

CHAPTER 92--H.F.No. 3376

An act relating to natural resources; allowing the use of a digital image as proof of possession of certain passes and licenses; providing for using electronic devices to display documents; amending Minnesota Statutes 2022, section 97A.215, by adding a subdivision; Minnesota Statutes 2023 Supplement, section 97A.405, subdivision 2.

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

Section 1. Minnesota Statutes 2022, section 97A.215, is amended by adding a subdivision to read:

Subd. 4. **Electronic devices.** During an inspection under subdivision 3, if a person uses an electronic device to display a document to a conservation officer or peace officer:

(1) the officer is immune from liability for any damage to the device, unless the officer does not exercise due care in handling the device; and

(2) it does not constitute consent for the officer to access other contents on the device.

Sec. 2. Minnesota Statutes 2023 Supplement, section 97A.405, subdivision 2, is amended to read:

Subd. 2. **Personal possession.** (a) A person acting under a license or traveling from an area where a licensed activity was performed must have in personal possession:

(1) the proper paper license, if the license has been issued to and received by the person;

(2) a driver's license or Minnesota identification card that bears a valid designation of the proper lifetime license, as provided under section 171.07, subdivision 19;

(3) the proper paper license identification number or stamp validation, if the license has been sold to the person by electronic means but the actual license has not been issued and received; or

(4) electronic or other evidence satisfactory to the commissioner that the person has the proper paperless license.

(b) If possession of a license or a license identification number is required, a person must exhibit, as requested by a conservation officer or peace officer: (1) the proper paper license if the license has been issued to and received by the person; (2) a driver's license or Minnesota identification card that bears a valid designation of the proper lifetime license, as provided under section 171.07, subdivision 19; (3) the proper paper license identification number or stamp validation and a valid state driver's license, state identification card, or other form of identification provided by the commissioner, if the license has been sold to the person by electronic means but the actual license has not been issued and received; or (4) electronic or other evidence satisfactory to the commissioner that the person has the proper paperless license. A person charged with violating the license possession requirement shall not be convicted if the person produces in court or the office of the arresting officer, the actual license previously issued to that person, which was valid at the time of arrest, or satisfactory proof that at the time of the arrest the person was validly licensed. Upon request of a conservation officer or peace officer, a licensee shall write the licensee's name in the presence of the officer to determine the identity of the licensee.

(c) Except as provided in paragraph (a), clauses (2) and (4), if the actual license has been issued and received, a receipt for license fees, a copy of a license, or evidence showing the issuance of a license, including the license identification number or stamp validation, does not entitle a licensee to exercise the rights or privileges conferred by a license.

(d) A paper license issued electronically and not immediately provided to the licensee shall be mailed to the licensee within 30 days of purchase of the license. A pictorial migratory waterfowl, pheasant, trout and salmon, or walleye stamp shall be provided to the licensee after purchase of a stamp validation only if the licensee pays an additional fee that covers the costs of producing and mailing a pictorial stamp. A pictorial turkey stamp may be purchased for a fee that covers the costs of producing and mailing the pictorial stamp. Notwithstanding section 16A.1283, the commissioner may, by written order published in the State Register, establish fees for providing the pictorial stamps. The fees must be set in an amount that does not recover significantly more or less than the cost of producing and mailing the stamps. The fees are not subject to the rulemaking provisions of chapter 14, and section 14.386 does not apply.

(e) Notwithstanding paragraphs (a), (b), and (c), a person may use a digital image of a paper license issued to and received by the person to meet the requirement to possess the proper paper license under paragraph (a), clause (1), and may exhibit to a conservation officer or peace officer a digital image of a paper license issued to and received by the person to meet the requirements of paragraph (b). This paragraph expires March 5, 2025.

Sec. 3. CROSS-COUNTRY-SKI PASS; TEMPORARY USE OF DIGITAL IMAGE.

Until March 5, 2025, a person may use a digital image of a valid cross-country-ski pass issued to and received by the person to meet the cross-country-ski pass requirements under Minnesota Statutes, section 85.41, subdivision 1.

Sec. 4. HORSE PASS; TEMPORARY USE OF DIGITAL IMAGE.

Until March 5, 2025, a person may use a digital image of a valid horse pass issued to and received by the person to meet the horse pass requirements under Minnesota Statutes, section 85.46, subdivision 1.

Sec. 5. EFFECTIVE DATE.

This act is effective the day following final enactment.

Presented to the governor May 3, 2024