

CHAPTER 92—H.F.No. 723

An act relating to traffic regulations; exempting occupants of certain motor vehicles from seat belt law; amending Minnesota Statutes 2002, section 169.686, subdivision 2.

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

Section 1. Minnesota Statutes 2002, section 169.686, subdivision 2, is amended to read:

Subd. 2. **SEAT BELT EXEMPTIONS.** This section shall not apply to:

- (1) a person driving a passenger vehicle in reverse;
- (2) a person riding in a seat in which all the seating positions equipped with safety belts are occupied by other persons;
- (3) a person who is in possession of a written certificate from a licensed physician verifying that because of medical unfitness or physical disability the person is unable to wear a seat belt;
- (4) a person who is actually engaged in work that requires the person to alight from and reenter a ~~passenger motor~~ vehicle at frequent intervals and who, while engaged in that work, does not drive or travel in that vehicle at a speed exceeding 25 miles per hour;
- (5) a rural mail carrier of the United States Postal Service while in the performance of duties;
- (6) a person driving or riding in a passenger vehicle manufactured before January 1, 1965; and
- (7) a person driving or riding in a pickup truck, as defined in section 168.011, subdivision 29, while engaged in normal farming work or activity.

Presented to the governor May 20, 2003

Signed by the governor May 23, 2003, 3:35 p.m.

CHAPTER 93—H.F.No. 293

An act relating to municipalities; allowing the prescribing of certain fees by a fee schedule; amending Minnesota Statutes 2002, section 462.353, subdivision 4, by adding a subdivision.

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

Section 1. Minnesota Statutes 2002, section 462.353, subdivision 4, is amended to read:

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

Subd. 4. **FEES.** A municipality may prescribe fees sufficient to defray the costs incurred by it in reviewing, investigating, and administering an application for an amendment to an official control established pursuant to sections 462.351 to 462.364 or an application for a permit or other approval required under an official control established pursuant to those sections. Except as provided in subdivision 4a, fees as prescribed must be by ordinance and, Fees must be fair, reasonable, and proportionate to the actual cost of the service for which the fee is imposed. A municipality shall adopt management and accounting procedures to ensure that fees are maintained and used only for the purpose for which they are collected.

If a dispute arises over a specific fee imposed by a municipality related to a specific application, the amount of the fee must be deposited and held in escrow, and the person aggrieved by the fee may appeal under section 462.361. An approved application may proceed as if the fee had been paid, pending a decision on the appeal.

Sec. 2. Minnesota Statutes 2002, section 462.353, is amended by adding a subdivision to read:

Subd. 4a. **FEE SCHEDULE ALLOWED.** A municipality that collects an annual cumulative total of \$5,000 or less in fees under this section may prescribe the fees or refer to a fee schedule in the ordinance governing the official control or permit. A municipality may adopt a fee schedule under this subdivision by ordinance or resolution, either annually or more frequently, following publication of notice of proposed action on a fee schedule at least ten days prior to a public hearing held to consider action on or approval of the fee schedule. A municipality that collects a cumulative total in excess of \$5,000 in fees under this section may prescribe a fee schedule by ordinance by following the notice and hearing procedures specified in this subdivision.

Presented to the governor May 20, 2003

Signed by the governor May 23, 2003, 3:40 p.m.

CHAPTER 94—H.F.No. 741

An act relating to commerce; regulating advertising by motor vehicle dealers; amending Minnesota Statutes 2002, section 168.27, subdivision 26.

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

Section 1. Minnesota Statutes 2002, section 168.27, subdivision 26, is amended to read:

Subd. 26. **ADVERTISING DISCLOSURE.** All advertising by a motor vehicle dealer must disclose that the vehicle is being offered for sale by a dealer through use of the dealership name, the term "dealer," or the abbreviation "DLR." Unless the

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