

CHAPTER 63—S.F.No. 1869

An act relating to local government; modifying a shared hospital or ambulance service purchasing provision; amending Minnesota Statutes 2004, section 471.345, subdivision 10.

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

Section 1. Minnesota Statutes 2004, section 471.345, subdivision 10, is amended to read:

Subd. 10. **SHARED HOSPITAL OR AMBULANCE SERVICE PURCHASING.** Supplies, materials, or equipment to be used in the operation of a hospital licensed under sections 144.50 to 144.56 or an ambulance service licensed under chapter 144E that are purchased or leased under a shared service purchasing arrangement whereby more than one hospital or ambulance service purchases supplies, materials, or equipment with one or more other hospitals or ambulance services either through one of the hospitals or ambulance services or through another entity, may be purchased without regard to the competitive bidding requirements of this section, if the following conditions are met:

- (1) the hospital's or ambulance service's governing authority authorizes the arrangement;
- (2) the shared services purchasing program purchases items available from more than one source on the basis of competitive bids or competitive quotations of prices; and
- (3) the arrangement authorizes the hospital's or ambulance service's governing authority or its representatives to review the purchasing procedures to determine compliance with these requirements.

The shared services purchasing program may award contracts to more than one bidder if doing so does not decrease the service level or diminish the effects of competition.

Presented to the governor May 19, 2005

Signed by the governor May 23, 2005, 11:00 a.m.

CHAPTER 64—H.F.No. 1461

An act relating to motor vehicles; modifying and simplifying provisions related to parking for persons with disabilities; making technical and clarifying changes; amending Minnesota Statutes 2004, sections 85.052, subdivision 3; 85.053, subdivision 7; 168.011, subdivision 4, by adding a subdivision; 168.021; 168.33, subdivision 8; 169.345; 169.346, subdivisions 1, 2, 2a, 3.

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

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

Section 1. Minnesota Statutes 2004, section 85.052, subdivision 3, is amended to read:

Subd. 3. **FEE FOR CERTAIN PARKING AND CAMPSITE USE.** (a) An individual using spaces in state parks under subdivision 1, clause (2), shall be charged daily rates determined and set by the commissioner in a manner and amount consistent with the type of facility provided for the accommodation of guests in a particular park and with similar facilities offered for tourist camping and similar use in the area.

(b) The fee for special parking spurs, campgrounds for automobiles, sites for tent camping, and special auto trailer coach parking spaces is one-half of the fee set in paragraph (a) on Sunday through Thursday of each week for a physically ~~handicapped~~ disabled person:

(1) with a motor vehicle that has ~~special~~ disability plates issued under section 168.021, subdivision 1; or

(2) who possesses a certificate issued under section 169.345, ~~subdivision 3.~~

Sec. 2. Minnesota Statutes 2004, section 85.053, subdivision 7, is amended to read:

Subd. 7. **HANDICAPPED DISABLED PERSONS.** (a) The commissioner shall prescribe and issue special state park permits for:

(1) a physically ~~handicapped~~ disabled person with a motor vehicle (i) that has ~~special~~ disability plates issued under section 168.021, subdivision 1, or (ii) who has a permanent disability certificate issued under section 169.345, ~~subdivision 3,~~ and who can demonstrate proof of ownership of the vehicle for which the state park permit is being purchased or proof of a leasehold interest in the vehicle for a term at least as long as the term of the permit; and

(2) a physically ~~handicapped~~ disabled person who: (i) does not own or operate a motor vehicle; (ii) possesses a statement certified under section 169.345, subdivision 2a; and (iii) applies to the commissioner in writing.

(b) Except for vehicles permitted under paragraph (a), clause (2), the permit or the decal issued under this subdivision is valid only when displayed on a vehicle owned and occupied by the person to whom the permit is issued.

Sec. 3. Minnesota Statutes 2004, section 168.011, is amended by adding a subdivision to read:

Subd. 2a. **COMMISSIONER.** "Commissioner" means the commissioner of the Minnesota Department of Public Safety.

Sec. 4. Minnesota Statutes 2004, section 168.011, subdivision 4, is amended to read:

Subd. 4. **MOTOR VEHICLE.** (a) "Motor vehicle" means any self-propelled vehicle designed and originally manufactured to operate primarily ~~upon public roads~~ and on highways, and not operated exclusively upon railroad tracks. It includes any

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vehicle propelled or drawn by a self-propelled vehicle and includes vehicles known as trackless trolleys that are propelled by electric power obtained from overhead trolley wires but not operated upon rails. It does not include snowmobiles, manufactured homes, or park trailers.

(b) "Motor vehicle" also includes an all-terrain vehicle, as defined in section 84.92, subdivision 8, that only if the all-terrain vehicle (1) has at least four wheels, (2) is owned and operated by a physically disabled person, and (3) displays both physically disabled license disability plates and a physically disabled certificate issued under section 169.345, subdivision 3.

(c) "Motor vehicle" does not include an all-terrain vehicle as defined in section 84.92, subdivision 8; except (1) an all-terrain vehicle described in paragraph (b), or (2) an all-terrain vehicle licensed as a motor vehicle before August 1, 1985. The owner may continue to license an all-terrain vehicle described in clause (2) as a motor vehicle until it is conveyed or otherwise transferred to another owner, is destroyed, or fails to comply with the registration and licensing requirements of this chapter.

(d) "Motor vehicle" does not include an electric personal assistive mobility device as defined in section 169.01, subdivision 90.

Sec. 5. Minnesota Statutes 2004, section 168.021, is amended to read:

168.021 LICENSE PLATES FOR PHYSICALLY DISABLED PERSONS.

Subdivision 1. **SPECIAL DISABILITY PLATES; APPLICATION.** (a) When a motor vehicle registered under section 168.017, a motorcycle, a truck having a manufacturer's nominal rated capacity of one ton and resembling a pickup truck, or a self-propelled recreational vehicle is owned or primarily operated by a permanently physically disabled person or a custodial parent or guardian of a permanently physically disabled minor, the owner may apply for and secure from the ~~registrar of motor vehicles~~ commissioner (1) immediately, a temporary permit valid for 30 days, if the applicant is eligible for the special disability plates issued under this ~~paragraph,~~ section and (2) two license disability plates with attached emblems, one plate to be attached to the front, and one to the rear of the motor vehicle.

(b) The commissioner shall not issue more than one set of plates to any owner of a motor vehicle at the same time unless all motor vehicles have been specifically modified for and are used exclusively by a permanently physically disabled person.

(c) When the owner first applies for the disability plates, the owner must submit a physician's medical statement on a form developed in a format approved by the commissioner under section 169.345, or proof of physical disability provided for in that section, except that.

(d) No physician's medical statement or proof of disability is required when an owner of a motor vehicle applies for plates for one or more commercial motor vehicles that are specially modified for and used exclusively by permanently physically disabled persons.

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(b) (e) The owner of a motor vehicle may apply for and secure (i) immediately, a temporary permit valid for 30 days, if the person applicant is eligible to receive the special disability plates issued under this paragraph section, and (ii) a set of special disability plates for a motor vehicle if:

(1) the owner employs a permanently physically disabled person who would qualify for special disability plates under this section; and

(2) the owner furnishes the motor vehicle to the physically disabled person for the exclusive use of that person in the course of employment.

Subd. 1a. **SCOPE OF PRIVILEGE.** If a physically disabled person parks a motor vehicle displaying license the disability plates described in this section, or a temporary permit valid for 30 days and issued to an eligible person awaiting receipt of the license disability plates described in this section, or any person parks the motor vehicle for a physically disabled person, that person shall be is entitled to park the motor vehicle as provided in section 169.345.

Subd. 2. **DESIGN OF PLATES; FURNISHING FURNISHED BY REGISTRAR COMMISSIONER.** The registrar of motor vehicles commissioner shall design and furnish two license number disability plates with attached emblems to each eligible owner. The emblem must bear the internationally accepted wheelchair symbol, as designated in section 16B.61, subdivision 5, approximately three inches square. The emblem must be large enough to be visible plainly from a distance of 50 feet. An applicant eligible for the special disability plates shall pay the motor vehicle registration fee authorized by law sections 168.013 and 168.09.

Subd. 2a. **PLATE RETURN, TRANSFER.** (a) When motor vehicle ownership is transferred, the owner of the motor vehicle shall remove the special disability plates from the vehicle and return them to the registrar. The buyer of the motor vehicle shall repay the \$1 credit for each month remaining in the registration period for which the special plates were issued. On returning the plates and repaying the remaining credit, the buyer is entitled to receive regular plates for the motor vehicle without further cost for the rest remainder of the registration period.

(b) Notwithstanding section 168.12, subdivision 1, the special disability plates may be transferred to a replacement motor vehicle on notification to the registrar commissioner. However, the special disability plates may not be transferred unless the replacement motor vehicle (1) is registered listed under section 168.017 or is a self-propelled recreational vehicle 168.012, subdivision 1, and (2) is owned or primarily operated by the permanently physically disabled person.

(c) The transferor shall not receive the \$1 credit for each month the replacement vehicle is registered until the time of renewal or first application for registration on the replacement vehicle.

Subd. 2b. **WHEN NOT ELIGIBLE.** On becoming ineligible for the special disability plates, the owner of the motor vehicle shall remove the special disability plates and return them to the registrar. The owner shall repay the \$1 credit for each month remaining in the registration period for which the special plates were issued. On

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returning the plates and repaying the remaining credit, the owner may receive regular plates for the motor vehicle without further cost for the ~~rest~~ remainder of the registration period.

Subd. 3. **PENALTIES FOR UNAUTHORIZED USE OF PLATES.** (a) A person who uses the disability plates or temporary permit provided under this section on a motor vehicle in violation of this section is guilty of a misdemeanor, and is subject to a fine of \$500. This subdivision does not preclude a person who is not physically disabled from operating a motor vehicle bearing the disability plates or temporary permit if:

(1) the person is the owner of the motor vehicle and permits its operation by a physically disabled person;

(2) the person operates the motor vehicle with the consent of the owner who is physically disabled; or

(3) the person is the owner of the motor vehicle, is the custodial parent or guardian of a permanently physically disabled minor, and operates the motor vehicle to transport the minor.

(b) A driver who is not disabled is not entitled to the parking privileges provided in this section and in section 169.346 unless parking the motor vehicle for a physically disabled person.

Subd. 4. **FEES; DISPOSITION.** All fees collected from the sale of disability plates under this section shall must be deposited in the state treasury to the credit of the highway user tax distribution fund.

Subd. 5. **DEFINITIONS.** For the purposes of this section, the term "physically disabled person" has the meaning given it in section 169.345, subdivision 2.

Subd. 6. **DRIVER'S LICENSE LAW NOT AFFECTED.** ~~Nothing in~~ This section shall must not be construed to revoke, limit, or amend chapter 171.

Sec. 6. Minnesota Statutes 2004, section 168.33, subdivision 8, is amended to read:

Subd. 8. **TEMPORARY DISABILITY PERMIT AND FEE.** The registrar commissioner shall allow deputy registrars to implement and follow procedures for processing applications and accepting and remitting fee payments for 30-day temporary disability permits certificates issued under section 169.345, subdivision ~~3~~, paragraph ~~(e)~~ 3c, that are identical or substantially similar to the procedures required by rule for motor vehicle registration and titling transactions.

Sec. 7. Minnesota Statutes 2004, section 169.345, is amended to read:

169.345 PARKING PRIVILEGE FOR PHYSICALLY DISABLED.

Subdivision 1. **SCOPE OF PRIVILEGE.** (a) A motor vehicle that prominently displays the certificate authorized by this section or that bears license disability plates

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issued under section 168.021, may be parked by or solely for the benefit of a physically disabled person:

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

(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; and

(3) without time restrictions in a nonmetered space where parking is otherwise allowed for passenger vehicles but restricted to a maximum period of time and ~~which~~ that does not specifically prohibit the exercise of disabled parking privileges in that space.

A person may park a motor vehicle for a physically disabled person in a parking space described in clause (1) or (2) only when actually transporting the physically disabled person for the sole benefit of that person and when the parking space is within a reasonable distance from the drop-off point.

(b) For purposes of this subdivision, a certificate is prominently displayed if it is displayed so that it may be viewed from the front and rear of the motor vehicle by hanging it from the rearview mirror attached to the front windshield of the motor vehicle. If there is no rearview mirror or if the certificate holder's disability precludes placing the certificate on the mirror, the placard certificate must be displayed on the dashboard on the driver's side of the vehicle. No part of the certificate may be obscured.

(c) Notwithstanding paragraph (a), clauses (1), (2), and (3), 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.

Subd. 2. **DEFINITIONS.** (a) For the purpose of section 168.021 and this section, the following terms have the meanings given them in this subdivision.

(b) "Health professional" means a licensed physician, registered physician assistant, advanced practice registered nurse, or licensed chiropractor.

(c) "Long-term certificate" means a certificate issued for a period greater than 12 months but not greater than 71 months.

(d) "Six-year certificate" means a certificate issued for a period of six years.

(e) "Organization certificate" means a certificate issued to an entity other than a natural person for a period of three years.

(f) "Permit" refers to a permit that is issued for a period of 30 days, in lieu of the certificate referred to in subdivision 3, while the application is being processed.

(g) "Physically disabled person" means a person who:

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- (1) because of disability cannot walk without significant risk of falling;
- (2) because of disability cannot walk 200 feet without stopping to rest;
- (3) because of disability cannot walk without the aid of another person, a walker, a cane, crutches, braces, a prosthetic device, or a wheelchair;
- (4) is restricted by a respiratory disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter;
- (5) has an arterial oxygen tension (PAO2) of less than 60 mm/Hg on room air at rest;
- (6) uses portable oxygen;
- (7) has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association;
- (8) has lost an arm or a leg and does not have or cannot use an artificial limb; or
- (9) has a disability that would be aggravated by walking 200 feet under normal environmental conditions to an extent that would be life threatening.

(h) "Short-term certificate" means a certificate issued for a period greater than six months but not greater than 12 months.

(i) "Temporary certificate" means a certificate issued for a period not greater than six months.

Subd. 2a. **HEALTH PROFESSIONAL'S MEDICAL STATEMENT.** (a) The commissioner shall develop a form format for the ~~physician's, physician assistant's, advanced practice registered nurse's, or chiropractor's~~ medical statement. The medical statement must be signed by a licensed ~~physician, registered physician assistant, advanced practice registered nurse, or licensed chiropractor~~ health professional who certifies that the applicant is a physically disabled person as defined in subdivision 2. The commissioner may request additional information from the ~~physician, physician assistant, advanced practice registered nurse, or chiropractor~~ health professional if needed to verify the applicant's eligibility. The medical statement that the applicant is a physically disabled person must specify whether the disability is permanent or temporary, and, if temporary, the opinion of the ~~physician, physician assistant, advanced practice registered nurse, or chiropractor~~ health professional as to the duration of the disability. A ~~physician, physician assistant, advanced practice registered nurse, or chiropractor~~ health professional who fraudulently certifies to the commissioner that a person is a physically disabled person as defined in subdivision 2, and that the person is entitled to the license disability plates authorized by section 168.021 or to the certificate authorized by this section, is guilty of a misdemeanor and is subject to a fine of \$500.

(b) The commissioner may waive the requirement of providing a statement of a ~~licensed physician, registered physician assistant, advanced practice registered nurse,~~

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or licensed chiropractor, health professional if the applicant has previously filed with the commissioner a statement of a licensed physician, registered physician assistant, advanced practice registered nurse, or licensed chiropractor health professional certifying that the applicant has a permanent physical disability.

Subd. 3. **IDENTIFYING CERTIFICATE.** (a) The Division of Driver and Vehicle Services in the Department of Public Safety commissioner shall issue (1) immediately, a temporary permit valid for 30 days, if the person is eligible for the certificate issued under this paragraph, section and (2) a special an 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 motor vehicle at a distance of 25 feet. The certificate is valid for 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. An applicant may be issued up to two certificates if the applicant has not been issued disability plates under section 168.021.

(b) The operator of a motor vehicle displaying a certificate has the parking privileges provided in subdivision 1 only while the motor vehicle is actually parked while transporting a physically disabled person.

(c) The commissioner shall cancel all certificates issued to an applicant who fails to comply with the requirements of this subdivision.

Subd. 3a. **ORGANIZATION CERTIFICATES.** (a) An organization providing transportation to one or more physically disabled persons may apply to the commissioner for one or more organization certificates for motor vehicles owned or operated on behalf of the organization.

(b) The organization shall submit a written statement of intent to the commissioner signed by an officer of the organization. The statement must:

(1) indicate the number of certificates requested;

(2) state that all issued certificates must be used solely for the benefit of physically disabled persons;

(3) state that the organization shall report lost or stolen certificates to the commissioner within 24 hours of first discovery; and

(4) state that the organization shall immediately notify the commissioner of any misuse or suspected misuse of any certificate issued to the organization.

(c) An organization shall include with the application a description of the internal controls to be used to ensure the proper use of certificates and to account for all issued certificates. The controls must include:

(1) maintenance of a current list of the make, model, and plate number of all motor vehicles in which a certificate issued to the organization will be used; and

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(2) maintenance of a current list of the name and driver's license number of all individuals authorized to operate the motor vehicle in which certificates issued to the organization will be used.

(d) When the commissioner is satisfied that a motor vehicle is used primarily for the purpose of transporting an organization will use a certificate to transport physically disabled persons, the division may commissioner shall issue without charge (1) immediately, a temporary permit valid for 30 days, if the operator organization is eligible for the a certificate issued under this paragraph, and (2) a special identifying an organization certificate for the motor vehicle. The operator of a vehicle displaying the certificate or temporary permit has the parking privileges provided in subdivision 1 only while the vehicle is actually in use for transporting physically disabled persons.

(e) The certificate issued to a person an organization transporting physically disabled persons must be renewed every third year. On original application and renewal, the person organization must present evidence that the vehicle each certificate issued continues to be used for transporting exclusively to transport physically disabled persons.

When (f) The commissioner of public safety issues commercial certificates to an organization, the commissioner shall require documentation satisfactory to the commissioner from each organization that procedures and controls have been implemented to ensure that the parking privileges available under this section will not be abused, shall cancel all certificates issued to an applicant who fails to comply with the requirements of this subdivision.

(e) Subd. 3b. CERTIFICATE DESIGN, FORMAT, INFORMATION. A certificate must be made of plastic or similar durable material and must bear its expiration date prominently on both sides. A certificate issued prior to January 1, 1994, must bear its expiration date prominently on its face and will remain valid until that date or December 31, 2000, whichever shall come first. 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) subdivision 3 or 3a. Each applicant must be provided a summary of the parking privileges and restrictions that apply to each motor vehicle for which the certificate is used.

Subd. 3c. FEES; ORGANIZATION, TEMPORARY, AND SHORT-TERM CERTIFICATES. The commissioner may charge a fee of \$5 for issuance or renewal of a each organization certificate or, each temporary permit, certificate, and each short-term certificate and a fee of \$5 for a duplicate to replace a lost, stolen, or damaged organization, temporary, or short-term 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. The commissioner shall not issue more than three replacement duplicate certificates for lost, stolen, or canceled certificates within any six-year period without the approval of the Minnesota State Council on Disability.

Subd. 4. UNAUTHORIZED USE OR NONCOMPLIANCE; REVOCATION CANCELLATION; MISDEMEANOR. (a) If a peace officer, authorized parking enforcement employee or agent of a statutory or home rule charter city or town,

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representative of the Minnesota State Council on Disability, or an authorized agent of the a citizen enforcement program under section 169.346, subdivision 4, finds that the a certificate or temporary, permit, or disability plate is being improperly used, or the applicant is no longer eligible, the officer, municipal employee, representative, or agent shall report the violation or situation to the Division of Driver and Vehicle Services in the Department of Public Safety and the commissioner of public safety. The commissioner may revoke cancel the certificate or temporary, permit, or disability plates issued under section 168.021 on determining that:

- (1) the certificate, permit, or plates were used improperly;
- (2) the certificate, permit, or plates were fraudulently obtained;
- (3) the certificate, permit, or plates were issued in error;
- (4) the person who was issued the certificate, permit, or plates is deceased;
- (5) the person who was issued the certificate, permit, or plates no longer maintains a Minnesota address; or
- (6) the person or organization has failed to comply with the requirements of this section.

(b) A person who uses the a certificate or temporary, permit, or disability plates in violation of this section is guilty of a misdemeanor and is subject to a fine of \$500.

Sec. 8. Minnesota Statutes 2004, section 169.346, subdivision 1, is amended to read:

Subdivision 1. **DISABILITY PARKING SPACE PROHIBITIONS.** A person shall not:

- (1) park a motor vehicle in or obstruct access to a parking space or associated access aisle designated and reserved for the physically disabled, on either private or public property;
- (2) park a motor vehicle in or obstruct access to an area designated by a local governmental unit as a transfer zone for disabled persons;
- (3) alter a certificate;
- (4) exercise the parking privilege provided in section 169.345, unless:
 - (i) that person is a physically disabled person as defined in section 169.345, subdivision 2, or the person is transporting or parking a motor vehicle for a physically disabled person; and
 - (ii) the motor vehicle visibly displays one of the following: a license disability plate issued under section 168.021, a certificate issued under section 169.345, a temporary permit valid for 30 days issued under section 168.021 or 169.345, or an equivalent certificate, insignia, or license plate issued by another state, a foreign country, or one of its political subdivisions; or

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(4) (5) park a motor vehicle in an area used as a regular route transit stopping point where a transit vehicle that is accessible to the physically disabled regularly stops and a sign that bears the international symbol of access in white on blue is posted. A sign posted under this clause may display other information relating to the regular route transit service. For purposes of this clause, an area used as a regular route transit stopping point consists of the 80 feet immediately preceding the sign described in this clause.

Sec. 9. Minnesota Statutes 2004, section 169.346, subdivision 2, is amended to read:

Subd. 2. **DISABILITY PARKING SPACE SIGNS.** (a) Parking spaces reserved for physically disabled persons must be designated and identified by the posting of signs incorporating the international symbol of access in white on blue and indicating that violators are subject to a fine of up to \$200. These parking spaces are reserved for disabled persons with motor vehicles displaying the required certificate, license plates, temporary permit valid for 30 days, or insignia. Signs sold after August 1, 1991, must conform to the design requirements in this paragraph.

(b) For purposes of this subdivision, a parking space that is clearly identified as reserved for physically disabled persons by a permanently posted sign that does not meet all design standards, is considered designated and reserved for physically disabled persons. A sign posted for the purpose of this section must be visible from inside a motor vehicle parked in the space, be kept clear of snow or other obstructions which block its visibility, and be nonmovable or only movable by authorized persons.

Sec. 10. Minnesota Statutes 2004, section 169.346, subdivision 2a, is amended to read:

Subd. 2a. **PARKING SPACE FREE OF OBSTRUCTION; PENALTY.** The owner or manager of the property on which the designated parking space is located shall ensure that the parking space is and associated access aisle are kept free of obstruction. If the owner or manager does not have the parking space properly posted or allows the parking space or access aisle to be blocked by snow, merchandise, or similar obstructions for 24 hours after receiving a warning from a peace officer, the owner or manager is guilty of a misdemeanor and subject to a fine of up to \$500.

Sec. 11. Minnesota Statutes 2004, section 169.346, subdivision 3, is amended to read:

Subd. 3. **MISDEMEANOR; ENFORCEMENT.** A person who violates subdivision 1 is guilty of a misdemeanor and ~~shall~~ must be fined not less than \$100 ~~or and~~ not more than \$200. This subdivision shall must be enforced in the same manner as parking ordinances or regulations in the governmental subdivision in which the violation occurs. Law enforcement officers have the authority to may tag motor vehicles parked on either private or public property in violation of subdivision 1. Parking enforcement employees or agents of statutory or home rule charter cities or towns have the authority to may tag or otherwise issue citations for motor vehicles parked on public property in violation of subdivision 1. If a holder of a disability

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certificate or disability plates allows a person who is not otherwise eligible to use the certificate or plates, then the holder shall ~~is not be~~ eligible to be issued or to use a disability certificate or plates for 12 months after the date of violation. A physically disabled person, or a person parking a motor vehicle for a disabled person, who is charged with violating subdivision 1 because the person parked in a parking space for physically disabled persons without the required certificate, license plates, or ~~temporary~~ permit shall must not be convicted if the person produces in court or before the court appearance the required certificate, ~~temporary~~ permit, or evidence that the person has been issued license plates under section 168.021, and demonstrates entitlement to the certificate, plates, or ~~temporary~~ permit at the time of arrest or tagging.

Presented to the governor May 19, 2005

Signed by the governor May 23, 2005, 11:36 a.m.

CHAPTER 65—H.F.No. 1922

An act relating to state government; authorizing the commissioner of administration to transfer state surplus computers to Minnesota Computers for Schools; amending Minnesota Statutes 2004, section 16C.23, by adding a subdivision.

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

Section 1. Minnesota Statutes 2004, section 16C.23, is amended by adding a subdivision to read:

Subd. 6a. COMPUTERS FOR SCHOOLS. The commissioner may transfer state surplus computers to Minnesota Computers for Schools for refurbishing and distribution to any school, school system, college, or university in Minnesota.

Presented to the governor May 19, 2005

Signed by the governor May 23, 2005, 11:25 a.m.

CHAPTER 66—S.F.No. 314

An act relating to insurance; the Minnesota FAIR plan; regulating property and liability coverage; amending Minnesota Statutes 2004, section 65A.08, subdivision 2.

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

Section 1. Minnesota Statutes 2004, section 65A.08, subdivision 2, is amended to read:

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