

not more than \$5. The delinquency charge may be imposed upon any installment which is in default for a period of ten days or more.

Subd. 2. **CANCELLATIONS AND COLLECTIONS.** If the default results in the cancellation or subsequent reinstatement of any insurance contract listed in the agreement, the agreement may provide for payment by the insured of a cancellation charge equal to the difference between any delinquency or default charge imposed with respect to the installment in default and \$5 of \$10. A premium finance agreement may also provide for the payment of statutory attorneys fees and statutory court costs if the agreement is referred for collection to an attorney not a salaried employee of the insurance premium finance company.

Presented to the governor May 29, 1991

Signed by the governor June 1, 1991, 3:58 p.m.

CHAPTER 284—S.F.No. 1152

An act relating to motor vehicles; authorizing the registrar of motor vehicles to prorate the original registration on groups of passenger motor vehicles presented to St. Paul by a lessor; changing provisions relating to limousines; appropriating money; amending Minnesota Statutes 1990, section 168.017, subdivision 3; 168.011, subdivision 35; 168.128, subdivisions 2 and 3; 221.025; and 221.091; proposing coding for new law in Minnesota Statutes, chapter 221.

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

Section 1. Minnesota Statutes 1990, section 168.017, subdivision 3, is amended to read:

Subd. 3. All vehicles subject to registration under the monthly series system shall be registered by the registrar for a period of 12 consecutive calendar months, except as follows:

- (a) if the application is an original rather than renewal application; or,
- (b) ~~The application is the next registration occurring after a dealer or distributor has registered a motor vehicle prior to its assessment or taxation as personal property pursuant to section 168.28; or,~~
- (c) The application is a renewal application for a pickup truck for the registration year of 1982; if the applicant is a licensed motor vehicle lessor under section 168.27, in which case the applicant may apply for original registration of a group of ten or more vehicles for a period of four or more months, the month of

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expiration to be designated by the applicant at the time of registration. However, to qualify for this exemption, the applicant must present the application to the registrar at St. Paul, or at deputy registrar offices as the registrar may designate.

In ~~such~~ any instance ~~except that of a licensed motor vehicle lessor~~, the registrar may register the vehicle which is the subject of the application for a period of not less than three nor more than 15 calendar months, when the registrar determines that ~~such registration to do so~~ will help to equalize the registration and renewal work load of the department.

Sec. 2. Minnesota Statutes 1990, section 168.011, subdivision 35, is amended to read:

Subd. 35. **LIMOUSINE.** "Limousine" means a passenger automobile, other than a taxicab or a passenger-carrying van-type vehicle, that does not provide regular route service and that has a seating capacity, excluding the driver, of not more than 12 passengers. For purposes of motor vehicle registration only, "limousine" means an unmarked luxury passenger automobile that is not a van or station wagon and has a seating capacity of not more than 12 persons, excluding the driver.

Sec. 3. Minnesota Statutes 1990, section 168.128, subdivision 2, is amended to read:

Subd. 2. **LICENSE PLATES.** A person who operates a limousine for other than personal use shall apply to register the vehicle as provided in this section. A person who operates a limousine for personal use may apply. The registrar shall issue limousine license plates upon the applicant's compliance with laws relating to registration and licensing of motor vehicles and drivers and certification by the owner that an insurance policy in an aggregate amount of \$300,000 per accident is in effect for the entire period of the registration under section 65B.135. The applicant must provide the registrar with proof that the passenger automobile license tax and a \$10 fee have been paid for each limousine receiving limousine license plates. The limousine license plates must be designed to specifically identify the vehicle as a limousine and must be clearly marked with the letters "LM." Limousine license plates may not be transferred upon sale of the limousine, but may be transferred to another limousine owned by the same person upon notifying the registrar and paying a \$5 transfer fee.

Sec. 4. Minnesota Statutes 1990, section 168.128, subdivision 3, is amended to read:

Subd. 3. **INSURANCE.** The application must include a certificate of insurance verifying that a valid commercial insurance policy is in effect and giving the name of the insurance company and the number of the insurance policy. The policy must provide stated limits of liability, exclusive of interest and costs, with respect to each vehicle for which coverage is granted, of not less than \$100,000 because of bodily injury to one person in any one accident and, subject to said

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limit for one person, of not less than \$300,000 because of injury to two or more persons in any one accident and of not less than \$100,000 because of injury to or destruction of property. The insurance company must notify the commissioner if the policy is canceled or if the policy no longer provides the coverage required by this subdivision.

The commissioner shall immediately notify the commissioner of transportation if the policy of a person required to have a permit under section 7 is canceled or no longer provides the coverage required by this subdivision.

Sec. 5. Minnesota Statutes 1990, section 221.025, is amended to read:

221.025 EXEMPTIONS.

Except as provided in sections 221.031 and 221.033, the provisions of this chapter do not apply to the intrastate transportation described below:

(a) the transportation of students to or from school or school activities in a school bus inspected and certified under section 169.451;

(b) the transportation of rubbish as defined in section 443.27;

(c) a commuter van as defined in section 221.011, subdivision 27;

(d) authorized emergency vehicles as defined in section 169.01, subdivision 5, including ambulances, and tow trucks when picking up and transporting disabled or wrecked motor vehicles and when carrying proper and legal warning devices;

(e) the transportation of grain samples under conditions prescribed by the board;

(f) the delivery of agricultural lime;

(g) the transportation of dirt and sod within an area having a 50-mile radius from the home post office of the person performing the transportation;

(h) a person while exclusively engaged in the transportation of sand, gravel, bituminous asphalt mix, concrete ready mix, concrete blocks or tile, or crushed rock to or from the point of loading or a place of gathering within an area having a 50-mile radius from that person's home post office or a 50-mile radius from the site of construction or maintenance of public roads and streets;

(i) the transportation of pulpwood, cordwood, mining timber, poles, posts, decorator evergreens, wood chips, sawdust, shavings, and bark from the place where the products are produced to the point where they are to be used or shipped;

(j) a person while engaged exclusively in transporting fresh vegetables from farms to canneries or viner stations, from viner stations to canneries, or from canneries to canneries during the harvesting, canning, or packing season, or

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transporting potatoes, sugar beets, wild rice, or rutabagas from the field of production to the first place of delivery or unloading, including a processing plant, warehouse, or railroad siding;

(k) a person engaged in transporting property or freight, other than household goods and petroleum products in bulk, entirely within the corporate limits of a city or between contiguous cities except as provided in section 221.296;

(l) the transportation of unprocessed dairy products in bulk within an area having a 100-mile radius from the home post office of the person providing the transportation;

(m) a person engaged in transporting agricultural, horticultural, dairy, livestock, or other farm products within an area having a 25-mile radius from the person's home post office and the carrier may transport other commodities within the 25-mile radius if the destination of each haul is a farm;

~~(n) a person providing limousine service that is not regular route service in a passenger automobile that is not a van, and that has a seating capacity, excluding the driver, of not more than 12 persons;~~

~~(o) passenger transportation service that is not charter service and that is under contract to and with operating assistance from the department or the regional transit board.~~

Sec. 6. Minnesota Statutes 1990, section 221.091, is amended to read:

221.091 LIMITATIONS.

No provision in sections 221.011 to 221.291 and section 7 shall authorize the use by any carrier of any public highway in any city of the first class in violation of any charter provision or ordinance of such city in effect January 1, 1925, unless and except as such charter provisions or ordinance may be repealed after that date; nor shall sections 221.011 to 221.291 and section 7 be construed as in any manner taking from or curtailing the right of any city to reasonably regulate or control the routing, parking, speed or the safety of operation of a motor vehicle operated by any carrier under the terms of sections 221.011 to 221.291 and section 7, or the general police power of any such city over its highways; nor shall sections 221.011 to 221.291 and section 7 be construed as abrogating any provision of the charter of any such city requiring certain conditions to be complied with before such carrier can use the highways of such city and such rights and powers herein stated are hereby expressly reserved and granted to such city; but no such city shall prohibit or deny the use of the public highways within its territorial boundaries by any such carrier for transportation of passengers or property received within its boundaries to destinations beyond such boundaries, or for transportation of passengers or property from points beyond such boundaries to destinations within the same, or for transportation of passengers or property from points beyond such boundaries through such municipality to points beyond the boundaries of such municipality, where such operation is pursuant to a certificate of convenience and necessity issued by the commission or to a permit issued by the commissioner under section 7.

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Sec. 7. [221.84] OPERATION OF LIMOUSINES.

Subdivision 1. DEFINITION. "Limousine service" means a service that:

(1) is not provided on a regular route;

(2) is provided in an unmarked luxury passenger automobile that is not a van or station wagon and has a seating capacity of not more than 12 persons, excluding the driver;

(3) provides only prearranged pickup; and

(4) charges more than a taxicab fare for a comparable trip.

Subd. 2. PERMIT REQUIRED; RULES. No person may operate a for-hire limousine service without a permit from the commissioner. The commissioner shall adopt rules governing the issuance of permits for for-hire operation of limousines that include:

(1) annual inspections of limousines;

(2) driver qualifications, including requiring a criminal history check of drivers;

(3) insurance requirements in accordance with section 168.128;

(4) advertising regulation, including requiring a copy of the permit to be carried in the limousine and use of the words "licensed and insured";

(5) provisions for agreements with political subdivisions for sharing enforcement costs;

(6) issuance of temporary permits and temporary permit fees; and

(7) other requirements deemed necessary by the commissioner.

This section does not apply to limousines operated by persons meeting the definition of private carrier in section 221.011, subdivision 26.

Subd. 3. PENALTIES. The commissioner may issue an order requiring violations of statutes, rules, and local ordinances governing operation of limousines to be corrected and assessing monetary penalties up to \$1,000. The commissioner may suspend or revoke a permit for violation of applicable statutes and rules and, upon the request of a political subdivision, may immediately suspend a permit for multiple violations of local ordinances. The commissioner shall immediately suspend a permit for failure to maintain required insurance and shall not restore the permit until proof of insurance is provided. A person whose permit is revoked or suspended or who is assessed an administrative penalty may appeal the commissioner's action in a contested case proceeding under chapter 14.

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Subd. 4. PERMITS; DECALS. (a) The commissioner shall design a distinctive decal to be issued to permit holders under this section. Each decal is valid for one year from the date of issuance. No person may operate a limousine that provides limousine service unless the limousine has such a decal conspicuously displayed.

(b) During the period July 1, 1991, to June 30, 1992, the fee for each decal issued under this section is \$150. After June 30, 1992, the fee for each decal is \$80. The fee for each permit issued under this section is \$150. The commissioner shall deposit all fees under this section in the trunk highway fund.

Sec. 8. APPROPRIATION.

\$75,000 for the fiscal year ending June 30, 1992, and \$47,000 for the fiscal year ending June 30, 1993, is appropriated from the trunk highway fund to the commissioner of transportation for the purposes of section 7. The complement of the department of transportation in the fiscal year ending June 30, 1993, is increased by 1.5 positions.

Sec. 9. EFFECTIVE DATE.

Section 1 is effective the day following final enactment.

Presented to the governor May 29, 1991

Became law without the governor's signature June 2, 1991

[Revisor's Note: While the governor attempted to veto this chapter, the Ramsey County District Court found the attempted veto to be invalid.]

CHAPTER 285—S.F.No. 371

An act relating to crimes; child abduction; requiring certain convicted sex and kidnapping offenders to report a current address to probation officer following release from prison; requiring the publication of missing children bulletins; requiring training concerning the investigation of missing children cases; providing law enforcement officers access to medical and dental records of missing children; extending DNA analysis requirements to persons sentenced as patterned sex offenders; changing times for filing and dismissal of certain felony charges; appropriating money; amending Minnesota Statutes 1990, sections 13.82, by adding subdivisions; 299C.52, subdivisions 1, 3, and 6; 609.26, subdivision 5; and 609.3461; proposing coding for new law in Minnesota Statutes, chapters 243 and 299C.

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

Section 1. Minnesota Statutes 1990, section 13.82, is amended by adding a subdivision to read:

Subd. 14a. DATA ON REGISTERED CRIMINAL OFFENDERS. Data described in section 3 shall be classified as described in that section.

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