

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

Section 1. **CITY OF MORA; NEGOTIATED CONTRACTS.**

The city of Mora may negotiate one or more contracts for the acquisition and betterment of the Mora municipal wastewater treatment facility without complying with Minnesota Statutes, section 471.345, subdivisions 3 to 5, provided that the city council first determines by resolution that the procedure will be economically advantageous to the city. Contracts subject to this act must be entered before January 1, 1991.

Sec. 2. **LOCAL APPROVAL.**

This act is effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the governing body of the city of Mora.

Presented to the governor April 13, 1989

Signed by the governor April 13, 1989, 5:54 p.m.

CHAPTER 34—H.F.No. 322

An act relating to consumer protection; regulating the sale of used motor vehicles; modifying certain definitions; amending Minnesota Statutes 1988, section 325F.662, subdivisions 1 and 3.

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

Section 1. Minnesota Statutes 1988, section 325F.662, subdivision 1, is amended to read:

Subdivision 1. **DEFINITIONS.** For the purposes of this section, the following terms have the meanings given to them.

(a) "Consumer" means the purchaser, other than for purposes of resale, of a used motor vehicle used primarily for personal, family, or household purposes.

(b) "Dealer" means a motor vehicle dealer or lessor, as defined in section 168.27, subdivisions 2, 3, and 4, whether licensed or unlicensed, or the dealer's or lessor's agent, who is engaged in the business of selling or arranging the sale of used motor vehicles in this state; except that, the term does not include a bank or financial institution, a business selling a used motor vehicle to an employee of that business, a lessor selling, either directly or indirectly, a leased used motor vehicle to that vehicle's lessee or a family member or employee of the lessee, or a licensed auctioneer selling motor vehicles at an auction if, in the ordinary course of the auctioneer's business, the sale of motor vehicles is incidental to the sale of other real or personal property.

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

(c) "Motor vehicle" means a passenger automobile, as defined in section 168.011, subdivision 7, including pickup trucks and vans.

(d) "Used motor vehicle" means any motor vehicle which has been driven more than the limited use necessary in moving or road testing a new motor vehicle prior to delivery to a consumer. The term does not include a new motor vehicle sold by a dealer franchised to sell the vehicle if the vehicle was driven for demonstration purposes using dealer plates and if, when the vehicle was sold, it carried a manufacturer's express warranty which provides coverage at least as broad with respect to covered components and duration as that required by this section.

(e) "Express warranty" means a dealer's written statement, as defined in section 325G.17, subdivision 5, provided to a consumer in connection with the sale of a used motor vehicle.

(f) "Buyer's Guide" means the window form required by the Federal Trade Commission's "Used Motor Vehicle Trade Regulation Rule," Code of Federal Regulations, title 16, section 455.2.

Sec. 2. Minnesota Statutes 1988, section 325F.662, subdivision 3, is amended to read:

Subd. 3. **EXCLUSIONS.** Notwithstanding the provisions of subdivision 2, a dealer is not required to provide an express warranty for the following used motor vehicles:

(1) vehicles sold for a total cash sale price of less than \$3,000, including the trade-in value of any vehicle traded in by the consumer, but excluding tax, license fees, registration fees, and finance charges;

(2) vehicles with engines designed to use diesel fuel;

(3) vehicles with gross weight, as defined in section 168.011, subdivision 16, in excess of 9,000 pounds;

(4) vehicles that have been custom-built or modified for show or for racing;

(5) vehicles that are eight years of age or older, as calculated from the first day in January of the designated model year of the vehicle;

(6) vehicles that have been produced by a manufacturer which has never manufactured more than 10,000 motor vehicles in any one year;

(7) vehicles having 75,000 miles or more at time of sale;

(8) vehicles that are not manufactured in compliance with applicable federal emission standards in force at the time of manufacture as provided by the Clean Air Act, United States Code, title 42, sections 7401 through 7642, and regulations adopted pursuant thereto, and safety standards as provided by the Nation-

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al Traffic and Motor Safety Act, United States Code, title 15, sections 1381 through 1431, and regulations adopted pursuant thereto; and

(9) a vehicle which, when it is sold, is unrepaired and would be classified as a class C total loss vehicle under section 168A.151, or has unrepaired damage in excess of \$5,000.

Presented to the governor April 14, 1989

Signed by the governor April 17, 1989, 2:58 p.m.

CHAPTER 35—S.F.No. 112

An act relating to vocational rehabilitation; changing term "extended employment plan participants" to "workers"; amending Minnesota Statutes 1988, section 129A.08, subdivision 4.

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

Section 1. Minnesota Statutes 1988, section 129A.08, subdivision 4, is amended to read:

Subd. 4. **EVALUATION OF PROGRAMS.** The program evaluation must include, but not be limited to, the following considerations:

- (a) Wages and benefits paid to ~~extended employment program participants~~ workers and number of hours worked;
- (b) Rate of placement in competitive employment;
- (c) Opportunities for ~~extended employment program participants~~ workers to participate in decisions affecting their employment;
- (d) Rehabilitation facility responsiveness to ~~extended employment program participants' workers'~~ grievances;
- (e) Increases in individual ~~extended employment program participants'~~ workers' productivity;
- (f) Efficiency of the rehabilitation facilities; and
- (g) Types and levels of disability of the ~~extended employment program participants~~ workers and willingness of the rehabilitation facility to accept and assist persons with serious behavioral, mental, sensory, or physical disabilities.

The evaluation must take into account the disability levels of the ~~extended employment program participants~~ workers, the geographic location and size of the rehabilitation facility, and the economic conditions of the surrounding community.

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