

1.1 A bill for an act

1.2 relating to traffic regulations; modifying or adding provisions relating to vehicle  
1.3 license plates; modifying provisions governing speed limits in highway work  
1.4 zones; providing that seat belt exemption does not include certain type III  
1.5 vehicles used as school buses; amending Minnesota Statutes 2008, sections  
1.6 168.12, subdivisions 2a, 2b, by adding a subdivision; 169.14, subdivision  
1.7 5d; 169.685, subdivision 6; 169.79, subdivision 3; Minnesota Statutes 2009  
1.8 Supplement, section 168.12, subdivision 5.

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

1.10 Section 1. Minnesota Statutes 2008, section 168.12, subdivision 2a, is amended to read:

1.11 Subd. 2a. **Personalized plates; rules.** (a) The commissioner may issue personalized  
1.12 plates or, if requested for special plates issued under section 168.123 for veterans,  
1.13 168.124 for medal of honor recipients, or 168.125 for former prisoners of war, applicable  
1.14 personalized special veterans plates, to an applicant who:

1.15 (1) is an owner of a passenger automobile including a passenger automobile  
1.16 registered as a classic car, pioneer car, collector car, or street rod; any truck with a  
1.17 manufacturer's nominal rated capacity of one ton or less and resembling a pickup truck; a  
1.18 motorcycle, including a classic motorcycle; a motorized bicycle; a commuter van as  
1.19 defined in section 168.126; or a recreational vehicle;

1.20 (2) pays a onetime fee of \$100 and any other fees required by this chapter;

1.21 (3) pays the registration tax required by this chapter for the motor vehicle; and

1.22 (4) complies with this chapter and rules governing registration of motor vehicles  
1.23 and licensing of drivers.

1.24 (b) The commissioner shall charge a replacement fee for personalized license plates  
1.25 and personalized special veterans plates issued under section 168.123 as specified in  
1.26 subdivision 5. This fee must be paid by the applicant whenever the personalized plates are

2.1 required to be replaced by law, except that as provided in section 168.124, subdivision  
2.2 3, and 168.125, subdivision 1b, no fee may be charged to replace plates issued under  
2.3 those sections.

2.4 (c) In lieu of the registration number assigned as provided in subdivision 1,  
2.5 personalized plates and personalized special veterans plates must have imprinted on them  
2.6 a series of not more than seven numbers and letters, or five numbers and letters for  
2.7 personalized special veterans plates, in any combination and, as applicable, satisfy the  
2.8 design requirements of section 168.123, 168.124, or 168.125. When an applicant has once  
2.9 obtained personalized plates or personalized special veterans plates, the applicant shall  
2.10 have a prior claim for similar personalized plates or personalized special veterans plates in  
2.11 the next succeeding year as long as current motor vehicle registration is maintained.

2.12 (d) The commissioner shall adopt rules in the manner provided by chapter 14,  
2.13 regulating the issuance and transfer of personalized plates and personalized special  
2.14 veterans plates. No words or combination of letters placed on these plates may be used  
2.15 for commercial advertising, be of an obscene, indecent, or immoral nature, or be of a  
2.16 nature that would offend public morals or decency. The call signals or letters of a radio or  
2.17 television station are not commercial advertising for the purposes of this subdivision.

2.18 (e) Despite the provisions of subdivision 1, personalized plates and personalized  
2.19 special veterans plates issued under this subdivision may be transferred to another motor  
2.20 vehicle listed in paragraph (a) and owned by the applicant, upon the payment of a fee of \$5.

2.21 (f) The commissioner may by rule specify the format for notification.

2.22 (g) A personalized plate or personalized special veterans plate issued for a classic  
2.23 car, pioneer car, collector car, street rod, or classic motorcycle may not be transferred  
2.24 to a vehicle not eligible for such a plate.

2.25 (h) Despite any law to the contrary, if the personalized license plates are lost, stolen,  
2.26 or destroyed, the applicant may apply and must be issued duplicate license plates bearing  
2.27 the same combination of letters and numbers and the same design as (1) the former  
2.28 personalized plates or personalized special veterans plates under section 168.123 upon  
2.29 the payment of the fee required by section 168.29 or (2) the former personalized special  
2.30 veterans plates issued under section 168.124 or 168.125, without charge.

2.31 (i) A personalized vertical motorcycle plate may be issued upon payment of an  
2.32 additional payment of \$100. The vertical plate must have not more than four identification  
2.33 characters, cannot be a duplication of any current or reserved license plate, and must  
2.34 meet the requirements in paragraph (d).

2.35 Sec. 2. Minnesota Statutes 2008, section 168.12, subdivision 2b, is amended to read:

3.1 Subd. 2b. **Firefighters; special plates, rules.** (a) The commissioner shall issue  
3.2 special plates, or a single license plate in the case of a motorcycle plate, to any applicant  
3.3 who:

3.4 (1) is a member of a fire department receiving state aid under chapter 69, has a  
3.5 letter from the fire chief, and is an owner of a passenger automobile, a truck with a  
3.6 manufacturer's nominal rated capacity of one ton and resembling a pickup truck, or  
3.7 a motorcycle;

3.8 (2) pays a fee of \$10 and any other fees required by this chapter;

3.9 (3) pays the registration tax required by this chapter for the motor vehicle; and

3.10 (4) complies with this chapter and rules governing the registration of motor vehicles  
3.11 and licensing of drivers.

3.12 (b) In lieu of the identification required under subdivision 1, the special plates must  
3.13 bear an emblem of a Maltese Cross together with any numbers or characters prescribed by  
3.14 the commissioner.

3.15 (c) Special plates issued under this subdivision may only be used during the period  
3.16 that the owner of the motor vehicle is a member of a fire department as specified in this  
3.17 subdivision. When the individual to whom the special plates were issued is no longer a  
3.18 member of a fire department or when the motor vehicle ownership is transferred, the  
3.19 owner shall remove the special plates from the motor vehicle. If the commissioner  
3.20 receives written notification that an individual is no longer qualified for these special  
3.21 plates, the commissioner shall invalidate the plates and notify the individual of this  
3.22 action. The individual may retain the plate only upon demonstrating compliance with the  
3.23 qualifications of this subdivision. Upon removal or invalidation of the special plates, or  
3.24 special motorcycle plate, ~~either~~ the owner or purchaser of the motor vehicle shall obtain  
3.25 regular plates ~~or~~, a regular motorcycle plate, or special plates for the proper registration  
3.26 classification for the motor vehicle.

3.27 (d) A special motorcycle license plate issued under this subdivision must be the  
3.28 same size as a standard motorcycle license plate.

3.29 (e) Upon payment of a fee of \$5, plates issued under this subdivision for a passenger  
3.30 automobile or truck may be transferred to another passenger automobile or truck owned  
3.31 or jointly owned by the person to whom the plates were issued. On payment of a fee of  
3.32 \$5, a plate issued under this subdivision for a motorcycle may be transferred to another  
3.33 motorcycle owned or jointly owned by the person to whom the plate was issued.

3.34 (f) The commissioner may adopt rules under the Administrative Procedure Act,  
3.35 sections 14.001 to 14.69, to govern the issuance and use of the special plates authorized  
3.36 in this subdivision.

4.1 Sec. 3. Minnesota Statutes 2008, section 168.12, is amended by adding a subdivision  
4.2 to read:

4.3 Subd. 2g. **Retired firefighters; special plates.** (a) The commissioner shall issue  
4.4 special retired firefighters plates to an applicant who:

4.5 (1) is a retired member of a fire department defined in section 299N.01, subdivision  
4.6 2, has a letter from the fire chief affirming that the applicant is a retired firefighter who  
4.7 served ten or more years and separated in good standing, and is a registered owner of a  
4.8 passenger automobile, a pickup truck, or a motorcycle;

4.9 (2) pays a fee of \$10 for each set of license plates applied for along with any other  
4.10 fees required by this chapter; and

4.11 (3) complies with this chapter and rules governing registration of motor vehicles  
4.12 and licensing of drivers.

4.13 (b) The commissioner shall design the special plate so that it is distinguishable from  
4.14 the firefighter special plates issued under subdivision 2b.

4.15 (c) On payment of a transfer fee of \$5, plates issued under this subdivision may be  
4.16 transferred to another passenger automobile registered to the individual to whom the  
4.17 special plates were issued.

4.18 (d) Fees collected under this subdivision must be credited to the vehicle services  
4.19 operating account in the special revenue fund.

4.20 Sec. 4. Minnesota Statutes 2009 Supplement, section 168.12, subdivision 5, is  
4.21 amended to read:

4.22 **Subd. 5. Additional fee.** (a) In addition to any fee otherwise authorized or any tax  
4.23 otherwise imposed upon any vehicle, the payment of which is required as a condition to  
4.24 the issuance of any plate or plates, the commissioner shall impose the fee specified in  
4.25 paragraph (b) that is calculated to cover the cost of manufacturing and issuing the plate  
4.26 or plates, except for plates issued to disabled veterans as defined in section 168.031 and  
4.27 plates issued pursuant to section 168.124, 168.125, or 168.27, subdivisions 16 and 17,  
4.28 for passenger automobiles. The commissioner shall issue graphic design plates only  
4.29 for vehicles registered pursuant to section 168.017 and recreational vehicles registered  
4.30 pursuant to section 168.013, subdivision 1g.

4.31 (b) Unless otherwise specified or exempted by statute, the following plate and  
4.32 validation sticker fees apply for the original, duplicate, or replacement issuance of a  
4.33 plate in a plate year:

License Plate	Single	Double
Regular and Disability	\$ 4.50	\$ 6.00

**H.F. No. 3263, 2nd Unofficial Engrossment - 86th Legislative Session (2009-2010)**  
**[UEH3263-2]**

5.1	Special	\$	8.50	\$	10.00
5.2	Personalized (Replacement)	\$	10.00	\$	14.00
5.3	Collector Category	\$	13.50	\$	15.00
5.4	Emergency Vehicle Display	\$	3.00	\$	6.00
5.5	Utility Trailer Self-Adhesive	\$	2.50		
5.6	<u>Vertical Motorcycle Plate</u>	\$	<u>100.00</u>		
5.7	Stickers				
5.8	Duplicate year	\$	1.00	\$	1.00
5.9	International Fuel Tax Agreement	\$	2.50		

5.10 (c) For vehicles that require two of the categories above, the registrar shall only  
5.11 charge the higher of the two fees and not a combined total.

5.12 Sec. 5. Minnesota Statutes 2008, section 169.14, subdivision 5d, is amended to read:

5.13 Subd. 5d. **Speed zoning in work zone; surcharge.** (a) The commissioner, on  
5.14 trunk highways and temporary trunk highways, and local authorities, on streets and  
5.15 highways under their jurisdiction, may authorize the use of reduced maximum speed  
5.16 limits in highway work zones. The commissioner or local authority is not required to  
5.17 conduct an engineering and traffic investigation before authorizing a reduced speed limit  
5.18 in a highway work zone.

5.19 (b) The minimum highway work zone speed limit is 20 miles per hour. The work  
5.20 zone speed limit must not reduce the established speed limit on the affected street or  
5.21 highway by more than 15 miles per hour, except that the highway work zone speed limit  
5.22 must not exceed 40 miles per hour. The commissioner or local authority shall post the  
5.23 limits of the work zone. Highway work zone speed limits are effective on erection of  
5.24 appropriate regulatory speed limit signs. The signs must be removed or covered when  
5.25 they are not required. A speed greater than the posted highway work zone speed limit is  
5.26 unlawful.

5.27 (c) Notwithstanding paragraph (b), on divided highways the commissioner or local  
5.28 authority may establish a highway work zone speed limit that does not exceed 55 miles  
5.29 per hour.

5.30 (d) Notwithstanding paragraph (b), on two-lane highways having one lane for  
5.31 each direction of travel with a posted speed limit of 60 miles per hour or greater, the  
5.32 commissioner or local authority may establish a highway work zone speed limit that  
5.33 does not exceed 40 miles per hour.

5.34 (e) For purposes of this subdivision, "highway work zone" means a segment of  
5.35 highway or street where a road authority or its agent is constructing, reconstructing, or  
5.36 maintaining the physical structure of the roadway, its shoulders, or features adjacent to

6.1 the roadway, including underground and overhead utilities and highway appurtenances,  
6.2 when workers are present.

6.3 ~~(e)~~ (f) Notwithstanding section 609.0331 or 609.101 or other law to the contrary, a  
6.4 person who violates a speed limit established under ~~paragraph (b) or (c)~~ this subdivision,  
6.5 or who violates any other provision of this section while in a highway work zone, is  
6.6 assessed an additional surcharge equal to the amount of the fine imposed for the speed  
6.7 violation, but not less than \$25.

6.8 Sec. 6. Minnesota Statutes 2008, section 169.685, subdivision 6, is amended to read:

6.9 Subd. 6. **Exceptions.** (a) This section does not apply to:

6.10 (1) a person transporting a child in an emergency medical vehicle while in the  
6.11 performance of official duties and when the physical or medical needs of the child make  
6.12 the use of a child passenger restraint system unreasonable or when a child passenger  
6.13 restraint system is not available;

6.14 (2) a peace officer transporting a child while in the performance of official duties  
6.15 and when a child passenger restraint system is not available, provided that a seat belt  
6.16 must be substituted; ~~and~~

6.17 (3) a person while operating a motor vehicle for hire, including a taxi, airport  
6.18 limousine, and bus, but excluding a rented, leased, or borrowed motor vehicle; and

6.19 (4) a person while operating a school bus as defined in section 169.011, subdivision  
6.20 71, other than a type III vehicle that does not meet the crash protection structural  
6.21 requirements of federal motor vehicle safety standard 222, Code of Federal Regulations,  
6.22 title 49, part 571.

6.23 (b) A child passenger restraint system is not required for a child who cannot, in the  
6.24 judgment of a licensed physician, be safely transported in a child passenger restraint  
6.25 system because of a medical condition, body size, or physical disability. A motor vehicle  
6.26 operator claiming exemption for a child under this paragraph must possess a typewritten  
6.27 statement from the physician stating that the child cannot be safely transported in a child  
6.28 passenger restraint system. The statement must give the name and birth date of the child,  
6.29 be dated within the previous six months, and be made on the physician's letterhead or  
6.30 contain the physician's name, address, and telephone number. A person charged with  
6.31 violating subdivision 5 may not be convicted if the person produces the physician's  
6.32 statement in court or in the office of the arresting officer.

6.33 (c) A person offering a motor vehicle for rent or lease shall provide a child passenger  
6.34 restraint device to a customer renting or leasing the motor vehicle who requests the device.  
6.35 A reasonable rent or fee may be charged for use of the child passenger restraint device.

7.1            **EFFECTIVE DATE.** This section is effective the day following final enactment.

7.2            Sec. 7. Minnesota Statutes 2008, section 169.79, subdivision 3, is amended to read:

7.3            Subd. 3. **Rear display of single plate.** If the vehicle is a motorcycle, motor scooter,  
7.4 motorized bicycle, motorcycle sidecar, trailer registered at greater than 3,000 pounds gross  
7.5 vehicle weight (GVW), semitrailer, or vehicle displaying a dealer plate, then one license  
7.6 plate must be displayed horizontally or vertically, for a motorcycle issued vertical license  
7.7 plates under section 168.12, subdivision 2a, with the identifying numbers and letters  
7.8 facing outward from the vehicle and must be mounted ~~in the upright position~~ on the  
7.9 rear of the vehicle.