

HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. **1085**

02/19/2015 Authored by Garofalo, Bennett, Lucero, Considine, Hertaus and others
The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance
03/23/2015 Adoption of Report: Placed on the General Register as Amended
Read Second Time
04/29/2015 Referred to the Chief Clerk for Comparison with S. F. No. 986
04/30/2015 Postponed Indefinitely

1.1 A bill for an act
1.2 relating to public safety; enhancing penalties for careless driving resulting in
1.3 death or great bodily harm; repealing reckless driving; amending Minnesota
1.4 Statutes 2014, section 169.13, subdivisions 2, 3; repealing Minnesota Statutes
1.5 2014, section 169.13, subdivision 1.

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

1.7 Section 1. Minnesota Statutes 2014, section 169.13, subdivision 2, is amended to read:

1.8 Subd. 2. **Careless driving.** (a) Any person who operates or halts any vehicle upon
1.9 any street or highway carelessly or heedlessly in disregard of the rights of others, or in a
1.10 manner that endangers or is likely to endanger any property or any person, including the
1.11 driver or passengers of the vehicle, is guilty of a misdemeanor.

1.12 (b) A person shall not race any vehicle upon any street or highway of this state.
1.13 Any person who willfully compares or contests relative speeds by operating one or more
1.14 vehicles is guilty of a misdemeanor, whether or not the speed contested or compared is in
1.15 excess of the maximum speed prescribed by law.

1.16 (c) A person who violates paragraph (a) or (b), and causes the death of or great
1.17 bodily harm to another, is guilty of a gross misdemeanor.

1.18 (d) For purposes of this section, "great bodily harm" has the meaning given in
1.19 section 609.02, subdivision 8.

1.20 Sec. 2. Minnesota Statutes 2014, section 169.13, subdivision 3, is amended to read:

1.21 Subd. 3. **Application.** (a) The provisions of this section apply, but are not limited in
1.22 application, to any person who drives any vehicle in the manner prohibited by this section:

1.23 (1) upon the ice of any lake, stream, or river, including but not limited to the ice of
1.24 any boundary water; or

(2) in a parking lot ordinarily used by or available to the public though not as a matter of right, and a driveway connecting the parking lot with a street or highway.

(b) This section does not apply to:

(1) an authorized emergency vehicle, when responding to an emergency call or when in pursuit of an actual or suspected violator;

(2) the emergency operation of any vehicle when avoiding imminent danger; or

(3) any raceway, racing facility, or other public event sanctioned by the appropriate governmental authority.

(c) Nothing in this section or section 609.035 or 609.04 shall limit the power of the state to prosecute or punish a person for conduct that constitutes any other crime under any other law of this state.

Sec. 3. **REPEALER.**

Minnesota Statutes 2014, section 169.13, subdivision 1, is repealed.

Sec. 4. **JACQUELYN DEVNEY AND THOMAS CONSIDINE ROADWAY SAFETY ACT.**

If 2015 H.F. No. 1085 is enacted, it may be cited as the Jacquelyn Devney and Thomas Considine Roadway Safety Act.

Sec. 5. **EFFECTIVE DATE.**

Sections 1 to 3 are effective August 1, 2015, and apply to crimes committed on or after that date.

APPENDIX
Repealed Minnesota Statutes: H1085-1

169.13 RECKLESS OR CARELESS DRIVING.

Subdivision 1. **Reckless driving.** (a) Any person who drives any vehicle in such a manner as to indicate either a willful or a wanton disregard for the safety of persons or property is guilty of reckless driving and such reckless driving is a misdemeanor.

(b) A person shall not race any vehicle upon any street or highway of this state. Any person who willfully compares or contests relative speeds by operating one or more vehicles is guilty of racing, which constitutes reckless driving, whether or not the speed contested or compared is in excess of the maximum speed prescribed by law.