

## CHAPTER 649—H.F.No.1302

*An act relating to abandoned motor vehicles; amending Minnesota Statutes 1971, Sections 168B.02, Subdivision 2; 168B.05; 168B.06; 168B.08; 168B.09; 168B.10, Subdivisions 1, 2, and 3; repealing Minnesota Statutes 1971, Sections 168B.12 and 168B.13.*

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

Section 1. Minnesota Statutes 1971, Section 168B.02, Subdivision 2, is amended to read:

Subd. 2. **MOTOR VEHICLES; ABANDONED.** "Abandoned motor vehicle" means a motor vehicle, as defined in section 169.01, that has remained for a period of more than 48 hours on public property illegally or lacking vital component parts, or has remained for a period of more than 48 hours on private property without the consent of the person in control of such property or in an inoperable condition such that it has no substantial potential further use consistent with its usual functions unless it is kept in an enclosed garage or storage building. It shall also mean a motor vehicle voluntarily surrendered by its owner to and accepted by a unit of government or to a person duly licensed under section 168B.10 its agent. A classic car or pioneer car, as defined in section 168.10, shall not be considered an abandoned motor vehicle within the meaning of sections 168B.01 to 168B.13. Vehicles on the premises of junk yards and automobile graveyards, which are defined, maintained and licensed in accordance with section 161.242, or which are licensed and maintained in accordance with local laws and zoning regulations, shall not be considered abandoned motor vehicles within the meaning of this definition.

Sec. 2. Minnesota Statutes 1971, Section 168B.05, is amended to read:

168B.05 **IMMEDIATE SALE.** When an abandoned motor vehicle is more than seven model years of age, is lacking vital component parts, and does not display a license plate currently valid in Minnesota or any other state or foreign country, it shall immediately be eligible for sale at public auction pursuant to section 168B.08, and shall not be subject to the notification, reclamation, or title provisions of sections 168B.01 to 168B.13.

Sec. 3. Minnesota Statutes 1971, Section 168B.06, Subdivision 1, is amended to read:

168B.06 **NOTICE.** Subdivision 1. When an abandoned motor vehicle does not fall within the provisions of section 168B.05, the unit of government taking it into custody shall give notice of the

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taking within ten days. The notice shall (a) set forth the date and place of the taking, the year, make, model and serial number of the abandoned motor vehicle if such information can be reasonably obtained and the place where the vehicle is being held, ~~shall~~ (b) inform the owner and any lienholders of their right to reclaim the vehicle under section 168B.07, and ~~shall~~ (c) state that failure of the owner or lienholders to exercise their right to reclaim the vehicle and contents shall be deemed a waiver by them of all right, title, and interest in the vehicle and contents and a consent to the sale of the vehicle and contents at a public auction pursuant to section 168B.08.

Sec. 4. Minnesota Statutes 1971, Section 168B.08, is amended to read:

168B.08 **PUBLIC SALE.** Subdivision 1. If an abandoned motor vehicle and contents taken into custody and not reclaimed under section 168B.07 is sold at public auction or sale, it shall be sold to the highest bidder at public auction or sale, following reasonable published notice thereof of such auction or sale. The purchaser shall be given a receipt in a form prescribed by the agency registrar of motor vehicles which shall be sufficient title to dispose of the vehicle. The receipt shall also entitle the purchaser to register the vehicle and receive a certificate of title, free and clear of all liens and claims of ownership. Before such a vehicle is issued a new certificate of title it must receive a motor vehicle safety check.

Subd. 2. Abandoned motor vehicles not sold pursuant to subdivision 1 shall be disposed of in accordance with section 168B.09.

Subd. 2 3. From the proceeds of the a sale under this section of an abandoned motor vehicle, the unit of government shall reimburse itself for the cost of towing, preserving and storing the vehicle, and all administrative, notice and publication costs incurred in handling the vehicle pursuant to sections 168B.01 to 168B.13. Any remainder from the proceeds of a sale shall be held for the owner of the vehicle or entitled lienholder for 90 days and then shall be deposited in the state treasury of the unit of government.

Sec. 5. Minnesota Statutes 1971, Section 168B.09, is amended to read:

168B.09 **DISPOSAL AUTHORITY.** ~~Where no bid has been received for an abandoned motor vehicle, the unit of government may dispose of it pursuant to contract under section 168B.10.~~ Subdivision 1. A unit of government may contract with others or, if no bids are received, may utilize its own equipment and personnel for the collection, storage and transportation of abandoned motor vehicles and other scrap metal for recycling.

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Subd. 2. Units of government may adopt ordinances and regulations to control the matter subject in accordance with sections 168B.01 to 168B.11, so long as the ordinances and regulations are not less stringent than the provisions of sections 168B.01 to 168B.11 or the regulations of the agency.

Sec. 6. Minnesota Statutes 1971, Section 168B.10, Subdivision 1, is amended to read:

**168B.10 CONTRACTS FOR DISPOSAL; REIMBURSEMENT BY AGENCY.** Subdivision 1. A unit of government may contract with any qualified person for collection, storage, incineration, volume reduction, transportation, or other services necessary to prepare abandoned motor vehicles and other scrap metal for recycling or other methods of disposal. If a unit of government enters into a disposal contract with a person licensed by the agency pursuant to this section the agency may review the contract to determine whether it conforms to the agency's plan for solid waste management and is in compliance with agency regulations. A contract that does so conform may be approved by the agency. Where a disposal contract has been approved, the agency may reimburse the unit of government for the costs incurred under the contract that have not been reimbursed under section 168B.08. The agency shall not approve any disposal contract that (a) has been entered into without prior notice to and request for bids from all persons duly licensed by the agency pursuant to section 168B.10, subdivision 2; (b) does not provide for a full performance bond; or (c) does not provide for total collection and transportation of abandoned motor vehicles, except that the agency may approve a disposal contract covering solely collection or transportation of abandoned motor vehicles where the agency determines total collection and transportation to be impracticable and where all other requirements herein have been met and the unit of government, after proper notice and request for bids, has not received any bid for total collection and transportation of abandoned motor vehicles.

Sec. 7. Minnesota Statutes 1971, Section 168B.10, Subdivision 2, is amended to read:

Subd. 2. The agency may issue a license to any person desiring to participate in such be a party to a disposal contract who meets the requirements for solid waste disposers established by the agency pursuant to section 116.07.

Sec. 8. Minnesota Statutes 1971, Section 168B.10, Subdivision 3, is amended to read:

Subd. 3. Where a unit of government enters into a contract with a person duly licensed by the agency, the agency may review the contract to determine whether it conforms to the agency's plan

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~~for solid waste disposal. A contract that does so conform may be approved by the agency. Where a contract has been approved, the agency may reimburse the unit of government for the costs incurred under the contract. If a unit of government utilizes its own equipment and personnel pursuant to its authority under section 168B.09, and the use of the equipment and personnel conforms to the agency's plan for solid waste management and is in compliance with agency regulations, that government may be reimbursed by the agency for reasonable costs incurred which are not reimbursed under section 168B.08.~~

Sec. 9. **REPEALER.** Minnesota Statutes 1971, Sections 168B.12 and 168B.13, are repealed.

Approved May 24, 1973.

## CHAPTER 650—H.F.No.2121

[Coded in Part]

*An act relating to government; raising revenue; providing for the administration of public welfare and other public activities; appropriating money; providing penalties; amending Minnesota Statutes 1971, Chapters 272; 273; 275; and 290; by adding sections; Sections 93.52, Subdivision 2; 93.55; 93.58; 124.03, Subdivision 3; 245.77; 261.04, Subdivision 1; 261.063; 272.02, Subdivision 1; 272.03, Subdivision 1; 272.04, Subdivision 1; 273.11; 273.13, Subdivisions 4, 6, and 7, and by adding a subdivision; 273.134; 273.41; 275.09, Subdivision 3; 275.50, Subdivisions 2, 4, and 5; 275.51, Subdivisions 1, 2, 3, 4, and by adding a subdivision; 275.52, Subdivisions 2 and 3; 275.53, Subdivisions 1 and 3; 275.55; 287.12; 290.06, Subdivision 1; 290.0601, Subdivisions 6 and 9; 290.0604; 290.061; 290.081; 290.17; 290.19, Subdivision 1, and by adding a subdivision; 290.361, Subdivisions 2 and 4; 290.982; 290.983, Subdivision 1; 290.99; 291.33, Subdivision 2; 293.07, Subdivision 2; 297.13, Subdivision 1; 297A.14; 297A.25, Subdivision 1; 340.60, Subdivision 1; 376.424; 393.01, Subdivision 3; 393.07, Subdivision 2; 393.08, Subdivision 1; 414.01, by adding a subdivision; and 477A.01, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 16, and 17; repealing Minnesota Statutes 1971, Sections 93.53; 93.54; 93.56; 93.57; 245.46; 261.01; 261.02; 261.03; 261.05; 261.06; 261.061; 261.064; 261.065; 261.066; 261.067; 261.07; 261.08; 261.10; 261.11; 261.123; 261.124; 261.125; 261.126; 261.14; 261.141; 261.142; 261.143; 261.26; 276.15; 276.16; 276.17; 276.18; 290.0607; 290.0617; 295.38; 297.13, Subdivisions 2, 3, 4, 5, 6, 7, and 8; 297.15; 297.16; 297A.252; 340.60,*

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