

the award shall be placed pursuant to the normal solicitation and award procedures set forth in section 471.345.

Sec. 7. Minnesota Statutes 1986, section 473.406, subdivision 6, is amended to read:

Subd. 6. **RULES.** The commission shall promulgate by rule standards and procedures for certifying that business entities eligible to participate in the ~~set-aside~~ program ~~authorized in~~ required by this section and section 2 are controlled by socially or economically disadvantaged persons ~~or handicapped persons~~. The commission shall promulgate other rules as may be necessary or advisable to carry out the provisions of this section and section 2.

Sec. 8. Minnesota Statutes 1986, section 473.406, subdivision 7, is amended to read:

Subd. 7. **OTHER LAWS SUPERSEDED.** In the event of conflict with other laws or rules, the provisions of this section and section 2 and rules promulgated pursuant to ~~it~~ them shall govern.

Sec. 9. **DEADLINE.**

By January 1, 1989, the metropolitan council and each agency listed in section 3, subdivision 1, must have an affirmative action plan and anti-harassment policies that meet the requirements of section 3.

Sec. 10. **AUTHORITY.**

If a joint House-Senate committee or subcommittee is appointed to study and monitor equal opportunity activities of metropolitan agencies, the group has the powers granted to legislative committees under section 3.153.

Sec. 11. **EFFECTIVE DATE.**

Sections 1 to 9 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington. Sections 2, 4, 5, and 6 are effective January 1, 1989, and apply only to contracts for which notice of invitation to bid or requests for proposals are issued after the effective date of the section.

Approved April 27, 1988

CHAPTER 681—S.F.No. 392

An act relating to public safety; providing for the mandatory surrender of registration plates and certificates of motor vehicles operated by repeat DWI offenders; providing for administrative review; requiring a report; making a variety of administrative changes to the traffic laws; increasing penalties for falsely using the identity of another person to a peace

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officer; requiring the department to study the use in other states of ignition interlock devices; appropriating money; amending Minnesota Statutes 1986, sections 168.041; 169.121, subdivision 3a, as added; 169.123, subdivision 5b; 169.1261; 169.91, subdivisions 1 and 3; 169.92; 169.99, subdivisions 1 and 2; 171.01, subdivision 13; 171.08; 171.22; and 171.29, by adding a subdivision; and Minnesota Statutes 1987 Supplement, sections 169.121, subdivision 5a; and 609.506.

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

Section 1. Minnesota Statutes 1986, section 168.041, is amended to read:

168.041 IMPOUNDING REGISTRATION PLATES AND CERTIFICATES.

Subdivision 1. When ~~any a~~ any a person is convicted of driving a motor vehicle after the suspension ~~or~~, revocation or cancellation of the ~~drivers person's driver's~~ license or driving privileges of ~~such person~~, the court shall require the registration plates and registration ~~certificates~~ certificate of ~~any the~~ motor vehicle involved in ~~such the~~ violation owned by ~~such the~~ person or registered in ~~that the~~ person's name to be surrendered to the court. ~~Upon surrender thereof~~ The court shall issue a receipt ~~therefor~~ for the surrendered registration plates and registration certificate.

If the violator is not the owner of ~~such the~~ motor vehicle, the court shall require the registration plates and ~~the~~ registration certificate of ~~any the~~ motor vehicle to be surrendered to the court if the vehicle was used by the violator, with the permission of the owner ~~who~~ and the owner had knowledge of the fact that the violator's ~~drivers~~ driver's license had been revoked or suspended prior to the commission of the ~~offense; to be surrendered to the court.~~

Subd. 2. If ~~any a~~ any a person is convicted of violating ~~any a~~ any a law or municipal ordinance, except ~~a parking laws or ordinances law or ordinance~~, regulating the operation of motor vehicles on the streets or highways, and the record of ~~such the~~ person so convicted shows a previous conviction for driving after suspension or revocation of the person's driver's license or driving privileges, the court may direct the commissioner of public safety to suspend the driver's license of ~~such the~~ the person for a period not exceeding one year. The court may also require the registration plates and registration ~~certificates~~ certificate of any motor ~~vehicles~~ vehicle owned by the violator or registered in the violator's name to be surrendered to the court.

Subd. 3. Except as otherwise provided in subdivision 3a, if a person is convicted of ~~any an~~ any an offense ~~which that~~ which that makes mandatory the revocation of the ~~drivers person's driver's~~ license of ~~such person~~, or is convicted of driving a motor vehicle without having a valid driver's license in force, the court may require the registration plates and registration ~~certificates~~ certificate of any motor vehicle owned by ~~such the~~ the person or any motor ~~vehicles~~ vehicle registered in ~~that the~~ person's name to be surrendered to the court.

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Subd. 3a. If a person's driver's license or driving privileges are revoked pursuant to a third violation of section 169.121 or 169.123 within five years, or a fourth or subsequent violation of section 169.121 or 169.123 within ten years, the court shall issue an impoundment order requiring the surrender of the registration plates and registration certificate of any motor vehicle owned by, registered, or leased in the name of the violator, including vehicles registered or leased jointly in the name of the violator and the violator's spouse and any vehicle involved in the violation if the vehicle owner was a passenger at the time of the violation and knew or should have known of the revocation. This requirement does not apply to rental motor vehicles, as defined in subdivision 10. An impoundment order must be issued under this subdivision when the driver appears in court on a criminal charge or civil driver's license matter arising out of the incident resulting in the most recent license revocation, whichever hearing occurs first. If no criminal charge or civil license matter is initiated in court, the attorney general may request an impoundment order under this subdivision in municipal or county court, or the unified district court in the jurisdiction where the violation of section 169.121 or 169.123 occurred.

In determining whether to issue an impoundment order, the court may rely on the following:

- (1) certified or uncertified copies of the violator's driving record;
- (2) certified or uncertified copies of vehicle registration records; and
- (3) other relevant documentation.

Subd. 4. Except as provided in subdivision 6 or subdivision 7, the court shall retain custody of the surrendered plates and certificates if the court issues an impoundment order, the registration plates and certificates must be surrendered to the court either three days after the order is issued or on the date specified by the court, whichever date is later. The court shall forward surrendered registration certificates to the registrar of motor vehicles within seven days after their surrender. The court may destroy the surrendered registration plates. Except as provided in subdivision 4a, 5, 6, or 7, no new registration plates may be issued to the violator or owner until such time as the driver's license of the violator has been reissued or reinstated. The court shall notify the commissioner of public safety within ten days after issuing an impoundment order.

Subd. 4a. ADMINISTRATIVE REVIEW. At any time during the effective period of an impoundment order, a person may request in writing a review of the impoundment order by the commissioner of public safety. Upon receiving a request, the commissioner or the commissioner's designee shall review the order, the evidence upon which the order was based, and any other material information brought to the attention of the commissioner, and determine whether sufficient cause exists to sustain the order. The commissioner shall report in writing the results of the review within 15 days of receiving the request. The review provided in this subdivision is not subject to the contested case provi-

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sions of the administrative procedure act in sections 14.01 to 14.70. As a result of this review, the commissioner may authorize the issuance at no cost of new registration plates and a registration certificate to the owner of the vehicle if the owner's driver's license or driving privileges were not revoked under section 169.121 or 169.123 and the owner was not a passenger in the vehicle at the time of the violation.

Review under this subdivision shall take place, if possible, at the same time as any administrative review of the person's license revocation under section 169.123, subdivision 5b.

Subd. 5. At the time of ordering the surrender of the registration plates and registration certificates of a violator or owner, the court shall notify the registrar of motor vehicles of that fact. Except as provided in subdivision 6 or subdivision 7, no new or duplicate registration plates or new registration certificates shall be issued to such violator or owner until the surrendered plates and certificates are returned to the violator or owner by the court. If the driver's license revocation that is the basis for an impoundment order is rescinded, the registrar of motor vehicles shall issue new registration plates and a registration certificate for the vehicle at no cost, when the registrar receives an application that includes a copy of the order rescinding the driver's license revocation.

Subd. 6. Any such (a) A violator or owner may apply to the registrar of motor vehicles commissioner for new registration plates, which shall must bear a special series number which may of numbers or letters so as to be readily identified by traffic law enforcement officers. A fee of \$5 shall accompany the application. The registrar of motor vehicles shall forthwith notify the court of such application. The court may return the registration certificate of such violator or owner to the registrar of motor vehicles, together with its consent to the issuance of such registration plates to such violator or owner. Thereupon the registrar of motor vehicles shall issue such new registration plates. The commissioner may authorize the issuance of special plates if a member of the violator's household has a valid driver's license, the violator or owner has a limited license issued under section 171.30, or the owner is not the violator and the owner has a valid or limited license or a member of the owner's household has a valid driver's license. The commissioner may issue the special plates on payment of a \$25 fee for each vehicle for which special plates are requested. The commissioner may not authorize the issuance of special plates unless the court that impounded the vehicle's plates gives written approval for the issuance of the special plates.

(b) Until the drivers driver's license of such the violator is reinstated or reissued, the violator shall inform the commissioner that an impoundment order is in effect when requesting any new registration plates issued to the violator or to an owner whose plates have been impounded shall bear a special series number.

Subd. 7. If An owner wishes to may not sell a motor vehicle during the

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time its registration plates and registration certificate ~~are impounded~~ have been ordered surrendered or during the time its registration plates bear a special series number, unless the owner may apply ~~applies~~ to the court ~~which that~~ impounded such the plates and certificate, for consent to transfer title to the motor vehicle. If the court is satisfied that the proposed sale is in good faith and for a valid consideration, that the owner will ~~thereby~~ be deprived of the custody and control of the motor vehicle, and that the sale is not for the purpose of circumventing the provisions of this section, it may certify its consent to the registrar of motor vehicles ~~and return the impounded registration plates and certificates.~~ If during The registrar shall then transfer the registration certificate to the new owner upon proper application and issue new registration plates. After the time the registration plates and certificate of registration are impounded certificate have been ordered surrendered to the court under this section, if the title to ~~said the~~ motor vehicle is transferred by the foreclosure of a chattel mortgage, the cancellation of a conditional sales contract, a sale upon execution, or by decree or order of a court of competent jurisdiction, the court shall order the license plates and registration certificate surrendered to the new owner ~~and notify the registrar of motor vehicles of such action.~~ The registrar of motor vehicles shall then transfer the registration plates and registration certificates ~~to the new owner~~ certificate and issue new registration plates to the new owner.

Subd. 8. Nothing contained in this section is intended to change or modify any provision of this chapter, with respect to the taxation of motor vehicles or the time within which ~~the motor vehicle~~ taxes ~~thereon~~ shall must be paid.

Subd. 9. ~~Any A~~ person who fails to surrender any ~~impounded~~ registration plates or a registration ~~certificates~~ certificate to the court upon demand ~~or under this section,~~ who operates ~~any a~~ motor vehicle on a street or highway at a time when a court has ordered the surrender of its registration plates and registration certificate, or who fails to comply with subdivision 6, paragraph (b), is guilty of a misdemeanor.

Subd. 10. "Rental motor vehicle" means a passenger vehicle, truck, motor-cycle, or motorized bicycle:

(1) that is involved in a violation under subdivision 3a, leased in the name of the violator, or leased jointly in the name of the violator and the violator's spouse; and

(2) that is one of a fleet of two or more vehicles rented for periods of 30 days or less.

Sec. 2. Minnesota Statutes 1987 Supplement, section 169.121, subdivision 5a, is amended to read:

Subd. 5a. **CHEMICAL DEPENDENCY ASSESSMENT CHARGE.** When a court sentences a person convicted of an offense enumerated in section 169.126, subdivision 1, it shall impose a chemical dependency assessment charge of \$75. This section applies when the sentence is executed, stayed, or suspended. The

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court may not waive payment or authorize payment of the assessment charge in installments unless it makes written findings on the record that the convicted person is indigent or that the assessment charge would create undue hardship for the convicted person or that person's immediate family.

The court shall collect and forward to the commissioner of finance the total amount of the chemical dependency assessment charge ~~and~~ within 60 days after sentencing or explain to the commissioner in writing why the money was not forwarded within this time period. The commissioner shall credit the money to the drinking and driving repeat offense prevention account created in section 169.126, subdivision 4a.

The chemical dependency assessment charge required under this section is in addition to the surcharge required by section 609.101.

Sec. 3. Minnesota Statutes 1986, section 169.123, subdivision 5b, is amended to read:

Subd. 5b. **ADMINISTRATIVE REVIEW.** At any time during a period of revocation imposed under this section a person may request in writing a review of the order of revocation by the commissioner of public safety. Upon receiving a request the commissioner or the commissioner's designee shall review the order, the evidence upon which the order was based, and any other material information brought to the attention of the commissioner, and determine whether sufficient cause exists to sustain the order. Within 15 days of receiving the request the commissioner shall report in writing the results of the review. The review provided in this subdivision is not subject to the contested case provisions of the administrative procedure act in sections 14.01 to 14.70.

The availability of administrative review for an order of revocation ~~shall have~~ has no effect upon the availability of judicial review under this section.

Review under this subdivision shall take place, if possible, at the same time as any administrative review of the person's impoundment order under section 168.041, subdivision 4a.

Sec. 4. Minnesota Statutes 1986, section 169.1261, is amended to read:

169.1261 REINSTATEMENT OF DRIVING PRIVILEGES; NOTICE.

Upon expiration of ~~any~~ a period of revocation under section 169.121 or 169.123, the commissioner of public safety shall notify the person of the terms upon which driving privileges can be reinstated, and new registration plates issued, which terms are: (1) successful completion of a driving test and proof of compliance with any terms of alcohol treatment or counseling previously prescribed, if any; and (2) any other requirements imposed by the commissioner and applicable to that particular case. The commissioner shall notify the owner of a motor vehicle subject to an impoundment order under section 168.041 as a result of the violation of the procedures for obtaining new registration plates, if

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the owner is not the violator. The commissioner shall also notify the person that if driving is resumed without reinstatement of driving privileges or without valid registration plates and registration certificate, the person will be subject to criminal penalties.

Sec. 5. Minnesota Statutes 1986, section 171.29, is amended by adding a subdivision to read:

Subd. 3. A person whose license has been revoked under section 169.121 or 169.123 may not be issued another license at the end of the revocation period unless the person has complied with all applicable registration plate impoundment provisions of section 168.041.

Sec. 6. **DESTRUCTION OF STORED LICENSE PLATES.**

License plates surrendered to courts before the effective date of section 1 may be destroyed.

Sec. 7. **EVALUATION.**

The commissioner of public safety shall monitor and evaluate the implementation and effects of the registration plate impoundment provisions of sections 1 to 6, and shall submit a written report to the legislature by January 1, 1990, containing the commissioner's findings and recommendations.

Sec. 8. Minnesota Statutes 1986, section 169.121, subdivision 3a, as added by Laws 1988, chapter 408, section 1, is amended to read:

Subd. 3a. **HABITUAL OFFENDER PENALTIES.** (a) If a person has been convicted under this section, section 169.129, an ordinance in conformity with either of them, or a statute or ordinance from another state in conformity with either of them, and if the person is then convicted of violating this section or an ordinance in conformity with it (1) once within five years after the first conviction or (2) two or more times within ten years after the first conviction, the person must be sentenced to a minimum of 30 days imprisonment or to eight hours of community work service for each day less than 30 days that the person is ordered to serve in jail. Notwithstanding section 609.135, the above sentence must be executed, unless the court departs from the mandatory minimum sentence under paragraph (b) or (c).

(b) Prior to sentencing the prosecutor files may file a motion to have the defendant sentenced without regard to the mandatory minimum sentence established by this subdivision. The motion must be accompanied by a statement on the record of the reasons for it. When presented with the prosecutor's motion and if it finds that substantial mitigating factors exist, the court shall sentence the defendant without regard to the mandatory minimum term of imprisonment established by this subdivision.

(c) The court may, on its own motion, sentence the defendant without regard to the mandatory minimum term of imprisonment established by this

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subdivision if it finds that substantial mitigating factors exist and if its sentencing departure is accompanied by a statement on the record of the reasons for it.

(d) When any portion of the sentence required by this subdivision is not executed, the court should impose a sentence that is proportional to the extent of the offender's prior criminal and moving traffic violation record.

Sec. 9. Minnesota Statutes 1986, section 169.91, subdivision 1, is amended to read:

Subdivision 1. **PROCEDURE.** When any person is arrested for any violation of any law or ordinance relating to the operation or registration of vehicles punishable as a petty misdemeanor, misdemeanor, gross misdemeanor, or felony, the arrested person shall be taken into custody and immediately taken before a judge within the county in which the offense charged is alleged to have been committed and who has jurisdiction over the offenses and is nearest or most accessible with reference to the place where the arrest is made, in any of the following cases:

(1) When a person arrested demands an immediate appearance before a judge;

(2) When a person is arrested and charged with an offense under this chapter causing or contributing to an accident resulting in injury or death to any person;

(3) When the person is arrested upon a charge of negligent homicide;

(4) When the person is arrested upon a charge of driving or operating or being in actual physical control of any motor vehicle while under the influence of intoxicating liquor or drugs;

(5) When the person is arrested upon a charge of failure to stop in the event of an accident causing death, personal injuries, or damage to property;

(6) When there is reasonable cause for believing that the person arrested may leave the state, except as provided in subdivision 4;

~~(7) In any other event when the person arrested refused to give a promise in writing to appear in court, as provided in subdivision 3.~~

Sec. 10. Minnesota Statutes 1986, section 169.91, subdivision 3, is amended to read:

Subd. 3. **NOTICE TO APPEAR.** When a person is arrested for any violation of any law or ordinance relating to motor vehicles, their registration or their operation, or the use of the highways, the arresting officer shall prepare a written notice to appear in court. This place must be before a judge within the county in which the offense charged is alleged to have been committed who has jurisdiction and is nearest or most accessible with reference to the place of arrest.

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In order to secure release, if the arrested person is eligible for release, without being taken into custody and immediately taken before a judge, as provided in this section, the arrested person must give a promise in writing to appear in court by signing the written notice prepared by the arresting officer. The officer shall retain the original of the notice and deliver the copy marked "SUMMONS" to the person arrested. The officer shall then release the person arrested from custody.

Sec. 11. Minnesota Statutes 1986, section 169.92, is amended to read:

169.92 FAILURE TO APPEAR.

Subdivision 1. Any person willfully ~~violating the person's written promise failing to appear in court, given as provided in~~ required by sections 169.90 to 169.95; is guilty of a misdemeanor, provided the person is found guilty of the charge upon which originally arrested. A ~~written promise to person may appear in court may be complied with by~~ either in person or through an appearance by counsel.

Subd. 2. When a nonresident is ~~released upon a promise in writing fails to appear and has not appeared in court or complied~~ comply with other orders of the court regarding the appearance or proceedings, the court shall notify the commissioner of public safety of the nonappearance upon a form provided by the commissioner.

Subd. 3. Upon receipt of notice from the court that the nonresident did not appear in court ~~following release from custody upon the nonresident's promise in writing to appear,~~ the commissioner of public safety shall forward a copy of the report to the driver licensing authority of the state, district, territory, possession or province of residence of the person.

Subd. 4. (a) Upon receiving a report from the driver licensing authority of a state, district, territory or possession of the United States or a province of a foreign country which has an agreement in effect with this state pursuant to section 169.91 that a resident of this state or a person licensed as a driver in this state did not appear in court ~~following written promise to appear in compliance with the terms of the citation~~ in the party jurisdiction, the commissioner of public safety shall notify the driver that the driver's license will be suspended unless the commissioner receives notice within 30 days that the driver has appeared in the appropriate court of the other jurisdiction. If the commissioner does not receive notice of the appearance of the Minnesota resident in the appropriate court within 30 days of the date of the commissioner's notice to the driver, the commissioner may suspend the person's driver's license.

(b) The order of suspension shall indicate the reason for the order and shall notify the person that the person's license shall remain suspended until the person has furnished evidence, satisfactory to the commissioner, of compliance with any order entered by the court.

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(c) Suspension shall be ordered under this subdivision only when the report from the other jurisdiction clearly identifies the person arrested; describes the violation, specifying the section of the traffic law, ordinance or rule violated; indicates the location and date of the offense; and describes the vehicle involved and its registration number.

Sec. 12. Minnesota Statutes 1986, section 169.99, subdivision 1, is amended to read:

Subdivision 1. Except as provided in subdivision 3, there shall be a uniform ticket issued throughout the state by the police and peace officers or by any other person for violations of this chapter and ordinances in conformity thereto. Such uniform traffic ticket shall be in the form and have the effect of a summons and complaint. ~~There shall also be included on the uniform ticket a receipt in lieu of bail which, when signed by the defendant, shall be a guarantee by the defendant to appear in the court having jurisdiction over the matter.~~ The uniform ticket shall state that if the defendant fails to appear in court in response to the ticket, an arrest warrant may be issued. The uniform traffic ticket shall consist of four parts, on paper sensitized so that copies may be made without the use of carbon paper, as follows:

(1) the complaint, with reverse side for officer's notes for testifying in court, driver's past record, and court's action, printed on white paper;

(2) the abstract of court record for the department of public safety, which shall be a copy of the complaint with the certificate of conviction on the reverse side, printed on yellow paper;

(3) the police record, which shall be a copy of the complaint and of the reverse side of copy (1), printed on pink paper;

(4) the summons, with, on the reverse side, such information as the court may wish to give concerning the traffic violations bureau, and a plea of guilty and waiver, printed on off-white tag stock.

Sec. 13. Minnesota Statutes 1986, section 169.99, subdivision 2, is amended to read:

Subd. 2. ~~The attorney general commissioner of public safety shall by rule promulgated in the manner provided by law prescribe the detailed form of the uniform traffic ticket, and shall revise the uniform ticket on such subsequent occasions as the attorney general deems necessary and proper to keep the uniform ticket in conformity with highway traffic rules. In the manner provided by law the attorney general shall give notice to all interested parties of a hearing to be held prior to the promulgation of the uniform traffic ticket or any changes therein. The uniform traffic ticket shall not be in mandatory use throughout the state until 18 months after the attorney general has first promulgated the uniform traffic ticket and the attorney general shall enforce the uniformity of the promulgated traffic ticket throughout the state and federal law. The rulemaking provisions of chapter 14 do not apply to this subdivision.~~

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Sec. 14. Minnesota Statutes 1986, section 171.01, subdivision 13, is amended to read:

Subd. 13. **CONVICTION.** The term "conviction" means a final conviction either after trial or upon a plea of guilty; also a forfeiture of cash or collateral deposited to guarantee a defendant's appearance in court, which forfeiture has not been vacated, or a breach of a condition of release without bail, ~~including violation of a written promise to appear~~; is equivalent to a conviction.

Sec. 15. Minnesota Statutes 1986, section 171.08, is amended to read:

171.08 LICENSEE TO HAVE LICENSE IN POSSESSION.

Every licensee shall have the license in immediate possession at all times when operating a motor vehicle and shall display it upon demand of a peace officer, an authorized representative of the department, or an officer authorized by law to enforce the laws relating to the operation of motor vehicles on public streets and highways. Unless the person is the holder of a limited license issued under section 171.30, no person charged with violating the possession requirement shall be convicted if the person produces in court or the office of the arresting officer a driver's license previously issued to that person for the class of vehicle being driven which was valid at the time of arrest or satisfactory proof that at the time of the arrest the person was validly licensed for the class of vehicle being driven. The licensee shall also, upon request of any officer, write the licensee's name in the presence of the officer to determine the identity of the licensee.

Sec. 16. Minnesota Statutes 1986, section 171.22, is amended to read:

171.22 UNLAWFUL ACTS.

Subdivision 1. **ACTS.** It shall be unlawful for any person:

- (1) To display, or cause or permit to be displayed, or have in possession, any canceled, revoked, suspended, fictitious, or fraudulently altered driver's license; ~~or~~
- (2) To lend the person's driver's license to any other person or knowingly permit the use thereof by another; ~~or~~
- (3) To display or represent as one's own any driver's license not issued to that person; ~~or~~
- (4) To fail or refuse to surrender to the department, upon its lawful demand, any driver's license which has been suspended, revoked, or canceled; ~~or~~
- (5) To use a ~~false or~~ fictitious name or date of birth to any police officer or in any application for a driver's license, or to knowingly make a false statement, or to knowingly conceal a material fact, or otherwise commit a fraud in any such application; ~~or~~

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(6) To alter any driver's license, or to counterfeit or make any fictitious license; ~~or~~

(7) To take any part of the driver's license examination for another or to permit another to take the examination for that person; or

(8) to use the name and date of birth of another person to any police officer for the purpose of falsely identifying oneself to the police officer.

Subd. 2. PENALTIES. Any person who violates subdivision 1, clause (8), is guilty of a gross misdemeanor. Any person who violates any other provision of subdivision 1 is guilty of a misdemeanor.

Sec. 17. Minnesota Statutes 1987 Supplement, section 609.506, is amended to read:

609.506 PROHIBITING GIVING PEACE OFFICER FALSE NAME.

Subdivision 1. MISDEMEANOR. Whoever with intent to obstruct justice gives a false ~~or~~ fictitious name other than a nickname, or gives a false date of birth, or false or fraudulently altered identification card to a peace officer, as defined in section 626.84, subdivision 2, paragraph (c), when that officer makes inquiries incident to a lawful investigatory stop or lawful arrest, or inquiries incident to executing any other duty imposed by law, is guilty of a misdemeanor.

Subd. 2. GROSS MISDEMEANOR. Whoever with intent to obstruct justice gives the name and date of birth of another person to a peace officer, as defined in subdivision 1, when the officer makes inquiries incident to a lawful investigatory stop or lawful arrest, or inquiries incident to executing any other duty imposed by law, is guilty of a gross misdemeanor.

Sec. 18. IGNITION INTERLOCK DEVICES; STUDY AND REPORT REQUIRED.

Subdivision 1. DEFINITION. As used in this section, "ignition interlock device" means breath alcohol ignition equipment designed to prevent the operation of a motor vehicle by a person whose alcohol concentration exceeds a designated level.

Subd. 2. STUDY AND REPORT BY DEPARTMENT OF PUBLIC SAFETY. The department of public safety shall study the use of ignition interlock devices in other states and report its findings to the legislature by January 1, 1989. The department's report shall address, but need not be limited to, the following questions:

(a) Does the use of ignition interlock devices have a demonstrated effect on the incidence of repeat drunk driving offenses?

(b) Should the use of ignition interlock devices be mandated for all convicted drunk drivers, or should their use be a discretionary matter for the courts and the department of public safety?

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(c) What technical or operational problems do ignition interlock devices present and how can these problems best be resolved?

(d) What process and criteria should the state adopt to certify ignition interlock devices?

(e) Who should bear the responsibility for paying for the installation of ignition interlock devices?

Sec. 19. APPROPRIATION.

\$91,000 is appropriated to the commissioner of public safety for the purposes of sections 1 to 7: \$68,100 is from the highway user tax distribution fund and \$22,900 is from the trunk highway fund.

Sec. 20. EFFECTIVE DATE.

Sections 1 to 8 and sections 16 and 17 are effective August 1, 1988, and apply to violations committed on or after that date.

Approved April 27, 1988

CHAPTER 682—S.F.No. 1788

An act relating to the office of the secretary of state; providing for the simplification of various filings with that office; eliminating certain filings; eliminating the requirement that documents be notarized, verified, or acknowledged; reducing the number of signatures required; setting fees for copies of documents filed with the office of the secretary of state; permitting the correction of documents; setting fees for various filings; allowing the annual registration to fulfill the requirement that an active status report be filed; conforming the business corporation act to the uniform fraudulent conveyances act; increasing the penalties for failure to file an assumed business name; changing the time period during which audits of legal newspapers may occur; amending Minnesota Statutes 1986, sections 5.12; 300.025; 300.49; 302A.115, subdivisions 1 and 7; 302A.551, subdivision 3; 302A.821, subdivision 1; 303.06; 303.10, subdivision 2; 303.11; 303.14, subdivisions 1 and 3; 303.16, subdivision 3; and by adding a subdivision; 306.70; 306.74; 308.06; 308.14, subdivisions 2 and 4; 308.15, subdivisions 1 and 4; 308.59; 317.04, subdivision 3; 317.08, subdivision 1; 317.27, subdivisions 1 and 5; 317.33; 317.35; 317.45, subdivision 4; 318.02, subdivision 1; 322A.12; 322A.14; 322A.73; 322A.74; 333.01; 333.055, subdivisions 1 and 4; 333.06; 333.20, subdivision 2; 333.22, subdivision 2; 333.23; Minnesota Statutes 1987 Supplement, sections 302A.011, subdivision 11; 302A.139; 302A.615, subdivision 1; 308.58; subdivision 2; 322A.70; and 331A.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 5.

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

Section 1. Minnesota Statutes 1986, section 5.12, is amended to read:

New language is indicated by underline, deletions by ~~strikeout~~.