

## CHAPTER 427—S. F. No. 466

*An act relating to chauffeurs' licenses and amending Mason's Supplement 1940, Section 2712-5 and Section 2712-6.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Law amended.**—Mason's Supplement 1940, Section 2712-5 is hereby amended so as to read as follows:

2712-5. **Application and examinations.**—Applications for examination and license hereunder shall be in writing upon such forms and shall contain such needed information as the secretary of state may prescribe, and shall be accompanied by the payment of an examination and license fee of one dollar and fifty cents, except that the fee for a renewal license shall be one dollar. The state treasurer shall maintain a separate fund known as a chauffeurs' license fund, in which all fees so received shall be credited, and the amount necessary for payment of salaries and expenses in connection with this act is hereby appropriated. No fees, *except over-payments*, that have been paid into this fund shall be refunded, but the secretary of state in his discretion, upon proper application within three months thereafter, may grant one re-examination without additional fee to a person who has been refused a license on a previous application. *Refunds of over-payments shall be made in the manner provided by law for making refunds and paid out of the chauffeurs' license fund.* Any balance remaining in this fund at the end of the calendar year, after the payment of employees' salaries and other expenses of the license division, shall be transferred to and deposited in the general fund.

Sec. 2. **Law amended.**—Mason's Supplement 1940, Section 2712-6 is hereby amended so as to read as follows:

2712-6. **Revocation of licenses.**—For sufficient cause upon complaint and after hearing, or upon report of conviction by any court in this state of violation of any provision of the Highway Traffic Regulation Act, *or a municipal traffic ordinance, or upon report of conviction of any offense in any other State or in any Province of the Dominion of Canada, which, if committed in this State, would be cause for revocation*, the Secretary of State may revoke the license of any chauffeur who, in the judgment of the secretary of state, should not be permitted to continue as a licensed chauffeur, *provided, however, that if a licensed chauffeur is convicted in this state of a major offense, revocation by the secretary of state of his chauffeur's license shall be mandatory. For the purposes of*

*this section, the term "major offense" shall be used to refer to any of the following offenses:*

- (a) Manslaughter resulting from the operation of a motor vehicle;
- (b) Driving a vehicle while under the influence of intoxicating liquor or narcotic drug;
- (c) Any crime punishable as a felony under the motor vehicle laws of this state or any other felony in the commission of which a motor vehicle is used;
- (d) Forfeiture of bail upon three charges of reckless driving all within the preceding twelve months;
- (e) *Failure of a driver of a motor vehicle involved in an accident to stop and disclose his identity at the scene of an accident resulting in the death or injury of a person.*

*Whenever a person is brought before any court charged with a "major offense", whether the charge be under state law or municipal ordinance, the court shall, before accepting a plea of guilty or entertaining a judgment of conviction pursuant thereto, inform the defendant that upon conviction not only will he be liable to a penalty, but the chauffeur's license that he may have must be revoked. Whenever in any court a licensed chauffeur is convicted of any violation of the Highway Traffic Regulation Act, or a municipal traffic ordinance, the court shall promptly report such conviction to the secretary of state together with any recommendations that the court may wish to make with reference to the chauffeur's license. Whenever the offense of which the licensed chauffeur is convicted is a "major offense" the court shall, as a part of the penalty, order the convicted chauffeur to return his chauffeur's badge promptly to the secretary of state. Failure on the part of a chauffeur to return the badge promptly to the secretary of state as ordered by the court shall constitute "contempt of court." The revocation of a chauffeur's license upon his conviction of a "major offense" shall be for a period of three, six, nine, or twelve months, the length of the period to be in each particular case as recommended by the court on the basis of the seriousness of the offense and the interest of public safety and welfare.*

When at least three months of a period for which a chauffeur's license has been revoked *have elapsed*, and if the chauffeur's livelihood depends upon his employment as a licensed chauffeur, the secretary of state may, upon recommendation

by the court *in which the chauffeur was convicted*, issue a limited license to such chauffeur *on condition that proof of financial responsibility covering the vehicle or vehicles to be operated shall be filed in accordance with the provisions of the financial responsibility act*. The secretary of state in issuing such limited license may impose such conditions and limitations as in his judgment are necessary in the interest of public safety and welfare, including *re-examination as to the chauffeur's qualifications*. Such license may be limited to the operation of particular vehicles, to particular classes of operation, and to particular conditions of traffic.

The badge, issued as evidence of a limited chauffeur's license, shall be of a special design to distinguish it from the regular unlimited chauffeur's license and, for the information of enforcement officers, the chauffeur operating under such license shall carry on his person at all times when operating a motor vehicle, a certificate issued by the secretary of state indicating the limitations of such license. *Such a limited chauffeur's license may also be issued by the secretary of state when in his judgment the privileges of a chauffeur should be limited in that manner because of convictions of other than major offenses against traffic laws or ordinances or other conditions pertaining to the chauffeur's qualifications.*

Approved April 24, 1941.

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CHAPTER 428—S. F. No. 509

*An act to repeal Mason's Supplement 1940, Section 2139-2, relating to attacking the validity of tax sales of real estate.*

Be it enacted by the Legislature of the State of Minnesota:

**Law repealed.**—Mason's Supplement 1940, Section 2139-2 is hereby repealed. Provided, that the repeal of this section shall not be construed as affecting any pending actions.

Approved April 24, 1941.

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CHAPTER 429—S. F. No. 618

*An act relating to income taxes and amending Session Laws 1933, Chapter 405, as amended.*

Be it enacted by the Legislature of the State of Minnesota: