

Sec. 20. Minnesota Rules, part 2765.1300, subpart 2, is amended to read:

Subp. 2. **Individual excess.** A plan must have and maintain individual excess stop-loss insurance, that provides for the insurer to assume all liability in excess of ~~\$25,000~~ the per person limit per year under all coverages the plan offers. The reporting period under this coverage must be no less than one year after the fund year's conclusion. A plan ~~may~~ must apply to the commissioner for increasing a determination of the individual excess stop-loss insurance limit, up to \$50,000. The commissioner ~~must approve this the~~ application if the increased limit would not be detrimental to the solvency and stability of the plan, considering the plan's experience, size, surplus, and other factors affecting financial integrity.

Sec. 21. Minnesota Rules, part 2765.1300, subpart 5, is amended to read:

Subp. 5. **Surety coverage.** A plan must have and maintain the following language in its required aggregate excess stop-loss insurance policy, unless the commissioner determines that a policy with that language is not available in the market for stop-loss coverage, in which case, the commissioner may determine the requirements needed to obtain stop-loss coverage and meet solvency requirements: "The insurer shall, at the commissioner's request, assume direct responsibility for the plan's coverage and all other responsibilities under this chapter and related statutes, if the plan becomes insolvent, ceases operations without authorization, or otherwise fails to fulfill its responsibilities under this chapter and related statutes. The insurer may attempt to collect reimbursement from the plan or a member on whose behalf the insurer is called upon to pay premium, pay claims, or incur other extraordinary expenses. However, the insurer must fulfill its responsibilities under this section while any collection attempts are pending. The insurer's responsibilities extend to all matters arising during or attributable to the policy period, and do not terminate with the end of the policy period." The policy must not alter or qualify these terms to harm the plan's rights materially.

Sec. 22. **MEETINGS IN 2002; ASSIGNED RISK PLAN REVIEW BOARD.**

The assigned risk plan review board must meet at least once no later than December 31, 2002. This section expires on that date.

Sec. 23. **EFFECTIVE DATES.**

Sections 7, 11 to 19, and 22 are effective the day following final enactment. Section 1 is effective July 1, 2002. Sections 8 and 9 are effective the day following final enactment, for licenses issued or renewed on or after that date. Sections 2, 3, 4, 20, and 21 are effective August 1, 2002. Sections 5 and 6 are effective January 1, 2003. Section 10 is effective September 1, 2003, for renewals on or after that date.

Presented to the governor May 20, 2002

Signed by the governor May 22, 2002, 1:19 p.m.

CHAPTER 388—S.F.No. 2422

An act relating to motor vehicles; regulating dealer transfers; clarifying calculation of base

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value; amending Minnesota Statutes 2000, sections 168.301, subdivision 3; 168A.11, subdivision 1; Minnesota Statutes 2001 Supplement, section 168.013, subdivision 1a.

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

Section 1. Minnesota Statutes 2001 Supplement, section 168.013, subdivision 1a, is amended to read:

Subd. 1a. **PASSENGER AUTOMOBILE; HEARSE.** (a) On passenger automobiles as defined in section 168.011, subdivision 7, and hearses, except as otherwise provided, the tax shall be \$10 plus an additional tax equal to 1.25 percent of the base value.

(b) Subject to the classification provisions herein, "base value" means the manufacturer's suggested retail price of the vehicle including destination charge using list price information published by the manufacturer or determined by the registrar if no suggested retail price exists, and shall not include the cost of each accessory or item of optional equipment separately added to the vehicle and the suggested retail price.

(c) If the manufacturer's list price information contains a single vehicle identification number followed by various descriptions and suggested retail prices, the registrar shall select from those listings only the lowest price for determining base value.

(d) If unable to determine the base value because the vehicle is specially constructed, or for any other reason, the registrar may establish such value upon the cost price to the purchaser or owner as evidenced by a certificate of cost but not including Minnesota sales or use tax or any local sales or other local tax.

(e) The registrar shall classify every vehicle in its proper base value class as follows:

FROM	TO
\$ 0	\$199.99
200	399.99

and thereafter a series of classes successively set in brackets having a spread of \$200 consisting of such number of classes as will permit classification of all vehicles.

(f) The base value for purposes of this section shall be the middle point between the extremes of its class.

(g) The registrar shall establish the base value, when new, of every passenger automobile and hearse registered prior to the effective date of Extra Session Laws 1971, chapter 31, using list price information published by the manufacturer or any nationally recognized firm or association compiling such data for the automotive industry. If unable to ascertain the base value of any registered vehicle in the foregoing manner, the registrar may use any other available source or method. The registrar shall calculate tax using base value information available to dealers and deputy registrars at the time the application for registration is submitted. The tax on all previously

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registered vehicles shall be computed upon the base value thus determined taking into account the depreciation provisions of paragraph (h).

(h) The annual additional tax computed upon the base value as provided herein, during the first and second years of vehicle life shall be computed upon 100 percent of the base value; for the third and fourth years, 90 percent of such value; for the fifth and sixth years, 75 percent of such value; for the seventh year, 60 percent of such value; for the eighth year, 40 percent of such value; for the ninth year, 30 percent of such value; for the tenth year, ten percent of such value; for the 11th and each succeeding year, the sum of \$25.

In no event shall the annual additional tax be less than \$25. The total tax under this subdivision shall not exceed \$189 for the first renewal period and shall not exceed \$99 for subsequent renewal periods. The total tax under this subdivision on any vehicle filing its initial registration in Minnesota in the second year of vehicle life shall not exceed \$189 and shall not exceed \$99 for subsequent renewal periods. The total tax under this subdivision on any vehicle filing its initial registration in Minnesota in the third or subsequent year of vehicle life shall not exceed \$99 and shall not exceed \$99 in any subsequent renewal period.

(i) As used in this subdivision and section 168.017, the following terms have the meanings given: "initial registration" means the 12 consecutive months calendar period from the day of first registration of a vehicle in Minnesota; and "renewal periods" means the 12 consecutive calendar months periods following the initial registration period.

Sec. 2. Minnesota Statutes 2000, section 168.301, subdivision 3, is amended to read:

Subd. 3. **LATE FEE.** In addition to any fee or tax otherwise authorized or imposed upon the transfer of title for a motor vehicle, the commissioner of public safety shall impose a \$2 additional fee for failure to deliver a title transfer within ten business days.

Sec. 3. Minnesota Statutes 2000, section 168A.11, subdivision 1, is amended to read:

Subdivision 1. **APPLICATION UPON TRANSFER.** If a dealer buys a vehicle and holds it for resale and procures the certificate of title from the owner, and complies with subdivision 2 hereof, the dealer need not apply for a certificate of title, but upon transferring the vehicle to another person other than by the creation of a security interest shall promptly execute the assignment and warranty of title by a dealer, showing the names and addresses of the transferee and of any secured party holding a security interest created or reserved at the time of the resale, and the date of the security agreement in the spaces provided therefor on the certificate or secure reassignment. With respect to motor vehicles subject to the provisions of section 325E.15, the dealer shall also, in the space provided therefor on the certificate or secure reassignment, state the true cumulative mileage registered on the odometer or that the exact mileage is unknown if the odometer reading is known by the transferor to be different from the

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true mileage. The transferee shall complete the application for title section on the certificate of title or separate title application form prescribed by the department. The dealer shall mail or deliver the certificate to the registrar or deputy registrar with the transferee's application for a new certificate and appropriate taxes and fees, within ten business days.

Presented to the governor May 18, 2002

Signed by the governor May 21, 2002, 3:16 p.m.

CHAPTER 389—S.F.No. 3231

An act relating to data privacy; providing that nondesignated addresses on license applications are not public data; amending Minnesota Statutes 2000, section 13.41, subdivision 5.

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

Section 1. Minnesota Statutes 2000, section 13.41, subdivision 5, is amended to read:

Subd. 5. **PUBLIC DATA.** Licensing agency minutes, application data on licensees except nondesignated addresses, orders for hearing, findings of fact, conclusions of law and specification of the final disciplinary action contained in the record of the disciplinary action are classified as public, pursuant to section 13.02, subdivision 15. The entire record concerning the disciplinary proceeding is public data pursuant to section 13.02, subdivision 15, in those instances where there is a public hearing concerning the disciplinary action. If the licensee and the licensing agency agree to resolve a complaint without a hearing, the agreement and the specific reasons for the agreement are public data. The license numbers, the license status, and continuing education records issued or maintained by the board of peace officer standards and training are classified as public data, pursuant to section 13.02, subdivision 15.

Presented to the governor May 18, 2002

Signed by the governor May 21, 2002, 3:07 p.m.

CHAPTER 390—S.F.No. 2572

An act relating to public financing; providing for appointment of commissioners in eminent domain proceedings; modifying a notice for proposed property taxes; modifying terminology; delaying the expiration of a mortgage registry and deed tax in Ramsey and Hennepin counties; modifying terms for loans to political subdivisions and general obligation revenue bonds and

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