2.23 (17) the vehicle is a junk, abandoned, or unauthorized vehicle, as defined in section
 2.24 168B.011, and subject to immediate removal under this chapter; or

2.25 (18) the vehicle is involved in a traffic incident involving a collision or accident and
 2.26 the operator is cited for a violation under section 169.791, 169.797, or 171.24.

2.27 **EFFECTIVE DATE.** This section is effective June 1, 2016.

2.28 Sec. 2. Minnesota Statutes 2014, section 171.24, subdivision 5, is amended to read:

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

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

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

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

3.4 (b) A person is guilty of a gross misdemeanor if the person violates this section
3.5 within ten years of the first of two prior convictions under this section.

3.6 **EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to crimes
3.7 committed on or after that date.