

determination following the hearing shall be made within five calendar days after the hearing has been completed. Registered combined charitable organizations shall file the report required in section 309.53. The commissioner shall notify the commissioner of finance in writing of the decision to register an organization under this section by July 15.

(e) An organization whose application as a registered combined charitable organization is denied shall not be eligible to participate in the state employee combined charitable campaign for that year. Only organizations that are approved may participate in the state employee combined charitable campaign for the year of approval and only contributions authorized during the campaign may be deducted from an employee's pay pursuant to section 16A.134.

Sec. 3. EFFECTIVE DATE.

Sections 1 and 2 are effective the day following final enactment.

Presented to the governor April 26, 1994

Signed by the governor April 28, 1994, 2:20 p.m.

CHAPTER 536—H.F.No. 2508

An act relating to motor vehicles; making technical corrections; exempting license plates on state lottery vehicles from registration tax when used for security or criminal investigation purposes; taxing commuter vans as buses for vehicle registration purposes; allowing holder of personalized license plates to have priority for those plates in next registration period as long as holder keeps registration current; providing for temporary 60-day permits while waiting for special ready reserve license plates or special collegiate license plates; requiring vehicle dealers to file information relating to temporary registration permits issued to new purchasers; requiring drive-away in transit license plates and insurance for transporting vehicles; regulating vehicle dealers; requiring that parking certificate for disabled person hang from rearview mirror; specifying parking certificate expiration times for persons with permanent and temporary disabilities; clarifying an exemption for towing authorities from four-hour waiting period; requiring district court agents to retain filing fee for receiving and forwarding drivers' license applications and fees; requiring secured parties to be notified when a dealer buys a late model or high value salvage vehicle; providing exemption from uniform fire code for dispensing certain flammable liquids; amending Minnesota Statutes 1992, sections 168.011, subdivision 7; 168.012, by adding a subdivision; 168.013, subdivision 1f, and by adding a subdivision; 168.053, subdivision 1; 168.054; 168.09, subdivision 7; 168.092, subdivision 2; 168.12, subdivision 2a; 168.126, subdivision 1; 168.27, subdivisions 1, 12, 13, 15, 16, and 17; 168A.11, subdivision 2; 168A.153, subdivision 2; 169.041, subdivision 4; 169.345, subdivision 1; and 325F.662, subdivision 3; Minnesota Statutes 1993 Supplement, sections 169.345, subdivision 3; and 171.06, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 299F.

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

Section 1. Minnesota Statutes 1992, section 168.011, subdivision 7, is amended to read:

Subd. 7. **PASSENGER AUTOMOBILE.** "Passenger automobile" means any motor vehicle designed and used for the carrying of not more than 15 persons including the driver: "Passenger automobile" does not include motorcycles, motor scooters, and buses described in subdivision 9, paragraph (a), clause (2). For purposes of taxation only, "passenger automobile" includes pickup trucks and vans, other than commuter vans as defined in section 168.126.

Sec. 2. Minnesota Statutes 1992, section 168.012, is amended by adding a subdivision to read:

Subd. 1d. STATE LOTTERY VEHICLES. Unmarked passenger vehicles used by the state lottery for the purpose of conducting security or criminal investigations or ensuring that lottery retailers are in compliance with law and with their contracts are not required to display tax-exempt number plates, but must be registered and must display passenger vehicle license plates. The registrar shall furnish the license plates to the director of the state lottery at cost. On applying for initial registration or renewal of a registration under this subdivision, the director of the state lottery must certify, on a form prescribed by the registrar and signed by the director, that the vehicles will be used exclusively for the purposes of this subdivision.

Sec. 3. Minnesota Statutes 1992, section 168.013, subdivision 1f, is amended to read:

Subd. 1f. **BUSES.** On all intercity buses, the tax during each the first two years of vehicle life shall be based on the gross weight of the vehicle and graduated according to the following schedule:

Gross Weight of Vehicle	Tax
Under 6,000 lbs.	\$125
6,000 to 8,000 lbs., incl.	125
8,001 to 10,000 lbs., incl.	125
10,001 to 12,000 lbs., incl.	150
12,001 to 14,000 lbs., incl.	190
14,001 to 16,000 lbs., incl.	210
16,001 to 18,000 lbs., incl.	225
18,001 to 20,000 lbs., incl.	260
20,001 to 22,000 lbs., incl.	300
22,001 to 24,000 lbs., incl.	350
24,001 to 26,000 lbs., incl.	400
26,001 to 28,000 lbs., incl.	450
28,001 to 30,000 lbs., incl.	500
30,001 and over	550

During each of the third and fourth years of vehicle life, the tax shall be 75

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percent of the foregoing scheduled tax; during the fifth year of vehicle life, the tax shall be 50 percent of the foregoing scheduled tax; during the sixth year of vehicle life, the tax shall be 37-1/2 percent of the foregoing scheduled tax; and during the seventh and each succeeding year of vehicle life, the tax shall be 25 percent of the foregoing scheduled tax; provided that the annual tax paid in any year of its life for an intercity bus shall be not less than \$175 for a vehicle of over 25 passenger seating capacity, and not less than \$125 for a vehicle of 25 passenger and less seating capacity.

On all intracity buses operated by an auto transportation company in the business of transporting persons for compensation as a common carrier and operating within the limits of cities having populations in excess of 200,000 inhabitants, the tax during each year of the vehicle life of each such bus shall be \$40; on all of such intracity buses operated in cities having a population of less than 200,000 and more than 70,000 inhabitants, the tax during each year of vehicle life of each bus shall be \$10; and on all of such intracity buses operating in cities having a population of less than 70,000 inhabitants, the tax during each year of vehicle life of each bus shall be \$2.

On all other buses and commuter vans, as defined in section 168.126, the tax during each of the first three years of the vehicle life shall be based on the gross weight of the vehicle and graduated according to the following schedule: Where the gross weight of the vehicle is 6,000 pounds or less, \$25. Where the gross weight of the vehicle is more than 6,000 pounds, and not more than 8,000 pounds, the tax shall be \$25 plus an additional tax of \$5 per ton for the ton or major portion in excess of 6,000 pounds. Where the gross weight of the vehicle is more than 8,000 pounds, and not more than 20,000 pounds, the tax shall be \$30 plus an additional tax of \$10 per ton for each ton or major portion in excess of 8,000 pounds. Where the gross weight of the vehicle is more than 20,000 pounds and not more than 24,000 pounds, the tax shall be \$90 plus an additional tax of \$15 per ton for each ton or major portion in excess of 20,000 pounds. Where the gross weight of the vehicle is more than 24,000 pounds and not more than 28,000 pounds, the tax shall be \$120 plus an additional tax of \$25 per ton for each ton or major portion in excess of 24,000 pounds. Where the gross weight of the vehicle is more than 28,000 pounds, the tax shall be \$170 plus an additional tax of \$30 per ton for each ton or major portion in excess of 28,000 pounds.

During the fourth and succeeding years of vehicle life, the tax shall be 80 percent of the foregoing scheduled tax but in no event less than \$20 per vehicle.

Sec. 4. Minnesota Statutes 1992, section 168.013, is amended by adding a subdivision to read:

Subd. 1k. COMMUTER VAN. A commuter van, as defined in section 168.126, must be separately licensed and taxed annually on the basis of total gross weight and the tax must be graduated according to the schedule prescribed in subdivision 1f.

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Sec. 5. Minnesota Statutes 1992, section 168.053, subdivision 1, is amended to read:

Subdivision 1. Any person, firm, or corporation engaged in the business of transporting motor vehicles owned by another, by delivering, by drive-away or towing methods, either singly or by means of the full mount method, the saddle mount method, the tow bar method, or any other combination thereof, and under their own power, vehicles over the highways of the state from the manufacturer or any other point of origin, to any point of destination, within or without the state, shall make application to the registrar for a drive-away in transit license. This application for annual license shall be accompanied by a registration fee of \$250 and contain such information as the registrar may require. Upon the filing of the application and the payment of the fee, the registrar shall issue to each drive-away operator a ~~general distinguishing number~~ drive-away in transit license plate, which ~~number~~ must be carried and displayed on the power unit consistent with section 169.79 and ~~such number~~ the plate shall remain on the vehicle while being operated within the state. Additional drive-away in transit license plates ~~bearing the same distinguishing number~~ desired by any drive-away operator may be secured from the registrar of motor vehicles upon the payment of a fee of \$5 for each set of additional license plates. Any person, firm, or corporation engaging in the business as a drive-away operator, of transporting and delivering by means of full mount method, the saddle mount method, the tow bar method, or any combination thereof, and under their own power, motor vehicles, who fails or refuses to file or cause to be filed an application, as is required by law, and to pay the fees therefor as the law requires, shall be found guilty of violating the provisions of sections 168.053 to 168.057; and, upon conviction, fined not less than \$50, and not more than \$100, and all costs of court. Each day so operating without securing the license and plates as required therein shall constitute a separate offense within the meaning thereof.

Sec. 6. Minnesota Statutes 1992, section 168.054, is amended to read:

168.054 LIABILITY INSURANCE POLICY.

Any person pulling or towing any vehicle as provided in section 168.053 designed, equipped, or intended to operate under its own power, the pulling or towing being accomplished by another vehicle when operating upon any public highway of the state, shall obtain, before such pulling or towing, ~~file with the registrar~~ a liability insurance policy or bond covering public liability and property damage, issued by some insurance or bonding company, or insurance carrier authorized to do business in the state, which policy or bond shall be approved by the registrar and be in the amount of \$10,000 because of bodily injury to or death of one person in any one accident, and, subject to said limit for one person, in the amount of \$100,000 because of bodily injury to or death of two or more persons in any one accident, and in the amount of \$5,000 because of injury to or destruction of property of others in any one accident.

Sec. 7. Minnesota Statutes 1992, section 168.09, subdivision 7, is amended to read:

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Subd. 7. **DISPLAY OF TEMPORARY PERMIT; SPECIAL PLATES.** A vehicle that displays a special plate issued under section 168.021; 168.12, subdivision 2, 2a, 2b, ~~or 2c,~~ or 2d; 168.123; 168.124; 168.125; 168.126; ~~or 168.128;~~ or 168.129 may display a temporary permit in conjunction with expired registration if:

- (1) the current registration tax and all other fees have been paid in full; and
- (2) the plate requires replacement under section 168.12, subdivision 1, paragraph (3).

The permit is valid for a period of 60 days. The permit must be in a form prescribed by the commissioner of public safety and whenever practicable must be posted upon the driver's side of the rear window on the inside of the vehicle. The permit is valid only for the vehicle for which it was issued to allow a reasonable time for the new license plates to be manufactured and delivered to the applicant.

Sec. 8. Minnesota Statutes 1992, section 168.092, subdivision 2, is amended to read:

Subd. 2. The registrar may issue a quantity of permits ~~in booklet form~~ to licensed dealers. When issuing a permit, the dealer shall ~~immediately forward to the registrar information on forms supplied by the registrar showing to whom the permit was issued; the vehicle description; date of issue and expiration; and such other information as the registrar may require~~ complete the permit in the manner prescribed by the department. One copy of the permit shall be retained in sequential order in the dealer's files.

Sec. 9. Minnesota Statutes 1992, section 168.12, subdivision 2a, is amended to read:

Subd. 2a. **PERSONALIZED PLATES.** Personalized license plates must be issued to an applicant for registration of a passenger automobile including a passenger automobile registered as a classic car, pioneer car, collector car, or street rod; van; pickup truck; motorcycle including a classic motorcycle; or self-propelled recreational vehicle, upon compliance with the laws of this state relating to registration of the vehicle and upon payment of a one-time fee of \$100 in addition to the registration tax required by law for the vehicle. The registrar shall designate a replacement fee for personalized license plates that is calculated to cover the cost of replacement. This fee must be paid by the applicant whenever the personalized license plates are required to be replaced by law. In lieu of the numbers assigned as provided in subdivision 1, personalized license plates must have imprinted on them a series of not more than seven numbers and letters in any combination. When an applicant has once obtained personalized plates, the applicant shall have a prior claim for similar personalized plates in the next succeeding year ~~that plates are issued if application is made for them at least 30 days before the first date that registration can be renewed~~ as long as current registration is maintained. The commissioner of public safety shall adopt

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rules in the manner provided by chapter 14, regulating the issuance and transfer of personalized license plates. No words or combination of letters placed on personalized license plates may be used for commercial advertising, be of an obscene, indecent, or immoral nature, or be of a nature that would offend public morals or decency. The call signals or letters of a radio or television station are not commercial advertising for the purposes of this subdivision.

Notwithstanding the provisions of subdivision 1, personalized license plates issued under this subdivision may be transferred to another motor vehicle owned or jointly owned by the applicant, upon the payment of a fee of \$5, which must be paid into the state treasury and credited to the highway user tax distribution fund. The registrar may by rule provide a form for notification. A personalized license plate issued for a classic car, pioneer car, collector car, street rod, or classic motorcycle may not be transferred to a vehicle not eligible for such a license plate.

Notwithstanding any law to the contrary, if the personalized license plates are lost, stolen, or destroyed, the applicant may apply and shall receive duplicate license plates bearing the same combination of letters and numbers as the former personalized plates upon the payment of the fee required by section 168.29.

Fees from the sale of permanent and duplicate personalized license plates must be paid into the state treasury and credited to the highway user tax distribution fund.

Sec. 10. Minnesota Statutes 1992, section 168.126, subdivision 1, is amended to read:

Subdivision 1. **UNIQUE REGISTRATION CATEGORY.** A unique vehicle registration category is established for vehicles known as commuter vans, ~~as defined in section 221.011, subdivision 27.~~ “Commuter van” means a vehicle having a capacity of seven to 16 persons that meets the criteria set forth in section 221.011, subdivision 27.

Sec. 11. Minnesota Statutes 1992, section 168.27, subdivision 1, is amended to read:

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

(1) “Leasing motor vehicles” means furnishing a motor vehicle for a fee under a bailor-bailee relationship where no incidences of ownership are intended to be transferred other than the right to use the vehicle for a stated period of time:

(2) “Brokering motor vehicles” means arranging sales between willing buyers and sellers of motor vehicles and receiving a fee for said service.

(3) “Wholesaling motor vehicles” means selling new or used motor vehicles to dealers for resale to the public.

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(4) "Auctioning motor vehicles" means arranging for and handling the sale of motor vehicles, not the property of the auctioneer, to the highest bidder.

(5) "Dealer" includes licensed new motor vehicle dealers, used motor vehicle dealers, wholesalers, auctioneers, lessors of new or used motor vehicles, scrap metal processors, used vehicle parts dealers, and salvage pools.

(6) "Commercial building" means a permanent, enclosed building that is on a permanent foundation and connected to local sewer and water facilities or otherwise complying with local sanitary codes, is adapted to commercial use, and conforms to local government zoning requirements. "Commercial building" may include strip office malls or garages if a separate entrance and a separate address are maintained and the dealership is clearly identified as a separate business.

(7) "Commercial office space" means office space occupying all or part of a commercial building.

(8) "Horse trailer" is a trailer designed and used to carry horses and other livestock, which has not more than three axles and a maximum gross weight capacity of not more than 24,000 pounds.

(9) "Isolated or occasional sales or leases" means the sale or lease of not more than five motor vehicles in a 12-month period, exclusive of pioneer or classic motor vehicles as defined in section 168.10, subdivisions 1a and 1b, or sales by 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.

(10) "Used motor vehicle" means a motor vehicle for which title has been transferred from the person who first acquired it from the manufacturer, distributor, or dealer. A new motor vehicle will not be considered a used motor vehicle until it has been placed in actual operation and not held for resale by an owner who has been granted a certificate of title on the motor vehicle and has registered the motor vehicle in accordance with this chapter and chapters 168A and 297B, or the laws of the residence of the owner.

(11) "New motor vehicle" means a motor vehicle other than described in paragraph (10).

(12) "Junked vehicle" means a vehicle that is ~~graded and stamped as a "class D" total loss vehicle~~ declared unrepairable under section 168A.151.

(13) "Motor vehicle" has the meaning given it in section 168.011, subdivision 4, and also includes a park trailer as defined in section 168.011, subdivision 8.

Sec. 12. Minnesota Statutes 1992, section 168.27, subdivision 12, is amended to read:

Subd. 12. **GROUNDS FOR SUSPENSION AND REVOCATION.** A

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license may be suspended or revoked by the registrar of motor vehicles upon proof satisfactory to the registrar of any of the following:

(1) violations of any of the provisions of ~~this~~ chapter 168, 168A, 297B, 325E, or 325F;

(2) violation of or refusal to comply with the requests and order of the registrar;

(3) failure to make or provide to the registrar all listings, notices, and reports required by the registrar;

(4) failure to pay to the registrar all taxes, fees, and arrears due from and by such dealer;

(5) failure to duly apply for renewal of license provided for herein;

(6) revocation of previous license, of which the records of the registrar relating thereto shall be prima facie evidence of such previous revocation;

(7) failure of continued occupancy of an established place of business;

(8) sale of a new and unused current model motor vehicle other than the make of motor vehicle described in the franchise or contract filed with the original application or renewal thereof, without permission from the registrar;

(9) sale of a new and unused current model motor vehicle to anyone except for consumer use, or to a dealer duly licensed to sell the same make of motor vehicle;

(10) material misstatement or misrepresentation in application for license or renewal thereof;

(11) having advertised, printed, displayed, published, distributed, broadcast or televised or caused or permitted to be advertised, printed, displayed, published, distributed, broadcast or televised in any manner whatsoever, or having made orally any statement or representation with regard to the sale, lease or financing of motor vehicles which is false, deceptive or misleading;

(12) having been convicted of violating section 325F.69, or having been enjoined due to a violation of section 325F.69;

(13) having been convicted of violating the Minnesota odometer law, section 325E.14, 325E.15, or 325E.16, or the federal odometer law, United States Code, title 15, sections 1981 to 1991, as amended through December 31, 1984;

(14) having been convicted of violating the sale of motor vehicles on Sunday law, section 168.275; or

(15) having been convicted under section 609.53 of receiving or selling stolen vehicles.

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With respect to clauses (12), (13), and (15), the registrar may suspend or revoke a license immediately upon receiving certification of conviction or permanent injunction. A hearing is required under subdivision 13 within 30 days following a summary suspension or revocation under this paragraph, if a hearing is requested by the licensee.

Sec. 13. Minnesota Statutes 1992, section 168.27, subdivision 13, is amended to read:

Subd. 13. **SUSPENSION AND REVOCATION; HEARING.** The registrar of motor vehicles, upon the registrar's own motion or upon the complaint of another, shall prepare and cause to be served upon the licensee complained of, a written notice or complaint setting forth, in substance, the violations charged, a statement of the deficiencies which exist and any corrective action deemed appropriate. Said notice shall include a statement that in the event corrective action is deemed appropriate and corrective action is not taken, the dealer's license may be suspended or revoked. The notice shall require the licensee to appear at the time and place fixed therein before the registrar ~~or inspector~~, and show cause why the license should not be suspended or revoked.

The registrar shall, at the time and place fixed in the notice, proceed to hear and determine the matter on its merits. All hearings shall be conducted in accordance with the provisions of chapter 14, except that the provisions of section 14.50, shall not apply. The registrar is authorized to subpoena witnesses and administer oaths. If the registrar shall find the existence of any of the causes for suspension or revocation as set forth in subdivision 12 and determine that corrective action has not been taken or that corrective action will not prevent repetition of the violations charged or that the public interest will not be served by corrective action and the licensee's license should be suspended or revoked, the registrar shall issue a written order setting out the decision, and a copy of such order shall be served upon such licensee in the manner provided by law for the service of summons in a civil action. On finding that the dealer has violated any of the provisions of this section but that the nature of said violation or the circumstances thereof are such that a suspension of the license would be adequate, the registrar may, instead of revoking the license suspend it for a period not exceeding 90 days. On finding that the violation does not justify a suspension only, the registrar shall revoke the license. Upon a suspension or revocation, if it be a new or used motor vehicle dealer, said licensee shall immediately return to the registrar all number plates, including any "in transit" plates and temporary permits, in its possession and its dealer's license certificate.

Sec. 14. Minnesota Statutes 1992, section 168.27, subdivision 15, is amended to read:

Subd. 15. **ENFORCEMENT.** The registrar is hereby authorized to enforce this section and is directed to appoint under the registrar's hand not less than seven persons amongst the registrar's several employees, as inspectors and investigators and who when so appointed, shall have full authority to enforce this sec-

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tion throughout the state. ~~Before entering upon their official duties, the oath of appointment of each of the additional employees shall be filed in the office of the secretary of state.~~ The registrar, the registrar's inspectors or investigators, when traveling or otherwise pursuing their duties outside the office of the registrar, shall be paid for their actual expenses incurred out of the same funds as other employees of the registrar of motor vehicles. The inspectors shall assist licensees in compliance with laws governing licensees and administered hereunder.

Sec. 15. Minnesota Statutes 1992, section 168.27, subdivision 16, is amended to read:

Subd. 16. **PLATES: DISTINGUISHING NUMBERS, FEES, TAXES, USES.** (a) The registrar shall issue to every motor vehicle dealer, upon a request from the motor vehicle dealer licensed as provided in subdivision 2 or 3, one or more plates displaying a general distinguishing number. This subdivision does not apply to a scrap metal processor, a used vehicle parts dealer, or a vehicle salvage pool. The fee for each of the first four plates is \$75 per calendar year, of which \$60 must be paid to the registrar and the remaining \$15 is payable as motor vehicle excise tax under section 297B.035. For each additional plate, the dealer shall pay the registrar a fee of \$25 and a motor vehicle excise tax of \$15 per calendar year. The registrar shall deposit the tax in the state treasury and it shall be credited as provided in section 297B.09. Motor vehicles, new or used, owned by the motor vehicle dealer ~~dealer~~ dealership and bearing the number plate, except vehicles leased to the user who is not an employee of the dealer during the term of the lease, held for hire, or customarily used by the dealer as a tow truck, service truck, or parts ~~pickup truck~~ vehicle, may be driven upon the streets and highways of this state:

(1) by the motor vehicle dealer or dealer's spouse, or any full-time employee of the motor vehicle dealer for either private or business purposes;

(2) by a part-time employee when the use is directly related to a particular business transaction of the dealer;

(3) for demonstration purposes by any prospective buyer thereof for a period of 48 hours or in the case of a truck, truck-tractor, or semitrailer, for a period of seven days; or

(4) in a promotional event that lasts no longer than four days in which at least three motor vehicles are involved.

(b) A new or used motor vehicle sold by the motor vehicle dealer and bearing the motor vehicle dealer's number plate may be driven upon the public streets and highways for a period of 72 hours by the buyer for either of the following purposes: (1) removing the vehicle from this state for registration in another state, or (2) permitting the buyer to use the motor vehicle before the buyer receives number plates pursuant to registration. Use of a motor vehicle by the buyer under the provisions of clause (2) of the preceding sentence before the buyer receives number plates pursuant to registration constitutes a use of the

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public streets or highways for the purpose of the time requirements for registration of motor vehicles.

Sec. 16. Minnesota Statutes 1992, section 168.27, subdivision 17, is amended to read:

Subd. 17. **APPLICATION FOR IN TRANSIT PLATES.** Every licensed dealer in motor vehicles may make application upon a blank provided by the registrar for that purpose for a ~~general distinguishing number~~ dealer in transit license plates for use upon all new or used motor vehicles being transported from the dealer's source of supply, or other place of storage, to the dealer's place of business, or to another place of storage, or from one dealer to another. ~~A general distinguishing number shall be assigned by the registrar to the dealer for that purpose, and~~ The registrar shall then issue to the dealer the number of plates as the dealer may request, upon the payment by the dealer to the registrar of the sum of \$5 per plate per calendar year. ~~The plates shall be known as "in transit" plates.~~ The registrar may issue "in transit" plates, upon the payment of the sum of \$5 to the registrar, to dealers duly licensed in other states or provinces upon information furnished in the manner as the registrar may prescribe, and which satisfies the registrar that persons or companies applying therefor are duly licensed dealers under the laws of the states or provinces.

Sec. 17. Minnesota Statutes 1992, section 168A.11, subdivision 2, is amended to read:

Subd. 2. **PURCHASE RECEIPT.** A dealer, on buying a vehicle which is subject to an outstanding certificate of title, shall at the time of taking delivery of the vehicle execute in triplicate a purchase receipt for the vehicle in a form designated by the department, and deliver one copy to the seller. Within 48 hours thereafter the dealer shall mail, transmit, or deliver one copy of such receipt to the department.

Sec. 18. Minnesota Statutes 1992, section 168A.153, subdivision 2, is amended to read:

Subd. 2. **LATE MODEL OR HIGH VALUE VEHICLES.** A dealer who buys a late model or high value vehicle to be dismantled or destroyed shall notify the secured party, if any, and then surrender the certificate of title and a properly completed application for a salvage certificate of title to the department within ten days.

Sec. 19. Minnesota Statutes 1992, section 169.041, subdivision 4, is amended to read:

Subd. 4. **TOWING ALLOWED.** A towing authority may tow a motor vehicle without regard to the four-hour waiting period if:

- (1) the vehicle is parked in violation of snow emergency regulations;
- (2) the vehicle is parked in a rush-hour restricted parking area;

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- (3) the vehicle is blocking a driveway, alley, or fire hydrant;
- (4) the vehicle is parked in a bus lane, or at a bus stop, during hours when parking is prohibited;
- (5) the vehicle is parked within 30 feet of a stop sign and visually blocking the stop sign;
- (6) the vehicle is parked in a handicap transfer zone or handicapped parking space without a handicapped parking certificate or handicapped license plates;
- (7) the vehicle is parked in an area that has been posted for temporary restricted parking (i) at least 12 hours in advance in a home rule charter or statutory city having a population under 50,000, or (ii) at least 24 hours in advance in another political subdivision;
- (8) the vehicle is parked within the right-of-way of a controlled access highway or within the traveled portion of a public street when travel is allowed there;
- (9) the vehicle is unlawfully parked in a zone that is restricted by posted signs to use by fire, police, public safety, or emergency vehicles;
- (10) the vehicle is unlawfully parked on property at the Minneapolis-St. Paul International Airport owned by the metropolitan airports commission;
- (11) a law enforcement official has probable cause to believe that the vehicle is stolen, or that the vehicle constitutes or contains evidence of a crime and impoundment is reasonably necessary to obtain or preserve the evidence;
- (12) the driver, operator, or person in physical control of the vehicle is taken into custody and the vehicle is impounded for safekeeping;
- (13) a law enforcement official has probable cause to believe that the owner, operator, or person in physical control of the vehicle has failed to respond to five or more citations for parking or traffic offenses;
- (14) the vehicle is unlawfully parked in a zone that is restricted by posted signs to use by taxicabs;
- (15) the vehicle is unlawfully parked and prevents egress by a lawfully parked vehicle; or
- (16) the vehicle is parked, on a school day during prohibited hours, in a school zone on a public street where official signs prohibit parking.

Sec. 20. Minnesota Statutes 1992, section 169.345, subdivision 1, is amended to read:

Subdivision 1. **SCOPE OF PRIVILEGE.** A vehicle that prominently displays the certificate authorized by this section or that bears license plates issued under section 168.021, may be parked by or for a physically disabled person:

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(1) in a designated parking space for disabled persons, as provided in section 169.346; and

(2) in a metered parking space without obligation to pay the meter fee and without time restrictions unless time restrictions are separately posted on official signs.

For purposes of this subdivision, a certificate is prominently displayed if it is displayed ~~on the dashboard in the left-hand corner of the front windshield of the vehicle with so that it may be viewed from the front and rear of the vehicle by hanging it from the rearview mirror attached to the front windshield of the vehicle. If there is no rearview mirror, the placard must be displayed on the dashboard.~~ No part of the certificate may be obscured.

Notwithstanding clauses (1) and (2), this section does not permit parking in areas prohibited by sections 169.32 and 169.34, in designated no parking spaces, or in parking spaces reserved for specified purposes or vehicles. A local governmental unit may, by ordinance, prohibit parking on any street or highway to create a fire lane, or to accommodate heavy traffic during morning and afternoon rush hours and these ordinances also apply to physically disabled persons.

Sec. 21. Minnesota Statutes 1993 Supplement, section 169.345, subdivision 3, is amended to read:

Subd. 3. **IDENTIFYING CERTIFICATE.** (a) The division of driver and vehicle services in the department of public safety shall issue (1) immediately, a temporary permit valid for 30 days, if the person is eligible for the certificate issued under this paragraph, and (2) a special identifying certificate for a motor vehicle when a physically disabled applicant submits proof of physical disability under subdivision 2a. The commissioner shall design separate certificates for persons with permanent and temporary disabilities that can be readily distinguished from each other from outside a vehicle at a distance of 25 feet. The certificate is valid for ~~the duration of the person's disability, as specified in the physician's or chiropractor's statement, up to a maximum of six years. A person with a disability of longer duration will be required to renew the certificate for additional periods of time, up to six years each, as specified in the physician's or chiropractor's statement six years, if the disability is specified in the physician's or chiropractor's statement as permanent, and is valid for a period not to exceed six months, if the disability is specified as temporary.~~

(b) When the commissioner is satisfied that a motor vehicle is used primarily for the purpose of transporting physically disabled persons, the division may issue without charge (1) immediately, a temporary permit valid for 30 days, if the operator is eligible for the certificate issued under this paragraph, and (2) a special identifying certificate for the vehicle. The operator of a vehicle displaying the certificate or temporary permit has the parking privileges provided in subdivision 1 while the vehicle is in use for transporting physically disabled persons. The certificate issued to a person transporting physically disabled persons must be renewed every third year. On application and renewal, the person must pre-

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sent evidence that the vehicle continues to be used for transporting physically disabled persons.

(c) A certificate must be made of plastic or similar durable material, ~~must be distinct from certificates issued before January 1, 1988,~~ and must bear its expiration date prominently on its face both sides. A certificate issued to a temporarily disabled person must display the date of expiration of the duration of the disability, as determined under paragraph (a). Each ~~certificate applicant~~ applicant must ~~have printed on the back~~ be provided a summary of the parking privileges and restrictions that apply to each vehicle ~~in~~ for which ~~it~~ the certificate is used. The commissioner may charge a fee of \$5 for issuance or renewal of a certificate or temporary permit, and a fee of \$5 for a duplicate to replace a lost, stolen, or damaged certificate or temporary permit. The commissioner shall not charge a fee for issuing a certificate to a person who has paid a fee for issuance of a temporary permit.

Sec. 22. Minnesota Statutes 1993 Supplement, section 171.06, subdivision 4, is amended to read:

Subd. 4. APPLICATION, FILING; FEE RETAINED FOR EXPENSES. Any applicant for an instruction permit, a driver's license, restricted license, or duplicate license may file an application with a court administrator of the district court or at a state office. The administrator or state office shall receive and accept the application. To cover all expenses involved in receiving, accepting, or forwarding to the department applications and fees, the court administrator of the district court may retain a county fee of \$3.50 for each application for a Minnesota identification card, instruction permit, duplicate license, driver license, or restricted license. The amount allowed to be retained by the court administrator of the district court shall be paid into the county treasury and credited to the general revenue fund of the county. Before the end of the first working day following the final day of an established reporting period, the court administrator shall forward to the department all applications and fees collected during the reporting period, less the amount herein allowed to be retained for expenses. The court administrators of the district courts may appoint agents to assist in accepting applications, but the administrators shall require every agent to forward to the administrators by whom the agent is appointed all applications accepted and fees collected by the agent, except that an agent ~~may~~ shall retain the county fee to cover the agent's expenses involved in receiving, accepting or forwarding the applications and fees. The court administrators shall be responsible for the acts of agents appointed by them and for the forwarding to the department of all applications accepted and those fees collected by agents and by themselves as are required to be forwarded to the department.

Sec. 23. Minnesota Statutes 1992, 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 a~~ used motor vehicles vehicle:

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(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~~ an engine designed to use diesel fuel;

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

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

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

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

(8) ~~vehicles~~ that ~~are~~ has not been 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 National Traffic and Motor Safety Act, United States Code, title 15, sections 1381 through 1431, and regulations adopted pursuant thereto; ~~and or~~

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

Sec. 24. [299F.013] FUEL DISPENSING.

Any rule of the commissioner of public safety that adopts provisions of the uniform fire code relating to flammable and combustible liquids must permit the dispensing of class I and class II liquids from a fuel-dispensing system supplied by exterior aboveground tanks, for operations not open to the public. The following dispensing operations are permitted:

(1) dispensing of class I liquids from one tank having a capacity of up to 560 gallons having the dispenser located on or adjacent to the tank;

(2) dispensing of class II liquids from up to two tanks having a capacity of up to 1,000 gallons each and having the dispenser located on or adjacent to the tank.

Dispensing operations authorized under this section are subject to all other applicable requirements of the uniform fire code.

Presented to the governor April 26, 1994

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Signed by the governor April 28, 1994, 2:22 p.m.

CHAPTER 537—S.F.No. 2246

An act relating to natural resources; authorizing the exchange of certain state lands in Wabasha and Fillmore counties under certain conditions; authorizing private sale of certain tax-forfeited land that borders public water in Goodhue county; exempting from certain provisions of the plumbing code a portion of the water supply system at the Wabasha county fairgrounds.

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

Section 1. **LAND EXCHANGE; WABASHA AND FILLMORE COUNTIES.**

Subdivision 1. LEGISLATIVE AUTHORIZATION. Pursuant to Minnesota Statutes, section 94.342, subdivision 3, the legislature expressly authorizes the commissioner of natural resources and the land exchange board to proceed with the land exchange described in this section, under the conditions specified, notwithstanding the fact that the state may not receive, in this exchange, riparian land as required by section 94.342, subdivision 3, and other applicable law.

Subd. 2. LANDS TO BE EXCHANGED. The lands which may be exchanged are those located in Wabasha and Fillmore counties that are described in the "Proposal for Land Exchange" filed with the department of natural resources by Dr. Lee Nauss, of Rural Route 1, Mazeppa, Minnesota, on or about July 23, 1993, or substantially similar lands. The lands proposed by Dr. Nauss to be given to the state in the exchange have been determined by the state, in its rejection of Dr. Nauss' proposal dated on or about August 30, 1993, to lack sufficient riparian land to meet statutory requirements.

Subd. 3. CONDITIONS FOR APPROVAL. If the commissioner of natural resources determines that the benefits to the public in this proposed exchange outweigh the loss of state-owned riparian land, and all other necessary requirements for such a land exchange are met, the commissioner may recommend the exchange to the land exchange board, which may approve the exchange. In making the determination and related recommendation, the commissioner shall include the following factors in necessary deliberations: (1) the state received from Dr. Nauss, in an earlier exchange, considerably more riparian land, in the same general area as included in Dr. Nauss' proposed exchange, than the state gave in that earlier exchange; and (2) the particular lands Dr. Nauss offered to exchange to the state in his July 23, 1993, proposal were purchased by Dr. Nauss expressly for exchange with the state upon the recommendation of a department of natural resources forester.

Sec. 2. **PRIVATE SALE OF TAX-FORFEITED LAND; GOODHUE COUNTY.**

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