S.F. No. 580, as introduced - 87th Legislative Session (2011-2012) [11-2159]

SENATE STATE OF MINNESOTA EIGHTY-SEVENTH LEGISLATURE

S.F. No. 580

(SENATE AUTHORS: SKOE)

DATE 03/03/2011 D-PG **OFFICIAL STATUS**

331 Introduction and first reading Referred to Transportation

1.1	A bill for an act
1.2	relating to public safety; modifying certain provisions regarding sale of vehicle
1.3	subject to impoundment order; authorizing commissioner of public safety
1.4	to establish variance process; amending Minnesota Statutes 2010, sections
1.5	169A.60, subdivision 14; 169A.75.
1.6	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
1.7	Section 1. Minnesota Statutes 2010, section 169A.60, subdivision 14, is amended to
1.8	read:
1.9	Subd. 14. Sale of vehicle subject to impoundment order. (a) A registered owner
1.10	may not sell or transfer a motor vehicle during the time its registration plates have been
1.11	ordered impounded or during the time its registration plates bear a special series number,
1.12	unless:
1.13	(1) the sale is for a valid consideration;
1.14	(2) the transferee and the registered owner are not family or household members
1.15	or the commissioner has granted a variance to the transferee allowing the transfer to
1.16	<u>take place;</u>
1.17	(3) the transferee signs an acceptable sworn statement with the commissioner
1.18	attesting that:
1.19	(i) the transferee and the violator are not family or household members or the
1.20	commissioner has granted a variance to the transferee allowing the transfer to take place;
1.21	(ii) the transferee understands that the vehicle is subject to an impoundment order;
1.22	and
1.23	(iii) it is a crime under section 169A.37 to file a false statement under this section or
1.24	to allow the previously registered owner to drive, operate, or be in control of the vehicle
1.25	during the impoundment period; and

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- (4) all elements of section 168A.10 (transfer of interest by owner) are satisfied.
- 2.2 (b) If the conditions of paragraph (a) are satisfied, the registrar may transfer the title
- 2.3 to the new owner upon proper application and issue new registration plates for the vehicle.
- 2.4 Sec. 2. Minnesota Statutes 2010, section 169A.75, is amended to read:
- 2.5

2.1

169A.75 IMPAIRED DRIVING-RELATED RULES.

(a) The commissioner may adopt rules to carry out the provisions of this chapter.
The rules may include the format for notice of intention to revoke that describe clearly the
right to a hearing, the procedure for requesting a hearing, and the consequences of failure
to request a hearing; the format for revocation and notice of reinstatement of driving
privileges as provided in section 169A.55; and the format for temporary licenses.
(b) Rules adopted pursuant to this section are subject to the procedures in chapter 14

2.12 (Administrative Procedure Act).

2.13 (c) Additionally, the commissioner may adopt rules indicating the commissioner's

2.14 approval of instruments for preliminary screening or chemical tests for intoxication under

sections 169A.41 and 169A.51 using the procedures specified in section 14.389 (expedited
process).

2.17 (d) The commissioner may adopt rules to establish a variance process for sale to a

2.18 <u>family or household member of a vehicle subject to impoundment order. The rules may</u>

2.19 <u>include application process, specification of information and documentation required,</u>

2.20 <u>standards for review of the application, and conditions for granting the application.</u>