

**CHAPTER 49—S.F.No. 77**

*An act relating to civil actions; new motor vehicle warranties; clarifying the limitation on actions after informal dispute settlement mechanism decisions; amending Minnesota Statutes 1994, section 325F.665, subdivisions 7 and 10.*

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

Section 1. Minnesota Statutes 1994, section 325F.665, subdivision 7, is amended to read:

Subd. 7. **EFFECT AND ADMISSIBILITY OF DECISION BY INFORMAL DISPUTE SETTLEMENT MECHANISM.** The decision issued in an informal dispute settlement mechanism required by this section is nonbinding on the parties involved, unless otherwise agreed by the parties. Any party, upon application, may remove the decision to district court for a trial de novo. If the manufacturer is aggrieved by the decision of the informal dispute settlement mechanism, an application to remove ~~a~~ the decision is not must be filed in the district court within 30 days after the date the decision is received by the parties. If the application to remove is not made within 30 days, then the district court shall, upon application of a party, issue an order confirming the decision. A written decision issued by an informal dispute settlement mechanism, and any written findings upon which the decision is based, are admissible as nonbinding evidence in any subsequent legal action and are not subject to further foundation requirements.

Sec. 2. Minnesota Statutes 1994, section 325F.665, subdivision 10, is amended to read:

Subd. 10. **LIMITATION ON ACTIONS.** A civil action brought under this section must be commenced within three years of the date of original delivery of the new motor vehicle to a consumer; except that, if the consumer applies to an informal dispute settlement mechanism within three years of the date of original delivery of a new motor vehicle to a consumer, and if the consumer is aggrieved by the decision of the informal dispute settlement mechanism, then any civil action brought under this section must be commenced within six months after the date of the final decision by the mechanism.

Sec. 3. **EFFECTIVE DATE; APPLICABILITY.**

Sections 1 and 2 are effective the day following final enactment and apply to decisions issued by informal dispute settlement mechanisms on or after that date.

Presented to the governor April 17, 1995

Signed by the governor April 19, 1995, 2:10 p.m.

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