

*valid and effective notwithstanding the absence of public hearings with respect thereto, if any were or are required under section 360.124 or under any judicial determination prior to this amendment.*

*Subd. 3. Minnesota Statutes 1953, Sections 645.31 and 645.35, shall not be construed to apply to this act.*

Approved April 3, 1957.

---

CHAPTER 276—H. F. No. 427

*An act relating to tests for alcohol in regulating traffic on highways; amending Minnesota Statutes 1953, Section 169.12, Subdivision 2, as amended.*

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

Section 1. Minnesota Statutes 1953, Section 169.12, Subdivision 2, as amended by Laws 1955, Chapter 487, Section 1, is amended to read:

Subd. 2. Upon the trial of any prosecution arising out of acts alleged to have been committed by any person arrested for driving or operating a motor vehicle while under the influence of intoxicating liquor, the court may admit evidence of the amount of alcohol in the person's blood taken voluntarily within two hours of the time of the *offense* as shown by a medical or chemical analysis of his breath, blood, urine or saliva. For the purposes of this section (a) evidence that there was at the time 0.05 percent or less by weight of alcohol in the person's blood is prima facie evidence that such person was not under the influence of intoxicating liquor; (b) evidence that there was at the time more than 0.05 percent and less than 0.15 percent by weight of alcohol in the person's blood is relevant evidence but it is not to be given prima facie effect in indicating whether or not the person was under the influence of intoxicating liquor; (c) evidence that there was at the time 0.15 percent or more by weight of alcohol in the person's blood may be admitted as prima facie evidence that the person was under the influence of intoxicating liquor.

The foregoing provisions shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether or not such person was under the influence of intoxicating liquor.

Approved April 3, 1957.

---