

\$275,986.88 heretofore appropriated, totals \$600,000, the latter sum to constitute the state compensation revolving fund and to be used and maintained as herein provided.

Approved April 23, 1955.

CHAPTER 745—H. F. No. 801

[Coded in Part]

An act relating to the giving of proof of financial responsibility by owners and drivers of motor vehicles; amending Minnesota Statutes 1953, Section 170.22, Section 170.27, Section 170.30, Subdivision 1, Section 170.28.

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

Section 1. Minnesota Statutes 1953, Section 170.22, is amended by adding a new subdivision to read:

[Subd. 3.] *Whenever the department is authorized to require to give any notice under this act, such notice shall be given either by personal delivery thereof to the person to be so notified or by deposit in the United States mail of such notice in an envelope with postage prepaid, addressed to such person at his address as shown by the records of the department. The giving of notice by mail is complete upon the expiration of 4 days after such deposit of said notice. Proof of the giving of notice in either such manner may be made by the certificate of any officer or [or] employee of the department or affidavit of any person over 18 years of age, naming the person to whom such notice was given and specifying the time, place and manner of the giving thereof.*

Sec. 2. Minnesota Statutes 1953, Section 170.27, is amended to read:

170.27 License, release from suspension or renewal. The license or non-resident's operating privilege suspended as provided in section 170.25 shall remain so suspended and shall not be renewed nor shall any such license be issued to such person until

(1) Such person shall deposit or there shall be deposited on his behalf the security required under section 170.25; or

(2) Thirteen months shall have elapsed following the date of such accident and no notice having been filed with the commissioner by any claimant within 13 months from the date of accident of any action commenced by any party in in-

terest within one year from the date of the accident by service of summons or counterclaim within such one year period. The notice to the commissioner shall include a copy of the summons and complaint or answer together with proof of service thereof; or

(3) Evidence satisfactory to the commissioner has been filed with him of a release from liability, or a final adjudication of non-liability, or a confession of judgment, or a duly acknowledged written agreement, in accordance with section 170.26, subdivision 4; provided, in the event there shall be any default in the payment of any instalment under any confession of judgment, then upon notice of such default, the commissioner shall forthwith suspend the license or non-resident's operating privilege of such person defaulting which shall not be restored unless and until the entire amount provided for in said confession of judgment has been paid; and provided further, that in the event there shall be any default in the payment of any instalment under any duly acknowledged written agreement, then, upon notice of such default, the commissioner shall forthwith suspend the license or non-resident's operating privilege of such person defaulting which shall not be restored unless and until such person deposits and thereafter maintains security as required under section 170.25 in such amount as the commissioner may then determine, or one year shall have elapsed following the date when such security was required and during such period no action upon such agreement has been instituted in a court in this state.

Sec. 3. Minnesota Statutes 1953, Section 170.30, Subdivision 1, is amended to read:

170.30 Release, security deposited with state treasurer.
Subdivision 1. Security deposited in compliance with the requirements of this act shall be placed by the commissioner in the custody of the state treasurer and shall be applied as in subdivision 2 only to the payment of a judgment rendered against the person on whose behalf the deposit was made, for damages arising out of the accident in question in an action at law, begun not later than one year after the date of such accident, or within one year after the date of deposit of any security under section 170.27, clause 3, and such deposit or any balance thereof shall be returned to the depositor or his personal representative, when evidence satisfactory to the commissioner has been filed with him that there has been a release from liability, or a final adjudication of non-liability, or a confession of judgment, or a duly acknowledged agreement, in accordance with section 170.26, clause 4, or whenever

after the expiration of *thirteen months* from the date of the accident, or *thirteen months* after the date of deposit of any security under section 170.27, clause 3, *provided no notice has been filed with the commissioner by any claimant of any action commenced by any party in interest within one year from the date of the accident by service or summons or counterclaim within such one-year period. The notice to the commissioner shall include a copy of the summons and complaint or answer together with proof of service thereof.* Upon certification by the commissioner the state treasurer shall return any security deposited with him under the provisions of this chapter to the person entitled thereto.

Sec. 4. Minnesota Statutes 1953, Section 170.28, is amended to read:

170.28 Unlicensed driver or owner. *Subdivision 1.* In case the driver or the owner of a motor vehicle involved in an accident within this state has no license, he shall not be allowed a license until he has complied with the requirements of this chapter to the same extent that would be necessary if, at the time of the accident, he had held a license.

Subd. 2. When a non-resident's operating privilege is suspended pursuant to section 170.25, the department shall transmit a copy of the record of such action to the official in charge of the issuance of licenses in the state in which such non-resident resides, if the law of such other state provides for action in relation thereto similar so that provided for in subdivision 3 of this section.

Subd. 3. Upon receipt of such notification that the operating privilege of a resident of this state has been suspended or revoked in any such other state pursuant to a law providing for its suspension or revocation for failure to deposit security for the payment of judgments arising out of a motor vehicle accident, under circumstances which would require the department to suspend a non-resident's operating privilege had the accident occurred in this state, the department shall suspend the license of such resident if he was the driver of a motor vehicle involved in such accident. Such suspension shall continue until such resident furnishes evidence of his compliance with the law of such other state relating to the deposit of such security.

Approved April 23, 1955.
